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BOROUGH OF PALISADES PARK
PLANNING BOARD
WEDNESDAY, OCTOBER 22, 2025
7:01 P.M.

IN THE MATTERS OF:)
Case #25-SP09 Site Plan) TRANSCRIPT OF
Fan Associates, LLC) PROCEEDING
15 Grand Avenue)
Block 505, Lots 3 & 4)
Case #25-SP12 Site Plan)
DRC Development Corp.)
35, 37 & 39 W. Columbia Avenue)
Block 617, Lots 21, 22 & 23)

B E F O R E

THE PALISADES PARK PLANNING BOARD
THERE BEING PRESENT:

ARLENE STAR, CHAIRWOMAN
CHRIS AUFIERO, VICE CHAIRMAN
C. PAUL KIM, MAYOR
JUSTIN KANG, MEMBER
SUK JOHN MIN, MEMBER (ABSENT)
JAE KWAN PARK, MEMBER (ABSENT)
MIRJANA TARABOCHIA, MEMBER (ABSENT)
EDWIN HAN, MEMBER (ABSENT)
SOPHIA JANG, MEMBER (ABSENT)
PAUL KIM, ALTERNATE MEMBER
HYOUNG PARK, ALTERNATE MEMBER (ABSENT)

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

19 LUCY HANRAHAN, LAND USE SECRETARY
20 MICHAEL D. KAUKER, PP, AICP, Board Planner
21 HAL SIMOFF, PE, Board Traffic Engineer

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I N D E X (Continuing

E X H I B I T S

3 No. Description Ident/Evid

4 Case #25-SP12 Site Plan
5 DRC Development Corp.
6 35, 37 & 39 W. Columbia Avenue
7 Block 617, Lots 21, 22 & 23

8 A-1 Site Plan Page 1 of 6 for the
9 proposed five-story multifamily
10 building known as 35-39 West Columbia
11 Avenue, a/k/a as Tax Lots 21, 22 & 23
12 in Block 617 33

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1 CHAIRWOMAN STAR: This is the regular
 2 meeting of the Palisades Park Planning Board and I'd
 3 like to have the Pledge of Allegiance led by Mr.
 4 Aufiero.
 5 (Whereupon, all rise for a recitation
 6 of the Pledge of Allegiance led by Vice
 7 Chairman Aufiero.)
 8 CHAIRWOMAN STAR: Roll call.
 9 MS. HANRAHAN: Mayor?
 10 MAYOR KIM: Here.
 11 MS. HANRAHAN: Star?
 12 CHAIRWOMAN STAR: Here.
 13 MS. HANRAHAN: Aufiero?
 14 VICE CHAIRMAN AUFIERO: Here.
 15 MS. HANRAHAN: Tarabocchia?
 16 (No Response.)
 17 MS. HANRAHAN: Not in.
 18 Sophia?
 19 (No Response.)
 20 MS. HANRAHAN: Not in.
 21 J. Park?
 22 (No Response.)
 23 MS. HANRAHAN: Not in.
 24 Kang?
 25 MR. KANG: Here.

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1 MS. HANRAHAN: Min.
 2 (No Response.)
 3 MS. HANRAHAN: Not in.
 4 Han?
 5 (No Response.)
 6 MS. HANRAHAN: Not in.
 7 Park?
 8 (No Response.)
 9 MS. HANRAHAN: Not in.
 10 And Kim?
 11 MR. KIM: Present.
 12 MAYOR KIM: Counselor, do we have a
 13 quorum?
 14 MR. NOH: We do have a quorum.
 15 MAYOR KIM: Thank you.
 16 CHAIRWOMAN STAR: Okay. Next the
 17 minutes that we have read from last month.
 18 May I have a motion to accept the
 19 minutes from last month's meeting?
 20 VICE CHAIRMAN AUFIERO: I'll make a
 21 motion to accept the minutes from last month.
 22 CHAIRWOMAN STAR: Thank you.
 23 Second?
 24 MR. KANG: I'll second it.
 25 MS. HANRAHAN: Mayor?

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1 MAYOR KIM: Yes.
 2 MS. HANRAHAN: Star?
 3 CHAIRWOMAN STAR: Yes.
 4 MS. HANRAHAN: Aufiero?
 5 VICE CHAIRMAN AUFIERO: Yes.
 6 MS. HANRAHAN: Kang?
 7 MR. KANG: Yes.
 8 MS. HANRAHAN: And Kim?
 9 MR. KIM: Yes.
 10 CHAIRWOMAN STAR: And also the bills.
 11 May I have a motion to --
 12 MAYOR KIM: Yuck.
 13 CHAIRWOMAN STAR: -- pay the bills from
 14 last month.
 15 VICE CHAIRMAN AUFIERO: I'll make a
 16 motion to pay the bills from last month.
 17 CHAIRWOMAN STAR: Thank you.
 18 Do we have a second?
 19 MR. KANG: I'll second it.
 20 MS. HANRAHAN: Mayor?
 21 MAYOR KIM: Yes.
 22 MS. HANRAHAN: Star?
 23 CHAIRWOMAN STAR: Yes.
 24 MS. HANRAHAN: Aufiero?
 25 VICE CHAIRMAN AUFIERO: Yes.

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1 MS. HANRAHAN: Kang?
 2 MR. KANG: Yes.
 3 MS. HANRAHAN: And Kim?
 4 MR. KIM: Yes.
 5 CHAIRWOMAN STAR: Okay.
 6 The first case tonight is a Site Plan
 7 Case SP09, Fan Associates, LLC, 15 Grand Avenue.
 8 MR. FLANNERY: Yes.
 9 Good evening, Madam Chairwoman, Members
 10 of the Board. For the record, Peter Flannery from
 11 the law firm of Bisgaier Hoff on behalf of the
 12 Applicant Fan Associates, LLC.
 13 This application had a legal notice
 14 provided at the last hearing, it was accepted by this
 15 board, as I understand, and continued to this
 16 hearing.
 17 Before we begin, I know there was a
 18 very recent letter submitted by a neighboring
 19 property owner Leems Corp. regarding this alleged
 20 jurisdictional question.
 21 I just want to represent to the board
 22 that there is no proposed shared access with Lot 1,
 23 the Leems property, also known as 21 Grand, as part
 24 of this application.
 25 The DOT application that was submitted

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1 contained the same plan that's before this board. I
2 had also submitted a letter to Mr. Noh on
3 October 10th making that representation that we would
4 not be using any portion of Lot 1 for this property
5 and that we would add a note to the plan indicating
6 that we would have no shared access and would have no
7 objection to the relocation of the portion of that
8 driveway on the 21 Grand property by Leems.

9 I also wanted to remind the board that
10 this a DOT issue that's being raised. It's not
11 within this board's jurisdiction to address state
12 highway issues and this is more properly before the
13 DOT itself.

14 So we maintain that there is no
15 jurisdictional issue here and the applicant should be
16 permitted to proceed.

17 I also want to add that in response to
18 some of the review letters and also to address this
19 apparent continuing confusion over the shared
20 driveway issue, we do have a proposed amended plan to
21 show the board tonight, which will indicate a revised
22 driveway to the north showing both ingress and
23 egress. I think that would dispel once and for all
24 any notion that we're proposing ingress through
25 Lot 1, which we are not.

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1 My question was: In the redevelopment
2 plan it require the widening of Grand Avenue and I'm
3 asking you if you're going to comply with that and
4 submit a plan or not.

5 MR. FLANNERY: Well, two things,
6 Mr. Noh, one, those were recommendations in the
7 redevelopment plan, they're not mandatory that Grand
8 Avenue be widened.

9 I also want to bring it to the board's
10 attention that this application was filed pursuant to
11 the overlay ordinance that was adopted in January,
12 and not necessarily the redevelopment plan.

13 So there's a question as to whether
14 this application has been submitted under the overlay
15 ordinance or the redevelopment plan.

16 MR. NOH: Mike?

17 MR. KAUKER: I'm not sure I follow.

18 You said there's a question as to
19 whether it was submitted with respect to either the
20 overlay or the redevelopment plan.

21 MR. FLANNERY: There was an overlay
22 ordinance adopted in January which permitted this
23 proposed development on the site.

24 MAYOR KIM: That has nothing to do with
25 our agreement of gaining a third lane according to

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1 So I ask the board to proceed and I can
2 continue with our application and present our
3 witnesses.

4 MR. NOH: Well, Mr. Flannery, thank
5 you.

6 You did get the review letter by our
7 traffic engineer, right?

8 MR. FLANNERY: I did.

9 MR. NOH: Hal Simoff, right?

10 MR. FLANNERY: Yes.

11 MR. NOH: And you had a chance to take
12 a look at it, right?

13 MR. FLANNERY: We did.

14 MR. NOH: And in it our traffic
15 engineer has asked if you guys are going to comply
16 with the redevelopment plan in widening the Grand
17 Avenue.

18 Is that going to happen?

19 MR. FLANNERY: Well, we'll have
20 testimony about that, Mr. Noh.

21 There is mention about widening of
22 Grand Avenue, but there's no increase in traffic from
23 our site, so it --

24 MR. NOH: Well, that wasn't my
25 question, sir.

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1 Hal Simoff.

2 We were expecting the description of
3 how you guys are going to create the third lane,
4 because it was presented by Hal Simoff, right.

5 MR. SIMOFF: Yes.

6 Presently the traffic is Level of
7 Service F, it fails on Grand Avenue.

8 MR. FLANNERY: Again, we can have our
9 traffic engineer discuss this issue.

10 I'm not quite qualified to make a
11 representation at this time, but if we can proceed,
12 we'll have our traffic engineer weigh in.

13 MR. NOH: Well, Hal, the -- Mike,
14 according to the redevelopment plan, the road
15 widening is required, right, is required?

16 MR. KAUKER: Right.

17 It says the road should be improved to
18 DOT standards.

19 MAYOR KIM: Yes.

20 MR. KAUKER: But the redevelopment plan
21 does apply to this property.

22 MR. FLANNERY: Well, under the time of
23 the application rule there's an argument that the
24 overlay, not the redevelopment plan applies to this
25 application.

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1 MR. KAUKER: Then why did we do the
2 redevelopment plan?
3 MR. FLANNERY: I think it was just
4 something that was done as a matter of course,
5 because there was redevelopment plans being done for
6 other projects and possibility of a PILOT.
7 MR. KAUKER: Yeah, it's been a while,
8 but I thought -- I actually thought we didn't move
9 forward with the overlay zone.
10 I thought we were going to do that
11 initially based upon direction from the court and
12 then they had redirected us to do the redevelopment
13 plan, because I remember there was an issue with
14 timing, because we were concerned that we wouldn't
15 have enough time to meet the court deadlines with
16 respect to preparing a redevelopment plan, but we
17 didn't do that.
18 MR. FLANNERY: It was adopted.
19 It was Ordinance 2025-6 creating the
20 affordable housing and mixed-use development overlay
21 zone.
22 MAYOR KIM: I'm sorry, what was the
23 ordinance again, 2025?
24 MR. FLANNERY: 2025-6.
25 MAYOR KIM: -6 ordinance?
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1 MR. FLANNERY: And this was presented
2 as part of the fairness hearing before the superior
3 court approving the settlement.
4 MAYOR KIM: But we feel strongly that
5 because a third lane is not there and we're expecting
6 that.
7 Counsel, what do you recommend?
8 MR. NOH: I mean, like I concur with
9 Mike, of course, because why did we do the
10 redevelopment plan if we don't want to include any
11 element in it and it is -- Hal, it is our opinion
12 that that is required, right --
13 MR. SIMOFF: Yes.
14 MR. NOH: -- the road widening?
15 MR. SIMOFF: With all the development
16 proposed in the area that meets the grand plan. No
17 pun intended.
18 MAYOR KIM: So I recommend without the
19 proper application and information, I don't -- yeah,
20 go ahead.
21 MR. SIMOFF: One more thing, they're
22 presenting a revised plan tonight. I haven't seen
23 it.
24 MAYOR KIM: Why haven't you?
25 MR. SIMOFF: Because it hasn't been
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1 submitted yet.
2 MR. FLANNERY: We haven't submitted it.
3 We'll have it presented so the board members can
4 comment and the professionals can comment.
5 MAYOR KIM: It seems like we're really
6 not prepared on both ends right now. So --
7 MR. FLANNERY: So we have an
8 application that's been submitted.
9 It's been submitted under the overlay
10 ordinance that's per the cover letter.
11 MR. KAUKER: I have a question, so it's
12 your contention that the over -- that the overlay
13 zone applies, but the redevelopment plan does not
14 apply to this application.
15 MR. FLANNERY: Correct.
16 MR. KAUKER: Okay. That's interesting.
17 MR. FLANNERY: And look, we'll consider
18 traffic improvements. It's something that we can
19 talk about during the hearing.
20 MAYOR KIM: Counsel, what are you
21 recommending?
22 MR. NOH: I mean, we didn't see any of
23 the amended application, right?
24 MR. FLANNERY: It's a proposal.
25 We may not amend. It's up to the board
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1 to determine. We have it tonight to show.
2 MAYOR KIM: Yeah, but we don't have the
3 third lane that we were expecting to see.
4 So, Counselor, what do you recommend?
5 MR. NOH: I mean, if we can adjourn it
6 and can you submit something that shows that you're
7 going to do the road --
8 MR. FLANNERY: Can we at least present
9 architectural testimony?
10 That's not going to change.
11 MAYOR KIM: No, we need the --
12 MR. NOH: We need the whole package.
13 MAYOR KIM: We need the whole package.
14 MR. FLANNERY: You don't need the whole
15 package.
16 We can proceed with the architect --
17 MAYOR KIM: This is our decision, so
18 respectfully this is what we were expecting.
19 We weren't disclosed, the application
20 is not complete.
21 So I'm hoping that you understand that
22 and we can table this until you provide us with a
23 complete application.
24 MR. FLANNERY: Respectfully, the
25 application has been declared complete.
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1 MAYOR KIM: By who?
2 MR. FLANNERY: By this board, that's
3 why we're here tonight.
4 MAYOR KIM: No, not with the third
5 lane.
6 MR. FLANNERY: There's no requirement
7 for the third lane.
8 We were not notified of having to
9 provide a third lane.
10 MR. NOH: It's in the redevelopment
11 plan that the road has to be widened.
12 MR. FLANNERY: Which doesn't apply.
13 MAYOR KIM: So let's not argue.
14 MR. FLANNERY: Just one more thing,
15 respectfully, I just want to remind the board that
16 they are bound under the settlement agreement to --
17 MAYOR KIM: We are, we are, but then
18 you are not prepared --
19 MR. FLANNERY: -- expeditiously process
20 the application.
21 MAYOR KIM: That's not a problem.
22 We can go back to the drawing board and
23 do what you got to do on top, but as far as our
24 concern in our end, we require the third lane. You
25 did not provide that for us.
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1 You're saying that it's not mandatory.
2 We believe it is.
3 So having said that, I'd like to make a
4 motion to table this application until they provide
5 the third lane.
6 CHAIRWOMAN STAR: Do we have a second?
7 MAYOR KIM: Wait, before that, how long
8 do you need to do that?
9 MR. FLANNERY: Submit revised plans.
10 MR. KELLER: Essentially -- well --
11 MAYOR KIM: Sir, your name and your
12 position.
13 MR. KELLER: I'm Eric Keller. I'm with
14 Bowman Consulting.
15 I'm the engineer who signed these
16 plans.
17 I'm a licensed professional engineer
18 and professional planner in the State of New Jersey.
19 MAYOR KIM: Great.
20 MR. KELLER: The roadway widening is a
21 DOT issue. There is a -- under the state
22 regulations, under state access management code we're
23 reducing the amount of traffic generated by this
24 site.
25 There's no rational nexus for this
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1 project to widen Grand Avenue.
2 I don't disagree with Mr. Simoff that
3 traffic conditions today, as they were four years
4 ago, are not good, but they have nothing to do with
5 this project.
6 This project does not create the
7 traffic that will make it worse and that is
8 consistent with the state's highway access management
9 code. You can't make a Level of Service F condition
10 worse. We are not, because we're reducing the amount
11 of traffic that is generated by this project.
12 MAYOR KIM: How are you reducing
13 traffic, sir?
14 MR. FLANNERY: We can have him sworn in
15 and qualified.
16 MAYOR KIM: Yeah, but I'm telling you
17 right now, guys, again --
18 MR. FLANNERY: And, again, why can't we
19 submit our architectural testimony?
20 It has nothing to do with traffic.
21 MAYOR KIM: Again, we strongly feel,
22 all right, and I'm going to -- if any council member
23 -- whatchamacallit -- board members want to speak up,
24 but we unanimously feel that this application is
25 incomplete.
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1 We would require that you provide us
2 with the three lane. You can come back to the
3 drawing board, go back to the courts, but this is
4 what we firmly believe.
5 We want you to bring us a complete
6 packet.
7 MR. FLANNERY: What's that belief based
8 on?
9 MAYOR KIM: This is our decision.
10 MR. FLANNERY: It's the board's
11 feeling.
12 MAYOR KIM: We were -- go ahead.
13 MR. KAUKER: I think the issue that
14 really needs to be addressed, and this is something I
15 just learned about tonight, is the applicant's
16 claiming that the redevelopment -- the redevelopment
17 plan doesn't apply. Excuse me.
18 So I mean, that's really a legal issue
19 that I think is going to have to be figured out.
20 MAYOR KIM: Exactly.
21 So we're not the --
22 MR. FLANNERY: The board's counsel can
23 make that determination this evening.
24 MAYOR KIM: -- delegating attorney on
25 the builder's remedy and whatnot.
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1 So, Madam Chair, and everybody else, I
 2 would like to recommend that we table this until they
 3 provide a complete packet.
 4 When could you provide that packet,
 5 sir?
 6 Next month?
 7 MR. FLANNERY: Well, we're going to
 8 discuss our options.
 9 We may be in court before we're before
 10 this board, so...
 11 MAYOR KIM: I would like to make a
 12 motion to table this.
 13 May I have a second?
 14 VICE CHAIRMAN AUFIERO: I'll second it.
 15 MAYOR KIM: Thank you.
 16 Roll call?
 17 MS. HANRAHAN: Mayor?
 18 MAYOR KIM: Yes.
 19 MS. HANRAHAN: Star?
 20 CHAIRWOMAN STAR: Yes.
 21 MS. HANRAHAN: Aufiero?
 22 VICE CHAIRMAN AUFIERO: Yes.
 23 MS. HANRAHAN: Kang?
 24 MR. KANG: Yes.
 25 MS. HANRAHAN: And Kim?

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1 MR. KIM: Yes.
 2 MAYOR KIM: Come back next time with
 3 the third lane.
 4 CHAIRWOMAN STAR: Okay.
 5 The next business is --
 6 MR. COCOROS: He said four minutes.
 7 Mark is on his way down.
 8 CHAIRWOMAN STAR: Mark is on his way.
 9 MR. COCOROS: Yes.
 10 He said four minutes.
 11 MAYOR KIM: Let's take a five-minute
 12 break.
 13 CHAIRWOMAN STAR: Okay. Can I have a
 14 motion to take a break?
 15 MR. KANG: I'll make a motion to --
 16 I'll make a motion for a five-minute break.
 17 MAYOR KIM: Five-minute break.
 18 CHAIRWOMAN STAR: Second?
 19 VICE CHAIRMAN AUFIERO: I'll second.
 20 MAYOR KIM: All in favor?
 21 (Whereupon, all present members respond
 22 in the affirmative.)
 23 (Whereupon, a brief recess is held.)
 24 CHAIRWOMAN STAR: So now our next case
 25 is SP12 Site Plan, DRC Development Corporation, 35,

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1 37 & 39 West Columbia Avenue.
 2 MAYOR KIM: Counselor, before you
 3 begin, just pure curiosity, what does the DRC stand
 4 for?
 5 MR. SOKOLICH: I don't know, actually.
 6 I think it's --
 7 MAYOR KIM: The owner's over there.
 8 Do you think you can ask?
 9 Mr. SOKOLICH: David, Robert -- I was
 10 going to try to think of something cute.
 11 I think it's David and Robert Cafasso.
 12 MALE AUDIENCE MEMBER: No, no, no,
 13 David, Robert, Charles, three brothers.
 14 MAYOR KIM: David.
 15 MALE AUDIENCE MEMBER: Robert and
 16 Charles, three brothers.
 17 MR. SOKOLICH: Mayor, if I may, I once
 18 represented an LLC that was called IAOQ and what it
 19 meant was In And Out Quickly, meaning this was an
 20 applicant that was looking for the variance and was
 21 going to then flip the -- and it wasn't a message I
 22 wanted to send to the board.
 23 So I had to come up the names. I said
 24 it's the names of the applicant's grandchildren. And
 25 think about it, thinking about a name that starts

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1 with I, that starts with Q.
 2 (Laughter.)
 3 MR. SOKOLICH: Anyway, we came up with
 4 it.
 5 So it's David, Robert --
 6 MAYOR KIM: I always wanted to ask that
 7 question, that's all.
 8 MR. SOKOLICH: But that's a good
 9 question.
 10 Does anybody have any objection if I
 11 move this table?
 12 MR. NOH: No.
 13 MR. SOKOLICH: Do you mind?
 14 Thank you. I got it, I got it.
 15 MAYOR KIM: Mayor, would you join the
 16 planning board.
 17 MR. SOKOLICH: Huh?
 18 MAYOR KIM: Would you join the planning
 19 board.
 20 MR. SOKOLICH: No.
 21 MAYOR KIM: It's your right to be on
 22 the planning board.
 23 MR. SOKOLICH: No, I don't -- I don't
 24 go to my own planning board, I don't go to the
 25 meetings.

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1 Oh, do I sit on the board?
 2 MAYOR KIM: Yes.
 3 MR. SOKOLICH: No.
 4 I've got too many -- I have no nights
 5 available.
 6 Chairwoman, Members of the Board, it's
 7 nice to be before you. My name is Mark Sokolich.
 8 I'm here on behalf of the Applicant DRC Development.
 9 Just by way of housekeeping, I had sent
 10 to your esteemed attorney Chang Noh proof of service
 11 by way of our Affidavit of Service yesterday by
 12 e-mail and we presented him with the original this
 13 evening.
 14 Chang, I just want to confirm at least
 15 based on your cursory review we seem to be okay in
 16 that regard?
 17 MR. NOH: Yes, and we properly carried
 18 the notice from last month to this meeting.
 19 MR. SOKOLICH: Thank you.
 20 I also will point out to the board that
 21 we did refresh the mailing list so that it was more
 22 recent than the original one that we had to make sure
 23 that we included everyone within 200 feet.
 24 What brings us here this evening is an
 25 application for site plan. It's an application, I'm
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1 referring to, as a builder's remedy site plan.
 2 Just by way of background, as a result
 3 of the matter that had been instituted in the
 4 superior court, a settlement was reached with not
 5 only the Borough of Palisades Park, but with this
 6 particular applicant.
 7 So the application that we submitted
 8 tonight includes an exhibit which becomes a critical
 9 document for purposes of this application and it is
 10 attached, excuse me, as Exhibit F and Exhibit F is a
 11 settlement agreement that was entered into by not
 12 only the Borough of Palisades Park, but also the
 13 applicant and this settlement agreement also attaches
 14 plans and attaches a proposed ordinance.
 15 And essentially there is a zoning
 16 overlay that's applicable to this property and what's
 17 critical about this settlement agreement is the plans
 18 that are attached to the settlement agreement are, in
 19 fact, the plans that are in front of you. They're
 20 identical in all respects, reviewed by the judge,
 21 reviewed by Pal Park, I believe reviewed by
 22 Mr. Kauker, reviewed by the applicant, reviewed by
 23 the applicant's attorneys and his experts, reviewed
 24 by the board's attorneys and they are identical to
 25 the plans in front of you.
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1 The architectural plans are last
 2 revised April 15 of 2025. The engineering plans last
 3 revised May 8 of 2025.
 4 We appeared before you initially with
 5 the hope of not asking for any variances, because in
 6 theory in a perfect world, this is a variance-free
 7 application because the parties have effectively
 8 settled the zoning on this site.
 9 So the zoning is settled, the plans are
 10 prepared. The plans are prepared to conform to
 11 exactly what's in that settlement agreement. The
 12 plans are then attached to the settlement agreement
 13 and everybody signs off. That's what that settlement
 14 agreement represents.
 15 However, there is one glitch, and in
 16 this settlement agreement, if there is a variance
 17 that surfaces during the course of the evening, we
 18 are entitled to ask for it and with all due respect
 19 we believe the board, lack of a better term, is
 20 compelled to follow it as long as we fulfill the
 21 purposes of this settlement and that relates to a
 22 front -- a limited front yard where in the ordinance
 23 it was 10 feet, when, in fact, it should be, I think,
 24 3.71 and that exact setback is set forth in the plans
 25 that are attached to the settlement.
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1 So there's a minor discrepancy between
 2 the plans and also the proposed ordinance, but we
 3 would submit that the plans that have been through
 4 review by the board, by the court, but the board's
 5 experts, by the board's attorneys, by the borough's
 6 attorneys, by the applicant, by the applicant's
 7 experts, by the applicant's attorneys, those plans
 8 are controlling and that's what's before you.
 9 So other than that minor caveat, we
 10 appear before you for a -- what we believe to be at
 11 this point, a simple site plan or in other words a
 12 builder's remedy site plan.
 13 Having said that, for this evening's
 14 purposes we intend to produce the testimony of three
 15 witnesses. We tried to streamline it. The site plan
 16 testimony from Mr. Koestner who prepared the plans
 17 attached to the settlement agreement; the
 18 architectural plans prepared by Mr. Cocoros and
 19 they're also attached to the settlement agreement;
 20 and finally the testimony of our planner.
 21 Now, we were hoping, we were hoping
 22 that the planner was going to be able to provide
 23 testimony that no variances are being sought.
 24 Now that testimony is going to be
 25 tweaked a little bit to include that one isolated
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1 front yard.
2 Now, I will also report that I am told
3 -- and if I'm wrong, I'm wrong -- that at the last
4 work session meeting of the governing body this very
5 amendment to the ordinance to make it 3.71 feet was
6 discussed and I believe it is on for first reading
7 this Monday.

8 So while it is not yet technically the
9 law of the land, you guys are along the way to make
10 it the law of the land. It's consistent with the
11 terms of settlement and we're hopeful that we can
12 proceed uneventfully tonight.

13 I'm done talking unless anybody has any
14 questions of me and we would like to call our first
15 witness.

16 MAYOR KIM: Counselor, is that okay?

17 MR. NOH: That's okay, yeah.

18 MR. SOKOLICH: Thank you.

19 Thank you, Mayor.

20 Thank you, Counsel.

21 With that, how did I do, Hal?

22 MR. SIMOFF: (Thumbs up).

23 MR. SOKOLICH: Good, thank you.

24 With that, we would call Steve

25 Koestner, our site plan engineer.

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1 spell your last name for us.

2 MR. KOESTNER: Steven L. Koestner,

3 S-T-E-V-E-N K-O-E-S-T-N-E-R, 61 Hudson Street,
4 Hackensack, New Jersey.

5 Licensed professional engineer and land
6 surveyor.

7 Graduate of Clarkson College of
8 Technology, now known as Clarkson University in 1974.

9 Also a graduate of Iona University in 1999.

10 I have a degree in civil and

11 environmental engineering and a master's of business.

12 VOIR DIRE EXAMINATION

13 BY MR. SOKOLICH:

14 Q. Steve, you -- not to interrupt, your
15 credentials have been accepted in the Borough of
16 Palisades Park in --

17 A. **Yes.**

18 Q. -- the past as -- let me -- as an
19 expert in the field of civil engineering?

20 A. **Yes.**

21 Q. Zoning board?

22 A. **Correct.**

23 Q. And also planning board?

24 A. **I'm not sure about the planning board.**

25 Q. I am, because we've had applications

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1 Steve.

2 So I'm going to try to not bore you as
3 I usually do and try to streamline this as best I
4 can.

5 MR. KOESTNER: I don't think he's very
6 boring.

7 MR. SOKOLICH: Thank you, Steve.

8 I think I'm very boring. I don't want
9 to hear myself talk anymore.

10 MR. KOESTNER: Can the board see the
11 plan?

12 MAYOR KIM: Yes.

13 MR. SOKOLICH: So, Steve, just a couple
14 of preliminary questions while I set this up. You
15 are the site plan -- oh, sworn in, I'm sorry, Chang.

16 MR. NOH: Okay. Please raise your
17 right hand, sir.

18 Do you swear to tell the truth and
19 nothing but the truth pertaining to this application
20 so help you God?

21 MR. KOESTNER: I do.

22 S T E V E N K O E S T N E R, PE, LS

23 61 Hudson Street, Hackensack, New Jersey 07601,
24 having been duly sworn, testifies as follows:

25 MR. NOH: Please state your name and

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1 before, so I can attest to it.

2 And your license is in good standing?

3 A. **It is.**

4 MR. SOKOLICH: We'd offer Mr. Koestner
5 as an expert in the field of engineering.

6 CHAIRWOMAN STAR: Yes, yes.

7 MR. SOKOLICH: Thank you.

8 DIRECT EXAMINATION

9 BY MR. SOKOLICH:

10 Q. Steve, you heard my little opening
11 statement, if you will?

12 A. **Yes.**

13 Q. You understand this to be a builder's
14 remedy, which is -- excuse me, a builder's remedy
15 site plan, which is a plan consistent with a
16 settlement that was reached?

17 A. **Correct.**

18 Q. Do you agree with that?

19 A. **Yes.**

20 Q. And you've reviewed the settlement?

21 A. **I have.**

22 Q. You've reviewed the application?

23 A. **I have.**

24 Q. And you understand the settlement and
25 its terms?

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1 A. Yes.
2 Q. Was I accurate when I indicated at the
3 outset that the plans before the board are the plans
4 that are attached to the settlement?

5 A. Yes.
6 Q. Okay.
7 A. **Of course they were updated, but, yes,
8 they are the same, yes.**

9 Q. So I'm going to present to you what's
10 on this board now are your plans that are, in fact,
11 attached to the settlement, correct?

12 A. **Correct, with an updated date.**

13 Q. Thank you.
14 And what is that updated date?

15 A. **May 8, 2025.**
16 (Whereupon, Site Plan Page 1 of 6 for
17 the proposed five-story multifamily building
18 known as 35-39 West Columbia Avenue, a/k/a as
19 Tax Lots 21, 22 and 23 in Block 617 is marked
20 as Exhibit A-1 for identification.)

21 BY MR. SOKOLICH:

22 Q. Now, I'm going to mark as A-1 your
23 first page and, again, all of the pages we're about
24 to mark for identification were prepared by you?

25 A. **Yes, under my supervision.**
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1 **Avenue; half a block to the north, West Ruby Avenue;
2 and to the west, Grand Avenue.**

3 **And then there are dwelling structures
4 in the rear and on each side of the property as well;
5 and the business structure near the corner.**

6 Q. And right now the properties are used,
7 I believe, as single-family residences?

8 A. **They are as far as I know.
9 They're single-family or two-family,
10 I'm not sure.**

11 Q. Or one-and two-family residences?

12 A. **Yes.**

13 Q. Okay. And access to those are only off
14 of West Columbia?

15 A. **That's correct.**

16 Q. Okay. And I believe the cars pull in
17 and then back out onto West Columbia?

18 A. **That's right.**

19 Q. Which is a condition that's less than,
20 let's say, less than --

21 A. **Ideal.**

22 Q. Correct, ideal.

23 I'm going to turn to what we're going
24 to mark as A-2.

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1 Q. Or under your supervision.
2 So could you just indicate to the board
3 what A-1 represents?

4 A. **A-1 represents the first page, 1 of 6
5 of the site plan for the proposed five-story
6 multi-family building known as 35-39 West Columbia
7 Avenue, also known as Tax Lots 21, 22 and 23 and
8 Block 617.**

9 **The property indicated here is fronting
10 on West Columbia Avenue, just west of Broad Avenue
11 between Broad and Grand.**

12 **It indicates the area map, zoning key
13 map, a photograph of the site, of the approach to the
14 site, as well as the zoning schedule in the upper
15 right-hand corner.**

16 **We also have the flood note that the
17 property is not in the flood zone as it's raised up
18 on the hill and ownership information for the various
19 lots, as well as for preparation date and several
20 revision dates.**

21 Q. And could you just describe using this
22 page what surrounds the subject property?

23 A. **Yes.**
24 **Surrounding the subject property are to
25 the south would be Route 46; to the east Broad**

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1 (Whereupon, Site Plan Sheet "Site
2 Grading Plan Lower Level" Last Revised May 8,
3 2025 is marked as Exhibit A-2 for
4 identification.)

5 BY MR. SOKOLICH:

6 Q. And I believe this is the first page
7 that depicts the improvements that are proposed by
8 the applicant and this is entitled "Site Grading Plan
9 Lower Level" with a last revised date of -- where are
10 we, Steve?

11 A. **May 8, 2025.**

12 Q. And I noticed that it's revised to
13 reflect what you put in, revised to reflect the terms
14 of the settlement?

15 A. **It is, yes.**

16 Q. So if you would, I want you to start
17 wherever you think is most logical to explain to the
18 board in your own engineering terms what's proposed
19 on this site focusing on ingress, egress and if you
20 would, setbacks.

21 A. **Certainly.**

22 **As I explained, the property is located
23 fronting on West Columbia Avenue, that's the north
24 side of West Columbia Avenue.**

25 **The property stands 200 feet in width**
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1 across the rear; on the easterly side, 49.57 feet;
2 and on the westerly side, 100 feet in depth.

3 The property, of course, is slightly
4 long in the front as the front is on an angle with a
5 curb and skewed.

6 Three houses, as Mr. Sokolich had
7 explained, exists on the site. They would be
8 proposed to be removed and placed -- replaced,
9 rather, with this five-story apartment building.

10 The apartment building is shown in the
11 heavy outline surrounding the site and there are two
12 levels proposed of parking, Sheet 2 or Sheet A-2
13 indicates the lower level of parking and the property
14 does have a gradient or slope from east to west.

15 So the east side is higher than the
16 west side, so, therefore, what we've done is provide
17 access to the lower parking level from the west side
18 and this plan indicates that lower parking level and
19 I believe there are -- there's 42 parking spaces
20 entire, 24 on the lower level and I think 18 on the
21 upper -- this depicts the lower level.

22 It also depicts the drainage that we
23 propose under the building in terms of seepage pits
24 to collect the excess runoff generated by this
25 proposed development.

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1 be --

2 MR. SOKOLICH: And that is the setback
3 in question that I don't think I was very clear on,
4 but that was the one that's the subject of your
5 governing body for adoption.

6 THE WITNESS: Mostly all of the
7 setbacks are larger than that, that's the smallest
8 setback.

9 BY MR. SOKOLICH:

10 Q. And I believe, Steve, that since we're
11 here a little bit before the formal adoption of the
12 amendment, it's going to end up being a variance
13 request?

14 A. Yes.

15 Q. That's my job, but I'm just pointing
16 that out for the record.

17 MAYOR KIM: That's what the board is
18 accepting as a variance.

19 MR. SOKOLICH: Thank you, Mayor.

20 BY MR. SOKOLICH:

21 Q. Go ahead, Steve.

22 I didn't mean to interrupt you?

23 A. Fine.

24 I don't know if it shows much else on
25 this side.

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1 Of course the roofs are much larger.
2 There's a small impervious area for access as well
3 that will be picked up with a trench drain on each of
4 the access points.

5 And there are eight seepage pits here
6 proposed. Eight 8-by-4 heavy duty seepage pits that
7 are proposed.

8 If I can mention the setbacks?

9 Q. Please, if you would.

10 A. The setback on the easterly side line

11 --

12 Q. And when we get to the setback -- I'm
13 sorry, the setback in question, just point that out
14 on what's in the ordinance is 10 and what's proposed
15 is 3.71.

16 A. The -- I'll start with the setback on
17 the side yard, 5 feet on the easterly side, basically
18 5, 5 feet on the westerly side as well, 6 feet off
19 the rear yard and the front yard does vary and the
20 front yard setback in question is at the
21 southeasterly corner of the property and it's 3.67.

22 MAYOR KIM: And it used to be at 10,
23 but then we changed it.

24 MR. SOKOLICH: Correct, Mayor.

25 THE WITNESS: Yes, that was supposed to

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1 We have various detail of the seepage
2 pits, drainage structures to pick up the stormwater
3 runoff generated from the roof, as well as the
4 driveways. The parking spaces are delineated.

5 We have drainage, of course, in that
6 parking lot area if there was any spillage, to
7 capture that water as well.

8 Q. But at the end of the day, this is
9 going to go through full borough engineer review,
10 correct? I don't know how far along that is. I
11 might be completed, it might not.

12 A. Yes.

13 Q. But the applicant is obviously aware of
14 the fact that if we need to, if there is suggests
15 that are made that are reasonable, in fact, we'll
16 amend to accommodate that, correct?

17 A. Yes.

18 Q. As we always do?

19 A. Correct.

20 Q. So there are 24 parking spaces on this
21 level?

22 A. Correct.

23 Q. There's 18 on the next level, we didn't
24 get there yet, for a total of 42?

25 A. Correct.

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1 Q. There's a total number of units
 2 proposed of 33 of which there is a 20 percent set
 3 aside for affordable housing which would equate to
 4 seven of the 33?
 5 A. **Yes.**
 6 Q. There's a parking ratio requirement of
 7 at least 1.27 per unit and I believe, correct me if
 8 I'm wrong, 42 spaces in relationship to 33 units is
 9 precisely 1.27?
 10 A. **When you do the math, simple**
 11 **multiplication, 1.27 times the 33 units, you come up**
 12 **with 41.9 parking spaces, so we have 42, which would**
 13 **meet that requirement.**
 14 Q. So back to the settlement, and I don't
 15 have to do this on every page, but on this page we
 16 have a lot size that consists of 16,208 square feet,
 17 correct?
 18 A. **Correct.**
 19 Q. And that's the minimum lot size under
 20 the terms of the settlement?
 21 A. **That's the size of the lot, yes.**
 22 Q. The building coverage on this, there's
 23 a maximum under the ordinance for this property is
 24 75.37, does it comply?
 25 A. **That's on the first page.**
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1 Q. We're going to flip you back to A-1 for
 2 a second.
 3 A. **Go back to our zoning schedule.**
 4 **We have building coverage, 75.37.**
 5 Q. Which conforms?
 6 A. **Yes.**
 7 Q. So we have a minimum under the terms of
 8 settlement, minimum right side yard setback to the
 9 garage at 5 feet?
 10 A. **Yes.**
 11 Q. Does that conform?
 12 A. **It does.**
 13 Q. We have a minimum right yard setback to
 14 the building of 5 feet.
 15 Does that conform?
 16 A. **It does.**
 17 Q. We have a minimum rear yard setback
 18 garage and stairwell, 6 feet from the rear property
 19 line.
 20 Does that conform?
 21 A. **It does.**
 22 Q. Without belaboring the point, other
 23 than the one setback that you eloquently pointed out,
 24 does everything else on this plan conform to the
 25 terms of the settlement?
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1 A. **It does.**
 2 Q. We're going to now turn to A-3. Now, A
 3 -- did you talk about ingress and egress, Steve?
 4 A. **I did, yes, yeah, we've mentioned the**
 5 **lower egress on the --**
 6 Q. I'm now going to turn you to A-3, I'll
 7 date it today.
 8 MR. SOKOLICH: This is a plan, Counsel,
 9 entitled "Site Grading Plan Ground Level" and it has
 10 a last revised date -- where are you -- of --
 11 THE WITNESS: It looks like this one is
 12 4/25/24.
 13 (Whereupon, Site Plan entitled "Site
 14 Grading Plan Ground Level," Last Revised
 15 4/25/24 is marked as Exhibit A-3 for
 16 identification.)
 17 BY MR. SOKOLICH:
 18 Q. So this particular plan, Steve, this is
 19 the next level of parking, correct?
 20 A. **It is.**
 21 Q. Okay. And could you just describe
 22 what's on this level?
 23 A. **Certainly, yeah.**
 24 **As I mentioned earlier, the easterly**
 25 **side of the property being higher than the west lends**
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1 **itself nicely to having the upper parking lot here.**
 2 **So the entrance from the easterly side**
 3 **would -- would -- works well and this is where we**
 4 **would enter the upper parking lot.**
 5 **Basically on this lot, 18 parking**
 6 **spaces, six, I think, fewer than the downstairs**
 7 **parking area, but 42 still in total.**
 8 Q. Understood. Ingress and egress?
 9 A. **Just from the southeast corner.**
 10 Q. Now do we anticipate any of this
 11 traffic impacting the property that's to, as you face
 12 this plan to the left or I believe that would be to
 13 the west?
 14 A. **To the west, yeah.**
 15 **No, no impact at all. The primary and**
 16 **only access to this garage, egress and ingress is**
 17 **from this southeasterly corner.**
 18 **So no egress would be from either west,**
 19 **east or north side of the property.**
 20 Q. And the same series of questions that I
 21 asked you while we were going through A-2 with regard
 22 to compliance with the settlement, does that hold
 23 true for this plan also?
 24 A. **It does.**
 25 Q. And you're not aware of any deviation,
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1 other than, again, of that front yard setback that
2 we're amending?

3 **A. Correct.**

4 **Q.** I'm going to now turn you to A-4.

5 MR. SOKOLICH: And A-4, Counsel, is
6 lighting and landscape plan, lower level and we have
7 a last revised date --

8 BY MR. SOKOLICH:

9 **Q.** Steve, I can never read these dates.

10 **A. You got that same, 4/25.**

11 **(Whereupon, Lighting and Landscaping**
12 **Plan, Lower Level Last Revised 4/25 is marked**
13 **as Exhibit A-4 for identification.)**

14 BY MR. SOKOLICH:

15 **Q.** Got it.

16 And on this particular plan, this
17 depicts landscaping, I believe?

18 **A. It does.**

19 **Q.** Could you just indicate to the board --

20 **A. Excuse me, lighting solely on this one.**
21 **Next sheet I'll have landscaping.**

22 **Q.** Got it.

23 **A. But this sheet shows the luminar**
24 **schedule, the lighting schedule.**

25 **Predominately under the ceiling of the**
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1 **parking, lower parking garage, we would have full**
2 **lighting and we have various types of lights in that**
3 **area. We have a total of 29 lights shown on this**
4 **plan for the parking area and the building as well.**

5 **Q.** Have safeguards been put into place to
6 avoid spillage onto the residential properties either
7 to the west or to the north?

8 **A. Yes, yes, because when these cars do**
9 **pull in, they would be facing the properties to the**
10 **west and to the north as well.**

11 **So the headlamps would point in that**
12 **direction. However, the building is designed in such**
13 **a way that there would be a parapet wall so that the**
14 **light spillage would remain inside of the garage.**

15 **Q.** Now, there will be lights on in this
16 garage and I'm sure they will be on at night, but
17 they're interior, correct?

18 **A. They are.**

19 **Q.** And there's limited, if any, spillage
20 onto the adjacent properties?

21 **A. Correct.**

22 **Q.** And those lights are on for safety
23 purposes?

24 **A. And they are.**

25 **Q.** But are there any lights on the
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1 exterior walls of these buildings that are going to
2 shine on any of the residents?

3 **A. I think there's some limited lighting**
4 **on the exterior of the building and the architect may**
5 **want to talk about that more.**

6 **Q.** Understood, understood.

7 **A. And then also in the engineer's letter**
8 **he does mention that the borough code has a**
9 **limitation of 0.6 footcandles at the property line.**

10 **Q.** And we do intend to comply with that
11 requirement?

12 **A. We do intend.**

13 MAYOR KIM: 0.6?

14 THE WITNESS: 0.6 footcandles.

15 MR. SOKOLICH: Footcandles.

16 THE WITNESS: At the property lines.

17 BY MR. SOKOLICH:

18 **Q.** Steve, on this -- there's the lower
19 level lobby, I believe, and the vestibule that's
20 depicted on A-4?

21 **A. Yes.**

22 **Q.** And that -- so if a pedestrian wants to
23 walk into this building -- cars you've nailed, right?

24 We know how to get in, we know how to get out, but if
25 a pedestrian wants to access this building, they're

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1 going to be walking along the sidewalk, correct?

2 **A. Right.**

3 **Q.** Is that a new sidewalk?

4 **A. Yes.**

5 **Q.** And they're going to end up walking
6 into one of the lobbies, correct?

7 **A. Yeah, yeah, the lobby entrance in the**
8 **front, almost in the center of the building as well**
9 **and then it would be ADA access from the side**
10 **adjacent to the driveway and into the lower level of**
11 **the building.**

12 **Q.** And I believe you also have appropriate
13 accommodation for like, for example, a trash room and
14 sanitation, correct?

15 **A. That's correct. Trash room in the**
16 **center of the building near the front, but within the**
17 **garage area and the utility room in the northwesterly**
18 **corner of the back left corner of the building.**

19 **Q.** Understood.

20 And there's not going to be a need for
21 a garbage truck to pull into the building because
22 that garbage will be taken out manually in dumpsters
23 that are of a size that can be accommodated?

24 **A. That's correct.**

25 **Q.** Okay. Is there anything else that
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1 you'd like to add on A-4?

2 **A. I think that covers that.**

3 (Whereupon, Site Plan entitled

4 "Lighting and Landscape Plan Ground Level,"

5 Last Revised April 25th is marked as Exhibit

6 A-5 for identification.)

7 BY MR. SOKOLICH:

8 **Q.** Okay. I'm going to flip you over to

9 A-5. Now, A-5 is entitled "Lighting and Landscape

10 Plan Ground Level," again with that revised date that

11 I can never read.

12 **A. April 25th.**

13 **Q.** And what does A-5 represent, Steve?

14 **A. Okay. A-5 will represent the ground**

15 **level parking or the upper level parking, as well as**

16 **and more importantly the landscaping that is proposed**

17 **primarily along the front of building with some**

18 **limited landscaping as well on the easterly side of**

19 **the building and in the northwesterly corner of the**

20 **building and that is identified and planting -- on a**

21 **planting schedule, that is, in the lower left-hand**

22 **corner and we have 47 varieties of plants, three**

23 **varieties, but 47 plants proposed. We have junipers,**

24 **coneflowers and a juniper mint proposed.**

25 **Q.** Now, this landscape plan, again, this
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1 MAYOR KIM: May I ask why you want to

2 remove the trees?

3 THE WITNESS: Well, the building would

4 be where the trees are. I think it was on the second

5 --

6 BY MR. SOKOLICH:

7 **Q.** On the second page. It's one, two and

8 three.

9 THE WITNESS: The trees here --

10 MAYOR KIM: But at the end you're going

11 to end up with three trees?

12 THE WITNESS: I don't have any trees

13 proposed at the present time. There are three trees

14 to remain along West Columbia Avenue, though.

15 BY MR. SOKOLICH:

16 **Q.** And the three trees removed are why,

17 because it's in the way of the building, correct?

18 **A. Yeah, in the way of the building and**

19 **the access to the building in the front.**

20 **Q.** I'm going to turn you, if I may, and

21 that's a soil erosion.

22 Now, Steve, we do acknowledge receipt,

23 do we not, of an engineering review letter from

24 Pennoni Engineering, dated October 20, 2025?

25 **A. We do.**
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1 was also part of the settlement, correct?

2 **A. Yes.**

3 **Q.** But if the borough had a request for a

4 different species or put something here, make it more

5 robust there, the applicant would be willing to

6 accommodate it?

7 **A. I'm sure we could accommodate that,**

8 **yes.**

9 **Q.** Ad is there anything else that's

10 depicted on this plan that you haven't already spoken

11 about?

12 By the way, is the parking deck

13 sprinklered?

14 **A. That I don't know.**

15 **Q.** That's a building question?

16 **A. Yeah. I don't know.**

17 MAYOR KIM: Sprinklered.

18 MR. SOKOLICH: Architectural question.

19 And it is. But we'll get to it.

20 BY MR. SOKOLICH:

21 **Q.** Go ahead, Steve, I'm sorry.

22 **A. I didn't mention there's three trees in**

23 **the front of the property and I think on an earlier**

24 **site plan there are some trees to be removed as well,**

25 **but we'll mitigate that with the landscaping.**
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1 **Q.** Have you had a chance to review it?

2 **A. I have.**

3 **Q.** All right. So the letter is detailed

4 review of your plans, the application generally and

5 there's a representative, I believe, here that will

6 ask you questions, but I just wanted to get to a few.

7 It's broken into a few categories, but

8 under traffic and zoning, there's a few issues that

9 were raised that I just wanted to -- or actually site

10 grading, excuse me. There are some requests for

11 additional information that, in fact, you plan on

12 providing, correct?

13 **A. Yes.**

14 **Q.** And that would include like a notation,

15 for example, a minimum of 2 feet of restoration must

16 be provided for all curb and wall replacement?

17 **A. Yeah.**

18 **That has to do with the curb**

19 **replacement in the front and the pavement that might**

20 **be damaged. An excellent recommendation.**

21 **Q.** Clarify that all pavement areas to be

22 converted to landscape or other material, as well as

23 the location of any planters with appropriate and

24 clear hatching?

25 **A. Yes.**
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1 Q. So all of the items that are on the
2 site grading plan, did you recall anything that you
3 do not believe the applicant can comply with?

4 A. **I've read them through within the last
5 couple of days and, no, I don't recall any that are
6 onerous.**

7 Q. Under lighting and landscape, there was
8 a request to revise the lighting plan to ensure
9 consistency between the lighting fixture schedule and
10 the corresponding fixture details?

11 A. **Yes.**

12 Q. There's also testimony was requested
13 regarding if the proposed lighting is on at dusk to
14 dawn or dimming timing as suggested by the
15 redevelopment plan.

16 In fact, there will be dimming on those
17 lights that there's --

18 A. **Exterior lighting I think we can do
19 that, but the interior one I have safety concerns and
20 we probably want to keep those lights on.**

21 Q. But those will be kept at a low
22 footcandle, so it's limited, limited light, but
23 enough to keep it safe, correct?

24 A. **Nothing spill over to the neighbors.**

25 Q. And the rest of the comments under

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1 Q. Okay. Is there anything else, Steve,
2 that you would like to add with regard to your site
3 plan drawings?

4 A. **I think that's it.
5 We covered the drainage, the zoning
6 schedule we talked about, the setbacks, landscaping,
7 lighting, I think we covered it.**

8 MR. SOKOLICH: Thank you.

9 Chairwoman, I offer Mr. Koestner.

10 CHAIRWOMAN STAR: Anybody have any
11 questions?

12 MAYOR KIM: Actually, do you guys have
13 any questions --

14 CHAIRWOMAN STAR: From the board.

15 MAYOR KIM: -- from the site plan.

16 Actually, I do.

17 We agree that, you know, we allowed the
18 3.67 on the way in.

19 I was hoping that you could put some
20 kind of barrier, whether it's going to be a car pole
21 barrier just in case a car runs over into the wall.

22 THE WITNESS: We can put a bollard --

23 MAYOR KIM: Yeah.

24 THE WITNESS: -- adjacent to the
25 building --

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1 lighting and landscaping, do you recall anything that
2 the applicant can --

3 A. **No, I can look at my notes, but I wrote
4 down pretty much okay next to everything.**

5 Q. Understood.

6 There were construction details, one of
7 which was the fire hydrant detail that you provided
8 subject to review by the borough fire department. In
9 fact, that will be presented?

10 A. **Yes.**

11 Q. And you're not aware of anything else
12 under construction details that the applicant can't
13 comply with?

14 A. **I am not.**

15 Q. And under miscellaneous, there were
16 just some miscellaneous items that needed to be
17 provided?

18 A. **Yes.**

19 Q. But all in all with regard to the
20 construction letter, do you see anything that I would
21 call insurmountable?

22 A. **No, none.**

23 Q. Or that the applicant's not willing to
24 provide or comply with?

25 A. **No.**

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1 MAYOR KIM: Those poles.

2 THE WITNESS: -- to protect the
3 building.

4 MAYOR KIM: That's one thing that I
5 would like to recommend, because the setbacks are too
6 damn close, so if you can protect the people who are
7 living there --

8 MR. SOKOLICH: Absolutely.

9 MAYOR KIM: -- that would be good.

10 And also, the trees, we would like to
11 make this place since it's a new development, we
12 would like to request that you put some more trees on
13 the line.

14 You see how there's only three trees.

15 Yeah. If you could just set up a nice tree, make the
16 environment look better, you know, the tree could
17 also protect people from walking.

18 MR. SOKOLICH: Done.

19 THE WITNESS: We could add some streets
20 along the curb, between the curb and the sidewalk.

21 MAYOR KIM: How many street trees would
22 you like to put in for us?

23 THE WITNESS: Well, we have four
24 proposed to be removed.

25 I'd like to get at least four in there.

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1 I don't know if there's going to be room for any, but
 2 I think we could replace four.
 3 MAYOR KIM: Yeah, maybe like four,
 4 five, if you can. It looks nice.
 5 The exterior looks nice.
 6 MR. SOKOLICH: Mayor, can we say a
 7 minimum of five, but if there's room, we'll do more.
 8 MAYOR KIM: Thank you, thank you,
 9 minimum of five.
 10 And the exterior colors, what does the
 11 builder want to plan on the exterior colors?
 12 THE WITNESS: That's a good question.
 13 I'm going to let the architect --
 14 MALE AUDIENCE MEMBER: I haven't
 15 decided yet.
 16 MAYOR KIM: Right.
 17 So it would be nice if it's something
 18 bright, nothing dark, nothing black. It's kind of --
 19 kind of goes with our vision of trying to make this
 20 place bright.
 21 There's some concerning building
 22 duplexes because it's a trend, they make it black.
 23 Make it something like that's not really black and
 24 downing and really heavy, because it's already -- the
 25 space is already tight.

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1 So if you can consider that. If that's
 2 okay, Mike?
 3 Mike, is that okay with the colors?
 4 MR. KAUKER: What's that?
 5 I'm sorry.
 6 MAYOR KIM: I would like to recommend
 7 the color be not just black all over the place,
 8 because, you know, at night, the dark, I would like
 9 it to be lively.
 10 So if they can somehow, you know,
 11 request -- we're requesting if you can make it a
 12 little more brighter, the exterior.
 13 MR. KAUKER: The exterior of the
 14 building?
 15 MAYOR KIM: Of the building and the
 16 color.
 17 MR. KAUKER: I think that would be --
 18 let's wait until the architect testifies, but that
 19 was a comment in my memorandum.
 20 I had asked them to provide some detail
 21 with respect to that, but that's a great question
 22 there.
 23 MR. SOKOLICH: You are -- I think we're
 24 going to be able to accommodate that concern, Mayor.
 25 Unfortunately that's my next witness.

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1 MAYOR KIM: Great.
 2 MR. SOKOLICH: You know these
 3 engineers, they're very picky on what they can
 4 testify to.
 5 MR. SIMOFF: Kind of like lawyers.
 6 MR. SOKOLICH: Kind of like lawyers.
 7 CHAIRWOMAN STAR: Anybody else from the
 8 board have questions?
 9 MAYOR KIM: Actually how many car
 10 poles, the bollards at the 3.65, how many would you
 11 think would be nice to put there to be safe.
 12 THE WITNESS: Bollards.
 13 MAYOR KIM: Bollards, yeah.
 14 THE WITNESS: Well, assuming the car
 15 pulls in, you may want to have one at the left side,
 16 I'll call it, or the west side to protect the car
 17 when the car pulls in.
 18 I don't think they would pull in this
 19 way. I believe -- yeah, West Columbia is a one-way
 20 street, so --
 21 MAYOR KIM: How about covering the
 22 edge where it's the closest to the street? So how
 23 many are we talking about.
 24 THE WITNESS: Two.
 25 MAYOR KIM: Two. Two, is that okay?

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1 THE WITNESS: Yes.
 2 MAYOR KIM: How far were they apart.
 3 THE WITNESS: From the building --
 4 MAYOR KIM: No, next to each other, the
 5 poles.
 6 THE WITNESS: Oh, I would put one on
 7 each side.
 8 MAYOR KIM: How far is the distance
 9 between the two poles?
 10 THE WITNESS: Oh, between?
 11 If I can get my scale. It's
 12 approximately 20, but let me check.
 13 MAYOR KIM: To be safe --
 14 THE WITNESS: 25 feet.
 15 MAYOR KIM: 25 feet.
 16 So you're saying that it would be safe.
 17 The reason why we're asking if you can put poles
 18 there, bollards, whatever they're called, is to
 19 protect the people who is living on the corner of
 20 3.675 feet.
 21 You're saying that if you put the poles
 22 25 feet apart, it should protect that?
 23 Are you saying that's true.
 24 THE WITNESS: Yeah, we'll protect --
 25 MAYOR KIM: How wide is a car?

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1 How wide is a car?
 2 THE WITNESS: A car is about
 3 6-and-a-half feet.
 4 MAYOR KIM: 6-and-a-half feet.
 5 So you're saying that if you put that
 6 at 25 feet apart, the car would not go through
 7 between the two poles?
 8 THE WITNESS: No, I would put the poles
 9 at the edge of the driveway to protect the building.
 10 I think that's where -- what you -- what you're
 11 seeing there. Maybe I'm mistaken.
 12 MAYOR KIM: Engineer, what do you
 13 think?
 14 MR. JANG: I mean, if you put a bollard
 15 next to the driveway, it should protect the building
 16 no problem. I don't think it's going to be an issue.
 17 MAYOR KIM: Two is okay?
 18 MR. JANG: Yeah, two's okay.
 19 MAYOR KIM: Okay. 25? Okay, good.
 20 That's it for me, Madam.
 21 CHAIRWOMAN STAR: Okay.
 22 MR. SOKOLICH: Thank you, Mayor.
 23 CHAIRWOMAN STAR: Anyone else from the
 24 board?
 25 (No Response.)
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1 CHAIRWOMAN STAR: If not, we'll open it
 2 to the public.
 3 Does anyone have a question?
 4 MR. SIMOFF: Oh, I have a couple of
 5 comments.
 6 CHAIRWOMAN STAR: Okay.
 7 MR. SIMOFF: I didn't get a chance to
 8 write a review letter, but your tax map shows part of
 9 the frontage being NJDOT.
 10 MR. SOKOLICH: We were of the
 11 impression we were entirely on West Columbia, Hal.
 12 MR. SIMOFF: But I'm saying the tax map
 13 shows --
 14 MR. SOKOLICH: I don't think -- I don't
 15 think your tax map shows West Columbia on there.
 16 There's actually a ramp, but we're -- I
 17 mean, we're going to submit to the DOT, because we're
 18 going to have to, but --
 19 MR. SIMOFF: Yeah, that's what I was
 20 going to say.
 21 MR. SOKOLICH: Yeah, I mean, we don't
 22 have a choice.
 23 MR. SIMOFF: Just confirmation that you
 24 don't need a DOT --
 25 MR. SOKOLICH: Without a doubt.
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1 MR. KAUKER: Yeah, Hal, it does.
 2 The tax map does show a portion of the
 3 property on 46.
 4 THE WITNESS: However, as most of you
 5 are aware, there's a wall there. It doesn't have
 6 direct access to Route 46 at that point.
 7 MR. SIMOFF: So just as long as you
 8 confirm that you don't have jurisdiction -- they
 9 don't have jurisdiction.
 10 And the other thing is, I'd like
 11 because of the shape of the building and the points
 12 that the mayor came up with, you should plot the site
 13 distance coming out of the driveway.
 14 THE WITNESS: Yes, and that's in the
 15 engineer's letter, I believe, too.
 16 The sight triangles and -- I
 17 interpreted that as sight distance as well.
 18 MR. SIMOFF: Make sure you have proper
 19 sight distance, that the landscaping doesn't impact
 20 the site distance.
 21 THE WITNESS: Yes, yes.
 22 MR. SIMOFF: Those are my only two
 23 comments.
 24 CHAIRWOMAN STAR: Anyone else?
 25 MR. KAUKER: Let Jae go first.
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1 MR. JANG: Sure.
 2 So what about the deliveries, do you
 3 have any delivery truck coming into the parking
 4 spaces.
 5 THE WITNESS: There is a front
 6 entrance.
 7 So I'm seeing some of the quick
 8 deliveries, I've seen a lot of these type of trucks
 9 pull up, FedEx or Amazon, that would pull up in front
 10 of the quick delivery.
 11 Otherwise, you can pull into the
 12 building and park opposite the rear with a lobby door
 13 in the parking area.
 14 MR. JANG: Is there a turning radius?
 15 THE WITNESS: I'm sorry.
 16 MR. JANG: Is there a turning radius
 17 for the truck to turn around?
 18 THE WITNESS: Well, we have more than
 19 adequate distance, I believe. We have 20 -- 25 to
 20 26 feet, which is adequate for a normal size vehicle.
 21 If it's a truck, they may have to do a couple of
 22 K-turns to get out.
 23 MR. SIMOFF: What's the clearance?
 24 THE WITNESS: Oh, the clearance, again,
 25 I'm going to say that's -- there is an either
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1 0-feet-6 or 11 feet between floor to floor.
 2 MR. SIMOFF: So a truck might not fit
 3 in the building?
 4 MR. SOKOLICH: It might not.
 5 MR. SIMOFF: Maybe put a loading zone
 6 out on the street.
 7 MR. SOKOLICH: It wasn't part of the --
 8 it wasn't part of the program. I don't know if
 9 there's room for that.
 10 MR. SIMOFF: You show some striping.
 11 THE WITNESS: We would have striping
 12 for the fire zone striping in front. So for no
 13 parking, that is --
 14 MR. JANG: Are the trucks allowed to
 15 park temporarily in front of the building and on West
 16 Columbia.
 17 THE WITNESS: Temporary parking --
 18 MR. SOKOLICH: Well, I mean, I think
 19 it's a condition that just about any building in town
 20 experiences, right? They get a delivery, they pull
 21 up, the delivery is made and driver is on their way.
 22 I mean, I know that's a phenomenon that takes place
 23 at least in my community every day.
 24 MR. SOKOLICH: Steve, if you want to add
 25 something to it other than there typically isn't a --
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1 for a building of this size there typically isn't a
 2 dedicated delivery drop-off, unless I'm mistaken?
 3 THE WITNESS: No, I don't think you are
 4 mistaken.
 5 MR. SOKOLICH: Yeah.
 6 So it's usually street delivery, pull
 7 over, drop off, and move on like pretty much every
 8 other building in Pal Park.
 9 MR. SIMOFF: And I think the striping
 10 will work with that.
 11 MAYOR KIM: How many parking --
 12 handicap parking lots [sic] are there?
 13 MR. SIMOFF: There's two on the lower
 14 level.
 15 MR. SOKOLICH: Well, Billy, if it's
 16 your answer, we'll just -- once we get to you.
 17 MAYOR KIM: Sorry about that.
 18 MR. SOKOLICH: Yeah, why don't we
 19 complete with Steve.
 20 Steve, if you can't answer it, just say
 21 architect and then once Billy's up, he'll respond.
 22 So you're punting to Billy on that one?
 23 THE WITNESS: Yes.
 24 MR. SOKOLICH: He punted, guys, I'm
 25 sorry.
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1 MR. JANG: One more.
 2 So there is a transformer in front of
 3 the building on the west side or the south side.
 4 Are we putting any bollards around it,
 5 too?
 6 THE WITNESS: Are we talking about the
 7 access points again.
 8 MR. JANG: Yeah.
 9 THE WITNESS: Yeah, we talked about it
 10 on the east side and we may want to add two on the
 11 west side as well.
 12 MR. JANG: Also the -- surrounding the
 13 transformer, too, right? You're proposing --
 14 THE WITNESS: Well, the transformer is
 15 located in the southwesterly corner. Generally the
 16 utility companies require.
 17 MR. SOKOLICH: Yeah, the answer is yes,
 18 we're going to put protected bollards.
 19 MR. JANG: And then there's an existing
 20 utility pole on the westerly driveway, yeah.
 21 THE WITNESS: Yeah, that needs to be
 22 relocated.
 23 MR. JANG: Relocated and we don't know
 24 where it's being relocated.
 25 THE WITNESS: I suspect that's going to
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1 be a utility company decision. It obviously needs to
 2 be moved.
 3 MR. JANG: Do you know what kind -- who
 4 owns the poles or what services the telephone,
 5 electricity.
 6 THE WITNESS: The four, generally the
 7 four services, yes.
 8 MR. JANG: I think that's it.
 9 MR. KAUKER: Just one question with
 10 respect to the front setback. The 3.67 is not the
 11 entire façade of the building, correct?
 12 THE WITNESS: That's correct.
 13 That's the closest point to the
 14 southeast corner.
 15 MR. SOKOLICH: Great question.
 16 MR. KAUKER: So could you -- yeah,
 17 could you just show exactly where that's located?
 18 Okay. And then it ranges from 3.67 to?
 19 THE WITNESS: Sorry, Mark.
 20 At the southwesterly corner we have
 21 10 feet.
 22 MR. KAUKER: Thank you.
 23 THE WITNESS: In between 3.67 and 10.
 24 MR. KAUKER: Thank you.
 25 CHAIRWOMAN STAR: Anybody else have
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1 anything?
 2 (No Response.)
 3 CHAIRWOMAN STAR: Okay. I guess the
 4 next witness.
 5 MAYOR KIM: Public, public.
 6 CHAIRWOMAN STAR: I thought we did that
 7 already.
 8 MAYOR KIM: No.
 9 CHAIRWOMAN STAR: Okay. Anyone from
 10 the public have any questions for this applicant?
 11 MAYOR KIM: For the site plan.
 12 (No Response.)
 13 CHAIRWOMAN STAR: No? Okay. We'll
 14 close that portion.
 15 MR. SOKOLICH: Thank you, Chairwoman.
 16 We'll call up Bill Cocoros.
 17 Thank you, Steve.
 18 THE WITNESS: Thank you.
 19 MR. NOH: Do you swear to tell the
 20 truth, nothing but the truth pertaining to this
 21 application, so help you God?
 22 MR. COCOROS: I do.
 23 VASSILIOS COCOROS, AIA
 24 467 Sylvan Avenue, Englewood Cliffs, New Jersey
 25 07632, having been duly sworn, testifies as
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1 Q. You are the architect for the
 2 applicant?
 3 A. **Yes, I am.**
 4 Q. And what was your primary mission here?
 5 A. **To provide the plans that are in
 6 accordance with the agreement in regards to the
 7 proposed development.**
 8 **Just to let you know, the previous
 9 date, which is 9/16/24 is what the agreement is based
 10 on and also that plan is attached to the agreement.**
 11 **The recent date, 4/25/25 is basically a
 12 reprint of that, because at that point we're going
 13 back to the planning board.**
 14 Q. Excellent but did any dimension or any
 15 aspect of the building change, setback, coverage, its
 16 all consistent with the settlement agreement?
 17 A. **Correct, no changes.**
 18 Q. Thank you for that -- thank you for
 19 that clarification.
 20 I think it's the same for Mr. Koestner
 21 also?
 22 A. **Yes.**
 23 Q. But thank you for that, because that
 24 was important.
 25 So we're going to mark your plans
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1 follows:
 2 MR. NOH: Please state your name and
 3 spell your last name for us.
 4 MR. COCOROS: Sure.
 5 Vassilios, V-A-S-S-I-L-I-O-S, Cocoros,
 6 C-O-C-O-R-O-S, 467 Sylvan Avenue, Englewood Cliffs,
 7 New Jersey 07632.
 8 MR. NOH: Thank you.
 9 DIRECT EXAMINATION
 10 BY MR. SOKOLICH:
 11 Q. Bill, you were present during my brief
 12 opening statement, correct?
 13 A. **Yes.**
 14 Q. And you were also present during the
 15 course of Mr. Koestner's testimony?
 16 A. **Yes.**
 17 Q. And you are familiar, are you not, with
 18 the settlement agreement entered into between the
 19 applicant and Pal Park?
 20 A. **Yes, I am.**
 21 Q. You heard the statements that I made
 22 that the plans that we're presenting to the board are
 23 what was, in fact, incorporated into the settlement
 24 agreement, correct?
 25 A. **Yes.**
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1 starting at A-6.
 2 We've now marked it as A-6. Your first
 3 plan is elevations which has a last revised date of
 4 4/15/25.
 5 And there's a few questions we need to
 6 get to also, but if you would just indicate to the
 7 board what A-6 represents and on this page, Bill,
 8 also focus on height?
 9 (Whereupon, Elevation Plan, Last
 10 Revised 4/15/25 is marked as Exhibit A-6 for
 11 identification.)
 12 THE WITNESS: Yes.
 13 The first sheet here, A-1, which is
 14 Exhibit A-6 consists of the front elevation along
 15 West Columbia looking north.
 16 I also have a tax map/key map for
 17 reference purposes and an aerial shot of the property
 18 which shows the West Columbia and it also shows where
 19 the Route 46 is.
 20 The -- also have a schematic site plan
 21 more for reference purposes, which is based on Steve
 22 Koestner's site plan.
 23 This is really just for reference
 24 purposes so I can -- you know, for everybody to kind
 25 of coordinate between the floor plans and the actual
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1 site itself.

2 BY MR. SOKOLICH:

3 Q. And on what we've marked as A-6, which

4 was prepared by you, by the way, correct?

5 A. **Yes.**

6 Q. You also have your elevation?

7 A. **Yes.**

8 Q. Couple important questions. Can you

9 just speak to what the height of this building is and

10 also how many stories?

11 A. **Sure.**

12 **The building, itself, is five stories**

13 **at the lowest point, which is the, I guess that would**

14 **be considered the southeast corner, the lower portion**

15 **on West Columbia and that's because of the drop off**

16 **along the street and that's a five-story**

17 **configuration where we're 57-and-a-half-feet high to**

18 **the main roof.**

19 Q. But it's really three and a half over

20 one and a half parking, right? I mean, isn't that --

21 A. **Yeah, it's kind of a hybrid because of**

22 **the -- there's two levels of parking, but one -- the**

23 **upper level of parking has some apartments in that**

24 **space.**

25 Q. And what is the linear maximum height

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1 of this building according to your plan?

2 A. **Linear maximum height, let me just**

3 **double check the rear.**

4 **At the front here, which I think is the**

5 **most -- is 57 -- 57-feet-6-inches or 57.5 feet.**

6 Q. And the settlement agreement and the

7 ordinance now also establishes a maximum height of

8 57-feet-6-inches and five stories also?

9 A. **Correct.**

10 Q. So you're consistent in that regard?

11 A. **Correct, but just as a reference, the**

12 **portion that's on the upper portion on the right-hand**

13 **side --**

14 Q. Is lower?

15 A. **-- is a four-story configuration,**

16 **because of the topography of the site and that is**

17 **44-feet-10-inches to the main roof.**

18 Q. So that's a 12 foot, 13, almost 14-foot

19 differential, 13-and-a-half-foot differential?

20 A. **Yeah, it's quite a bit of a drop.**

21 Q. Which is a story-and-a-half?

22 A. **Yes.**

23 Q. Bill, the Mayor asked a very important

24 question. There's a vision that government has for

25 Palisades Park now, which -- which includes color,

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1 brightness, a vitality, if you will.

2 Could you just speak to what your plan

3 is with the façade here?

4 A. **Like I said, what we're planning now --**

5 **you know, we can go with a lighter color.**

6 **You know, there's some -- either we can**

7 **go traditional red, which is a nice, you know,**

8 **combination.**

9 **We've also done like a nice beige**

10 **color, you know, with a -- with a -- you know,**

11 **matching trim pieces.**

12 **And then in the upper portions we have**

13 **a panelized system that would probably be in the same**

14 **color family, either like a grey tone or more of**

15 **beige tone if we go with the -- if we go with the**

16 **beige color brick.**

17 **And then we'd have some sort of water**

18 **table to kind of delineate the hall spaces.**

19 **And then if we go to Sheet A-2, which**

20 **shows the other elevations.**

21 Q. Well, let me -- I'm sorry, Billy. Did

22 I get you?

23 A. **No.**

24 MR. SOKOLICH: I premarked this as A-7,

25 dated it today and, Counsel, this plan is entitled

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1 "Elevations" and it has a last revised date of April

2 15, 2025.

3 (Whereupon, Elevations, Last Revised

4 April 15, 2025 is marked as Exhibit A-7 for

5 identification.)

6 BY MR. SOKOLICH:

7 Q. Bill, the top two pictures -- actually

8 all the pictures, these are the other three sides of

9 the elevations, the front was on A-6, A-7 has the

10 other three sides?

11 A. **Yes.**

12 **And then after hearing the Mayor's**

13 **comments we're considering on the rear and the sides**

14 **to do more of a panelized system in the same matching**

15 **color, like it's like of the trim in the front**

16 **portion and also other parts of the building, so it's**

17 **not this big brick wall along the back.**

18 **So it will have a masonry structure**

19 **where the parking garage is as a base and then above**

20 **that we'll have the -- all the -- all the elevations**

21 **from side and rear will be like a panelized system,**

22 **so it's not overbearing, you know, try to minimize**

23 **the look of it, you know, and also just something**

24 **different instead of having all brick.**

25 **And then, you know, so basically going**

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1 to have like a three-part system where we have the
2 parking levels.

3 The upper one is a hybrid where it's
4 some apartments and mostly parking and then we'll
5 have a two -- the two stories above that that will be
6 a panelized system.

7 Then we'll do a water table for the top
8 floor to kind of break it up into three parts.

9 So we have base, middle and top and
10 we'll do something similar in the front that will be
11 more brick in the front that, you know, since we have
12 -- you know, we're going to have a façade facing 46,
13 you know, when people drive by, you know, it gives it
14 a little more presence to it.

15 MAYOR KIM: My only concern is if you
16 guys went to Edgewater, there is this apartment, they
17 revamped the outside exterior, they decided to choose
18 really odd colors, grey and orange.

19 THE WITNESS: Oh, yeah.

20 MR. SOKOLICH: Oh, yeah.

21 THE WITNESS: Gorge Road.

22 MR. SOKOLICH: We're also not to go with
23 orange, Mayor.

24 MAYOR KIM: Yeah, please.

25 MALE AUDIENCE MEMBER: And black.

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1 Q. Which makes complete sense and it only
2 benefits the applicant also.

3 A. **And it benefits me too, because you
4 create a building.**

5 Q. It does.

6 MAYOR KIM: Can we see what it looks
7 like?

8 THE WITNESS: I mean, you know --

9 MAYOR KIM: Just a visual, just one
10 page visual what you guys are thinking about with
11 color.

12 THE WITNESS: I mean, I have a picture
13 on my phone.

14 MR. SOKOLICH: Not necessarily this
15 second.

16 MAYOR KIM: No, no, I'm saying send it

17 --

18 MR. SOKOLICH: Yes.

19 MAYOR KIM: When you guys decide.

20 MR. SOKOLICH: Yes, yes.

21 THE WITNESS: Yes.

22 BY MR. SOKOLICH:

23 Q. So, Bill, before we actually start
24 applying and ordering, we can get to the board, in
25 particularly to the Mayor a rendering --

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1 MAYOR KIM: Yeah.
2 We don't want too dark. You know,
3 something that blends in that looks nice,
4 comfortable.

5 MR. SOKOLICH: But something also
6 progressive, something that shows vitality.

7 MAYOR KIM: Yes, vitality.

8 BY MR. SOKOLICH:

9 Q. Like every mayor wants, Bill.

10 A. **There's a nice color that Englewood
11 Cliffs did where it has basically that same -- that
12 same situation where it has a base, medium portion,
13 upper floor where it kind of breaks up the elevations
14 and that one was done in that siding material with
15 some accent panels between the windows, came out
16 really nice.**

17 MAYOR KIM: Okay.

18 BY MR. SOKOLICH:

19 Q. But I think, Bill, for the -- because
20 this is important. You have heard the Mayor's
21 concerns here and you have heard our charge.

22 Are you confident that we'd be able to
23 incorporate and design something that would, in fact,
24 respond to the what's being sought of us?

25 A. **Yes.**

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1 A. **A color scheme.**

2 Q. Right, that just gives us -- gives them
3 an idea as to what it's going to look like, okay?

4 MAYOR KIM: Thank you.

5 BY MR. SOKOLICH:

6 Q. Also on A-7, what else is depicted?

7 Now, the materials you've already described, the
8 heights you've described.

9 Again, same here to the furthest to the
10 west, it maintains the height requirements and,
11 again, as you pointed out as we go further east
12 because of the topography, the building is
13 considerably shorter, correct?

14 A. **Correct, yes.**

15 Q. I'm going to now, sorry Bill, turn you
16 to what I've marked as A-8. You entitled this plan
17 as "Lower Level Floor Plan." It has a last revised
18 date of May 15, 2025. Bill, what does this
19 represent?

20 (Whereupon, Lower Level Floor Plan,
21 Last Revised May 15, 2025 is marked as Exhibit
22 A-8 for identification.)

23 THE WITNESS: This represents the lower
24 level, which is basically, say, the first floor
25 considering it a five-story building.

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1 As mentioned before, the portion on the
2 right-hand side is completely buried into the terrain
3 and then as you go to the left, since the street
4 drops down, we have the ingress and egress for the
5 parking area.

6 That is basically a driveway. We do
7 have a trench drain at the front of the driveway.
8 And then behind that in the front left corner we have
9 an electrical room and then we have a transformer pad
10 and I didn't call it out, but you can see we do have
11 four bollards, two at each corner and if we have to
12 add one in the middle, whatever PSE&G's requirements
13 are, we'll protect that transformer pad pretty
14 safely. You know, the bigger chance is somebody
15 coming down West Columbia and hitting it at that
16 corner.

17 So that corner is the most important
18 part as far as reenforcement and providing safety
19 with as many -- probably maybe 6-inch bollards, so
20 they're pretty structurally strong.

21 And then once you drive into the
22 parking area, we have it set up where it's like an
23 L-shape configuration.

24 BY MR. SOKOLICH:

25 Q. I believe on the lower level, I'm sorry
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1 A. **I know we have an 8-foot garage door
2 and I think we have about 10 feet clear to the bottom
3 of the structure.**

4 **However, you know, there might be some
5 drop-downs where the sprinklers are, so a minimum of
6 9 feet with the sprinklers and about 10 feet clear to
7 the structure.**

8 Q. I interrupted you, Bill, I'm sorry.

9 A. **And then as you go back, we have
10 another small utility room. We have a little
11 turnaround area in the back where we have it set up
12 with the parking area there and then if you go all
13 the way to the right, that area is actually above.
14 I'm showing the actual driveway and curb cuts, you
15 know, just for reference purposes.**

16 **And then also the back, we do have a
17 second utility room in the corner, which will be
18 actually putting the emergency generator, which this
19 building requires for -- if the power goes down,
20 we'll have to make sure that the emergency lights and
21 the elevators are in working order.**

22 Q. Excellent.

23 I'm going to turn you to what I
24 pre-marked, Bill, as A-9, which is entitled "Ground
25 Floor Plan" and this is the level where we first

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1 Bill, are we on the 24 space level? Yes. So there's
2 24 spaces on this level?

3 A. **24 spaces, two of them being handicap
4 accessible. We have 8 feet, 8 feet and 8 feet, which
5 provides access for a van accessible handicap
6 parking.**

7 **In addition to that, we do have an
8 entrance off the sidewalk that brings you into the
9 main lobby.**

10 **In the lower portion where we have a
11 vestibule, a lower lobby, trash room and then we also
12 have a sprinkler room, which is accessed off of the
13 parking area.**

14 **Actually go towards the, I guess you
15 could say, to the -- as you make the right-hand turn
16 into the back portion of the parking area, we have
17 the trash room that's accessed by a double door and
18 that we also have trash chutes in the -- in that
19 portion. We do have room for a recyclable --
20 recyclable area in that space too and as mentioned
21 before, that will be wheeled out to the portion at
22 the driveway on the lower part of West Columbia.**

23 Q. I believe Mr. Simoff asked about the
24 clearance height on the garage. Are you -- do you
25 know that?

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1 start to see units, correct?

2 A. **Yes.**

3 **(Whereupon, Ground Floor Plan is marked
4 as Exhibit A-9 for identification.)**

5 BY MR. SOKOLICH:

6 Q. So before we go any further, I believe
7 that there's 18 parking spaces on this level and then
8 units. There's a total of 33 units, correct?

9 A. **Correct.**

10 Q. And of those 33 seven or 20 percent,
11 more than 20 percent are a set-aside for affordable
12 housing, correct?

13 A. **Yes.**

14 Q. All right. And I believe on A-9 you
15 also have the bedroom breakdown, number of
16 one-bedroom, two-bedroom so forth and so on and we'll
17 get to that, but just if you can focus on what exists
18 on this level.

19 A. **This level, as you mentioned before, is
20 kind of a hybrid where we have a parking level in the
21 back portion of the building and that's accessed by
22 the first driveway, which is on the right-hand side
23 on the upper most portion of the property. You enter
24 within that space, you make a left turn and then you
25 have the parking along the back.**

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1 **There's also a bit of L-shape. We have**
 2 **a utility room and then we have it set up with the --**
 3 **with the main lobby, which has access to those three**
 4 **apartments on that floor.**

5 **In addition to the entry down below,**
 6 **which is handicap access -- you know, ADA compliant,**
 7 **there's also ADA compliant entrances from the parking**
 8 **levels on both levels.**

9 **We have one from here too and then we**
 10 **also have the option of a staircase with a sidewalk**
 11 **to the -- a staircase down to a walkway on the**
 12 **sidewalk level up to a vestibule and we have a second**
 13 **-- secondary lobby up above and in that space, we**
 14 **have a trash room with a double trash chute.**

15 Q. Why two lobbies?

16 A. **Because we have two levels. You know,**
 17 **I kind of created the one so if somebody needs to**
 18 **have handicap accessibility from the sidewalk to the**
 19 **property, then here, you know, basically it's really**
 20 **just, you know, if somebody wants to walk up the**
 21 **stairs --**

22 Q. Understood, got it, got it.
 23 So they're not walking into just a
 24 small room to get to an elevator?

25 A. **Correct.**

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1 why I asked you.

2 A. **That's the ground floor one, the ground**
 3 **floor.**

4 Q. Got it.

5 We'll get to that on the next page?

6 Is there anything else you would like
 7 to add on A-9?

8 A. **No, it's pretty straightforward.**

9 Q. I'm going to get you --

10 A. **Oh, the bollards could easily be**
 11 **accommodated at that corner, because we do have**
 12 **plenty of space.**

13 **We have 5 feet away from it, so can**
 14 **basically put maybe at least three of them to kind of**
 15 **protect anybody coming down the hill.**

16 Q. You got it.

17 We're now going to turn you to what I
 18 have marked or premarked as A-10.

19 And Bill, this is your plan that you
 20 entitled "Typical Second Through Fourth Plan," again
 21 last revised April 15, 2025.

22 (Whereupon, Typical Second Through
 23 Fourth Plan, Last Revised April 15, 2025 is
 24 marked as Exhibit A-10 for identification.)

25

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1 Q. It makes sense.

2 Go ahead, Bill, I'm sorry.

3 A. **It's all right.**

4 **Also, I mentioned down below in regards**
 5 **to packages, we do have room to accommodate a package**
 6 **room within that space for Amazon or, you know,**
 7 **whoever delivers stuff.**

8 Q. Great.

9 A. **And then the --**

10 Q. And there's a total of 18 spaces on
 11 this level?

12 A. **18 spaces in the back.**

13 Q. And how many units are on this level?

14 A. **Units are three units.**

15 **We basically have at the front left**
 16 **corner we have a two-bedroom 978 square feet.**

17 **And then in the middle portion we have**
 18 **another two-bedroom unit, 927 square feet.**

19 **And then on the, sort of -- I'm sorry,**
 20 **on the right portion we have a one-bedroom unit that**
 21 **consists of a living room, a kitchen, bedroom and a**
 22 **nice size bathroom and this is 604 square feet, so**
 23 **it's a pretty comfortable one-bedroom apartment.**

24 Q. And what are the bedroom breakdown for
 25 this project? Isn't it on here? I'm sorry, that's

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1 BY MR. SOKOLICH:

2 Q. So before we get started, this plan is
 3 a mirror image of what the next three floors are,
 4 correct?

5 A. **Yes.**

6 **Basically it's a typical floor plan.**
 7 **The only difference would be the exterior finishes on**
 8 **the -- on the configuration on the outside.**

9 **Basically the floor plans are the same**
 10 **exact configuration.**

11 Q. And just so I know, on the ground floor
 12 plan, which is really the second floor, you have
 13 three units?

14 A. **Yes.**

15 Q. And then there are 10 units on each of
 16 the three floors above it, correct?

17 A. **Correct.**

18 Q. And that gives us a total of 33?

19 A. **Yes.**

20 Q. Okay. And we've already testified that
 21 on the ground floor you have two two-bedrooms and one
 22 one-bedroom and what is your bedroom count on this
 23 floor?

24 A. **This floor we have -- I'm sorry, we**
 25 **have five one-bedroom units, four two-bedroom units**

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1 and one three-bedroom unit all the way to the
2 right-hand side.

3 Q. And that would be consistent on all
4 three levels?

5 A. Yes.

6 Q. So to do the math, it would be 15 plus
7 one, it's 16 one-bedroom, correct?

8 A. Uh-huh.

9 Q. It would be four times three, twelve
10 plus two, 14 two-bedroom and one three-bedroom; is
11 that correct?

12 A. Yes.

13 Q. That adds up to your 33?

14 A. Yeah, well, the two bedrooms times
15 three --

16 Q. Times three, three one-bedroom, I'm
17 sorry, correct.

18 A. Yes.

19 Q. Okay. And these are typical throughout
20 and there is a common corridor so forth and so on,
21 correct?

22 A. Yes.

23 We have an elevator corridor, trash
24 room, there's access off the hallway. We have room
25 for utility closets, cable or whatever they're using

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1 So the light fixtures should be above
2 that ceiling line so it will minimize it and also
3 those pictures are located about 10 feet in from the
4 building line.

5 The only lighting on the exterior will
6 be where the exit for the fire stair would be.

7 Q. Yes, sir.

8 A. And then the walkways, you know, to get
9 to the egress points to the sidewalk.

10 Q. Okay.

11 A. And then that -- you know, that itself
12 would be LED-type fixtures that will shielded to make
13 sure there's no spillage onto any adjoining
14 properties and we will comply with the borough's
15 ordinance with regards to footcandles on the
16 property.

17 Q. Understood.

18 And most important question I'm going
19 to ask you tonight, based on your expertise as a
20 licensed architect, do you agree or disagree that
21 other than the one exception with regard to the front
22 yard, does this plan match and is otherwise compliant
23 with the settlement agreement that we reached with
24 Palisades Park?

25 A. Yes.

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1 now.
2 Then we have two fire staircases that
3 are fully enclosed.

4 As mentioned before, the building,
5 itself, will have fully automatic sprinklers
6 throughout the building and that will be a black type
7 -- you know, like a real -- it's not going to be like
8 a 13R. It's going to be a real fire suppression
9 system throughout the building.

10 Q. I'm trying to remember some of the
11 inquiries that were made that would then be directed
12 to you, but I just want to confirm, is this building
13 sprinklered?

14 A. Oh, yes.

15 Q. Is the parking deck sprinklered?

16 A. Yes.

17 Q. Okay.

18 There was a question about dimmable
19 lights, in fact, consistent with the settlement where
20 it -- where we can dim so that we can avoid spillage,
21 we will?

22 A. Yes.

23 Also, like I said, the parking levels
24 themselves, there is a bit of a balance on the
25 ceiling, itself.

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1 Like I said, the --

2 Q. We don't have to get into the dates,
3 but yes or no?

4 A. Yes, yes, it is.

5 Q. Other than that front yard setback?

6 A. Yes.

7 Q. Okay.

8 A. And the front yard setback was
9 submitted that -- submitted that way and it's
10 included in the --

11 Q. Understood, understood.

12 We've been through that, but I just
13 wanted to be clear, there's no other what we would
14 call deviation?

15 A. No.

16 Q. Is there anything else that you would
17 like to add with regard to architectural?

18 A. No.

19 You know, like I said, I'm kind of
20 looking forward to doing something different, you
21 know, with the feedback, you know, feedback that we
22 got regarding the finishes and the color of the
23 building itself.

24 Q. Excellent.

25 Thank you, Bill.

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1 **A. Thank you.**
 2 MR. SOKOLICH: Madam Chairwoman, I
 3 offer Mr. Cocoros.
 4 CHAIRWOMAN STAR: Questions from
 5 members of the board for Mr. Cocoros?
 6 VICE CHAIRMAN AUFIERO: The emergency
 7 generator, natural gas powered or --
 8 THE WITNESS: Yes.
 9 VICE CHAIRMAN AUFIERO: -- diesel fuel.
 10 CHAIRWOMAN STAR: Any other questions?
 11 MAYOR KIM: I have some questions.
 12 How many handicaps are there?
 13 THE WITNESS: There are two handicap
 14 spaces. I think -- what was it, one for every 24 --
 15 24 parking spaces for handicap.
 16 MR. SIMOFF: I think it's 2 percent.
 17 THE WITNESS: We have how many parking
 18 spaces?
 19 MR. KOESTNER: 42.
 20 MR. SOKOLICH: There's 42 parking
 21 spaces.
 22 THE WITNESS: 2 percent, let me double
 23 check.
 24 MR. SOKOLICH: 0.02 would be one parking
 25 space, I think.
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1 MR. SIMOFF: I think for the first 50,
 2 it's two spaces.
 3 BY MR. SOKOLICH:
 4 **Q.** For the first 50, it's two spaces. We
 5 have two, correct, Bill?
 6 **A. Yes.**
 7 **Q.** A minimum of two?
 8 **A. Yes.**
 9 MAYOR KIM: Great.
 10 The other question is: The parking lot
 11 ceiling, what kind of material are you guys going to
 12 use?
 13 Because what I've noticed is that the
 14 prior developer, whoever, they would like to put plat
 15 PVC drop ceilings and it seems like with the wind and
 16 flood, it gets really broken apart.
 17 MALE AUDIENCE MEMBER: We got clips, so
 18 it's not going to -- the wind is not going uplift.
 19 MAYOR KIM: It's not going to lift.
 20 MALE AUDIENCE MEMBER: Right.
 21 THE WITNESS: If it's installed
 22 properly, they --
 23 MAYOR KIM: What is it like a drop
 24 ceiling you guys want to do?
 25 MALE AUDIENCE MEMBER: Yeah, drop
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1 ceiling, put the clips in so there will be insulation
 2 above.
 3 MAYOR KIM: Something similar to
 4 300 Grand Avenue that you guys did.
 5 MALE AUDIENCE MEMBER: Something
 6 similar to 510, yeah.
 7 MAYOR KIM: Something similar.
 8 MALE AUDIENCE MEMBER: Yeah.
 9 MR. NOH: Mark, I have to swear him in.
 10 MAYOR KIM: Oh, yeah.
 11 MR. SOKOLICH: I don't think we have
 12 to, unless he wants to be.
 13 BY MR. SOKOLICH:
 14 **Q.** But, Bill, the concern that the mayor
 15 is raising, is it drop ceiling with clips, I believe
 16 there's insulation above it also, correct?
 17 **A. Yes.**
 18 **Also, those systems I think have a**
 19 **little bit of a fire rating too and it creates a nice**
 20 **space for the sprinklers to kind of be conditioned**
 21 **also.**
 22 **Q.** But the system we're going to install
 23 is not one that somebody can punch through? And I
 24 know exactly the point that's being made.
 25 Once you start losing a few of these
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1 drop ceilings --
 2 **A. Yes.**
 3 **Q.** -- like we're looking at it looks
 4 shoddy, it looks crappy no matter how bad the
 5 building is, but that's not going to be possible
 6 here, correct?
 7 **A. No.**
 8 MAYOR KIM: Okay. Good.
 9 The other question I wanted to ask was
 10 the -- is it going to be assigned parking?
 11 THE WITNESS: I'm sorry.
 12 MAYOR KIM: There's going to be
 13 assigned parking, right.
 14 MR. SOKOLICH: It will be assigned
 15 parking there.
 16 MAYOR KIM: Right.
 17 MR. SOKOLICH: Yes.
 18 MAYOR KIM: And the -- concerning the
 19 -- I guess you guys will talk about the two
 20 questions, right, that we just talked about and
 21 that's about it, that's about it, yeah.
 22 CHAIRWOMAN STAR: Anyone else from the
 23 board?
 24 (No Response.)
 25 CHAIRWOMAN STAR: No.
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1 Mr. Kauker?
 2 MR. KAUKER: Thank you.
 3 A couple of questions, Mr. Cocoros.
 4 THE WITNESS: Yes.
 5 MR. KAUKER: Just firstly, I would just
 6 ask if you had an opportunity to review our memo on
 7 page two, there's just a couple of corrections that
 8 need to be made.
 9 THE WITNESS: Sure, we'll accommodate
 10 that.
 11 MR. KAUKER: Appreciate it.
 12 And then just going over the plan, I
 13 didn't see this earlier, but I only see five of the
 14 affordable units designated on the plan.
 15 MAYOR KIM: I'm sorry, what did you
 16 say.
 17 MR. KAUKER: Only five -- there's seven
 18 affordable units, only five are designated. I see a
 19 one-bedroom on the ground floor and then on the
 20 second and third floor there is two two-bedroom units
 21 -- I'm sorry, there's one on each -- there's one
 22 two-bedroom unit on the second floor, one two-bedroom
 23 unit on the third floor and then there is one
 24 three-bedroom on the second floor and one
 25 three-bedroom on the third floor.

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1 So you're missing two affordable units,
 2 two two-bedrooms.
 3 MAYOR KIM: Wow.
 4 MR. SOKOLICH: Yeah, wow is right.
 5 If there was something not to miss, we
 6 absolutely unconditionally stipulate that there are
 7 seven affordable housing units, number one.
 8 Number two, they'll be UHAC compliant
 9 and Billy is scrambling to find the other two as we
 10 speak, so just bear with us.
 11 THE WITNESS: Yeah, so there's two
 12 three-bedroom.
 13 MR. KAUKER: Yup, which meets the
 14 requirement. One one-bedroom which meets and you
 15 need four two-bedrooms.
 16 THE WITNESS: We can basically take
 17 those same lines and add the required ones on that
 18 space.
 19 Since I can tell, all the floor plans,
 20 I should have probably called out the fourth, you
 21 know, the fourth floor on those two bedrooms to meet
 22 the requirement.
 23 MR. KAUKER: So the remaining
 24 two-bedroom units will be shown on the fourth floor.
 25 THE WITNESS: Yes, it will be on the --

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1 that Unit A, which is on the rear -- I guess we
 2 consider it the rear left corner of the building.
 3 MR. KAUKER: Right, that's a
 4 two-bedroom, so that -- so you need one more.
 5 THE WITNESS: Correct, we can add it.
 6 MR. KAUKER: One more in addition.
 7 MR. KAUKER: Yes.
 8 MR. SOKOLICH: No, he's saying you're
 9 short one, you're short one.
 10 THE WITNESS: Oh, yeah, yeah.
 11 It will be -- we'll make sure that we
 12 have the right amount in that line.
 13 MR. KAUKER: No, I'm saying you can
 14 only get three.
 15 You need to add like one of the --
 16 maybe like Unit B you need --
 17 THE WITNESS: Oh, yeah, we can
 18 definitely add it. Actually we can add it on the
 19 ground floor, the first level. Those two apartments
 20 are easily -- can easily be done as for the
 21 affordable units.
 22 On the first floor plan, you can see
 23 there's Unit B and Unit C, I can make those the
 24 affordable and then I'll add one more --
 25 MR. KAUKER: So you're going to make --

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1 so one of the -- one of the two bedrooms on the
 2 ground floor will be an affordable unit.
 3 THE WITNESS: Actually I would -- I
 4 think actually I would rather do two, two there and I
 5 would add one more to the line at the rear left
 6 corner of the building.
 7 MR. KAUKER: Well, then you'd have one
 8 extra.
 9 THE WITNESS: Well, then, yeah, I guess
 10 --
 11 MR. KAUKER: Let's just be clear.
 12 Right now there are five affordable units. You need
 13 -- we're good with the three-bedroom units, we're
 14 good with the one-bedroom unit.
 15 THE WITNESS: Yes.
 16 MR. KAUKER: So you have two
 17 two-bedroom units where four are required. There is
 18 one two-bedroom unit identified as Unit A on the
 19 second floor. There's a second two-bedroom unit
 20 identified as Unit A on the third floor. You're
 21 going to add identically on the fourth floor another
 22 unit and then you're going to add one more unit on
 23 the ground floor.
 24 THE WITNESS: I would rather add the
 25 two on the ground floor and just keep the other --

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1 the rear left the same.
 2 BY MR. SOKOLICH:
 3 Q. You're not explaining it clearly,
 4 though, Bill. You'd rather avoid the one on the top
 5 floor?
 6 A. **Correct.**
 7 Q. And make two affordable units on the --
 8 A. **On the first floor, yes.**
 9 MR. KAUKER: The only -- the only
 10 reservation I would have about that is you'll be
 11 placing all of the affordable units on the ground
 12 then.
 13 I'm not sure if -- I'd have to check
 14 the UHAC.
 15 MALE AUDIENCE MEMBER: They want seven,
 16 so it can't be all.
 17 THE WITNESS: Okay. We'll do what you
 18 said, you know, with the --
 19 MR. KAUKER: Okay. So one on the
 20 ground -- so there will be two on the ground floor --
 21 because I don't know if fair share housing is going
 22 to have a problem with that.
 23 MR. SOKOLICH: I don't think it's going
 24 to pass UHAC.
 25 MR. KAUKER: Yeah, and if they have a

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1 problem with it, we're going to have a problem and
 2 you're going to have a problem. Everyone is going to
 3 have a problem.
 4 So, yeah, so if you do one, two, three
 5 and then another one on the ground floor.
 6 MALE AUDIENCE MEMBER: We'll make sure
 7 that affordable housing is okay with it before we
 8 proceed.
 9 MR. KAUKER: Yup.
 10 And then -- so just provide that fourth
 11 sheet, the additional sheet.
 12 THE WITNESS: Okay.
 13 MR. KAUKER: Two more questions.
 14 There was discussion before. I think
 15 the mayor asked the question about, you know,
 16 basically the building, the materials, the colors.
 17 What I would recommend is that as a
 18 condition, any condition the board makes, that the
 19 applicant does provide the color rendering which
 20 specifies the type of materials in detail and the
 21 colors.
 22 And then the last question I had is
 23 with respect to the air conditioning units. So those
 24 are -- they're wall-facing unit, correct?

THE WITNESS: Right, they're PTACs.
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1 If we do --
 2 MR. KAUKER: So the question I have is
 3 -- this is just something I came across recently, but
 4 apparently there have been issues with some of those
 5 units in terms of dripping and leaking onto the
 6 building.
 7 What -- are you familiar with that at
 8 all?
 9 MALE AUDIENCE MEMBER: There's a fan
 10 that's inside of these PTACs that dissipates the
 11 water.
 12 MR. KAUKER: Okay. So that's not going
 13 to be an issue here.
 14 MALE AUDIENCE MEMBER: Correct.
 15 MR. KAUKER: I don't know if it's the
 16 type of unit that was used.
 17 MALE AUDIENCE MEMBER: The last
 18 building we did, we don't have that problem.
 19 MR. KAUKER: Okay, great.
 20 MALE AUDIENCE MEMBER: The last two
 21 buildings we did.
 22 MR. KAUKER: Got it, all right, great,
 23 I appreciate it.
 24 MAYOR KIM: That's okay by the
 25 architect?

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1 MR. KAUKER: What's that.
 2 THE WITNESS: Oh, yeah.
 3 MR. KAUKER: Yeah, I just asking the
 4 question, because --
 5 MAYOR KIM: He's not sworn in, that's
 6 what I'm trying to say.
 7 MR. KAUKER: Yeah, yeah.
 8 So that's fine.
 9 I have nothing else.
 10 MR. SOKOLICH: So if I can -- just
 11 clarification on this rendering, Mike, because --
 12 MR. KAUKER: Yes.
 13 MR. SOKOLICH: -- I can't find myself in
 14 a situation where -- and we want -- I'm hoping that
 15 we're impressing upon the Mayor and the board and you
 16 guys we're cooperative and we want this to work for
 17 everybody, but I don't know if I can agree to an
 18 absolute condition on the rendering, because if we
 19 never come to terms, then it's not like -- it's like
 20 we've never gone through this.
 21 Do you have a recommendation that --
 22 could you at least give us some sort of a perimeter
 23 within which to work?
 24 MR. KAUKER: Sure.
 25 Provide the color rendering, right?

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1 I'm just asking you to provide the
2 document showing the material.
3 MR. SOKOLICH: But we want to be
4 cooperative.
5 MR. KAUKER: So I mean, you know,
6 because it's kind of hard looking at a black and
7 white rendering.
8 MR. SOKOLICH: Yeah, I got it.
9 MR. KAUKER: It's difficult to kind of
10 see --
11 MR. SOKOLICH: I understand your point.
12 MR. KAUKER: So I don't think it's
13 going to be an issue.
14 I understand your point. If we can't
15 decide on a color, you're going to be back to square
16 one, but I don't know if it's necessarily going to
17 come to that.
18 MR. SOKOLICH: The applicant will
19 undertake to reasonably cooperate to accommodate the
20 request of having a vibrant modern progressive
21 looking building with brighter colors as opposed to
22 dark black or dark gray, something like that.
23 Chang, maybe I can work on the language
24 --
25 MR. KAUKER: But you're going to
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1 present a color rendering, right?
2 THE WITNESS: Yes.
3 MR. KAUKER: Okay.
4 CHAIRWOMAN STAR: It has to match.
5 MR. SOKOLICH: Without a doubt.
6 CHAIRWOMAN STAR: I mean, some of the
7 buildings that I've seen look like they've took some
8 material from this leftover building and threw it up
9 there and it looks like a big mishmash.
10 MAYOR KIM: It looks like a lego.
11 CHAIRWOMAN STAR: Yeah.
12 MR. SOKOLICH: And I personally love --
13 I mean, now they have that metal panelling that
14 almost looks like -- like a wood textured panelling.
15 I've seen that go up. I think there's a lot of
16 things that we could do.
17 CHAIRWOMAN STAR: Things have to match,
18 so we want it to the look elegant.
19 We don't want it to look --
20 MR. KAUKER: If I can just jump in
21 again, I just want to clarify the exact location of
22 the affordable units.
23 MAYOR KIM: Sure.
24 MR. KAUKER: So when Billy --
25 Bill, he wants clarification.
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1 MR. KAUKER: So just so we're set, the
2 affordable units, there's going to be an additional
3 unit on the fourth floor designated as Unit A and
4 then I'd just like to stipulate which one of the
5 ground floor units.
6 THE WITNESS: Well, on my plan the
7 ground floor units, I two two-bedrooms were
8 stipulated -- no, actually, if you look at Sheet A-4,
9 there's a -- on the front portion of the building
10 there's two notes saying --
11 MR. KAUKER: Oh, I see that.
12 THE WITNESS: Yeah.
13 So I guess --
14 MR. KAUKER: Okay.
15 THE WITNESS: Yeah, one of those would
16 be taken out and replaced with the unit on the rear
17 left corner.
18 MR. KAUKER: So which, Unit B or
19 Unit C, which one do you -- I apologize, I didn't see
20 that.
21 THE WITNESS: Not at all.
22 I guess it would be Unit B would be the
23 affordable and then Unit C will be a regular
24 market-rate unit.
25 MR. KAUKER: Okay. All right.
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1 CHAIRWOMAN STAR: Do the affordable
2 units have a different look?
3 In other words, are you putting
4 different appliances or anything like that?
5 MR. SOKOLICH: No.
6 THE WITNESS: No.
7 CHAIRWOMAN STAR: They're all exactly
8 the same.
9 MR. SOKOLICH: Chairwoman, there used
10 to be a day when people would do that.
11 Now it's strictly regulated where the
12 size, the type of apartment, the appliances --
13 MAYOR KIM: Used appliances.
14 MR. SOKOLICH: You know, people used to
15 put these things facing the --
16 CHAIRWOMAN STAR: Right.
17 MR. SOKOLICH: That's not acceptable
18 anymore under these UHAC standards unless Mike tells
19 you differently, but they're very strict about making
20 sure these units are as nice as every other unit.
21 CHAIRWOMAN STAR: Okay. I knew it
22 sounds like a stupid question, but I was --
23 MR. SOKOLICH: No, it's not.
24 CHAIRWOMAN STAR: -- curious as to --
25 MAYOR KIM: Well, it's a regular point,
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1 because if you go to Fort Lee at One Executive Drive,
 2 100 Executive Drive, you see an office, they
 3 converted it into an apartment.
 4 You should know, it's in your --
 5 MR. SOKOLICH: And we've got headaches
 6 there, but --
 7 MAYOR KIM: You got huge headaches with
 8 the parking lots. I always notice that on the right
 9 side that's where they put all the affordables and
 10 it's a mess.
 11 They don't fix -- they don't fix the
 12 bathrooms. The toilet is broken always. You can't
 13 use a public bathroom. The carpet is nasty.
 14 So, yes, I understand your point.
 15 CHAIRWOMAN STAR: Okay. Now, anyone --
 16 yes, sir.
 17 MR. SIMOFF: Which levels of the garage
 18 have to be vented?
 19 THE WITNESS: We're able to do without
 20 venting. We did the calculation that we can
 21 accommodate non-mechanical venting system with the
 22 amount of openings that we have in that space.
 23 MR. SIMOFF: Both levels?
 24 THE WITNESS: Yes, both levels.
 25 MR. SIMOFF: Okay. Because I was going
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1 to suggest that if you do vent it, you blow it out
 2 the front.
 3 THE WITNESS: Oh, of course.
 4 MAYOR KIM: That would be good.
 5 MR. SIMOFF: Rather than to the
 6 neighbors.
 7 THE WITNESS: Like I said, you know, we
 8 actually did a calculation where we can make it work
 9 and the same thing, when this is approved, we can
 10 actually get it to the mechanical engineer, we'll
 11 provide the same calculations to back that up.
 12 MR. SIMOFF: Okay.
 13 MR. JANG: I have two comments.
 14 So the -- can you -- would you be
 15 willing to put like warning lights for the driveway,
 16 for both driveways as cars coming in and out.
 17 MAYOR KIM: You ever see those yellow
 18 sirens that goes on so you know that opens, coming
 19 out.
 20 We're just really concerned.
 21 MALE AUDIENCE MEMBER: You want audio
 22 with that.
 23 MAYOR KIM: No, don't need audio, it's
 24 just the fact that we're very, very, very sensitive
 25 about that right side, that's all.
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1 MR. JANG: One more comment is the
 2 second main lobby, the first floor, as you come up to
 3 the stairs, is there enough landing space.
 4 THE WITNESS: Say it again.
 5 MR. JANG: So on the first floor, the
 6 stairs leading to the main lobby --
 7 THE WITNESS: Yes, the vestibule,
 8 there's a main lobby.
 9 MR. JANG: Right.
 10 In front of the vestibule you have a
 11 landing on top of the stairs. Is that enough -- is
 12 that enough.
 13 THE WITNESS: I think --
 14 MR. JANG: I believe you need a certain
 15 clearance in front of the door.
 16 THE WITNESS: Well, I have basically,
 17 it's a 4-foot landing and the door is 3 feet.
 18 I can move -- I can add another foot to
 19 it so I -- you know, and still have enough room with
 20 the walkway to be on the sidewalk, you know, just to
 21 give a little more clearance.
 22 MR. JANG: So what's required for the
 23 door swing when the door is open.
 24 THE WITNESS: I mean, you know, we
 25 usually do 4 feet, like, you know, it's like because
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1 it opens, let's say, against the wall, so you're
 2 going to have to kind go around, so you -- basically
 3 opens against the wall and then you go straight out
 4 to the platform and then go down the steps.
 5 MR. JANG: As you come up and then
 6 you're opening towards you --
 7 THE WITNESS: Yeah, well, you can come
 8 up this way here, the wall is here, you're opening
 9 this way and then, you know, it's like -- I guess we
 10 can always add like a foot to that platform to make
 11 it a little more comfortable.
 12 MR. JANG: I'm bringing that up because
 13 as you're pulling the stairs towards the right you
 14 are encroaching into the setback space, so just to,
 15 you know, be aware.
 16 THE WITNESS: Okay.
 17 MR. SOKOLICH: That's a great point.
 18 THE WITNESS: I also have room to push
 19 the vestibule in to, you know, keep it --
 20 MR. JANG: You need a certain distance
 21 for the door swing, right.
 22 THE WITNESS: Yes.
 23 MAYOR KIM: And one last thing, the
 24 trees, I love the trees, I appreciate that you do
 25 that. Is it possible to request some flood lights
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1 with the trees, make it look nice.
 2 THE WITNESS: Yeah, like I said, we can
 3 probably do wall washers on the building too.
 4 MAYOR KIM: Some flood lights so the
 5 light is on the trees, just like Main Street in Fort
 6 Lee.
 7 MALE AUDIENCE MEMBER: It would be nice
 8 if you can continue it all the way down Columbia,
 9 everybody else, it's all lit up.
 10 MAYOR KIM: Well, no one else has an
 11 apartment like you.
 12 MALE AUDIENCE MEMBER: No, two
 13 families.
 14 MAYOR KIM: Well, it's an apartment,
 15 so...
 16 MR. SOKOLICH: Thank you.
 17 CHAIRWOMAN STAR: Anyone else on the
 18 panel here?
 19 (No Response.)
 20 CHAIRWOMAN STAR: Okay.
 21 We'll open this portion to the public.
 22 Anyone have a comment?
 23 (No Response.)
 24 CHAIRWOMAN STAR: If not, we'll close
 25 that portion.

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1 MR. SOKOLICH: Thank you, Madam
 2 Chairwoman.
 3 We call David Spatz, our planner and
 4 final witness.
 5 MR. NOH: Do you swear to tell the
 6 truth and nothing but the truth --
 7 MR. SPATZ: Yes, I do.
 8 MR. NOH: -- in this application.
 9 MR. SPATZ: Yes, I do.
 10 D A V I D S P A T Z, PP
 11 60 Friend Terrace in Harrington Park, New Jersey,
 12 having been duly sworn, testifies as follows:
 13 MR. NOH: Please state your name and
 14 last name for the record, please.
 15 MR. SPATZ: Sure.
 16 David Spatz, S-P-A-T-Z. My business
 17 address is 60 Friend Terrace in Harrington Park, New
 18 Jersey.
 19 VOIR DIRE EXAMINATION
 20 BY MR. SOKOLICH:
 21 Q. David, you are a licensed planner?
 22 A. **I am, yes.**
 23 Q. Your credentials have been accepted
 24 here in Palisades Park probably over 100 times at
 25 this point?

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1 A. **At least, yes.**
 2 Q. And that would include testimony before
 3 this planning board?
 4 A. **This board, as well as the board of**
 5 **adjustment, yes.**
 6 Q. Okay. And how long have you been
 7 practicing the art of planning?
 8 A. **Since 1981.**
 9 MR. SOKOLICH: I would offer Mr. Spatz
 10 as a planner.
 11 CHAIRWOMAN STAR: Yes.
 12 MR. SOKOLICH: Thank you, Chairwoman.
 13 DIRECT EXAMINATION
 14 BY MR. SOKOLICH:
 15 Q. David.
 16 A. **Yes.**
 17 Q. You were present during my opening
 18 remarks and for the testimony of both Mr. Koestner
 19 and Mr. Cocoros?
 20 A. **I was, yes.**
 21 Q. And you heard the affirmative
 22 statements that we were making that the plans that
 23 are before the board and that we presented this
 24 evening are consistent with and comply with the
 25 settlement agreement?

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1 A. **That's correct, yes, that's my review**
 2 **as well.**
 3 Q. Have you had an opportunity to review
 4 the settlement agreement?
 5 A. **I have.**
 6 Q. And you're also familiar with the one,
 7 I want to call it, discrepancy, but the one variance
 8 that's being sought concerning the front yard?
 9 A. **Correct, yes.**
 10 Q. And you also acknowledge that I believe
 11 that's in, for lack of a better term, the works as
 12 far as formally amending it?
 13 A. **That is my understanding, yes.**
 14 Q. But that will necessitate a variance
 15 because it's not the law of the land as we stand
 16 before the board?
 17 A. **That's correct, yes.**
 18 Q. Okay. So if you would, please provide
 19 your planning testimony and if you can please focus
 20 your testimony on the lack of any other variances,
 21 other than the one we just spoke to.
 22 A. **Correct, yes.**
 23 **Well, as was discussed, there was a**
 24 **settlement agreement Ordinance 2025-2, which sets**
 25 **forth the standards for this particular property.**

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1 The plans that were appended to that
2 and are before the board this evening are fully
3 consistent with the one exception.

4 The property, the probably biggest
5 public benefit of that in terms of the settlement
6 agreement was the provision of the seven affordable
7 housing units, which provides a public benefit, as
8 well as assisting the borough in providing their fair
9 share of affordable housing.

10 The property itself, I think, is
11 particularly well-suited for what we're proposing.

12 It is large enough to accommodate our
13 building, a conforming amount of parking. There are
14 multifamily developments in the area, particularly on
15 the opposite side of the highway. There are access
16 points out onto West Columbia. There is the ability
17 to get directly onto the highway.

18 So I think, again, the site is
19 particularly well-suited for this and meets the
20 purposes of zoning.

21 In terms of promoting the public
22 health, safety, morals and general welfare, it
23 enhances both for site, as well as the neighborhood
24 and I think it -- this development is particularly
25 suitable for the site.

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1 no impact on light, air and open space from what
2 we're proposing and I think granting that variance
3 would certainly make sense given the design of the
4 building and the need for parking on-site.

5 MR. SOKOLICH: Thank you, David.
6 I don't have any follow-up questions,
7 Madam Chairwoman.

8 I would offer Mr. Spatz.

9 CHAIRWOMAN STAR: Any questions for
10 this person?

11 (No Response.)

12 CHAIRWOMAN STAR: No?

13 Anyone?

14 (No Response.)

15 CHAIRWOMAN STAR: Anyone out on the
16 panel?

17 MR. KAUKER: Just -- well, just really
18 a clarification.

19 So with respect to the variances being
20 --

21 THE WITNESS: Yes.

22 MR. KAUKER: I'm sorry.

23 THE WITNESS: I'm sorry, repeat.

24 MR. SOKOLICH: I'm sorry, David, were
25 you sworn?

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1 Looking directly at the one variance
2 that we're seeking, is to the front yard setback at
3 the southeastern corner of the property. That
4 setback issue was caused to some extent by the
5 curvature of the front lot line. It's not a
6 symmetrical front lot line. There is a curve as you
7 go towards the east.

8 The building is designed in a sort of
9 sawtooth pattern to try to get some definition into
10 the building, as well as meet the setbacks, but at
11 the very corner of the property we were unable to
12 meet the setback that was in the original form of the
13 ordinance.

14 The building is a little bit larger in
15 that spot that is the parking, deck areas.

16 Certainly the public benefit of
17 providing additional parking on-site that is
18 conforming and meets the ordinance and the settlement
19 agreement, I think is certainly a public benefit even
20 though the setback is a little closer.

21 In terms of the negative impact, there
22 is no negative impact from that setback that is in
23 the front. Directly on the roadway, the nearest
24 building directly opposite us is on the total
25 opposite side of the highway. So there's certainly

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1 THE WITNESS: Yes, I was.

2 MR. SOKOLICH: He was.

3 Sorry, sorry, Mike.

4 MR. KAUKER: That's okay.

5 So with respect to the variances, it's
6 your testimony that it's justified basically with a
7 (c)(1) and (c)(2)?

8 THE WITNESS: That's correct.

9 MR. KAUKER: Number one, the (c)(1)
10 because of the shape of the piece of property.

11 THE WITNESS: Correct.

12 MR. KAUKER: And then number two,
13 there's a benefit with providing that additional
14 parking.

15 THE WITNESS: That is correct, yes.

16 MR. KAUKER: Thank you.

17 I have nothing further.

18 CHAIRWOMAN STAR: Anyone else?

19 Do you have a question?

20 (No Response.)

21 CHAIRWOMAN STAR: No, okay.

22 We'll open it to the public.

23 Anyone have a question.

24 (No Response.)

25 CHAIRWOMAN STAR: No? We'll close that

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1 portion.

2 MR. SOKOLICH: Chairwoman, thank you,

3 members of the Board. I have no further witnesses

4 and that concludes our direct presentation this

5 evening.

6 I do not want to beleague the point

7 and I certainly don't want to waste any more of the

8 volunteer's time, but if I can just be afforded a

9 couple of minutes just to sum up, if that's

10 acceptable?

11 CHAIRWOMAN STAR: Go ahead.

12 MR. SOKOLICH: As I started out at the

13 outset, this is a builder's remedy site plan. A lot

14 of folks spent a lot of time working this out and

15 resolving it and that was embodied into the

16 settlement agreement that was part of the

17 application.

18 Before you is the resultant impact of

19 that settlement agreement, which were the plans that

20 were prepared by Mr. Koestner and by Mr. Cocoros.

21 Other than the one minor front yard

22 variance that's being sought, there are no other

23 variances that are being sought in connection with

24 this application.

25 As far as dependency of that variance,

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1 that will be a moot point after the second reading.

2 We understand that the first reading of

3 the ordinance amendment is this Monday. It's an

4 application that provides 33 residential units, seven

5 of which will be devoted to affordable housing, which

6 is a benefit to the community and also helps to

7 satisfy the affordable housing obligation here in the

8 Borough of Palisades Park.

9 We believe that it's been

10 well-designed, safely designed, efficiently designed.

11 It will add an aesthetic improvement especially with

12 the comments that we received from the board and the

13 way in which we plan on designing the façade of the

14 building and for the reasons set forth by the experts

15 and in particular summarized by Mr. Spatz at the end,

16 we would ask the board the act favorably on the

17 application and we thank you for your consideration

18 in advance.

19 Thank you.

20 MAYOR KIM: Madam Chair, if you don't

21 mind, I would like to just summarize all of the

22 agreed upon conditions right now that we're going to

23 do. Who's going to do that.

24 Let's just reiterate and just write

25 down what the list is.

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1 MR. NOH: You're asking --

2 THE WITNESS: Yeah, I'm asking whoever

3 to --

4 MR. SOKOLICH: Oh, I got it.

5 Oh, I'm sorry. I apologize.

6 I didn't know you were directing that

7 to me. I'm sorry, Mayor.

8 So as I understand, some of the tweaks

9 or conditions, if you will, there will be a minimum

10 of two bollards at the short front yard point,

11 approximately 24 feet apart from each, number one.

12 Number two, there will be a minimum of

13 five trees planted.

14 MAYOR KIM: Total of additional five

15 trees. Remember, there's three over there.

16 MR. SOKOLICH: Well, three are coming

17 down. We're proposing to replant the minimum of

18 five.

19 MAYOR KIM: Okay, okay.

20 MR. SOKOLICH: I say minimum, because

21 there might be more, but minimum of five.

22 MAYOR KIM: With the lights.

23 MR. SOKOLICH: Correct.

24 We'll provide Mr. Simoff with sight

25 triangle and distance analysis per his request.

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1 There will also be bollards surrounding

2 the transformer. I believe they were already

3 depicted on the plan, but if not, bollards will be

4 there for safety purposes done in accordance with

5 applicable code.

6 MAYOR KIM: Bollards will be also at

7 the 3.65 entrance --

8 MR. SOKOLICH: Correct, that was the

9 first condition.

10 MAYOR KIM: 25 feet apart.

11 MR. SOKOLICH: Correct.

12 MAYOR KIM: Two poles.

13 MR. SOKOLICH: That's correct. That

14 was the first condition.

15 We will on the next iteration of the

16 plan more clearly -- well identify the affordable

17 housing units so there's zero confusion per the

18 dialogue with Mr. Cocoros and Mr. Kauker.

19 The applicant will present a color

20 rendering prior to actually construction of the

21 façade not so much --

22 MAYOR KIM: Material and a color

23 rendering, right?

24 MR. SOKOLICH: Correct. Not -- not so

25 much as an absolute condition.

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1 MAYOR KIM: No, just we want to see it.
 2 MR. SOKOLICH: But we also, I will put
 3 on the record, that this applicant wants to
 4 cooperate, so I do not see that there's going to be
 5 an issue.
 6 We also have -- request was made for
 7 flood lights on the trees that we plant, which
 8 Mr. Cocoros had agreed to. A request was made by the
 9 engineer for a warning light on the parking --
 10 MAYOR KIM: Yes.
 11 MR. SOKOLICH: -- which I believe
 12 exiting vehicles, correct? So when you're pulling
 13 in, you're knowing if somebody is exiting, right.
 14 And there was a request to slightly
 15 enlarge the vestibule to make it more workable.
 16 MAYOR KIM: The front door.
 17 MR. SOKOLICH: The platform, the --
 18 excuse me, the platform.
 19 MAYOR KIM: The platform.
 20 MR. SOKOLICH: The platform before the
 21 vestibule.
 22 MR. COCOROS: Correct.
 23 MR. SOKOLICH: That's what -- oh, and
 24 if garage venting is required, we will vent to the
 25 front.

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1 to make sure that it's safe to pull in.
 2 CHAIRWOMAN STAR: Is there any guest
 3 parking or they have to park on the street?
 4 MAYOR KIM: Oh, yeah, guest parking,
 5 that's a good question.
 6 MALE AUDIENCE MEMBER: Not required.
 7 MR. SOKOLICH: Yeah.
 8 MAYOR KIM: Not required?
 9 MR. SOKOLICH: That's in the building,
 10 but we believe what's being provided will be
 11 accommodated, because it's going be assigned -- go
 12 ahead, Mike, I'm sorry.
 13 MR. KAUKER: I'm sorry.
 14 MR. SOKOLICH: No, no, go ahead.
 15 MR. KAUKER: The number of parking
 16 spaces was part of the settlement agreement, so it is
 17 what it is.
 18 MAYOR KIM: Fair enough.
 19 So we got a total of nine; is that
 20 correct, nine points, is that correct?
 21 MR. SOKOLICH: Correct.
 22 MAYOR KIM: Everybody agree nine
 23 points? Good.
 24 MR. SOKOLICH: I think we may have said
 25 once twice, but I have nine also.

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1 MAYOR KIM: The front garage door,
 2 good.
 3 MR. SOKOLICH: If required.
 4 MAYOR KIM: If required.
 5 MR. SOKOLICH: As of now we don't
 6 believe it is, but if our calculations, you know,
 7 confirm by you guys, confirm otherwise, we'll go to
 8 the front.
 9 MAYOR KIM: Assigned parking.
 10 MR. SOKOLICH: Assigned parking.
 11 MAYOR KIM: Making sure that the AC
 12 unit will not leak due to condensation, plot sight
 13 distance, landscape, right?
 14 Plot sight distance, landscape.
 15 Total of nine, do you have that too,
 16 Counsel.
 17 MR. SOKOLICH: What was the last one,
 18 Mayor.
 19 MAYOR KIM: The last one, plot sight
 20 distance landscape.
 21 MR. SOKOLICH: Oh, no, I said that,
 22 sight distance.
 23 It's sight triangle and distance to
 24 make sure that -- and also to make sure the plantings
 25 stay at a low level so it doesn't block and then also

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1 MAYOR KIM: I have nine too.
 2 MR. SOKOLICH: And that concludes my
 3 closing remarks.
 4 We would respectfully request the board
 5 to act favorably on the application.
 6 Thank you.
 7 MAYOR KIM: If you guys want, I'll
 8 start. It's been a very cooperative meeting.
 9 I think they tried really hard to work
 10 with us with things that we are able to negotiate and
 11 talk to. They've been very amicable with our
 12 requests.
 13 I would like to make a motion to pass
 14 this. You know what, I shouldn't. I want somebody
 15 else to do that. I'm sorry, I can't do that.
 16 Just, you know, I'll vote, but somebody
 17 lead.
 18 VICE CHAIRMAN AUFIERO: I'll make the
 19 motion to pass the application as presented with the
 20 nine points from Mr. Sokolich.
 21 CHAIRWOMAN STAR: Do we have a second?
 22 MR. KANG: I'll second it.
 23 MS. HANRAHAN: Mayor?
 24 MAYOR KIM: Yes.
 25 MS. HANRAHAN: Star?

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1 CHAIRWOMAN STAR: Yes.
 2 MS. HANRAHAN: Aufiero?
 3 VICE CHAIRMAN AUFIERO: Yes.
 4 MS. HANRAHAN: Kang?
 5 MR. KANG: Yes.
 6 MS. HANRAHAN: And Kim?
 7 MR. KIM: Yes.
 8 MR. SOKOLICH: Chairwoman, Mayor,
 9 Members of the Board, Professionals, thank you very,
 10 very much.
 11 We look forward to the construction of
 12 a successful development and thank you to the
 13 professionals also.
 14 Thank you.
 15 CHAIRWOMAN STAR: Okay. When is our --
 16 our next meeting is early.
 17 MS. HANRAHAN: 19th.
 18 CHAIRWOMAN STAR: When is it?
 19 MS. HANRAHAN: 19th.
 20 CHAIRWOMAN STAR: The 19th?
 21 MR. SOKOLICH: Goodnight, guys.
 22 Goodnight, Mayor.
 23 MAYOR KIM: Good job, Mayor.
 24 MR. SOKOLICH: Thank you.
 25 MAYOR KIM: You're the best presenter I
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1 ever seen before.
 2 He's always good.
 3 MR. SOKOLICH: Tell my client.
 4 CHAIRWOMAN STAR: Okay. So our next
 5 meeting is November 19th which is a week earlier.
 6 MAYOR KIM: November 19th.
 7 CHAIRWOMAN STAR: Any old business?
 8 MR. NOH: Nothing.
 9 MAYOR KIM: Actually there is old
 10 business, Madam Chair.
 11 I've been always reminding the board
 12 that we all agreed -- agreed with the vote that
 13 because of the importance and the roles and
 14 responsibilities we have to provide as a planning
 15 board member, members who miss more than twice in a
 16 without any right medical excuse, we decide that we
 17 will let them out.
 18 I spoke with the attorney Mr. Chang, it
 19 is possible that we should do that know.
 20 Lucy, could you please tell us who are
 21 right now going over two days without a medical
 22 excuse?
 23 MS. HANRAHAN: Over two days.
 24 MAYOR KIM: Yes.
 25 MS. HANRAHAN: Sophia and Kim -- and
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1 Min.
 2 MAYOR KIM: Min.
 3 MS. HANRAHAN: And Sophia.
 4 MAYOR KIM: And Sophia.
 5 MS. HANRAHAN: Uh-huh.
 6 MAYOR KIM: That's it.
 7 MS. HANRAHAN: That's it.
 8 MAYOR KIM: You sure about that?
 9 MS. HANRAHAN: (Shakes head).
 10 MAYOR KIM: So I recommend that we vote
 11 on this. I talked to -- whether or not the counsel
 12 Chang and also our borough attorney is going to find
 13 out who gets the authority to put new members inside
 14 here, but we'll figure that out, but we should really
 15 follow this.
 16 As you can see a lot of people weren't
 17 here. If it wasn't for Paul, you know, we wouldn't
 18 be able to do this.
 19 I really appreciate that, Paul, for
 20 coming over here.
 21 So I don't want this to happen again.
 22 There's a reason I firmly believe all
 23 these guys who are always here didn't come here at
 24 the most important moment, I wonder why.
 25 Maybe they don't want to take the hit,
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1 but we are here to make good judgements and perform
 2 responsibilities. It is unfair for those guys to not
 3 make it.
 4 So Madam Chair, I'd like to recommend
 5 that we -- that we remove the two confirmed by our
 6 secretary, Sophia Jang and John Min out of the
 7 planning board and we'll talk to the borough
 8 attorney, the proper procedure how to fill in those
 9 two positions.
 10 CHAIRWOMAN STAR: Okay.
 11 MAYOR KIM: May I have a motion.
 12 CHAIRWOMAN STAR: Do we have a motion
 13 for that?
 14 VICE CHAIRMAN AUFIERO: Can we legally
 15 --
 16 MAYOR KIM: Yeah, I already asked, I
 17 already asked. We just got to pick somebody in.
 18 It's either going to be -- depending it's going to be
 19 the Mayor's appointments or we're going to vote on
 20 it.
 21 CHAIRWOMAN STAR: Okay.
 22 MAYOR KIM: It's either/or, but --
 23 CHAIRWOMAN STAR: The other thing I
 24 just want to point out that I reached out to every
 25 single board member and a few of them did not even
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1 respond to me to let me know whether they were coming
2 or not.

3 MAYOR KIM: It's very irresponsible.
4 CHAIRWOMAN STAR: That's irresponsible
5 and disrespectful.

6 MAYOR KIM: Absolutely, Madam Chair.
7 Especially on an important day like this. We should
8 all take the hit.

9 Exactly what our friend Chris said. It
10 almost felt like giving birth to a baby, but we
11 perform our duties if we have to, okay.

12 CHAIRWOMAN STAR: He's got babies on
13 his mind.

14 (Laughter.)

15 MAYOR KIM: So if that's okay with
16 everybody, I would like to make a motion and I hope
17 that we can get a second.

18 May I have a second, please?

19 MR. KIM: I'll second.

20 MAYOR KIM: Thank you.

21 Let's do a roll call.

22 MS. HANRAHAN: Mayor?

23 MAYOR KIM: Yes.

24 MS. HANRAHAN: Star?

25 CHAIRWOMAN STAR: Yes.

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1 MS. HANRAHAN: Aufiero?

2 VICE CHAIRMAN AUFIERO: Yes.

3 MS. HANRAHAN: Kang?

4 MR. KANG: Yes.

5 MS. HANRAHAN: And, Kim?

6 MR. KIM: Yes.

7 MAYOR KIM: Thank you very much, guys.

8 CHAIRWOMAN STAR: Okay. Any other

9 business?

10 (No Response.)

11 CHAIRWOMAN STAR: Okay. Motion to

12 adjourn?

13 MR. KIM: I'll make a motion to

14 adjourn.

15 CHAIRWOMAN STAR: Second?

16 VICE CHAIRMAN AUFIERO: Second.

17 MAYOR KIM: Thank you.

18 All in favor?

19 (Whereupon, all present members respond
20 in the affirmative.)

21 MAYOR KIM: Thank you very much, guys,

22 again.

23 Thank you.

24 (Whereupon, this meeting is concluded.

25 Time noted: 9:07 p.m.)

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C E R T I F I C A T E

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I, LAURA A. CARUCCI, C.C.R., R.P.R., a 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.

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License #XI02050, and RON Notary
Public Notary ID: #1810618, Notary
Expiration Date May 27, 2028

Dated: 11-12-25

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