

BOROUGH OF PALISADES PARK  
 ZONING BOARD OF ADJUSTMENT  
 MONDAY, JANUARY 12, 2026  
 7:04 p.m.

-----  
**Case No. 25-13** ) TRANSCRIPT OF  
 Jaehoon Lee ) PROCEEDINGS  
 525 Glen Ave )  
 Block 317, Lot 17 )  
**Case No. 25-15** )  
 Hosu Lee )  
 432 Glen Ave )  
 Block 320, Lot 8 )  
**Case No. 25-17** )  
 550 Bergen LLC )  
 550 Bergen Boulevard )  
 Block 416, Lot 3 )  
**Case No. 25-10** )  
 Sang Won Sur )  
 32 Delia Boulevard )  
 Block 728, Lot 24 )  
**Case No. 25-09** )  
 Robert Lee )  
 317 9th Street )  
 Block 410, Lot 17 )  
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**B E F O R E:**  
 BOROUGH OF PALISADES PARK BOARD OF ADJUSTMENT  
 THERE BEING PRESENT:

CHARLIE CHUNG, CHAIRMAN  
 SEONGHYE YOON, VICE CHAIRWOMAN  
 ELEFTERIOS ELEFTERIOU, MEMBER  
 DAVID TERRANOVA, MEMBER  
 BRIAN KIM, MEMBER  
 STEVEN BROGNA, MEMBER (ABSENT)  
 AARON CHIESA, MEMBER (ABSENT)  
 SOPHIA KIM, ALTERNATE MEMBER 1 (ABSENT)  
 SOOKYUNG PARK, ALTERNATE MEMBER 2

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

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 432 Glen Avenue, Block 320, Lot 8 and Case No. 25-10,  
 Sang Won Sur, 32 Delia Boulevard, Block 728, Lot 24

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

REBEKAH KIM, BOARD SECRETARY  
 JAE YOUNG JANG, PE, BOARD ENGINEER  
 MICHAEL KAUKER, PP, AICP, BOARD PLANNER

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1 been posted on our Borough Bulletin Board.  
 2 Notice has been provided to at least  
 3 two official Borough newspapers and filed with the  
 4 Borough Clerk's office.  
 5 At this time we need a nomination for  
 6 the Chairperson For the Board of Adjustment for 2026.  
 7 VICE CHAIRWOMAN YOON: I nominate  
 8 Charlie Chung.  
 9 MS. TESTA: Is there a second?  
 10 MR. ELEFTERIOU: I'll second.  
 11 MS. TESTA: Any other nominations?  
 12 (No Response.)  
 13 MS. TESTA: Okay.  
 14 Can I have a roll call, please?  
 15 MS. REBEKAH KIM: Mr. Terranova?  
 16 MR. TERRANOVA: Yes.  
 17 MS. REBEKAH KIM: Mr. Chung?  
 18 CHAIRMAN CHUNG: Yes.  
 19 MS. REBEKAH KIM: Mr. Elefteriou?  
 20 MR. ELEFTERIOU: Yes.  
 21 MS. REBEKAH KIM: Mr. Kim?  
 22 MR. KIM: Yes.  
 23 MS. REBEKAH KIM: Mrs. Yoon?  
 24 VICE CHAIRWOMAN YOON: Yes.  
 25 MS. REBEKAH KIM: Mrs. Park?

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1 MS. TESTA: Please rise for the Pledge  
 2 of Allegiance.  
 3 (Whereupon, all rise for a recitation  
 4 of the Pledge of Allegiance.)  
 5 MS. TESTA: We have no new members to  
 6 swear in.  
 7 Roll call, please.  
 8 MS. REBEKAH KIM: Mr. Terranova?  
 9 MR. TERRANOVA: Here.  
 10 MS. REBEKAH KIM: Mr. Brogna?  
 11 (No Response.)  
 12 MS. REBEKAH KIM: Mr. Chung?  
 13 CHAIRMAN CHUNG: Here.  
 14 MS. REBEKAH KIM: Mr. Chiesa?  
 15 (No Response.)  
 16 CHAIRMAN CHUNG: Mr. Elefteriou?  
 17 MR. ELEFTERIOU: Here.  
 18 MS. REBEKAH KIM: Mr. Kim?  
 19 MR. KIM: Here.  
 20 MS. REBEKAH KIM: Mrs. Yoon?  
 21 VICE CHAIRWOMAN YOON: Here.  
 22 MS. REBEKAH KIM: Mrs. Park?  
 23 MS. PARK: Yes.  
 24 MS. TESTA: In accordance with the Open  
 25 Public Meetings Act, the notice of this meeting has

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1 MS. PARK: Yes.  
 2 MS. TESTA: Okay.  
 3 Now a nomination for vice chair.  
 4 CHAIRMAN CHUNG: I nominate Ms. Yoon  
 5 for vice chair.  
 6 Can I have a second, please?  
 7 MR. ELEFTERIOU: I'll second.  
 8 MS. TESTA: Any other nominations?  
 9 (No Response.)  
 10 MS. TESTA: Roll call, please.  
 11 MS. REBEKAH KIM: Mr. Terranova?  
 12 MR. TERRANOVA: Yes.  
 13 MS. REBEKAH KIM: Mr. Chung?  
 14 CHAIRMAN CHUNG: Yes.  
 15 MS. REBEKAH KIM: Mr. Elefteriou?  
 16 MR. ELEFTERIOU: Yes.  
 17 MS. REBEKAH KIM: Mr. Kim?  
 18 MR. KIM: Yes.  
 19 MS. REBEKAH KIM: Mrs. Yoon?  
 20 VICE CHAIRWOMAN YOON: Yes.  
 21 MS. REBEKAH KIM: Mrs. Park?  
 22 MS. PARK: Yes.  
 23 MS. TESTA: All right. I need a motion  
 24 for the board secretary to appoint Rebecca Kim.  
 25 MR. TERRANOVA: I'll make a motion.

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1 MR. ELEFTERIOU: I'll second.  
 2 MS. TESTA: Okay. Roll call, please.  
 3 MS. REBEKAH KIM: Mr. Terranova?  
 4 MR. TERRANOVA: Yes.  
 5 MS. REBEKAH KIM: Mr. Chung?  
 6 CHAIRMAN CHUNG: Yes.  
 7 MS. REBEKAH KIM: Mr. Elefteriou?  
 8 MR. ELEFTERIOU: Yes.  
 9 MS. REBEKAH KIM: Mr. Kim?  
 10 MR. KIM: Yes.  
 11 MS. REBEKAH KIM: Mrs. Yoon?  
 12 VICE CHAIRWOMAN YOON: Yes.  
 13 MS. REBEKAH KIM: Mrs. Park?  
 14 MS. PARK: Yes.  
 15 MS. TESTA: And next is a resolution  
 16 for the board attorney.  
 17 MR. KIM: I nominate Diane.  
 18 CHAIRMAN CHUNG: Brian nominates.  
 19 I'll have a second.  
 20 MR. TERRANOVA: I'll nominate.  
 21 MR. ELEFTERIOU: I'll second.  
 22 MS. TESTA: Thank you.  
 23 Roll call, please.  
 24 MS. REBEKAH KIM: Mr. Terranova?  
 25 MR. TERRANOVA: Yes.

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1 MS. REBEKAH KIM: Mr. Chung?  
 2 CHAIRMAN CHUNG: Yes.  
 3 MS. REBEKAH KIM: Mr. Elefteriou?  
 4 MR. ELEFTERIOU: Yes.  
 5 MS. REBEKAH KIM: Mr. Kim?  
 6 MR. KIM: Yes.  
 7 MS. REBEKAH KIM: Mrs. Yoon?  
 8 VICE CHAIRWOMAN YOON: Yes.  
 9 MS. REBEKAH KIM: Mrs. Park?  
 10 MS. PARK: Yes.  
 11 MS. TESTA: Okay.  
 12 And next would be for the board  
 13 engineer, the firm of Pennoni, if anybody wants to  
 14 make that motion.  
 15 CHAIRMAN CHUNG: I'll make a motion.  
 16 MR. JANG: We were appointed.  
 17 MS. TESTA: I'm sorry, what firm are  
 18 you with?  
 19 MR. JANG: Pennoni.  
 20 CHAIRMAN CHUNG: Pennoni, right?  
 21 MR. JANG: Yeah, yeah, yeah.  
 22 MS. TESTA: It's a board appointment.  
 23 MR. JANG: Right, for 2026?  
 24 MS. TESTA: For 2026, yeah.  
 25 Okay. We'll table that one.

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1 CHAIRMAN CHUNG: We'll table that one.  
 2 All right.  
 3 Thank you.  
 4 MS. TESTA: How about the appointment  
 5 of municipal planner?  
 6 MR. ELEFTERIOU: I nominate.  
 7 MS. TESTA: Okay.  
 8 Kauker and Kauker?  
 9 MR. ELEFTERIOU: Kauker and Kauker,  
 10 yes.  
 11 CHAIRMAN CHUNG: Are you sure about  
 12 that?  
 13 MS. TESTA: And second?  
 14 MR. KIM: I'll second.  
 15 MS. TESTA: Roll call, please.  
 16 MS. REBEKAH KIM: Mr. Terranova?  
 17 MR. TERRANOVA: Yes.  
 18 MS. REBEKAH KIM: Mr. Chung?  
 19 CHAIRMAN CHUNG: Yes.  
 20 MS. REBEKAH KIM: Mr. Elefteriou?  
 21 MR. ELEFTERIOU: Yes.  
 22 MS. REBEKAH KIM: Mr. Kim?  
 23 MR. KIM: Yes.  
 24 MS. REBEKAH KIM: Mrs. Yoon?  
 25 VICE CHAIRWOMAN YOON: Yes.

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1 MS. REBEKAH KIM: Mrs. Park?  
 2 MS. PARK: Yes.  
 3 MR. JANG: Thank you.  
 4 MS. TESTA: Okay. The meetings for  
 5 2026.  
 6 At this point, we normally have the  
 7 third Monday of the month. The only time that  
 8 that's -- besides next Monday, and that's why we're  
 9 meeting today.  
 10 And then we have on the 16th of  
 11 February is Presidents' Day.  
 12 Do we want to keep the third Monday of  
 13 each month other than those two days?  
 14 VICE CHAIRWOMAN YOON: Yes.  
 15 MS. TESTA: Okay. And then for  
 16 February do we want to do the 23rd, the Monday?  
 17 I think the Mayor and Council is  
 18 Tuesday, correct?  
 19 CHAIRMAN CHUNG: Right.  
 20 MS. TESTA: Okay. So you want to do  
 21 the 23rd then? Okay.  
 22 So the 23rd for February and the rest  
 23 of the meetings will be the third Monday at 7 p.m.  
 24 VICE CHAIRWOMAN YOON: Presidents' Day?  
 25 MS. TESTA: That's Presidents' Day, the

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1 16th, right.

2 And then the last thing, I complied a

3 report of all the cases that this board has heard in

4 2005, which I can e-mail to everybody.

5 The board normally what we do is we

6 submit a copy of it to the planning board and also to

7 the Mayor and Council for their review.

8 So if I can have a resolution to

9 authorize me to send it to the planning board and the

10 Mayor and Council, just a list of all the cases and

11 the outcomes and what they were seeking.

12 So we just need a motion for that.

13 CHAIRMAN CHUNG: I make a motion.

14 MR. TERRANOVA: I'll second.

15 MS. TESTA: Roll call, please.

16 MS. REBEKAH KIM: Mr. Terranova?

17 MR. TERRANOVA: Yes.

18 MS. REBEKAH KIM: Mr. Chung?

19 CHAIRMAN CHUNG: Yes.

20 MS. REBEKAH KIM: Mr. Elefteriou?

21 MR. ELEFTERIOU: Yes.

22 MS. REBEKAH KIM: Mr. Kim?

23 MR. KIM: Yes.

24 MS. REBEKAH KIM: Mrs. Yoon?

25 VICE CHAIRWOMAN YOON: Yes.

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14

1 MS. REBEKAH KIM: Mrs. Park?

2 MS. PARK: Yes.

3 MS. TESTA: Okay.

4 So that completes our reorganization

5 meeting.

6 We can now start with the regular

7 meeting for the new year, January 12th, 2026.

8 Chairman, first would be a motion to

9 approve the minutes from the December 15th, 2025

10 meeting.

11 CHAIRMAN CHUNG: Yes.

12 Case No. 25-13.

13 MS. TESTA: The minutes first.

14 CHAIRMAN CHUNG: Oh, the minutes.

15 MS. TESTA: Yeah, if we want to approve

16 the minutes from the December 15th meeting.

17 CHAIRMAN CHUNG: Yeah.

18 MS. TESTA: A motion.

19 CHAIRMAN CHUNG: I'll make a motion.

20 MR. TERRANOVA: I'll second.

21 MS. REBEKAH KIM: Mr. Terranova?

22 MR. TERRANOVA: Yes.

23 MS. REBEKAH KIM: Mr. Chung?

24 CHAIRMAN CHUNG: Yes.

25 MS. REBEKAH KIM: Mr. Elefteriou?

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1 MR. ELEFTERIOU: Yes.

2 MS. REBEKAH KIM: Mr. Kim?

3 MR. KIM: Abstain.

4 MS. REBEKAH KIM: Mrs. Yoon?

5 VICE CHAIRWOMAN YOON: Yes.

6 MS. REBEKAH KIM: Mrs. Park?

7 MS. PARK: Yes.

8 MS. TESTA: All right.

9 And then Chairman, next we have a

10 couple bills to pay, one is from Testa and DeCarlo in

11 the amount of \$1,815.00 and the other is attorney

12 fees from Azzolini in the amount of \$2,640.00.

13 So we just need a motion.

14 CHAIRMAN CHUNG: I make a motion to pay

15 the bills.

16 Second, please.

17 MR. ELEFTERIOU: I'll second.

18 CHAIRMAN CHUNG: Thank you, Lefty.

19 MS. REBEKAH KIM: Mr. Terranova?

20 MR. TERRANOVA: Yes.

21 MS. REBEKAH KIM: Mr. Chung?

22 CHAIRMAN CHUNG: Yes.

23 MS. REBEKAH KIM: Mr. Elefteriou?

24 MR. ELEFTERIOU: Yes.

25 MS. REBEKAH KIM: Mr. Kim?

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1 MR. KIM: Yes.

2 MS. REBEKAH KIM: Mrs. Yoon?

3 VICE CHAIRWOMAN YOON: Yes.

4 MS. REBEKAH KIM: Mrs. Park?

5 MS. PARK: Yes.

6 MS. TESTA: Okay. And then at this

7 time, we also have our special attorney is present

8 this evening just to bring us an update with regards

9 to litigation for the builder's remedy.

10 Mr. Zakin?

11 MR. ZAKIN: I'll speak into the

12 microphone.

13 She's transcribing.

14 MS. TESTA: Yup, yeah, transcribing.

15 MR. ZAKIN: Okay.

16 So I'm Alan Zakin with the firm of

17 Azzolini Benedetti.

18 And I was brought on as special

19 affordable housing counsel.

20 There was a litigation matter in regard

21 to the affordable housing and we may have some new

22 members here.

23 I know that everyone is sworn in, but

24 is everyone familiar, generally, with the suit?

25 MS. TESTA: Yes, yeah.

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1 MR. ZAKIN: So there was -- it's a  
2 consolidated suit and it's against the planning board  
3 and the council, but there was also -- or the  
4 Borough, there was also litigation against the  
5 planning board because one of the applications was  
6 denied by the zoning board and then a suit ensued and  
7 it became part of this affordable housing litigation.

8 And it was in the process of being  
9 settled where there were some interveners, which is  
10 part of the process in the Fourth Round which is  
11 codified by legislation signed by Governor Murphy.

12 So that is still running its way  
13 through the process, and I'll go over that a little  
14 bit, but in the interim the -- it looks like everyone  
15 is going to settle and there's going to be now eight  
16 builders bought builder's remedies and there's been a  
17 settlement, it's with the town, itself, and there's a  
18 Special Master who's a planner that advises the judge  
19 in the matter and then there's a special interest  
20 group that works with Department of Community Affairs  
21 to advocate for the affordable housing law, and that  
22 is Fair Share Housing.

23 And it looks like they're all in  
24 agreement.

25 And as part of that, there was an  
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1 35 units, seven affordable. And that goes with the  
2 other projects from here that were the Fan  
3 Associates, which I believe was the first Builder's  
4 Remedy Suit where you're going to have 175 rental  
5 units, 35 affordable; and 15 Grand Avenue, 3539 West  
6 Columbia Avenue from DRC Developers, that was the  
7 subject of the suit, 30 units with six affordable.  
8 And they have another project with 45 units, nine  
9 affordable.

10 Then at 1820 West Ruby Avenue, five  
11 rental units, one affordable.

12 Another smaller project on 59 Broad  
13 Avenue, 30 rental units, six affordable.

14 And then one of the larger ones, Leems  
15 Corporation, 21 Grand Avenue, 510 rental units,  
16 20 percent affordable.

17 And just in terms of the process, there  
18 are public review whereby this has to be reviewed by  
19 the planning board, there's public hearings and it  
20 has to go to the Council and the Council has to adopt  
21 all necessary ordinances by May 30th, again, we'll go  
22 through the usual public review process.

23 And then there's a fairness hearing  
24 that will be conducted by the Court on June 15th.

25 And prior to that on June 10th, the  
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1 approval for the portion that was still in litigation  
2 that hadn't settled. Because of this, the  
3 interveners added two more parties to the Builder's  
4 Remedy Suit.

5 And now, though, even though that  
6 hasn't quite settled because the planning board  
7 approved the project from DRC who had sued us, they  
8 agreed to a voluntary dismissal with prejudice, which  
9 means they can't bring it back.

10 So glad to say that your board is out  
11 of litigation and not in danger from this affordable  
12 housing to go into litigation anytime soon.

13 What we're involved in now is the  
14 Fourth Round, which goes to 2035. I'll just  
15 summarize quickly. The two new entities that settled  
16 or are in the process of settling, the one that was  
17 the intervener that delayed this process about eight  
18 months, Tamaris, they have settled for a project  
19 where they are going to have 540 units total, and  
20 that's 20 percent with the affordable are 108.

21 And the other project that also  
22 intervened is I'm told -- and this is new information  
23 I had since I sent the memo, that's about a -- I  
24 believe an 18,000-square-foot lot that has a couple  
25 single-family homes now and there's going to be

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1 special adjudicator or master who advises the Court  
2 is going to submit a report that will be public on  
3 June 10th and available to everyone.

4 So please just follow up with your  
5 attorney or board secretary or myself if you have any  
6 questions or want to know about those dates if you  
7 want to have any input.

8 And that's my report.

9 I'm happy to take any questions.

10 MS. TESTA: Anybody have any questions?  
11 (No Response.)

12 MR. ZAKIN: Okay. Thank you very much.

13 THE COURT REPORTER: Could you please  
14 spell your name for me?

15 MR. ZAKIN: Sure.

16 A-L-A-N, "Z", like zebra, A-K-I-N.

17 Alan Zakin from Azzolini & Benedetti.

18 THE COURT REPORTER: Thank you.

19 MR. ZAKIN: Thank you very much. Have  
20 a good evening.

21 MS. TESTA: We do have one resolution  
22 to be memorialized, Chairman.

23 That would be Case No. 25-13, Jaehoon  
24 Lee Lee, 525 Glen Avenue, Block 317, Lot 17.

25 This is the resolution, permission to

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21

1 construct a four-story, two-family duplex on premises  
 2 at 524.  
 3 The reason for the four stories is due  
 4 to the severe slope of the property.  
 5 So from the street, it will look like  
 6 three family, but from the rear, again, because of  
 7 the severe slope, it's going to be four stories.  
 8 And this was a height variance, number  
 9 of stories and building coverage.  
 10 CHAIRMAN CHUNG: Thank you.  
 11 MS. TESTA: Okay.  
 12 So you need a motion to --  
 13 CHAIRMAN CHUNG: I make a motion to  
 14 accept that one.  
 15 Can I get a second, please?  
 16 MR. TERRANOVA: I'll make a second.  
 17 MS. TESTA: Roll call, please.  
 18 MS. REBEKAH KIM: Mr. Terranova?  
 19 MR. TERRANOVA: Yes.  
 20 MS. REBEKAH KIM: Mr. Chung?  
 21 CHAIRMAN CHUNG: Yes.  
 22 MS. REBEKAH KIM: Mr. Elefteriou?  
 23 MR. ELEFTERIOU: Yes.  
 24 MS. REBEKAH KIM: Mr. Kim?  
 25 MR. KIM: Yes.

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1 MS. REBEKAH KIM: Mrs. Yoon?  
 2 VICE CHAIRWOMAN YOON: Yes.  
 3 MS. REBEKAH KIM: Mrs. Park?  
 4 MS. PARK: Yes.  
 5 MS. TESTA: Okay. Mr. Kim, I don't  
 6 think you were here.  
 7 MR. KIM: Oh, yeah, I wasn't here.  
 8 So I will abstain.  
 9 Sorry.  
 10 MS. TESTA: Please, for the record, to  
 11 abstain. Okay.  
 12 MR. KIM: Yeah.  
 13 MS. TESTA: Okay. And then, Chairman,  
 14 we have two requests for postponements.  
 15 CHAIRMAN CHUNG: Okay.  
 16 MS. TESTA: The first is Case  
 17 No. 25-17, 550 Bergen, LLC.  
 18 Property located at 550 Bergen  
 19 Boulevard, Block 416, Lot 3, at the request of the  
 20 applicant, they're asking that this be carried to the  
 21 next meeting, which would be February 23rd, 2026, at  
 22 7:00 p.m. and no further notice.  
 23 CHAIRMAN CHUNG: Okay.  
 24 MS. TESTA: We need a motion on that.  
 25 CHAIRMAN CHUNG: Yeah, I'll make a

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23

1 motion.  
 2 MR. TERRANOVA: I'll second.  
 3 CHAIRMAN CHUNG: Thank you.  
 4 MS. TESTA: Roll call, please.  
 5 MS. REBEKAH KIM: Mr. Terranova?  
 6 MR. TERRANOVA: Yes.  
 7 MS. REBEKAH KIM: Mr. Chung?  
 8 CHAIRMAN CHUNG: Yes.  
 9 MS. REBEKAH KIM: Mr. Elefteriou?  
 10 MR. ELEFTERIOU: Yes.  
 11 MS. REBEKAH KIM: Mr. Kim?  
 12 MR. KIM: Abstain.  
 13 MS. REBEKAH KIM: Mrs. Yoon?  
 14 VICE CHAIRWOMAN YOON: Yes.  
 15 MS. REBEKAH KIM: Mrs. Park?  
 16 MS. PARK: Yes.  
 17 MS. TESTA: And then, Chairman, Case  
 18 No. 25-09, Robert Lee, 317 9th Street, Block 410,  
 19 Lot 17. At the -- oh, I'm sorry.  
 20 Let me just go back to Case No. 25-17,  
 21 550 Bergen, LLC, again, at the request of the  
 22 applicant, this matter is being carried to the  
 23 February 23rd, 2026 meeting at 7:00 p.m.  
 24 No further notice will be provided to  
 25 the public. This is your notice for that case.

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24

1 The next is 20- -- Case No. 25-09,  
 2 Robert Lee, 317 9th Street, Block 410, Lot 17.  
 3 At the request of the applicant,  
 4 they're also asking that this be carried to the next  
 5 meeting, which would be February 23rd, 2026, at  
 6 7:00 p.m. and they're asking for no further notice.  
 7 They waive any time constraints.  
 8 You need a motion to approve their  
 9 request.  
 10 CHAIRMAN CHUNG: I make a motion to  
 11 carry that.  
 12 MS. TESTA: At no further notice.  
 13 CHAIRMAN CHUNG: At no further notice.  
 14 MR. TERRANOVA: I'll second.  
 15 CHAIRMAN CHUNG: Thanks, Dave.  
 16 MS. TESTA: Roll call, please.  
 17 MS. REBEKAH KIM: Mr. Terranova?  
 18 MR. TERRANOVA: Yes.  
 19 MS. REBEKAH KIM: Mr. Chung?  
 20 CHAIRMAN CHUNG: Yes.  
 21 MS. REBEKAH KIM: Mr. Elefteriou?  
 22 MR. ELEFTERIOU: Yes.  
 23 MS. REBEKAH KIM: Mr. Kim?  
 24 MR. KIM: Abstain.  
 25 MS. REBEKAH KIM: Mrs. Yoon?

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1 VICE CHAIRWOMAN YOON: Yes.  
 2 MS. REBEKAH KIM: Mrs. Park?  
 3 MS. PARK: Yes.  
 4 MS. TESTA: Okay.  
 5 So that's Case No. 25-09, Robert Lee,  
 6 317 9th Street, Block 410, Lot 17.  
 7 Again, at the request of the applicant,  
 8 it's being carried to the February 23rd, 2026 meeting  
 9 at 7:00 p.m.  
 10 No further notice will be provided to  
 11 the public. This is your notice.  
 12 Okay. So then the next case would be  
 13 25-15, I guess we could start with that, Hosu Lee.  
 14 CHAIRMAN CHUNG: All right.  
 15 Case No. 25-15.  
 16 MS. TESTA: Yes, Hosu Lee, 432 Glen  
 17 Avenue.  
 18 MR. SOKOLICH: Good evening, Chairman,  
 19 Members of the Board, Engaged Professionals, Mark  
 20 Sokolich on behalf of Hosu Lee, the applicant before  
 21 you.  
 22 First and foremost, congratulations on  
 23 your reappointments. I know how difficult it is.  
 24 These volunteer jobs are a consumption  
 25 of time, so it's appreciated. It's becoming more and  
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1 more difficult to fill these positions and I just  
 2 have nothing but respect for you.  
 3 Notwithstanding the fact that my loss  
 4 record here isn't that great, I still have incredible  
 5 respect for the Board.  
 6 But congratulations and happy and  
 7 healthy new year to all of you as well.  
 8 As I said, Mark Sokolich on behalf of  
 9 the first applicant, Hosu Lee, 432 Glen Avenue.  
 10 Mr. Lee is a name that you've probably  
 11 heard multiple times in the past.  
 12 By way of housekeeping, I had presented  
 13 counsel with the affidavit of service, which I trust  
 14 is in order.  
 15 Hosu Lee is an applicant that's been  
 16 around for a while. There was an initial application  
 17 that was made, I believe, before this board. It was  
 18 a request to create two undersized lots and construct  
 19 a two family upon each lot. That application was  
 20 granted. My client has elected to not proceed with  
 21 that approval.  
 22 He then refiled seeking a different  
 23 type of an application. It was transferred from one  
 24 board to the other.  
 25 Again, reassessed what the development  
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1 was and what it should be, which then culminates in  
 2 the plans that are now before you, which is a duplex  
 3 dwelling on an oversized lot. And that is the  
 4 request.  
 5 We have noticed for that type of  
 6 relief. The variances being sought are relatively  
 7 limited.  
 8 As far as the application is concerned,  
 9 we intend to present the testimony of Mr. Cocoros,  
 10 who has been the architect since day one on this, and  
 11 then follow it up with some planning testimony from  
 12 David Spatz, who is likewise in attendance.  
 13 So, Chair, unless you had any questions  
 14 of I, or any member of the board, we'd ask  
 15 Mr. Cocoros to be sworn in.  
 16 MS. TESTA: Do you swear the testimony  
 17 you will provide in this application will be the  
 18 truth, the whole truth, and nothing but the truth?  
 19 MR. COCOROS: I do.  
 20 V A S S I L I O S C O C O R O S, AIA,  
 21 467 Sylvan Avenue, Englewood Cliffs, New Jersey,  
 22 having been duly sworn, testifies as follows:  
 23 MS. TESTA: Please state your name for  
 24 the record.  
 25 MR. COCOROS: Sure.  
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1 Vassilios, V-A-S-S-I-L-I-O-S, Cocoros,  
 2 C-O-C-O-R-O-S, 467 Sylvan Avenue, Englewood Cliffs,  
 3 New Jersey 07632.  
 4 MS. TESTA: Thank you.  
 5 And, of course, he's accepted as an  
 6 expert.  
 7 MR. SOKOLICH: Thank you, Counsel.  
 8 (Whereupon, Elevations Last Revised  
 9 April 29th, 2025 are marked as Exhibit A-1 for  
 10 identification.)  
 11 (Whereupon, Floor Plans are marked as  
 12 Exhibit A-2 for identification.)  
 13 (Whereupon, Engineering Details S1 and  
 14 S2 are marked as Exhibit A-3 for  
 15 identification.)  
 16 DIRECT-EXAMINATION  
 17 BY MR. SOKOLICH:  
 18 Q. Bill, I'm going to pre-mark a series of  
 19 plans, I believe it's two pages; correct?  
 20 A. Yes.  
 21 Q. A-1 and A-2.  
 22 A-1 -- as you also indicated A-1 is  
 23 Last Revised April 29. It's entitled "Elevations."  
 24 And then A-2, Last Revised April 29,  
 25 2025, is entitled, "Floor plans."  
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1 And I believe A-3 are some engineering  
2 details?

3 A. **S1 and S2.**

4 Q. S1 and S2, but with respect to A-1 and  
5 A-2 and all the plans, for that matter, that you're  
6 going to testify to tonight, they were prepared by  
7 you, correct?

8 A. **Yes.**

9 Q. You were the architect for Mr. Lee  
10 since the beginning, even in the unrelated  
11 application before the planning board and  
12 subsequently before this board?

13 A. **Yes, I was.**

14 Q. And, in fact, could you just summarize  
15 for the Board what's now before us for consideration?

16 A. **As you mentioned before, it's an  
17 oversized lot, it's located in the AA zone, it's  
18 75-foot-by-100-foot where 50-by-100 is a typical lot  
19 in Palisades Park.**

20 **In this area here, they're mostly  
21 50-by-100s; however, this one is 75-by-100.**

22 **The lot, itself, is located on the east  
23 side of Glen Avenue, 350 feet north of East Palisades  
24 Boulevard.**

25 **The property, itself, does have a  
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1 A. **Not that I know of, no.**

2 Q. And nothing natural, wetlands or  
3 anything like that that we need to do?

4 A. **No.**

5 Q. So looking in the upper right-hand  
6 corner of what we've marked as A-1, the lot is  
7 75-by-100.

8 It's an oversized lot. I believe the  
9 minimum lot size is 5,000 square feet?

10 A. **Yes.**

11 Q. What's existing is 7500 square feet?

12 A. **Yes.**

13 Q. Bill, referring to what we refer to as  
14 the architectural site plan, just take the board  
15 briefly through some of the setbacks, points of  
16 ingress, egress, driveways?

17 A. **Sure.**

18 **This proposed building has a basic  
19 footprint of 62-foot-wide-by-46-foot-6-inches-deep.  
20 A typical duplex that we've done on a 50-by-100 is  
21 usually 38-foot wide by about 54-foot-deep plus the  
22 staircases, you usually go 3 feet into the side yard  
23 setback.**

24 **This dwelling has a 6-foot-6 side-yard  
25 setback on each side. There are no bay windows or  
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1 **slight cross pitch along the street on Glen Avenue,  
2 about two going from right to left, which is  
3 basically from south to north.**

4 **And in the back it goes up quite a bit  
5 where at the sidewalk we're at approximately 151 or  
6 152 and then in the back we go up to 164.8, 164.67.**

7 **So it's about a 12-foot difference from  
8 front to back.**

9 Q. So it's a considerable topographic  
10 condition?

11 A. **Yes, we're on the uphill side of this  
12 portion of Glen Avenue.**

13 Q. A condition that would impact your  
14 design of the residence, correct?

15 A. **Correct, there's a couple of -- in  
16 summation, as far as disturbing adjacent properties,  
17 as far as minimizing the excavation on the site and  
18 then fitting the building on the property and then  
19 maybe terracing the backyard to kind of accommodate a  
20 decent backyard elevation from the first floor.**

21 Q. Any environmental considerations,  
22 natural or manmade?

23 What I mean by that is any type of, you  
24 know, cleanup or remediation that was done on the  
25 site?

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1 **bump-outs except a small fireplace overhang towards  
2 the back, which is off the family room.**

3 **However, it's basically 6-foot-6-inches  
4 completely flush with the building itself. There's  
5 no overhangs that come out 2 feet into the side yard  
6 setbacks.**

7 **The front setback on this one here is  
8 26-foot-6-inches. The prevailing setback along this  
9 portion is a little bit less than 25 feet; however,  
10 we do meet the front yard setback at  
11 26-foot-6-inches.**

12 **There is a small portion where the  
13 entry platform is and a small room above it that's  
14 1-foot-6-inches, but the main portion of the building  
15 if you look at it, is basically 26-foot-6-inches.**

16 **At the back we have a 27-foot rear yard  
17 setback.**

18 Q. Hold on. I'm sorry.

19 But even with that bump-out, there's no  
20 front yard variance being sought, correct?

21 A. **No, most of the houses on the street  
22 here are actually less than 25 feet or closer to  
23 20 feet because of the topography difference in the  
24 back to minimize excavations when these were built,  
25 you know, quite a while ago.**

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1 **The back itself, we have 27 feet to the**  
2 **rear yard. There is a retaining wall along the sides**  
3 **and the rear that is set off of the property line**  
4 **approximately one foot to avoid any damage to the**  
5 **adjacent properties either at the rear or the sides.**

6 **By doing that, we actually terrace the**  
7 **backyard, so we minimize the grade that we have,**  
8 **comfortable grading from the first floor down to the**  
9 **backyard.**

10 **And the wall in the back is basically**  
11 **2 feet and -- 2-foot-80inches, which is under the**  
12 **threshold.**

13 **The structura, it's basically an**  
14 **interlocking keystone-type masonry wall that would be**  
15 **installed, as per the manufacture's recommendations**  
16 **and whatever specifications they have.**

17 **Q.** Bill, talk to me about building  
18 coverage. I mean, it's a larger lot and obviously  
19 the applicant, like any applicant, is proposing a  
20 larger duplex.

21 But I believe the building coverage  
22 maximum is 40 percent.

23 This applicant is proposing a residence  
24 that's at 40 or just under 40 percent, it does not  
25 seek a variance; however, in the ordinance, I believe

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1 **setback.**

2 **Q.** But typically, applicants are appearing  
3 75 feet and above with sometimes a triplex, correct?

4 **A. Yes.**

5 **Q.** That's not here?

6 **A. A triplex are two, two families.**

7 **Q.** Correct, correct.

8 And I believe -- talk to me about the  
9 height, if you would, also. There's a maximum of  
10 2-and-a-half story, 28 feet, and I believe it's  
11 3 story, 32 feet proposed?

12 **A. Yes.**

13 **If you look at it, it's three stories**  
14 **in the front.**

15 **However, in the back, it looks more of**  
16 **a traditional 2-and-a-half story because of the**  
17 **grade.**

18 **The building height is measured from**  
19 **the average grade, which is the four corners of the**  
20 **building up to the midpoint of the roof.**

21 **We have a 32-feet-5-and-a-half-inch**  
22 **building height to that point.**

23 **We have a 3-foot -- I'm sorry -- a**  
24 **3-on-12 pitch, which is your typical pitch on a roof.**

25 **Three is a little bit of room if we had to go to**

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1 there's a 2500-square foot --

2 **A. Maximum.**

3 **Q.** -- maximum whether the lot is  
4 3700 square feet or 12,000 square feet, it's a  
5 2500-foot maximum, it's from that portion of the  
6 ordinance that we're seeking a variance, correct?

7 **A. Yes.**

8 **Q.** And I believe the total proposed is  
9 2,999 square feet?

10 **A. Yes.**

11 **Q.** Talk to us and the board and the public  
12 about side yards.

13 Now, typically side yards are 6 feet.  
14 The proposed 6.5, but because of the excessive width  
15 of the house, I believe there is a formula in the  
16 ordinance, correct?

17 **A. Yeah, there's a formula for every foot**  
18 **that you go over a 50-foot-wide lot, you add 4 inches**  
19 **to each side yard setback and 4 inches to the**  
20 **building, like I said, which is, you know, kind of**  
21 **rare because not that many of these 75-by-100 lots**  
22 **come up.**

23 **So most of the time we usually do a**  
24 **6-foot side yard on a 50-by-100 with a 3-foot**  
25 **encroachment of the staircases into that side yard**

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1 **3-on-12 because we have a bigger footprint that we**  
2 **could work with.**

3 **Q.** Is the driveway negative pitched?

4 **A. No, of course not.**

5 **The property -- since we're coming down**  
6 **the hill, we have about a one-and-a-half foot**  
7 **difference from the sidewalk up to the garage door**  
8 **where the driveway meets the garage door.**

9 **Q.** And just to go through the balance of  
10 zoning, I know David is going to speak to it, there's  
11 no density variance sought, it's a two family sought  
12 in a two-family zone. The property exceeds both lot  
13 size and lot width per the ordinance.

14 There is a provision for minimum lot  
15 area per unit of 2500 square feet.

16 What's proposed for this development?

17 **A. This one is 3,750 square feet, which is**  
18 **7500 divided by two.**

19 **Q.** And again, that's taking into account  
20 the size of the structure that's being proposed?

21 **A. Yes.**

22 **Q.** So we did the variances first, we  
23 usually do them at the end, that's out of the way for  
24 the moment.

25 On a one upper left-hand corner you

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1 have a series of elevations, if you could just speak  
2 to the Board as to your design consideration, if you  
3 would.

4 A. Sure.

5 We basically have three types of  
6 materials on this proposed building.

7 It's an all-brick structure in the  
8 front, sides and the back.

9 However, we do have bay windows in the  
10 front and a small portion of the back and those will  
11 be either a panelized system look, it looks like  
12 stucco, but it will probably be, like, a Hardie  
13 board, which has a better appearance over the long  
14 term.

15 In addition to that, between the  
16 windows at the front and at the bay window in the  
17 back, we'll be doing some sort of metallized panel  
18 that would accent the brick and play off of the bay  
19 window, the stucco or the Hardie board that's going  
20 to be on those bay windows.

21 The rest of the stuff will basically be  
22 casement windows. We do have transoms and awing-type  
23 windows in the front.

24 In the back in the master, in the  
25 primary suite we have more of a setup with a bigger

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1 grade.

2 And then we actually were able to do  
3 that by cutting some of the backyard down about  
4 2-and-a-half to 3 feet along the back portion.

5 And by doing so, we're able to do it  
6 without minimal -- with minimal disturbance to the  
7 adjacent properties since we do have a 1-foot offset  
8 from the property line and we're not doing a full  
9 structural wall that would require -- I'm sorry --  
10 wouldn't require a bigger footing, we're basically  
11 doing a landscaped wall on the side and the rear at  
12 the backyard.

13 Q. Bill, the architectural treatments that  
14 you described for the front elevation, is that  
15 consistent on the sides and the rear as well?

16 A. Yes.

17 Q. So it will be masonry and the other  
18 materials you listed?

19 A. Yes.

20 Q. Air conditioning units centrally  
21 located at the rear?

22 A. Yes, we have them in the back, back  
23 corner, they would be screened.

24 The actual platform itself is a masonry  
25 platform down to a patio.

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1 window assembly that would match the front.

2 So all materials on the front, sides  
3 and rear will be the same. They'll be no kind of  
4 cheapening out on materials.

5 One of the features of the property  
6 since we did go back up is we tried to minimize any  
7 additional footprints of volume, even though it's not  
8 counted, we do have the entry on the ground floor  
9 with a set of gentle steps up through the entry  
10 platform and then you enter on the ground floor,  
11 which is your basement/garage level, and then you go  
12 up to the first floor, which is the main living  
13 space.

14 However, what we've done is we've  
15 raised the back portion behind the garage  
16 approximately 2 feet to try to minimize the  
17 excavation on the site.

18 So we're basically terracing it where  
19 we have driveway being cut out, garage, and then we  
20 have a 2-foot elevation at the back of the garage up  
21 to the basement level in the back.

22 And then since the property does go up  
23 quite a bit, we do have approximately 3 feet from the  
24 platform, which is accessed via a sliding glass door,  
25 you could see it from the back here down to the

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1 We're not doing decks, which are  
2 typically 12-feet-by-9-feet here, we're just doing a  
3 straight up small landing.

4 Q. Which was my -- go ahead. I'm sorry,  
5 Bill.

6 A. At the backyard if you look at the  
7 sliding glass doors, they basically go out to a  
8 masonry platform and then we have two treads or three  
9 risers down to the patio.

10 And that's based on the grade being up  
11 higher than a typical lot that we usually work with.

12 On a flat lot, you would basically have  
13 a deck that's about 8 feet above the ground liens.

14 Here we're basically eliminating a deck  
15 and just creating a small masonry platform down to a  
16 patio.

17 Q. Thank you.  
18 If you could turn to A-2?

19 A. Sure.

20 Q. Presuming you're done with this page.  
21 A-2 are your floor plans, correct?

22 A. Yes.

23 Q. On A-2 lower left-hand corner you also  
24 have the right elevation again, same as the left just  
25 asymmetrical, same building materials?

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1 A. Yes, you could see through the  
2 cross-section, you can see how the grade goes up from  
3 front to back.

4 Q. Correct.

5 A. And the retaining wall.

6 Q. And that also skews your height  
7 calculation a bit too, correct?

8 A. Yes.

9 Q. So started at the lowest level which  
10 would be lower right-hand corner, your basement plan,  
11 just briefly take the Board through it, Bill.

12 A. Sure.

13 Basically we have it set up where we  
14 have an entry hall towards the center of each unit.

15 On the outside corners of the front, we  
16 have a two-car garage. We're doing a 16-foot garage  
17 door, however bump that up to a 17-foot garage door,  
18 which we found works better to actually use it as a  
19 two-car garage.

20 And then we have the staircase up to  
21 the main living space which is the first-floor living  
22 area. Behind that we have a closet, powder room.

23 Also as I mentioned before, the steps  
24 come -- there's a step up from the entry area up to  
25 the backyard just to minimize the excavation towards

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1 In the middle portion, we have a powder  
2 room, hallway area, steps up from the basement down  
3 below, dining room which can either be formal or like  
4 a secondary portion of a living room.

5 At the front, we have a small home  
6 office area that's over the entry platform below and  
7 then we have a living room with a fireplace.

8 We keep the size of the basement the  
9 same. Also in the back, you can see where we have  
10 our platforms and steps down to the -- down to the  
11 patio in the back.

12 On the upper right-hand corner we have  
13 our second floor, which is basically our main bedroom  
14 level. We have a four-bedroom configuration with a  
15 master/primary suite at the back with its own  
16 en-suite bathroom, double sink, oversized shower. We  
17 put an alcove and a nice tub, two walk-in closets,  
18 and then we have three secondary bedrooms, one of  
19 them having its own en-suite and then the two other  
20 each share a home bathroom.

21 In addition to that, we have a  
22 side-by-side laundry and a linen closet. And as you  
23 can see here, you can see the railing looking down  
24 into the first floor where it creates kind of a  
25 one-family effect on both sides of the dwelling.

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1 the back.

2 In this back portion, we have a rec  
3 room, small home office/den, a hallway to an  
4 emergency egress or side door for each side, and we  
5 have a utility room in the -- that's accessed off the  
6 garage incase any service people want to come in,  
7 they can go through the garage door without having to  
8 go into the house.

9 We have a walk-in closet/storage closet  
10 for the main space in the back and then that  
11 staircase is basically up to the first floor.

12 What we've done is we've created an  
13 opening so it looks like a typical one -- more of a  
14 one-family house. We have a balcony looking down in  
15 the first floor into the main entry level.

16 And also at the entry level, we do have  
17 a coat closet and then we have room for a bench if  
18 you want to do some sort of mud room along that  
19 portion of the front, which is a nice convenience  
20 that we've been doing on these duplexes.

21 If you go to the upper left-hand  
22 corner, that's our basic first floor, which is the  
23 main living space. We have it set up with an eating  
24 area/family room in the back with an L-shaped kitchen  
25 and an island.

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1 So it's basically a four-bedroom  
2 configuration, one being a primary suit that's  
3 located in the back and then we have three secondary  
4 bedrooms located towards the front and just one in  
5 the back the middle portion of the dwelling itself.

6 Q. Billy, any balconies we need to report  
7 or talk about with the Board?

8 A. No.

9 Q. You've already described the bump-outs  
10 that exceed the primary or that are over the primary  
11 floor?

12 A. Yes.

13 Well, the bump-out is technically part  
14 of the covered platform and then we do have bay  
15 windows in the front of those two bedrooms that are  
16 facing the front, that's really just to kind of break  
17 up the elevation along the front.

18 In the back we do have a small bump-out  
19 in the master bedroom, the primary suite.

20 Since we do have a 27-foot setback at  
21 the rear, those bump-outs do not encroach into the  
22 rear yard setback at all.

23 Q. That's what I was getting at. Is there  
24 anything else that you want to report to the Board,  
25 Bill, or talk about?

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1           **A. No, like I said it was somewhat of a**  
 2 **difficult site because of the topography. I think**  
 3 **part of the topography is the configuration of the --**  
 4 **it's a wider building, it's shallower than a typical**  
 5 **house, it kind of adds to the height variance that**  
 6 **we're requesting.**  
 7           **So, you know, we try to reconcile the**  
 8 **-- keeping the height within a workable distance -- I**  
 9 **mean workable number and fitting the building itself**  
 10 **in a manner that fits the site and does not disturb**  
 11 **the neighbors.**

12           **Q.** Thank you.  
 13           MR. SOKOLICH: Chairman, I offer  
 14 Mr. Cocoros.  
 15           CHAIRMAN CHUNG: Thank you.  
 16           Members, any questions?  
 17           MR. TERRANOVA: You have 10 foot on the  
 18 first level and 9-foot height-wise.

19           Considering you're 4 feet over,  
 20 4-and-a-half feet over, is there anything you can do  
 21 to lower that to get it more towards the 28 feet?  
 22           THE WITNESS: Yeah, we do like the --  
 23 of it's possible, 10-foot on the first floor, I could  
 24 possibly lower the first -- the building down one  
 25 foot and then maybe do an 8-foot ceiling with pop-ups  
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1           CHAIRMAN CHUNG: Thank you.  
 2           MS. TESTA: Thank you.  
 3           CHAIRMAN CHUNG: Anybody else?  
 4           MR. TERRANOVA: That's all.  
 5           CHAIRMAN CHUNG: Thank you, Dave.  
 6           Anybody else?  
 7           Mike?  
 8           MR. KAUKER: Looking at the extent of  
 9 the variances, I understand that you have to increase  
 10 the side yard setback, but given the fact that the  
 11 property is so wide, was there any thought to maybe  
 12 reducing to try to confirm? Because it's pretty  
 13 significant.

14           THE WITNESS: You know, part of the  
 15 reason is, you know, we actually made the building  
 16 shallower. We did narrow it. I was trying to get a  
 17 nice-size entry since we're on the ground floor  
 18 instead of having a full staircase in the front.  
 19           I need that width to get a decent-sized  
 20 two-car garage, you know, because some of the  
 21 complaints are even on these 75-by-100s, some people  
 22 do a garage that's basically tight, you know, where  
 23 you have a 16-foot door and then 19 feet on the  
 24 inside, it makes it very difficult.  
 25           You know, we're going to, like I said,  
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1 at the top floor, that would bring us to 2 feet.  
 2           MR. TERRANOVA: You said you could  
 3 change the pitch on the roof?  
 4           THE WITNESS: Yeah, like I said, you  
 5 know, I try to avoid, you know, anything less than  
 6 4-on-12, we have problems later on, you know.  
 7           So if I bring that first floor level  
 8 down like one foot, you know, basically it's one more  
 9 foot of excavation, I guess, you know, which is  
 10 doable.  
 11           MR. TERRANOVA: Correct.  
 12           THE WITNESS: And then if we go to an  
 13 8-foot plate on the top floor, and then we'd still  
 14 pop-up the ceilings where those bay windows are,  
 15 maybe get a little bit more, you know, a little more  
 16 height, you know, in kind of the featured areas of  
 17 the room.  
 18           So that would be a reduction of 2 feet,  
 19 if that's okay.  
 20           MR. TERRANOVA: Two feet, that would be  
 21 perfect.  
 22           Thank you.  
 23           MR. SOKOLICH: We would stipulate that  
 24 any action of the Board would be subject to reducing  
 25 the height by 2 feet, Counsel.  
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1 based on our previous installations, you know, we're  
 2 going to be going with a 17-foot garage door and at  
 3 least 20 feet clear on the inside and then we still  
 4 have a decent entry on the ground floor.  
 5           So it's a trade off between having the  
 6 staircases on the outside corners of the building,  
 7 which we eliminated, and having the 6-and-a-half-foot  
 8 side yard setback.  
 9           And plus, there's no bay windows in  
 10 that side yard setback.  
 11           MR. KAUKER: So you said -- I'm looking  
 12 at the front elevation, it looks like there's  
 13 stairwells in the side yard.  
 14           THE WITNESS: Oh, no, those are  
 15 stairwells built into the grade.  
 16           They're not a typical staircase like  
 17 you'd have that would go up to the first floor. It's  
 18 a staircase that kind of if you look at the side  
 19 profile, it's basically a staircase with a retaining  
 20 wall that holds up the neighbor's grade and brings  
 21 you up to your side yard.  
 22           MR. KAUKER: Okay.  
 23           And I guess this question probably is  
 24 more for the planner rather than you, but in terms of  
 25 the negative criteria, I would just ask, and I'll  
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1 just say it now so we can think about it, but how  
2 this would compare with other homes that exist in the  
3 area.

4 Because really the intent of that  
5 provision is to make sure that you don't have a home  
6 that's much wider and out of character with other  
7 homes in the area.

8 THE WITNESS: Like, I said, you know,  
9 as an architect when you look at an area, there's not  
10 that many 75-by-100 properties in that area, there's  
11 25-by-100 next to us, which is even less, because  
12 50-by-100s are basically a 6-foot side-yard setback  
13 plus a 3-foot encroachment of the staircases.

14 MR. KAUKER: So again, the intent would  
15 be -- because you're going to, have, like a 62-foot  
16 home next to be a home that's, you know, 30 feet in  
17 width or 40 feet, so --

18 MR. SOKOLICH: I think our planner  
19 probably, Mr. Kauker, is best suited, if you don't  
20 mind.

21 We have him on deck.

22 MR. KAUKER: Thank you.

23 I have nothing else.

24 CHAIRMAN CHUNG: Thank you, Mike.

25 Jae, do you have a question?

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1 above low side.

2 THE WITNESS: I'm sorry?

3 MR. JANG: You're not permitted to  
4 build 4 foot above the low side.

5 THE WITNESS: The low side?

6 MR. JANG: Yeah.

7 THE WITNESS: Well, here's the  
8 difference, we're actually going -- on the sides  
9 where the grade is higher and the back of it is  
10 higher.

11 So we're not raising the grade above  
12 any existing grade line, we're just merely carving  
13 out to fit the building within the property.

14 MR. JANG: But then the retaining wall  
15 will be more than 4 feet, though, right?

16 THE WITNESS: Yes, where the stairs  
17 are.

18 The retaining wall at the rear yard,  
19 that's under 4 feet. It's really, it's more of --  
20 it's a staircase -- it's almost like a building  
21 feature that's kind of a retaining wall and a  
22 staircase on the side.

23 So I don't know, I guess it would be  
24 we'll have to add that, as far as a variance goes,  
25 because of the staircases.

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1 MR. JANG: I have a question about the  
2 retaining wall height.

3 Can you tell me how high is that  
4 retaining wall, how high it's going to be, the  
5 retaining wall, at the sidewalk?

6 THE WITNESS: At the sidewalk will  
7 probably be about maybe 6 feet.

8 However, that wall will be part of the  
9 foundation. What we do is we would shore up the  
10 adjacent property, our footing completely on our  
11 property, and then we'll have basically a masonry  
12 wall.

13 MR. JANG: So as you build the  
14 retaining wall, you're not going to be disturbing --

15 THE WITNESS: You know, basically, you  
16 know, we do have a -- it's a 4-foot stair clearance  
17 and we have about a foot clearance from the actual  
18 wall.

19 So, you know, it's like we have to be  
20 careful when we do it, you know, but it's like, you  
21 know, in the worst case scenario, if something moves  
22 where the building is close to us, we would have to  
23 get some sort of shoring plan in place.

24 MR. JANG: In the ordinance it says  
25 it's not permitted to build more than 4 feet

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1 MR. JANG: I mean, that's still  
2 retaining wall, right, isn't it, on the side?

3 THE WITNESS: Yeah, I guess it would be  
4 considered, yeah.

5 It's kind of -- it's a retaining wall,  
6 it's kind of integrated into the building.

7 MR. SOKOLICH: Let's go with it's a  
8 retaining wall, Bill.

9 THE WITNESS: It's a retaining wall,  
10 yes, understood.

11 MS. TESTA: So you'd need a variance.

12 MR. SOKOLICH: And if relief is  
13 required by way of variance, we'll amend the  
14 application to request that, please.

15 MS. TESTA: Okay.

16 CHAIRMAN CHUNG: Thank you, Jae.  
17 All right. Anybody in the public?  
18 (No Response.)

19 CHAIRMAN CHUNG: No? Okay.

20 MS. TESTA: Next witness.

21 MR. SOKOLICH: David Spatz, please.

22 MS. TESTA: Please raise your right  
23 hand.

24 Do you swear the testimony you'll  
25 provide in this application will be the truth, the

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1 whole truth, and nothing but the truth?  
 2 MR. SPATZ: Yes, I do.  
 3 D A V I D S P A T Z, PP,  
 4 60 Friend Terrace, Harrington Park, New Jersey,  
 5 having been duly sworn, testifies as follows:  
 6 MR. SOKOLICH: Please state your name  
 7 and business address for the record.  
 8 MR. SPATZ: Yes, David Spatz, S-P-A-T-Z.  
 9 My business address is 60 Friend  
 10 Terrace in Harrington Park, New Jersey.  
 11 MR. SOKOLICH: All right.  
 12 Thank you.

## 13 VOIR DIRE EXAMINATION

14 BY MR. SOKOLICH:

15 Q. David, your credentials have been  
16 accepted as a professional in the field of planning?17 A. **Many times before this board, yes.**

18 MS. TESTA: Yes, many.

19 MR. SOKOLICH: Thank you.

## 20 DIRECT EXAMINATION

21 BY MR. SOKOLICH:

22 Q. Before you get started with your  
23 planning assessment, if you could just for the  
24 record, the scope of your engagement?25 A. **Certainly.***LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.*

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1 **our site with the existing residence and then a**  
 2 **detached garage, all of those structures will be**  
 3 **removed.**

4 Q. Lower right?

5 A. **The lower right is looking to the right**  
6 **of our property and it's two newer two-family homes.**7 **And then bottom left is looking to the**8 **left of our site and those are two older two-family**  
9 **homes, actually.**10 **And then the school is directly across**  
11 **the street from us.**

12 Q. And the photos were taken by you?

13 A. **They were taken by myself and they were**  
14 **not changed in any way.**

15 Q. Thank you.

16 A. **So we've described the area. We are**  
17 **located in the AA zone which permits two-families.**18 **There is one D variance that we're**  
19 **seeking which is for building height, which I think**  
20 **with the changes we've made, actually brings it down**  
21 **to a C variance.**22 **And then we do need two other C**  
23 **variances for building coverage as expressed in terms**  
24 **of square footage as opposed to percentage, and then**  
25 **minimum side yard setback.***LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.*

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1 **It was to review the site plan, to**  
 2 **visit the property, review the master plan and the**  
 3 **zoning ordinance and provide testimony for this**  
 4 **evening.**

5 Q. Thank you.

6 Wherever you deem most appropriate,  
7 perhaps existing conditions, and provide your  
8 assessment?9 A. **Yes, we have a photo exhibit which was**  
10 **submitted, I think it is A-3 [sic].**11 (Whereupon, Photoboard is marked as  
12 Exhibit A-4 for identification.)13 MR. SOKOLICH: Yes, we're up to A-3  
14 [sic].

15 THE WITNESS: Correct.

16 BY MR. SOKOLICH:

17 Q. So there's a series of four  
18 photographs.19 A. **Right.**20 Q. Starting upper left is the subject  
21 site, I believe?22 A. **That's correct.**

23 Q. Upper right?

24 A. **Is the balance of the subject site. It**  
25 **shows the detached garage so the top two photos are***LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.*

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1 **So looking at our height variance, I**  
 2 **think the site is particularly well suited for what**  
 3 **we're proposing.**

4 **We are in a zone that permits**  
5 **two-family dwellings. The block itself, particularly**  
6 **on our side of Glen is developed with two-families,**  
7 **both older two families, newer two families. The**  
8 **school is directly across the street from us.**9 **Glen Avenue in our vicinity is sort of**  
10 **a boulevard design with traffic going to the north**  
11 **past our property, then there's a landscaped island**  
12 **that ends south in front of the school property.**13 **So I think we certainly fit in with the**  
14 **neighborhood, particularly the newer development, as**  
15 **you can see in the bottom right photograph.**16 **To support D variances, we looked at**  
17 **the Municipal Land Use Law and the purposes of zoning**  
18 **to see when which purposes of zoning we meet.**19 **I think we meet a number of them,**  
20 **Purpose A, which is promoting public health, safety,**  
21 **morals and general welfare, providing a residential**  
22 **use in a residential neighborhood. Two-families,**  
23 **that is permitted in that zone, removing older**  
24 **structures, putting in a new structure which meets**  
25 **all building, safety and fire codes, meets that***LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.*

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1 purpose.

2 Purpose G is provision of sufficient  
3 space in appropriate location for a variety of uses,  
4 as well as E for conforming densities. Two-families  
5 are permitted in the zone and that's what we are  
6 proposing within our zone, so we certainly are  
7 consistent with that.

8 And then lastly, Purpose A, which is  
9 promoting a desirable visual environment, removing  
10 older structures, a detached garage, which is closer  
11 to the property lines.

12 The property has significant  
13 topographic conditions and it's been designed to fit  
14 in with that, both the topography of the property, as  
15 well as the adjacent properties, as can be seen again  
16 in the lower right-hand photograph.

17 Looking particularly at the height, it  
18 is a function of the topography of the property. The  
19 older -- the newer dwellings adjacent to us are all  
20 very similarly built in terms of being three stories  
21 in height as being from the street.

22 The back of our property is a little  
23 lower at 2-and-a-half stories, again, because of the  
24 topography. We've eliminated 2 feet off of the  
25 building height, which I think technically brings us

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1 is not as deep as is typical so that we can get a  
2 conforming rear yard in there. Typically we're  
3 seeking rear yard variances, but we now have  
4 conforming rear yard even though the building is  
5 slightly wider. I think there's a public benefit to  
6 having that full rear yard.

7 In terms of the setbacks, removing the  
8 detached garage will provide a greater setback to the  
9 adjacent property both to the side and to the rear of  
10 us.

11 And again, as Mr. Cocoros described, we  
12 wanted to get a full two-car garage so cars could be  
13 within the building in a comfortable manner.

14 So the building, itself, is a little  
15 wider, but I don't think it is inconsistent with the  
16 surrounding neighborhood. Those lots are 50-foot  
17 wide, they provide a little less than a 6-foot  
18 setback.

19 So the spacing and the separation  
20 between the buildings I believe is consistent, so I  
21 think that the C variances can be granted.

22 Looking lastly at the negative  
23 criteria, I don't believe anything is substantially  
24 negative. The two family is permitted within the  
25 zone. We are on a block that is developed with

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1 down to a C variance, but similarly, we are just  
2 consistent with the surrounding neighborhood.

3 So we'll look next at our bulk  
4 variances, our C variances. The building exceeds the  
5 lot coverage by about 499 square feet in terms of  
6 size.

7 In terms of percentage, we are  
8 conforming because we have a larger lot and your  
9 ordinance limits your coverage to 2500 square feet.  
10 Because of the larger lot, the building is slightly  
11 bigger and we don't meet that square footage, but in  
12 terms of percentage, we are consistent.

13 Drainage improvements are being  
14 provided on the property where none currently exist,  
15 which will help mitigate the slightly larger  
16 building.

17 In term of our side yard setbacks, we  
18 meet your traditional side yard setback standards of  
19 6 feet.

20 As was discussed earlier, once you get  
21 a lot size that is wider than 50 feet, increased side  
22 yard setback are required.

23 We take advantage of that wider lot by  
24 creating a slightly wider building.

25 As was described earlier, the building

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1 two-family development, particularly newer two-family  
2 development.

3 The setbacks are improvements over what  
4 currently exists because we eliminated the detached  
5 garage. We have conforming rear yard, conforming  
6 front yard. In terms of coverages, percentage-wise  
7 we are below the coverage, but as I've indicated,  
8 drainage improvements are being provided.

9 In terms of height, we are only now  
10 about 2-and-a-half feet over what is permitted in the  
11 zone.

12 So I think there is sufficient light,  
13 air and open space being provided.

14 And on balance, I think it would be --  
15 we could grant those variances in terms of the  
16 positive outweighing the negative impacts.

17 Q. David, just a quick question, you know,  
18 the controlling case on height is Grasso vs. Spring  
19 Lake Heights?

20 A. That's correct.

21 Q. And you do believe that we are  
22 proposing a taller structure, but we believe it to be  
23 justified because it's consistent with what we  
24 believe to be the surrounding neighborhood?

25 A. That's correct, the Grasso case said

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1 that you can grant a height variance if it is  
2 consistent with the neighborhood, and I believe it  
3 is, certainly with the newer properties.

4 And again, the lower right-hand  
5 photograph I think clearly demonstrates that.

6 Q. And even more so with the 2-foot  
7 height-reduction that the applicant stipulated?

8 A. That's correct, we -- that does bring  
9 it down to a C, that brings us down actually lower  
10 than those two adjacent properties.

11 Q. Thank you.

12 MR. SOKOLICH: Mr. Chairman, I offer  
13 Mr. Spatz.

14 CHAIRMAN CHUNG: Okay. Thank you.  
15 Any questions, members?

16 (No Response.)

17 CHAIRMAN CHUNG: No?

18 Mike?

19 MR. KAUKER: Yeah, just a couple  
20 things.

21 I would concur that this would now be  
22 -- the height variance, at least, would now be a C  
23 variance because 30.8 would trigger the D(6) and it's  
24 now 30.54 feet, so the variance would be a C  
25 variance.

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1 So there are technically no  
2 D variances, all C variances with the application.

3 With respect to the side yard setback,  
4 I think Mr. Spatz laid out and Billy laid out some,  
5 you know, circumstances.

6 But one of the things I just want to  
7 ask, so the street that that's on, you mentioned it's  
8 across the street from the school.

9 THE WITNESS: Yes.

10 MR. KAUKER: So it's a little bit  
11 different and it looks like the street is kind of  
12 like a boulevard.

13 THE WITNESS: Correct.

14 Yes, there's a planted island and the  
15 traffic goes one way in one direction, one way in the  
16 other direction, sort of really a nicely landscaped  
17 boulevard, which the school is littler taller, but it  
18 certainly blocks a number of that use.

19 And there's no traffic coming out of  
20 our driveway going directly in front of the school  
21 because we're heading in the other direction.

22 MR. KAUKER: Thank you.

23 I have nothing else.

24 CHAIRMAN CHUNG: Any public?

25 (No Response.)

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1 CHAIRMAN CHUNG: No.

2 MR. SOKOLICH: Chairman, I have no  
3 further witnesses.

4 CHAIRMAN CHUNG: Thank you, sir.

5 MS. TESTA: Make a motion to open to  
6 the public.

7 CHAIRMAN CHUNG: I make a motion to  
8 open to the public.

9 MS. TESTA: And second?

10 MR. TERRANOVA: I'll second.

11 MS. TESTA: All in favor?

12 All in favor?

13 (Whereupon, all present members respond  
14 in the affirmative.)

15 MS. TESTA: If anybody has any  
16 questions with regards to this application or  
17 comments, the meeting is now open to the public.

18 (No Response.)

19 CHAIRMAN CHUNG: Okay. You can make a  
20 motion to close to the public.

21 CHAIRMAN CHUNG: I make a motion to  
22 close the public.

23 Can I have a second?

24 MR. TERRANOVA: I'll second.

25 MS. TESTA: All in favor?

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1 (Whereupon, all present members respond  
2 in the affirmative.)

3 MR. SOKOLICH: Want to take five  
4 minutes?

5 MS. TESTA: Yeah, take a recess for  
6 five minutes.

7 CHAIRMAN CHUNG: Take five minutes,  
8 I'll make a motion.

9 MS. TESTA: We're going to take a  
10 recess for five minutes.

11 (Whereupon, a brief recess is held at  
12 7:59 p.m. to 8:04 p.m.)

13 MS. TESTA: Okay. We're back from the  
14 break.

15 If you could just roll call, please?

16 MS. REBEKAH KIM: Okay.

17 Mr. Terranova?

18 MR. TERRANOVA: Here.

19 MS. REBEKAH KIM: Mr. Chung?

20 CHAIRMAN CHUNG: Yes.

21 MS. REBEKAH KIM: Mr. Elefteriou?

22 MR. ELEFTERIOU: Here.

23 MS. REBEKAH KIM: Mr. Kim?

24 MR. KIM: Here.

25 MS. REBEKAH KIM: Mrs. Yoon?

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1 VICE CHAIRWOMAN YOON: Here.  
 2 MS. REBEKAH KIM: Mrs. Park?  
 3 MS. PARK: Yes.  
 4 MS. TESTA: So we're back with regards  
 5 to 432 Glen Avenue.  
 6 We closed the public portion.  
 7 If the Board has any other comments?  
 8 CHAIRMAN CHUNG: Anybody have any  
 9 comments?  
 10 MS. TESTA: Anybody have any comments?  
 11 CHAIRMAN CHUNG: Very good.  
 12 MS. TESTA: Mr. Sokolich?  
 13 MR. SOKOLICH: Other than I would just  
 14 ask the Board to consider that we do believe that the  
 15 residence that's proposed is consistent with the  
 16 neighborhood.  
 17 We don't believe it's going to stand  
 18 out.  
 19 This was a story about an applicant  
 20 that's been through a very long journey, sought  
 21 subdivision, two two-families, contemplated a  
 22 triplex.  
 23 Instead he came with a beautiful -- we  
 24 believe to be a beautifully designed, smartly  
 25 designed duplex dwelling.

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1 Can you go with the 10 feet on each  
 2 side?  
 3 The reason I'm asking is because the  
 4 building is going to be, like, really, like,  
 5 stretching it.  
 6 MR. COCOROS: That's what -- we didn't  
 7 make it as deep, you know, I would have to redesign,  
 8 you know --  
 9 CHAIRMAN CHUNG: You're really  
 10 stretching the property. I don't think it would look  
 11 good with the neighbors.  
 12 MR. SOKOLICH: Can you?  
 13 MR. COCOROS: You know, I could do  
 14 eight if I was able to make the rear yard setback  
 15 25 feet and the front yard 20 feet or 21 feet.  
 16 MR. SOKOLICH: Chairman, it's going to  
 17 -- and you know we don't ever turn to tin ear to any  
 18 requests that you have, just this one will create a  
 19 bit of a redesign if we have to sacrifice that much  
 20 more on what our proposed side yard is.  
 21 Bill, you're the architect, you've got  
 22 to help us here.  
 23 MR. COCOROS: Like I said, you know,  
 24 not to split hairs, you know, that was one of the  
 25 reasons why we didn't put the bay windows in the side

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1 There's been a 2-foot concession in the  
 2 height, bringing us that much closer to conformity.  
 3 The two-family use is expressly permitted in this  
 4 zone.  
 5 We do believe that the two units that  
 6 are proposed are consistent with the zone plan and  
 7 the neighborhood. We also believe that we satisfy  
 8 both the positive and negative criteria, and without  
 9 recanting Mr. Spatz or Mr. Cocoros' testimony, we  
 10 would respectfully request the Board to act favorably  
 11 on the application.  
 12 Thank you.  
 13 CHAIRMAN CHUNG: Thank you, sir.  
 14 All right. I have a question, Bill.  
 15 Can you -- on the side you have 14 feet, right? It's  
 16 supposed to be 14 feet on each side, right?  
 17 MR. COCOROS: About 6-and-a-half feet,  
 18 yeah.  
 19 CHAIRMAN CHUNG: No, no.  
 20 It's supposed to be 14 feet.  
 21 MR. COCOROS: Oh, required, yes.  
 22 CHAIRMAN CHUNG: Required, right?  
 23 MR. COCOROS: Uh-huh.  
 24 CHAIRMAN CHUNG: All right. Now you're  
 25 coming back to 6-and-a-half.

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1 and also, I mean, you know, I could probably get it  
 2 to 7 feet, you know, and still be able to keep a  
 3 decent-sized garage and a decent-sized entry, you  
 4 know, like I said, and maybe get rid of the overhang  
 5 on the fireplace into the side yard setback.  
 6 I mean, like I said, it's small, but  
 7 some of them, we could kind of bring it in.  
 8 Like I said, there's no full-size  
 9 staircase in the side yards, you know, that was one  
 10 of the reasons why we set it up this way.  
 11 And also, you know, to kind of increase  
 12 the front yard setback, especially on that nice wide  
 13 boulevard, that's why we have a little bit wider  
 14 than, you know --  
 15 CHAIRMAN CHUNG: No, it's not a little,  
 16 it's really wide.  
 17 MR. COCOROS: I mean, like I said,  
 18 compared to the 50-by-100s, it's basically inline  
 19 without the staircases.  
 20 Like I said, if I would have to go  
 21 10 feet or even 9 feet, I'd have to redesign the  
 22 whole thing. I can't just -- I can't just do it on  
 23 the fly, you know, it's like it would have to be  
 24 basically a different configuration.  
 25 CHAIRMAN CHUNG: Well, redesign it, no?

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1 MR. COCOROS: I guess I would have to  
2 ask the client on that.  
3 MR. SOKOLICH: Chairman, just bear with  
4 us one second.  
5 MS. TESTA: Yes.  
6 (Whereupon, off-the-record discussion  
7 is held.)  
8 CHAIRMAN CHUNG: All right. Billy,  
9 what do you got?  
10 MR. COCOROS: If we could do 9 feet and  
11 9 feet and then we'll have a 25-foot rear yard  
12 setback.  
13 CHAIRMAN CHUNG: Thank you.  
14 I'm okay with that.  
15 MR. SOKOLICH: We're not done.  
16 Give us one second. We have an ask  
17 also, Chairman.  
18 I'm sorry.  
19 Go ahead, Bill.  
20 MR. COCOROS: Like I said, you know,  
21 we'll do, let's say 9 feet and 9 feet, and then we  
22 would have the staircases on the side, which is fine  
23 because they'll work into the grade.  
24 CHAIRMAN CHUNG: How wide is it?  
25 MR. COCOROS: It's about 4-and-a-half  
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1 -- so you'll still have 4-and-a-half feet to the --  
2 the staircase is open.  
3 MR. SOKOLICH: But that was always  
4 there?  
5 MR. COCOROS: Yeah, it was always on  
6 the side, but we'll basically have 4 feet from the  
7 edge of the property to where the stair begins and  
8 then another 5 feet to the building.  
9 So it's 9 feet to the building, the  
10 staircase would be set back, you know, set back in  
11 like --  
12 MR. SOKOLICH: Stop talking about  
13 staircases.  
14 Nine feet and what's the front and  
15 what's the rear?  
16 MR. COCOROS: The front we could do  
17 22 feet.  
18 And in the rear it would be 25 feet,  
19 which is not a variance.  
20 CHAIRMAN CHUNG: We're not talking  
21 about rear. It's the side yard.  
22 MR. COCOROS: Yeah, the side yard.  
23 CHAIRMAN CHUNG: Right.  
24 MR. COCOROS: But as part of that, you  
25 know, try to maintain, you know, the original kind of  
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1 spirit of the house, you know, we would like to go to  
2 25-foot rear yard setback, which is basically --  
3 MR. SOKOLICH: Hold on.  
4 But that's not a variance, Bill.  
5 MR. COCOROS: No, no.  
6 MR. SOKOLICH: Okay. So Chairman,  
7 right now the rear yard requirement is 25, we're at  
8 27.  
9 We can go to 9 feet with the side yard  
10 if the board would provide us with their indulgences,  
11 but we only ask that we then be permitted to maintain  
12 a rear yard of 25 feet, not 27. But it's not a  
13 variance.  
14 MS. TESTA: Oh, that's fine.  
15 CHAIRMAN CHUNG: That's fine.  
16 MR. SOKOLICH: It's not a variance. We  
17 wouldn't dare ask for a variance.  
18 MR. COCOROS: We have a 21-foot-6-inch  
19 front yard setback, we would keep that.  
20 MR. SOKOLICH: Keep that, yes.  
21 So front yard, we would leave it alone.  
22 The rear yard we would just go to what we're  
23 permitted to do and we would propose 9-foot side  
24 yards.  
25 CHAIRMAN CHUNG: So you're getting a  
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1 little bit back. Okay.  
2 That's fine. We'll deal with that.  
3 MR. KAUKER: So you're -- so what will  
4 you be doing, you'd be decreasing each side yard or  
5 the building would lose what?  
6 MR. SOKOLICH: Increasing each side  
7 yard to 9 feet, meaning the building would lose a  
8 total of 5 feet, 2-and-a-half on each side.  
9 MR. KAUKER: Oh, 2-and-a-half on each  
10 side?  
11 MR. SOKOLICH: Yes.  
12 MS. TESTA: Yeah, because it's  
13 6-and-a-half now.  
14 MR. KAUKER: So right now it's set back  
15 6-and-a-half and then the stairwell would be how far  
16 from the property line?  
17 MR. SOKOLICH: Well, the stairwell has  
18 always been there.  
19 MR. KAUKER: No, the stairwell is in  
20 the middle.  
21 He said he'd have to move it to the  
22 side.  
23 MR. SOKOLICH: Is the stairway in the  
24 middle or on the side?  
25 MR. COCOROS: It would be on the side,  
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1 but it would be within the grade itself, you know, it  
 2 wouldn't really -- it wouldn't impact the neighbor.  
 3 MR. KAUKER: What's the stairwell set  
 4 back from the side?  
 5 MR. COCOROS: It would be 4-and-a-half  
 6 feet.  
 7 MR. KAUKER: Okay. That was the  
 8 question.  
 9 CHAIRMAN CHUNG: You okay with it,  
 10 Mike?  
 11 MS. TESTA: He said it.  
 12 CHAIRMAN CHUNG: Good. Okay?  
 13 MS. TESTA: Um-hmm.  
 14 CHAIRMAN CHUNG: All right. With those  
 15 changes, I am going to approve the application, yeah,  
 16 with \$2,000.00 Tree Preservation Fund.  
 17 Mark?  
 18 MR. SOKOLICH: Yes, sir. I'm sorry.  
 19 MS. TESTA: Okay. So we're going to a  
 20 variance for retaining wall, 2-foot reduction in the  
 21 height, 9-foot side yards 4-and-a-half feet to the  
 22 stairwell; is that correct?  
 23 MR. COCOROS: Yeah, to the entry  
 24 stairs, which is allowed.  
 25 MS. TESTA: Okay.

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1 And then \$2,000.00 to the tree  
 2 preservation.  
 3 So that's the motion on the floor.  
 4 MR. COCOROS: Can I verify the  
 5 footprint size?  
 6 MS. TESTA: Yes.  
 7 MR. COCOROS: Give me one second.  
 8 MR. SOKOLICH: Do we need to specify  
 9 rear yard, no variances sought?  
 10 MS. TESTA: No, you're just amending  
 11 your application for 25 feet rather than 27 feet.  
 12 MR. SOKOLICH: Correct. Correct.  
 13 MS. TESTA: Yeah, we'll make a notation  
 14 in the resolution so there's no question.  
 15 MR. SOKOLICH: Thank you.  
 16 CHAIRMAN CHUNG: All right. Thank you.  
 17 I make a motion to --  
 18 MS. TESTA: Bill is checking something.  
 19 CHAIRMAN CHUNG: Okay.  
 20 MR. SOKOLICH: The pressure is on,  
 21 Bill.  
 22 MR. COCOROS: Yeah, so we will maintain  
 23 the 2,999 footprint.  
 24 MS. TESTA: Very good.  
 25 MR. SOKOLICH: As long as it's

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1 contained within the dimensions we just represented  
 2 to the Board.  
 3 MR. COCOROS: Yes.  
 4 MS. TESTA: So that's the motion.  
 5 We need a second.  
 6 MR. TERRANOVA: I'll second.  
 7 MS. REBEKAH KIM: Mr. Terranova?  
 8 MR. TERRANOVA: Yes.  
 9 MS. REBEKAH KIM: Mr. Chung?  
 10 CHAIRMAN CHUNG: Yes.  
 11 MS. REBEKAH KIM: Mr. Elefteriou?  
 12 MR. ELEFTERIOU: Yes.  
 13 MS. REBEKAH KIM: Mr. Kim?  
 14 MR. KIM: Yes.  
 15 MS. REBEKAH KIM: Mrs. Yoon?  
 16 VICE CHAIRWOMAN YOON: Yes.  
 17 MS. REBEKAH KIM: Mrs. Park?  
 18 MS. PARK: Yes.  
 19 MR. SOKOLICH: Chairman, Members of the  
 20 Board.  
 21 Thank you.  
 22 CHAIRMAN CHUNG: Thank you.  
 23 MS. TESTA: Next case is 32 Delia  
 24 Boulevard, Sang Won Sur.  
 25 MR. SOKOLICH: Chairman, Members of the

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1 Board, Mark Sokolich on behalf of the next applicant  
 2 before you, Sang Sur, related to premises known as  
 3 32 Delia Boulevard, Lot 24, Block 728.  
 4 The Board will recall that we had  
 5 started this application when last before you.  
 6 At that time, affidavit of service and  
 7 proof of publication and so forth and so on was  
 8 presented.  
 9 So we believe we've satisfied the  
 10 service requirements for notice.  
 11 We're back with changes that we had  
 12 made to the plans based on observations we had heard  
 13 from the Board at the last public hearing.  
 14 As far as this evening is concerned,  
 15 we're hopeful to present the testimony of both  
 16 Mr. Cocoros and Mr. Spatz.  
 17 We'd like to present first Mr. Cocoros  
 18 to review some of the revisions since the last  
 19 submission before the Board.  
 20 MS. TESTA: Okay.  
 21 Please raise your right hand.  
 22 Do you swear the testimony you'll  
 23 provide in this application will be the truth, the  
 24 whole truth, and nothing but the truth?  
 25 MR. COCOROS: I do.

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1 VASSILIOS COCOROS, AIA,  
 2 467 Sylvan Avenue, Englewood Cliffs, New Jersey,  
 3 having been duly sworn, testifies as follows:  
 4 MS. TESTA: Please state your name for  
 5 the record.  
 6 MR. COCOROS: Sure.  
 7 Vassilios, V-A-S-S-I-L-I-O-S. Cocoros,  
 8 C-O-C-O-R-O-S, 467 Sylvan Avenue, Englewood Cliffs,  
 9 New Jersey 07632.  
 10 MS. TESTA: Okay.  
 11 MR. SOKOLICH: Thank you.  
 12 DIRECT EXAMINATION  
 13 BY MR. SOKOLICH:  
 14 Q. Bill, you are the licensed architect to  
 15 the applicant, correct?  
 16 A. Yes.  
 17 Q. And, in fact, you had presented  
 18 testimony when last we were before this Board at  
 19 their December public hearing, correct?  
 20 A. Yes.  
 21 Q. And at the conclusion or during the  
 22 course of that public hearing, certain observations  
 23 were made, some concerns were raised.  
 24 And, in fact, the plans have been  
 25 amended in the hopes of trying to assuage some of  
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1 those concerns?  
 2 A. Yes.  
 3 MR. SOKOLICH: So I'm going to mark, if  
 4 I may, as A-1 -- actually, Diane, you want me to  
 5 continue with --  
 6 MS. TESTA: Yes.  
 7 MR. SOKOLICH: So I'm going to go to  
 8 A-3.  
 9 MS. TESTA: Yes.  
 10 (Whereupon, Revised Elevations and Site  
 11 Plan, Last Revised December 31, 2025 is marked  
 12 as Exhibit a-3 for identification.)  
 13 (Whereupon, Revised Floor Plans, Last  
 14 Revised December 31, 2025 is marked as Exhibit  
 15 A-4 for identification.)  
 16 BY MR. SOKOLICH:  
 17 Q. I'm going to mark as A-3 a copy of your  
 18 revised elevations and site plan last revised  
 19 December 31, 2025.  
 20 And so as not to interrupt you, I'm  
 21 going to mark as A-4 your revised floor plans, which  
 22 are also last revised December 31, 2025.  
 23 Is that accurate?  
 24 A. Yes.  
 25 Q. And both of these pages and plans were  
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1 prepared by you?  
 2 A. Yes, they were.  
 3 Q. So why don't you first, Bill, before  
 4 you get into what changes were made, just give the  
 5 Board and the public a brief overview as to generally  
 6 what's being proposed by the applicant?  
 7 A. Sure.  
 8 **It's basically a two family,**  
 9 **six-over-six type dwelling to replace an existing two**  
 10 **family on the property.**  
 11 Q. But let me just be clear, let me ask  
 12 you about existing conditions, I know David will get  
 13 into that, but what's on the property now?  
 14 A. Right now it's an older, two-family  
 15 dwelling with a detached garage at the back.  
 16 Q. Nonconforming, I believe?  
 17 A. Yes.  
 18 Q. Okay.  
 19 Go ahead.  
 20 A. **And I think it had a shared driveway,**  
 21 **it looks like, with the adjacent property, which**  
 22 **would basically -- I guess it would either remain in**  
 23 **effect or we would vacate the portion that we're**  
 24 **using on the neighbor's property to get to our -- get**  
 25 **to our driveway -- get to our garage.**  
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1 Q. Understood.  
 2 A. Like I said, the property, itself, is  
 3 **25-foot wide by 150-foot deep, it's located on the**  
 4 **east side of Delia Boulevard about 100 feet from the**  
 5 **corner of East Ruby, which is to the north.**  
 6 **You know, the previous setup was a --**  
 7 **actually a four-level configuration with a two family**  
 8 **with a full roof deck and a finished attic portion.**  
 9 **Since we've heard the board's concerns,**  
 10 **we revised the plans and resubmitted them.**  
 11 **I can go through the changes that we've**  
 12 **made, if that's okay.**  
 13 Q. Please.  
 14 A. **The main thing is the building**  
 15 **footprint was reduced to comply with the 40-percent**  
 16 **requirement where previously we had 42.56 percent.**  
 17 **The building now is -- I'm sorry -- is**  
 18 **18-foot-wide-by-88-foot-deep with a front yard**  
 19 **setback of 37 feet. Rear yard setback of 25 feet.**  
 20 **And then we have 3-foot-6-inches on each side.**  
 21 **The -- that was the increase from the**  
 22 **previously proposed 3-foot-2-inches where we have**  
 23 **3-and-a-half feet.**  
 24 **Since we're a narrow lot, there are no**  
 25 **bay windows on the side that do not encroach further**  
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1 past the building.

2 In addition, the finished attic and  
3 roof deck were removed.

4 And we have a traditional roof on top  
5 with a 4-on-12 pitch, which is basically the minimum.

6 The roof, itself, is not that high,  
7 it's only 5-feet-4-inches from the second floor plate  
8 up to the roof peak, which gives you just enough room  
9 for an encase even up in the attic or whatever  
10 mechanical equipment that would be up there.

11 The actual height, building height now  
12 is 31-feet-8-inches to the midpoint, which is  
13 measured from the average grade at the four corners  
14 where previously we had --

15 Q. 34.08?

16 A. Yes, thank you.

17 Q. So there's been a net reduction of  
18 approximately 3 feet or close to 3 feet?

19 A. Yeah, because previously we had a full  
20 bulkhead with a finished attic on the building  
21 itself.

22 So we got rid of the roof deck on the  
23 whole building and we got rid of the attic space  
24 itself.

25 So there's no bulkhead beyond the roof,  
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1 as before adjusted, slightly adjusted to reduce the  
2 footprint and increase the side yard setbacks.

3 You can see on the lowest portion the  
4 basement plan, you can see where the staircase goes  
5 up to the first floor and then we have a garage that  
6 has a 10-foot garage door.

7 And then you could see here we have an  
8 access point from inside the garage to the area under  
9 the staircase that could also provide access from the  
10 outside, which is in the side yard.

11 We have a door into the garage for  
12 emergency purpose, a door into the main finished  
13 space of the basement/ground floor, staircase up to  
14 the main living space.

15 We have a home office and den, powder  
16 room, closet, recreation room, and then we have a  
17 sliding glass door out to the back.

18 There's no other -- as far as full  
19 bathrooms, we do have a utility room that's off the  
20 garage itself and the configuration is typical on a,  
21 let's say, for a half duplex with this kind of depth,  
22 we have a typical configuration.

23 Above that we have the primary unit,  
24 which is the main unit connected to the ground floor  
25 via a staircase.

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1 that typical shingle roof, pitched singled roof over  
2 the second floor.

3 The other configuration changes were  
4 basically the staircase was in the front yard, which  
5 limited the parking access. What we've done is we've  
6 located the staircase within the proposed building  
7 footprint on the left-hand side and it's basically  
8 nested into the front left corner of the building  
9 where we created a staircase up from the driveway  
10 level that goes up to a landing.

11 The door straight ahead brings you up  
12 to the second floor and a door which you don't see  
13 from the front, you basically see it from the  
14 left-hand side when you turn right and you go into  
15 the first-floor apartment. You could also see that  
16 on sheet A-2, which has the floor plans.

17 So we basically have a four-car  
18 driveway two cars deep plus a one-car garage behind  
19 that. There is room for trash cans in the garage  
20 area; however, we can provide additional trash areas  
21 under the masonry staircase with an opening so we can  
22 provide additional recycling and additional trash  
23 capacity that won't be seen from the street.

24 If you go to sheet A-2, the floor plan  
25 going from bottom to top, this is the same footprint

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1 We have it set up with a living room,  
2 kitchen, eating area at the front portion and then in  
3 the back we have three bedrooms, one being an  
4 en-suite in the back, a master suite that has a deck  
5 off the back of the property, three closets, a double  
6 sink master bathroom, a nice size shower, toilet.

7 And then we have two secondary bedrooms  
8 each with their own closet and they share a hall  
9 bathroom, which also is the bathroom for the guests.

10 On the first-floor unit, we have a  
11 staircase that connects you to the basement.

12 In addition, we have a linen closet and  
13 a secondary closet in the hallway with a stackable  
14 laundry.

15 The second floor is basically the same  
16 floor plan; however, we do have a little bit more  
17 room because the second floor does not have the  
18 exterior staircase in the front left corner.

19 We have a staircase up from the entry  
20 down below, which is a vestibule access via a door to  
21 the platform.

22 This is the same configuration with a  
23 kitchen, eating area, living room.

24 In the back we have a three-bedroom  
25 configuration, one being a master or primary suite

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1 with its own en-suite bathroom, two secondary  
2 bedrooms, each with their own closet, and then we  
3 have a secondary closets and linen closets in the  
4 hallway with a side-by-side laundry.

5 And as the first floor unit, we have a  
6 deck off the back of the master suite into the  
7 backyard.

8 The decks, themselves, are  
9 8-feet-deep-by-12-feet-wide and those are centered on  
10 a sliding glass door that's in the master bedroom.

11 And the material itself, we've broken  
12 it up where we'll have either a panelized stucco  
13 system on the sides and the front will have a brick  
14 veneer that we basically set up -- we'll have three  
15 other materials in the front. We'll have a panelized  
16 system at the bay window, then well have some sort of  
17 metal panel between the windows, a paneled window on  
18 the first floor and the bottom window on the second  
19 floor.

20 In addition to that, we'll have  
21 decorative railings along the staircase up to the  
22 entry platform and then decorative railings at the  
23 decks in the back that would match the front and the  
24 rear deck portion so they're in the same design  
25 style.

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1 Are there any other revisions that  
2 you'd like to bring to the Board's attention?

3 A. Like I said, you know, we tried to fit  
4 it as best we can to the property, you know, the  
5 biggest thing is the I guess the width and also  
6 trying to provide parking.

7 We did take the engineer's advice and  
8 the Board's advice as far as removing the staircase  
9 in the front.

10 So we do have two clear spaces for each  
11 unit.

12 In addition what it does is with the  
13 neighbor's property, I think we're using part of  
14 their property to get to the back detached garage,  
15 that would be vacant at this point to get to the back  
16 portion.

17 Q. Which means what?

18 A. Which means the dropped curb that was  
19 basically used by us would not have to be used  
20 anymore and we wouldn't be driving on the neighbor's  
21 property.

22 Q. Anything else, Bill?

23 A. No, I don't think so.

24 MR. SOKOLICH: Chairman, I offer

25 Mr. Cocoros.

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1 Q. And, Bill, you reviewed also what the  
2 building materials for the most part are, correct?

3 A. Yes.

4 Q. Now, in relationship to what the height  
5 of this proposed residence is in relationship to what  
6 exists now, would you view that as comparable?

7 Right now it's three story with a peak.  
8 Is this comparable in height or is this something  
9 that's going to be excessively sticking out over any  
10 other adjacent residence?

11 A. Maybe it's, you know, comparable to  
12 newer dwellings.

13 These, I think, have taller ceilings.  
14 So it would be similar to the existing dwellings and  
15 then it would be as far as overall height, we do have  
16 a modest roof peak because of the width of the  
17 building itself.

18 Some of the older structures in that  
19 area have steeper roofs, I guess because they were  
20 narrower. Here we're trying to minimize the impact  
21 of the roofer with the 4-on-12 pitch, which gives us  
22 enough room for mechanical space and provide a  
23 decorative look, especially along the front.

24 Q. Bill, is there anything else that you  
25 would like to add?

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1 CHAIRMAN CHUNG: Thank you, Bill.

2 Thanks for those little changes.

3 Thank you.

4 THE WITNESS: Okay.

5 CHAIRMAN CHUNG: Members, questions?

6 MR. TERRANOVA: I just have one

7 question.

8 How many trees are you removing?

9 THE WITNESS: I see four trees that

10 we're taking out, we have two on the middle left and  
11 then towards the back left, we have two trees along  
12 the -- they're 20-inch trees, one is 18, the other  
13 one is 20, and then we have an 8-inche and a 9--each  
14 tree on the left-hand side that would be removed.

15 BY MR. SOKOLICH:

16 Q. Bill, what could we -- I'm sorry, if  
17 you don't mind, Bill, what could we propose to  
18 address the trees that are being removed?

19 I know that they'll be a contribution  
20 to the tree fund, but is there additional plantings  
21 that we can incorporate by way of trees, saplings,  
22 what have you?

23 A. In reality, we can try and accommodate  
24 them by putting them in the back.

25 I do have the -- some in the back,

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1 **however, since we have the bigger driveway, I could**  
 2 **split the stormwater system where we have two**  
 3 **chambers in the back and two in the front.**  
 4 **And by doing that, we have some room to**  
 5 **maybe put some trees along the back portion, maybe**  
 6 **some sort of arborvitae to help absorb some of the**  
 7 **runoff on the property itself.**

8 MR. TERRANOVA: Yeah, that's  
 9 acceptable.  
 10 Thank you.  
 11 THE WITNESS: Okay.  
 12 MS. TESTA: Where are you putting those  
 13 trees?  
 14 THE WITNESS: There's one in the rear  
 15 left corner, so if I put one in the middle and one in  
 16 the rear right corner and then make put some  
 17 arborvitae, you know, just kind of like soften up  
 18 that back edge, it should be good for the homeowner  
 19 too.  
 20 MS. TESTA: Okay.  
 21 CHAIRMAN CHUNG: Thank you, Billy.  
 22 THE WITNESS: Thank you.  
 23 CHAIRMAN CHUNG: Billy, can you explain  
 24 about parking there?  
 25 How many cars parking there.

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1 you know, it's like, you know, in the old, you know,  
 2 before that, we had --  
 3 MR. KAUKER: Is it one car or two car?  
 4 MR. SOKOLICH: One, one, not two.  
 5 We're good, but we're not that good, Mr. Kauker.  
 6 MR. KAUKER: So you're going to need a  
 7 variance for parking.  
 8 MR. SOKOLICH: I can't even sell that  
 9 one.  
 10 THE WITNESS: I guess we need a  
 11 variance for -- a typical, let's say, six-over-six,  
 12 we have two cars in the driveway, two cars in the  
 13 garage.  
 14 Here we have two cars in the driveway  
 15 and then the one in the garage, you know, I don't  
 16 really count it.  
 17 It's basically, like, a bonus space if  
 18 somebody has a car they want to kind of store or  
 19 they, you know, they have something they want to  
 20 keep --  
 21 MR. KAUKER: I'm confused.  
 22 So the garage accommodates one car,  
 23 right?  
 24 So you have three parking space where  
 25 four are required, right? Three are proposed where

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1 THE WITNESS: It's basically two cars  
 2 tandem at 37 feet to the set back. A typical car is  
 3 18 feet, let's say.  
 4 CHAIRMAN CHUNG: So two and two?  
 5 THE WITNESS: Two and two, yeah. And  
 6 we have a garage space, which hopefully --  
 7 CHAIRMAN CHUNG: One garage?  
 8 THE WITNESS: Yeah, one garage.  
 9 And then, you know, like I said, the  
 10 garage has room for trash and we also have room under  
 11 the staircase for trash.  
 12 CHAIRMAN CHUNG: So you have parking  
 13 for four cars in tandem plus --  
 14 THE WITNESS: Yeah, four cars tandem  
 15 plus the garage.  
 16 CHAIRMAN CHUNG: Thank you.  
 17 THE WITNESS: Thank you.  
 18 Any members?  
 19 All right. Mike, what do you got,  
 20 anything?  
 21 MR. KAUKER: Yeah, just to follow up on  
 22 the parking, the garage door width is 13 feet, that's  
 23 going to be kind of tight, isn't it? I mean, you're  
 24 not going to fit anything --

THE WITNESS: It's a one-car garage,  
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1 four are required.  
 2 THE WITNESS: No, we have four plus the  
 3 garage.  
 4 CHAIRMAN CHUNG: So two tandem.  
 5 MR. SOKOLICH: Two tandem and one in  
 6 the garage.  
 7 MR. KAUKER: Okay.  
 8 So what's the depth of the driveway.  
 9 THE WITNESS: The driveway is from the  
 10 right-of-way line, the property line to the garage is  
 11 37-feet deep and we have a 19-feet-4-inch-wide  
 12 driveway.  
 13 MR. KAUKER: Okay.  
 14 Now I get it.  
 15 So you're proposing two tandem vehicles  
 16 in the driveway.  
 17 MR. SOKOLICH: Correct.  
 18 I wasn't clear on that either. I'm  
 19 sorry about that.  
 20 CHAIRMAN CHUNG: No, it's okay.  
 21 Thank you.  
 22 MR. KAUKER: Thank you.  
 23 CHAIRMAN CHUNG: Jae?  
 24 MR. JANG: You still need a variance  
 25 because the two family requires two covered parking

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1 spaces, right?

2 THE WITNESS: Yes.

3 MR. JANG: So you're only providing one

4 covered.

5 MR. SOKOLICH: So not for quantity, but

6 for type.

7 And if that's required, we'd amend our

8 application to reflect that.

9 Thank you.

10 CHAIRMAN CHUNG: Thank you, Jae.

11 MR. SOKOLICH: And that, actually,

12 that's correct.

13 That's correct. It's got to be two

14 covered also. So I apologize.

15 Typically sometimes these layouts,

16 Chairman, they're laid out where there's tandem

17 actually in the garage.

18 In this particular case, right, Bill,

19 there was only a single in the garage?

20 THE WITNESS: Correct.

21 MR. SOKOLICH: Right, so --

22 CHAIRMAN CHUNG: So you can park five

23 cars?

24 THE WITNESS: Yeah.

25 CHAIRMAN CHUNG: Thank you.

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1 All right. Anybody in the public want

2 to say -- come up, say something?

3 Please come up.

4 MR. KONG: I'm David Kong.

5 I live next door at 34 Delia Boulevard.

6 I just have a question for the architect.

7 Can you explain the --

8 THE COURT REPORTER: It's K-O-N-G is

9 your last name?

10 MR. KONG: Yeah, K-O-N-G.

11 THE COURT REPORTER: Thank you.

12 MR. KONG: Could you explain the sewage

13 and drainage plans?

14 THE WITNESS: Sure.

15 The existing sewer, what we typically

16 do is either reuse the old one.

17 If we test it and it's in bad shape, we

18 have to replace it.

19 So, you know, hopefully it's a 4-inch,

20 you know, line. Worst case scenario, we have to get

21 a PVC, or schedule a 40 PVC line out to the sewer

22 line in Delia Boulevard.

23 And then we have a stormwater system

24 that takes all the roof leaders -- if this is

25 approved, we would give it to the board engineer for

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1 review with a perc test and a drainage calculation to

2 confirm that we have enough percolation and enough

3 storage for the required rainfall.

4 What we're doing is we're basically

5 splitting the system front and back, which is better

6 because then you basically have a front, middle and

7 front leaders going to the front, and then we have a

8 rear, middle and rear leaders going to the back,

9 which, you know, gives it more of a dispersed

10 overflow from the building, itself, from the roof

11 leaders.

12 MR. SOKOLICH: Thank you.

13 CHAIRMAN CHUNG: Bill, when you say

14 front, it means like driveway?

15 THE WITNESS: Yeah, well, yeah, we have

16 -- the driveway, like I said, you know, either we

17 could put, I guess -- sometimes they make us put

18 trench drains at the beginning so that it doesn't go

19 into the street.

20 CHAIRMAN CHUNG: Okay.

21 THE WITNESS: So we can accommodate the

22 trench drain at the -- just before the sidewalk and

23 then all the roof leaders, basically in the front

24 portion will go to that same pit.

25 That pit might have to be a little

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1 bigger to accommodate the trench drain in the front.

2 And then the back we'll have the

3 leaders are in the back of the roof.

4 CHAIRMAN CHUNG: All right.

5 Thank you.

6 MR. SOKOLICH: If I may, Chairman, I'm

7 so sorry.

8 CHAIRMAN CHUNG: Please.

9 MR. SOKOLICH: David, if I could call

10 you David, raised a very interesting point.

11 BY MR. SOKOLICH:

12 Q. Is there any formal stormwater

13 management on the site now, Bill?

14 A. No.

15 Q. In other words, the rain hits and the

16 rain goes whatever it goes?

17 A. Correct.

18 Q. But in this particular case since a new

19 structure is proposed, it is a full-blown,

20 state-of-the-art, to be reviewed by borough engineers

21 stormwater management system?

22 A. Yes.

23 Q. Okay. And the idea is so that it

24 doesn't impose any hardship whatsoever on any

25 adjacent property?

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1           **A.     Correct, we keep everything on the**  
2 **property.**  
3           **Q.     Correct.**  
4           CHAIRMAN CHUNG: Thank you.  
5           MR. SOKOLICH: Pardon me, Chairman.  
6           CHAIRMAN CHUNG: Anybody else in the  
7 public?  
8           (No Response.)  
9           CHAIRMAN CHUNG: No? Okay.  
10          MR. SOKOLICH: We would call Mr. Spatz  
11 for brief testimony.  
12          CHAIRMAN CHUNG: Yes, please.  
13          Thank you.  
14          MR. SOKOLICH: Thank you.  
15          MS. TESTA: Please raise your right  
16 hand.  
17          Do you swear the testimony you'll  
18 provide in this application will be the truth, the  
19 whole truth. And nothing but the truth?  
20          MR. SPATZ: Yes, I do.  
21 **D A V I D   S P A T Z, P P,**  
22          60 Friend Terrace, Harrington Park, New Jersey,  
23          having been duly sworn, testifies as follows:  
24          MS. TESTA: State your name for the  
25 record, please.  
              **LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
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1 testimony?  
2           **A.     I was, yes.**  
3           **Q.     And you've conducted a physical**  
4 **inspection of the property, not inside of it, but**  
5 **you've noticed the zone plan and I believe you've**  
6 **taken photographs?**  
7           **A.     Correct.**  
8           **I have, yes.**  
9           **Q.     We've collectively marked them as A-5?**  
10          **A.     Right.**  
11          **Q.     If you would identify upper left?**  
12          **A.     Sure.**  
13                   **The upper left is of the subject**  
14 **property and I should have taken it from the side.**  
15 **That's the tree right front of it. You can see the**  
16 **roof and the building projecting above that.**  
17                   **The top right is looking to the right**  
18 **of us. Those are older, two-family homes. The**  
19 **bottom left is looking to the left of us, it's newer**  
20 **two-family homes.**  
21                   **And then directly across the street,**  
22 **which has a mixture -- directly across the street**  
23 **from us are two families, but there are a mixture of**  
24 **uses.**  
25                   **We are in the AA zone, which does**  
                          **LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
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1           MR. SPATZ: David Spatz, S-P-A-T-Z. My  
2 business address is 16 Friend Terrace in Harrington  
3 Park, New Jersey.  
4           (Whereupon, Photoboard, 4 Photographs  
5 is marked as Exhibit A-5 for identification.)  
6 **DIRECT EXAMINATION**  
7 **BY MR. SOKOLICH:**  
8           **Q.     David, you're still a planner?**  
9           **A.     Since about an hour ago, yes.**  
10          **Q.     Understood.**  
11          You've gotten no beeps on your phone  
12 that that's in jeopardy?  
13          **A.     Not about that.**  
14          **Q.     Question, for the record because every**  
15 **application is separate, the scope of your engagement**  
16 **and if you could get right into existing conditions?**  
17          **A.     Certainly.**  
18                   **Sure.**  
19                   **I was to review the plans, visit the**  
20 **property, take photographs for the exhibits, which**  
21 **has been already distributed, reviewed the master**  
22 **plan and the zoning ordinance, and then provide**  
23 **testimony this evening.**  
24          **Q.     Understood.**  
25          You were present during Mr. Cocoros'  
              **LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
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1 **permit --**  
2           MR. SOKOLICH: A-5 Diane, with your  
3 permission?  
4           MS. TESTA: Yes.  
5           MR. SOKOLICH: Thank you.  
6 **BY MR. SOKOLICH:**  
7           **Q.     And David, you took those photos?**  
8           **A.     I did, yes, not changed in any way.**  
9           **Q.     Thank you.**  
10          Pardon me?  
11          **A.     No problem.**  
12                   **We're in the AA zone, which permits our**  
13 **use.**  
14                   **As was described, we have a**  
15 **significantly undersized lot, both in terms of lot**  
16 **area and lot width.**  
17                   **We need two D variances, building**  
18 **height and as was described, that building height has**  
19 **been reduced from our original submission.**  
20                   **And then we meet a lot area per unit.**  
21 **Again, we have a narrow lot. There are already two**  
22 **units on the property, so we're not changing that in**  
23 **any way.**  
24                   **And then in terms of C variances, we**  
25 **now only need one C variance for side yard setbacks.**  
                          **LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
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1 The building coverage variance has been eliminated.  
 2 So looking at our two D variances, I  
 3 think our site is particularly well suited for what  
 4 we're proposing, although it is narrow and long.  
 5 There is an existing two-family  
 6 dwelling on the property, so we're able to design  
 7 something that fits in with the narrowness.  
 8 Instead of a typical duplex, they are  
 9 one above the other. And we're not increasing the  
 10 density on the property at all. There are a number  
 11 of two families, certainly within the neighborhood.  
 12 In terms of meeting the purposes of  
 13 zoning, we meet a number of them, Purpose A, which is  
 14 promoting public health, safety, morals and general  
 15 welfare.  
 16 Removing an older structure with two  
 17 smaller units in it, designing something that fits in  
 18 better for the property, providing drainage  
 19 improvements, providing parking on the property,  
 20 those all meet those standards.  
 21 We're now meeting building codes where  
 22 it's an older dwelling on the property.  
 23 Purpose G, which is provision of  
 24 sufficient space for a variety of uses. It's a  
 25 two-family use in a two-family zone.  
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1 In terms of density, we are conforming  
 2 to the zone and conforming to what the property is  
 3 designed at.  
 4 And then Purpose I, which is promoting  
 5 a desirable visual environment. We are providing a  
 6 two-family structure on the property.  
 7 It's been designed to acknowledge the  
 8 narrowness of the lot.  
 9 We are providing a further setback so  
 10 we can provide conforming or correct amount of  
 11 parking on our property as well.  
 12 So I think the purposes of zoning are  
 13 met.  
 14 In terms of the building height, I  
 15 think we are consistent with the surrounding  
 16 neighborhood. Our building, itself, is a  
 17 2-and-a-half-story building. The existing  
 18 2-and-a-half stories with a peaked roof and we are  
 19 going to be matching that.  
 20 The dwellings around those are two  
 21 stories and three stories in height. The two family  
 22 directly to the left of us is three stories in  
 23 height. The ones across the street, as the  
 24 photographs demonstrate, are likewise three and four  
 25 stories in height.  
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1 So we are, in terms of height,  
 2 consistent with the neighborhood.  
 3 In terms of the density variance or lot  
 4 area per unit. We have an existing property, the  
 5 properties on either side of us are fully developed.  
 6 We can't enlarge our site in any manner.  
 7 Since there are two units on the  
 8 property, by continuing two units, even though it's a  
 9 smaller lot area per unit, we are not increasing the  
 10 actual density on the property itself.  
 11 So I think that we could support both  
 12 D variances.  
 13 In terms of the C variance and the side  
 14 yards, again, as we've stated, we have narrow lot  
 15 that is very long.  
 16 So in terms of meeting the side yards,  
 17 it's been designed in such a way to have the access  
 18 from the front to not have any projections to the  
 19 side yard.  
 20 To maximize the setbacks between the  
 21 building, we are not any closer to the side yards of  
 22 the adjacent property than the existing structure, so  
 23 we're not impinging that.  
 24 We've eliminated the density -- excuse  
 25 me -- the building coverage variance that we were  
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1 seeking. We are still providing increased drainage  
 2 improvements on the property.  
 3 As Mr. Cocoros stated, there are  
 4 currently no facilities on the site, we are adding  
 5 them so it will provide a benefit both to our  
 6 property as well as to the adjoining properties.  
 7 In terms of parking, we have a  
 8 conforming amount of parking in terms of the number  
 9 of spaces, but we don't have them enclosed, but  
 10 again, we are providing them on-site, which is a  
 11 condition that currently doesn't exist to support the  
 12 two units, so that is improving the conditions.  
 13 In terms of the negative criteria, I  
 14 don't think there is anything that is substantially  
 15 negative.  
 16 The buildings height has been reduced  
 17 from an original submission to be closer to the  
 18 existing structure, as well as to the newer  
 19 structures in the area.  
 20 There are no rear yard or front yard  
 21 setback variance required. We've eliminated the  
 22 coverage variance. Sort of think in terms of light,  
 23 air and open space, we're certainly not impinging any  
 24 more than current.  
 25 And in terms of site improvements, the  
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1 drainage improvements, the sewer improvements are all  
2 going to benefit both our property as well as the  
3 adjacent property. We're going to be providing some  
4 additional landscape in the rear as well as  
5 contributing to the municipal funds.

6 So on balance, I think the positive  
7 criteria is met. It outweighs anything that could be  
8 considered negative and I believe it is appropriate  
9 to grant the variances.

10 Q. Thank you, David.

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

13 CHAIRMAN CHUNG: Thank you, David.  
14 Members, any questions?

15 MR. TERRANOVA: I do have a question.

16 CHAIRMAN CHUNG: Yes, please.  
17 Go ahead, Dave.

18 MR. TERRANOVA: I don't know if it's  
19 specifically for the planner, but how long is the  
20 longest fire hose we have in the town?

21 I'm just asking because it's 88-feet  
22 deep and we only have 54 hoses.

23 MR. SOKOLICH: I cannot attest to this  
24 and I'm not an excerpt.

25 I do note that our hoses, I know Fort  
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1 portion, but there's a flare that's even bigger there  
2 right now.

3 So it's going to be less than what the  
4 flare is because there's an existing flare that's  
5 further away that would be eliminated.

6 MR. JANG: So you are repaving that  
7 portion of the sidewalk?

8 MR. COCOROS: Yes, yeah.

9 We basically extend that, you know, we  
10 have our flare and then where the old flare was, we  
11 fill that in with a new curve, as per the Borough's  
12 requirement.

13 MR. JANG: Can the flare stay within  
14 the property line?

15 MR. COCOROS: Like I said, it's  
16 19-foot-4.

17 We would like, you know, it's out --  
18 it's past the property line out of the right-of-way  
19 area, you know, which has been done before.

20 Right now, like I said, it's way past  
21 that, you know, it's about 4 feet past that property  
22 line itself.

23 So we would like to keep it that way,  
24 it makes it easier to pull in and out.

25 MR. JANG: Okay.

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1 Lee and I'm sure it's the same in Pal Park, far  
2 exceed 50, if not a hundred feet.

3 MR. TERRANOVA: Just a question.

4 MR. SOKOLICH: But it's a great  
5 question, but I know they far exceed the 88 feet that  
6 you're referring to, but there is a limitation to  
7 them.

8 There is a limitation to them, but not  
9 within the length you're referring to.

10 CHAIRMAN CHUNG: Okay.

11 MR. TERRANOVA: I would just like to,  
12 you know, make sure.

13 MR. SOKOLICH: That's a great question.

14 CHAIRMAN CHUNG: Good question, yeah.  
15 Anybody else?

16 All right. Mike?

17 Mr. KAUKER: I have nothing, no  
18 questions.

19 CHAIRMAN CHUNG: Jae.

20 MR. JANG: One thing.

21 The driveway flare, the flare portion  
22 of the driveway is encroaching.

23 So it's going over the property line?

24 MR. COCOROS: Well, it's in the  
25 right-of-way it goes, you know, it flares into that

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1 CHAIRMAN CHUNG: That's it?

2 Thanks, Jae.

3 Anybody in the public?

4 (No Response.)

5 CHAIRMAN CHUNG: No?

6 MR. KONG: I have a question, actually.

7 MS. TESTA: Your name again, please.

8 MR. KONG: David Kong, K-O-N-G.

9 Since you did bring it up because it's

10 such a house that has the long depth, it's actually

11 if you look at it, it's actually neighboring about

12 three-and-a-half houses.

13 THE WITNESS: Yes, the house that

14 fronts on the side street, you're actually in their

15 rear yard.

16 MR. KONG: So in people's backyards?

17 THE WITNESS: Yes, yes, correct.

18 MR. KONG: So considering that, like

19 has wind ever been a factor in case if that's a fire

20 it could possibility spread into these?

21 MR. SOKOLICH: I think Bill --

22 MR. COCOROS: Like I said, you know, we

23 do have minimized window openings; however, since

24 we're less than 5 feet, it will be a fully fire-rated

25 assembly, which would be a fire-rated exterior

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1 sheathing and it will be a 5/8ths fire-rated interior  
2 Sheetrock.

3 And it will weigh less than 6 percent  
4 of the allowable fenestration along that portion, so  
5 that helps minimize the overall fire hazard.

6 MR. SOKOLICH: Is this building  
7 sprinklered?

8 MR. COCOROS: No, it's a 5A, which is  
9 protected. It's three stories.

10 Once you go over three stories, then  
11 you have to sprinkler.

12 MR. SOKOLICH: I'm sorry, David, I'm  
13 hijacking your question here, but the fire detec- --  
14 not suppression, but fire detection would be required  
15 on new construction?

16 MR. COCOROS: Of course, yes.

17 MR. SOKOLICH: And directly to a home  
18 monitoring system unlike the nonexisting system here  
19 now?

20 MR. COCOROS: Correct.

21 Yeah, the more important is the  
22 fire-rated soffits fire-rated roof sheathing, you  
23 know, it's anywhere that -- basically the first-floor  
24 sheathing would be fire rated.

25 MR. SOKOLICH: Understood.

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1 MR. SOKOLICH: Understood. Understood.  
2 Bill, do you anticipate a major impact  
3 on shade as a result of this?

4 Obviously when a building is built  
5 where none exists now, there is the prospect of it,  
6 but do you -- it wouldn't be a total blockage, would  
7 it.

8 MR. COCOROS: Not totally, you know,  
9 but like I said, it is a new structure, so it's like,  
10 you know, whatever new structure that would be built  
11 there would have the same impact.

12 MR. SOKOLICH: But no shade study.

13 MR. COCOROS: No shade study was done.

14 MR. KONG: Okay.

15 MR. SOKOLICH: Thank you.

16 CHAIRMAN CHUNG: Thank you, Billy.

17 Thank you.

18 Billy, how wide is the building right  
19 now?

20 MR. COCOROS: We got 3-and-a-half and  
21 3-and-a-half and it's 18-feet wide.

22 CHAIRMAN CHUNG: Thank you.

23 Can you do 17?

24 MR. COCOROS: I could do it, but

25 only --

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1 MR. COCOROS: So whatever's within less  
2 than 5 feet would be a fire rated.

3 MR. SOKOLICH: Understood.

4 Thank you, Bill.

5 MR. KONG: Just one more question.

6 So I live next door of course and the  
7 only sunlight we ever get is the backyard,  
8 essentially.

9 Was there any shadow study done before  
10 this height of house was built or planned?

11 MR. COCOROS: No, we don't typically do  
12 them.

13 MR. SOKOLICH: But do you anticipate at  
14 this height and this narrowness to be a material  
15 impact on --

16 MR. COCOROS: I mean, it will be  
17 similar to what's there now.

18 MR. SOKOLICH: David, does the existing  
19 residence -- if you don't mind me asking this  
20 question, does the existing residence block sunlight?

21 MR. KONG: No, it doesn't.

22 MR. SOKOLICH: It doesn't?

23 MR. KONG: Yeah, because it has an open  
24 backyard next door, so there's no building that's  
25 impeding the backyard.

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1 CHAIRMAN CHUNG: The reason I'm asking,  
2 when you have 3-and-a-half feet on each side, that's  
3 very tight.

4 MR. COCOROS: If I were to do that, can  
5 I do, let's say I would do it basically behind where  
6 the bedrooms are, you know, if that's okay, because I  
7 need the width in the front for the staircase.

8 CHAIRMAN CHUNG: The front or back?

9 MR. COCOROS: Let's say the back two  
10 thirds, I can do that, but I need at least -- in the  
11 front I need to keep it 3-and-a-half feet to make a  
12 garage and the staircase into the apartment work.

13 So basically let's say the first --

14 let's say the first 40 feet would be  
15 3-and-a-half-foot setback and then past that point, I  
16 could set it 6 inches on each side.

17 CHAIRMAN CHUNG: All right. What are  
18 you going to have in front of that, a staircase going  
19 up?

20 MR. COCOROS: Yeah.

21 If you look out of this side here,  
22 there's a staircase that's not in the parking area,  
23 you have a staircase that goes up.

24 So basically the staircase in the  
25 garage portion where the living room is, that's -- I

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1 would keep it 3-and-a-half feet and then go the  
 2 4-foot setback where the bedrooms are in the back.  
 3 CHAIRMAN CHUNG: Okay, gotcha.  
 4 I'll go with that.  
 5 Thank you.  
 6 But make sure that nothing is on the  
 7 side of it, make sure it's clear at all times,  
 8 please.  
 9 MR. COCOROS: Yeah, yeah, there's no  
 10 bay windows.  
 11 MR. SOKOLICH: Understood.  
 12 CHAIRMAN CHUNG: Thank you. No bay  
 13 windows, none of those, please.  
 14 Thank you.  
 15 All right. Anybody else?  
 16 (No Response.)  
 17 CHAIRMAN CHUNG: Anybody in the public?  
 18 (No Response.)  
 19 CHAIRMAN CHUNG: No?  
 20 MS. TESTA: Anybody in the public have  
 21 any questions?  
 22 (No Response.)  
 23 CHAIRMAN CHUNG: Thanks, Billy.  
 24 MR. COCOROS: Thank you.  
 25 CHAIRMAN CHUNG: All right.

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1 I'm going to make a motion to accept  
 2 and approve the application with the changes.  
 3 Can I have a second, please?  
 4 MR. TERRANOVA: I'll second.  
 5 CHAIRMAN CHUNG: Thanks, Dave.  
 6 Roll call, please.  
 7 MS. REBEKAH KIM: Mr. Terranova?  
 8 MR. TERRANOVA: Yes.  
 9 MS. TESTA: Let's put down a couple of  
 10 the -- landscaping will be provided. The front will  
 11 be 3.5 feet side yard.  
 12 So the first 40 feet, after that it  
 13 will increase to 4 feet. No bay windows on the side.  
 14 The variance also you're requesting is  
 15 for the one parking space covered since you're just  
 16 providing one.  
 17 MR. SOKOLICH: Correct.  
 18 The number is there, but we -- we don't  
 19 provide two covered, we're providing one covered.  
 20 MS. TESTA: Right.  
 21 And the \$2,000.00 Tree Preservation  
 22 Fund.  
 23 MR. SOKOLICH: Yes.  
 24 CHAIRMAN CHUNG: Thank you.  
 25 MS. TESTA: So then it was seconded; is

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1 that correct?  
 2 CHAIRMAN CHUNG: David seconded.  
 3 MS. TESTA: Mr. Terranova.  
 4 CHAIRMAN CHUNG: Roll call, please.  
 5 MS. TESTA: Okay. Roll call.  
 6 MS. REBEKAH KIM: Mr. Terranova?  
 7 MR. TERRANOVA: Yes.  
 8 MS. REBEKAH KIM: Mr. Chung?  
 9 CHAIRMAN CHUNG: Yes.  
 10 MS. REBEKAH KIM: Mr. Elefteriou?  
 11 MR. ELEFTERIOU: Yes.  
 12 MS. REBEKAH KIM: Mr. Kim?  
 13 MR. KIM: Yes.  
 14 MS. REBEKAH KIM: Mrs. Yoon?  
 15 VICE CHAIRWOMAN YOON: Yes.  
 16 MS. REBEKAH KIM: Mrs. Park?  
 17 MS. PARK: Yes.  
 18 MR. SOKOLICH: Chairman, Members of the  
 19 Board. Thank you.  
 20 Thank you very much.  
 21 Again, happy new year.  
 22 Professionals, thank you.  
 23 David, thank you.  
 24 MS. TESTA: This is proof of mailing, a  
 25 couple of bills, and do you have those resolutions

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1 for me?  
 2 MS. REBEKAH KIM: Yes.  
 3 Are we doing the close motion?  
 4 MS. TESTA: Yeah, you have to do a  
 5 motion to close.  
 6 CHAIRMAN CHUNG: I make a motion to  
 7 close.  
 8 MR. KIM: I'll second it.  
 9 CHAIRMAN CHUNG: All in favor?  
 10 (Whereupon, all present members respond  
 11 in the affirmative.)  
 12 (Whereupon, this meeting is concluded.)  
 13 Time noted: 8:51 p.m.)

**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
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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.



\_\_\_\_\_  
LAURA A. CARUCCI, C.C.R., R.P.R.  
License #XI02050, and RON Notary  
Public Notary ID. #1810618, Notary  
Expiration Date May 27, 2028

Dated: 2-3-26

**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
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