

BOROUGH OF PALISADES PARK
PLANNING BOARD
WEDNESDAY, FEBRUARY 25, 2026
7:04 P.M.

IN THE MATTER OF:) TRANSCRIPT OF
Case #25-SP09) PROCEEDINGS
Site Plan)
Fan Associates, LLC)
15 Grand Avenue)
Block 505, Lots 3 & 4)
Case #25-SP14)
Site Plan)
Hillcrest Builders, LLC)
450 East Edsall Boulevard)
Block 420, Lot 16)
Case #25-SP15)
Site Plan)
Leems Corp.)
21 Grand Avenue)
Block 505, Lot 1)
Case #26-SP01)
Change of Use)
The Jangwon Hair Salon LLC)
234A Broad Avenue)
Block 602, Lot 23)

B E F O R E: THE BOROUGH OF PALISADES PARK PLANNING
BOARD, THERE BEING PRESENT:

ARLENE STAR, CHAIRWOMAN
CHRIS AUFIERO, VICE CHAIRMAN
C. PAUL KIM, MAYOR
CHRISTOPHER KWAK, COUNCILMAN
JUSTIN KANG, MEMBER
MIRJANA TARABOCCHIA, MEMBER
EDWIN HAN, MEMBER
SOPHIA JANG, MEMBER (Absent)
JUSTIN JEONG (Absent.)
JAMES JHANG, ALTERNATE

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

1 A P P E A R A N C E S: (CON'T)

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

3 LUCY HANRAHAN
4 Board Secretary
5 CARL O'BRIEN, PE
Board Engineer
6 MICHAEL KAUKER, PP, AICP
7 Board Planner
8 HAL SIMOFF, PE
Board Traffic Engineer

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

2 NOH & KANG, LLP
BY: CHANG NOH, ESQUIRE
3 460 Bergen Boulevard
Suite 301
4 Palisades Park, New Jersey 07650
Counsel for the Planning Board

6 THE LAW OFFICES OF DANIEL C. BAE, LLC
BY: DANIEL C. BAE, ESQ.
7 600 Sylvan Avenue
Suite 400
8 Englewood Cliffs, New Jersey
Counsel to the Applicant
9 The Jangwon Hair Salon LLC

10 LAW OFFICES OF MARK J. SOKOLICH
BY: MARK J. SOKOLICH, ESQUIRE
11 1223 Anderson Avenue
Fort Lee, New Jersey 07024
12 Counsel for the Applicant
13 Hillcrest Builders, LLC

14 BERN & ASSOCIATES LLC
BY: DOUGLAS BERN, ESQUIRE
15 39 Park Place
#204
16 Englewood, New Jersey 07631
17 Counsel for the Objector
Neil Rubinstein

19 MURPHY SCHILLER & WILKES LLP
BY: CHRIS J. MURPHY, ESQUIRE.
20 LISA E. LOMELO, ESQUIRE.
One Gateway Center
21 Suite 400
Newark, New Jersey 07102
22 Counsel for the Applicant
Leems Corp.

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1 make it on the March meeting.

2 CHAIRWOMAN STAR: Okay. And our

3 alternative is James Jhang.

4 MR. NOH: All right. So --

5 CHAIRWOMAN STAR: Okay.

6 MAYOR KIM: Wait, hold on a second.

7 Where is the Bible?

8 MR. NOH: The Bible is right there.

9 MAYOR KIM: Someone should hold this.

10 CHAIRWOMAN STAR: I'll hold it.

11 MR. NOH: Please come forward.

12 All right. Raise your right hand, sir,

13 and -- yes, just repeat after me, please.

14 I, state your name.

15 MR. JHANG: I, James Jhang.

16 MR. NOH: Do solemnly swear.

17 MR. JHANG: Do solemnly swear.

18 MR. NOH: That I will support the

19 Constitution of the United States.

20 MR. JHANG: That I will support the

21 Constitution of the United States.

22 MR. NOH: And the Constitution of the

23 State of New Jersey.

24 MR. JHANG: And Constitution of the

25 State of New Jersey.

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1 CHAIRWOMAN STAR: This is the regular

2 meeting of the Palisades Park Planning Board and this

3 meeting has been dully advertised according to

4 Section 5 of the Open Meeting Act, Chapter 231,

5 Public Law 1975, also known as The Sunshine Law.

6 Notice of this meeting is provided to

7 the officially designated newspapers of the borough.

8 Notice was posted on the bulletin board and copy of

9 the -- and preserved in the clerk's office.

10 Application documents and plans have

11 been made available in the planning board secretary's

12 office and in accordance with the law.

13 Okay. Now, Pledge of Allegiance,

14 please, led by Vice Chairman Aufiero.

15 (Whereupon, all rise for a recitation

16 of the Pledge of Allegiance led by Vice

17 Chairman Aufiero.)

18 MR. NOH: Swear in new members.

19 CHAIRWOMAN STAR: First order of

20 business tonight is the swearing in of our new

21 planning board members. We have Class II Councilman

22 Christopher Kwak, we have Class 4 Justin Jeong.

23 MR. NOH: I don't think he's here

24 tonight.

25 MAYOR KIM: Yes, Madam Chair, he will

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1 MR. NOH: That I will bear true faith

2 and allegiance to the same.

3 MR. JHANG: That I will bear true faith

4 and allegiance to the same.

5 MR. NOH: And to the government

6 established in the United States and in this state.

7 MR. JHANG: And to the government

8 established in the United States and to this state.

9 MR. NOH: County and township.

10 MR. JHANG: County and township.

11 MR. NOH: Under the authority of the

12 people.

13 MR. JHANG: Under the authority of the

14 people.

15 MR. NOH: And that I will faithfully.

16 MR. JHANG: And I will faithfully.

17 MR. NOH: Impartially.

18 MR. JHANG: And impartially.

19 MR. NOH: And justly perform.

20 MR. JHANG: And justly perform.

21 MR. NOH: All the duties of the office

22 of the Planning Board member.

23 MR. JHANG: All the duties of the

24 Planning Board member.

25 MR. NOH: Of the Borough of Palisades

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1 Park.
 2 MR. JHANG: Of the Borough of Palisades
 3 Park.
 4 MR. NOH: According to.
 5 MR. JHANG: According to.
 6 MR. NOH: According to the best of my
 7 ability.
 8 MR. JHANG: The best of my ability.
 9 MR. NOH: So help me God.
 10 MR. JHANG: So help me God.
 11 MAYOR KIM: Congratulations.
 12 James, just grab a seat here or here.
 13 Thank you.
 14 MR. NOH: Next. Please raise your
 15 right hand, sir, and repeat after me, please.
 16 I, state your name.
 17 COUNCILMAN KWAK: I, Christopher Kwak.
 18 MR. NOH: Do solemnly swear.
 19 COUNCILMAN KWAK: Do solemnly swear.
 20 MR. NOH: That I will support the
 21 Constitution of the United States.
 22 COUNCILMAN KWAK: That I will support
 23 the Constitution of the United States.
 24 MR. NOH: And the Constitution of the
 25 State of New Jersey.

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1 COUNCILMAN KWAK: And the Constitution
 2 of the State of New Jersey.
 3 MR. NOH: And that I will bear true
 4 faith.
 5 COUNCILMAN KWAK: And that I will bear
 6 true faith.
 7 MR. NOH: And allegiance to the same.
 8 COUNCILMAN KWAK: And allegiance to the
 9 same.
 10 MR. NOH: And to the government
 11 established in the United States.
 12 COUNCILMAN KWAK: And to the government
 13 established in the United States.
 14 MR. NOH: And in this state.
 15 COUNCILMAN KWAK: And in this state.
 16 MR. NOH: County.
 17 COUNCILMAN KWAK: County.
 18 MR. NOH: And township.
 19 COUNCILMAN KWAK: And township.
 20 MR. NOH: Under the authority of the
 21 people.
 22 COUNCILMAN KWAK: Under the authority
 23 of the people.
 24 MR. NOH: That I will faithfully.
 25 COUNCILMAN KWAK: That I will

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1 faithfully.
 2 MR. NOH: Impartially.
 3 COUNCILMAN KWAK: Impartially.
 4 MR. NOH: And justly.
 5 COUNCILMAN KWAK: And justly.
 6 MR. NOH: Perform all the duties of the
 7 office of the Planning Board.
 8 COUNCILMAN KWAK: Perform all duties of
 9 the office of the Planning Board.
 10 MR. NOH: As the member of the same.
 11 COUNCILMAN KWAK: As a member of the
 12 same.
 13 MR. NOH: For the Borough of Palisades
 14 Park.
 15 COUNCILMAN KWAK: For the Borough of
 16 Palisades Park.
 17 MR. NOH: According to the best of my
 18 ability.
 19 COUNCILMAN KWAK: According to the best
 20 of my ability.
 21 MR. NOH: So help me God.
 22 COUNCILMAN KWAK: So help me God.
 23 MR. NOH: Congratulations.
 24 CHAIRWOMAN STAR: Okay. Roll call,
 25 please, Lucy.

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1 MS. HANRAHAN: Mayor.
 2 MAYOR KIM: Here.
 3 MS. HANRAHAN: Star.
 4 CHAIRWOMAN STAR: Here.
 5 MS. HANRAHAN: Aufiero.
 6 VICE CHAIRMAN AUFIERO: Here.
 7 MS. HANRAHAN: Tarabocchia.
 8 MS. TARABOCCHIA: Here.
 9 MS. HANRAHAN: Sofia.
 10 Kang.
 11 MR. KANG: Here.
 12 MS. HANRAHAN: Han.
 13 MR. HAN: Here.
 14 MS. HANRAHAN: Kwak.
 15 COUNCILMAN KWAK: Present.
 16 MS. HANRAHAN: Jhang.
 17 MR. JHANG: Here.
 18 CHAIRWOMAN STAR: Okay. And now for
 19 those of you who were here last month, hopefully you
 20 read the minutes, so may we have a motion that we
 21 accept the minutes from last month's meeting?
 22 MR. KANG: I'll make a motion to accept
 23 it.
 24 VICE CHAIRMAN AUFIERO: I'll second.
 25 CHAIRWOMAN STAR: Justin and --

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13

1 MR. KANG: Aufiero.
 2 MAYOR KIM: Madam Chair, I just want to
 3 make a point that because we have a quorum and not
 4 only that, we have eight members of the Planning
 5 Board, which is a good thing to do.
 6 People who are alternates, I just want
 7 to let everybody know, they only vote if the original
 8 seven members are not filled.
 9 So right now we have eight, so the
 10 alternate, which is I believe James, this is a good
 11 time to understand and questions, but you are not
 12 allowed to vote until we need to fill in those seven
 13 seats, right?
 14 MR. NOH: There are nine members.
 15 MAYOR KIM: I'm sorry, nine members.
 16 So we have eight people right now?
 17 MR. NOH: We have eight.
 18 MAYOR KIM: So original is nine?
 19 Seven?
 20 MR. NOH: Nine is original.
 21 MAYOR KIM: Nine is original, that
 22 means we can vote because we don't have nine yet.
 23 MR. JHANG: A quorum is seven?
 24 MAYOR KIM: A quorum is five.
 25 CHAIRWOMAN STAR: Five.

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1 MAYOR KIM: But then we have a quorum
 2 and also we have a total of eight people, we're
 3 supposed to have nine votes, so that means you're
 4 allowed to vote.
 5 CHAIRWOMAN STAR: Okay. So we have a
 6 motion on the minutes, to accept the minutes.
 7 MR. KANG: And a second.
 8 VICE CHAIRMAN AUFIERO: I'll second.
 9 MS. HANRAHAN: Mayor?
 10 MAYOR KIM: If I recall correctly, was
 11 I here last month?
 12 CHAIRWOMAN STAR: I don't think so.
 13 MR. NOH: He was here.
 14 MAYOR KIM: I was there?
 15 MR. NOH: You were there.
 16 MR. KANG: Yeah, you were here.
 17 MAYOR KIM: Yes, I was here, so, yes.
 18 CHAIRWOMAN STAR: How quickly we
 19 forget.
 20 MS. HANRAHAN: Star.
 21 CHAIRWOMAN STAR: Yes.
 22 MS. HANRAHAN: Aufiero.
 23 VICE CHAIRMAN AUFIERO: Yes.
 24 MS. HANRAHAN: Tarabocchia.
 25 MS. TARABOCCHIA: Yes.

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15

1 MS. HANRAHAN: Sophia. She's not in.
 2 Kang.
 3 MR. KANG: Yes.
 4 MS. HANRAHAN: Han.
 5 MR. HAN: Yes, I wasn't --
 6 CHAIRWOMAN STAR: I don't think you
 7 were here.
 8 MR. NOH: Han wasn't here, yup.
 9 MS. HANRAHAN: Kwak.
 10 COUNCILMAN KWAK: I wasn't here.
 11 MS. HANRAHAN: And Jhang.
 12 MR. JHANG: Abstain.
 13 COUNCILMAN KWAK: I wasn't here.
 14 CHAIRWOMAN STAR: You weren't appointed
 15 yet.
 16 Okay. And what about a motion to pay
 17 the bills, may I have a motion for that?
 18 VICE CHAIRMAN AUFIERO: I'll make a
 19 motion to pay the bills.
 20 MR. KANG: I'll second it.
 21 MS. HANRAHAN: Mayor.
 22 MAYOR KIM: Yes.
 23 MS. HANRAHAN: Star.
 24 CHAIRWOMAN STAR: Yes.
 25 MS. HANRAHAN: Aufiero.

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1 VICE CHAIRMAN AUFIERO: Yes.
 2 MS. HANRAHAN: Tarabocchia.
 3 MS. TARABOCCHIA: Yes.
 4 MS. HANRAHAN: Kang.
 5 MR. KANG: Yes.
 6 MS. HANRAHAN: Han.
 7 MR. HAN: Yes.
 8 MS. HANRAHAN: Kwak.
 9 CHAIRWOMAN STAR: He wasn't here.
 10 COUNCILMAN KWAK: I wasn't here.
 11 CHAIRWOMAN STAR: No, not Chris, but
 12 Edwin wasn't here.
 13 MR. HAN: I wasn't here. Sorry.
 14 CHAIRWOMAN STAR: So he can't vote.
 15 MS. HANRAHAN: And Jhang, he wasn't
 16 here.
 17 MAYOR KIM: Who did the second, Edwin?
 18 MR. KANG: I did second.
 19 MAYOR KIM: Okay.
 20 CHAIRWOMAN STAR: Okay. Now we need --
 21 okay. We need a resolution appointing an unpaid
 22 legal intern and that will be Augustine Kang,
 23 Esquire.
 24 MR. NOH: Okay. Let me just explain.
 25 This applicant, Augustine Kang, is a licensed

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1 attorney in the state of New Jersey submitting an
 2 application to the Planning Board for the position of
 3 an unpaid legal intern on January 12th, 2026.
 4 So someone can make a motion and we can
 5 vote on it whether we gonna --
 6 COUNCILMAN KWAK: Okay. I'll make a
 7 motion.
 8 MR. NOH: -- have him as an unpaid
 9 legal intern.
 10 COUNCILMAN KWAK: I'll make a motion.
 11 VICE CHAIRMAN AUFIERO: I'll second
 12 that motion.
 13 MS. HANRAHAN: Mayor.
 14 MAYOR KIM: Yes.
 15 MS. HANRAHAN: Star.
 16 CHAIRWOMAN STAR: Yes.
 17 MS. HANRAHAN: Aufiero.
 18 VICE CHAIRMAN AUFIERO: Yes.
 19 MS. HANRAHAN: Tarabocchia.
 20 MS. TARABOCCHIA: Yes.
 21 MS. HANRAHAN: Kang.
 22 MR. KANG: Yes.
 23 MS. HANRAHAN: Han.
 24 MR. HAN: Yes.
 25 MS. HANRAHAN: Kwak.

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1 the next lot which his customers can utilize.
 2 He's not looking to change anything
 3 structural about the premises, just add a few hair
 4 stations and add a sink, and do some minor work.
 5 MAYOR KIM: What time are the working
 6 hours?
 7 MR. BAE: Will be from 10 a.m. to
 8 7 p.m. from Thursday to Monday, with Tuesdays and
 9 Wednesdays being off.
 10 MAYOR KIM: Thursdays to Monday?
 11 MR. BAE: Yes.
 12 THE COURT REPORTER: You're Daniel Bae;
 13 is that right?
 14 MR. BAE: Yes, B-A-E.
 15 MAYOR KIM: How many employees are
 16 there?
 17 MR. BAE: At this time, it will be just
 18 Mr. So who has the license to operate a hair salon.
 19 MAYOR KIM: Are you going to get more
 20 hairstylists in your store? Are you going to handle
 21 these four stalls, four haircutting stalls yourself?
 22 MR. BAE: Yes, so it will be
 23 appointment based, but you know, because the hair
 24 stations will have -- will be dedicated for specific
 25 types of hairs or hair treatments, he's looking to

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1 COUNCILMAN KWAK: Yes.
 2 MS. HANRAHAN: Jhang.
 3 MR. JHANG: Yes.
 4 CHAIRWOMAN STAR: Okay. First case
 5 tonight is Case 26 SP01, change of use for Jangwon
 6 Hair Salon, LLC, 234A Broad Avenue.
 7 MR. BAE: Thank you, Madam Chair.
 8 Thank you Members of the Planning Board, Mr. Noh.
 9 It's good to see you again. Welcome new members as
 10 well.
 11 I'm here on the application of Jangwon
 12 Hair Salon, LLC. It's a premises located at 234A on
 13 Broad Avenue.
 14 The former use of the space was a
 15 produce store. My client, Mr. So, Jangwon So, who is
 16 standing to my right, he is looking to open a hair
 17 salon.
 18 He's a licensed cosmetologist. He will
 19 be the only employee/operator of the business. The
 20 hours of operation will be from Thursday to Monday,
 21 with Tuesdays and Wednesdays off, from 10 a.m. to
 22 7 p.m.

The building has also a parking lot in
 24 the back. He will have one on-site parking space.
 25 Also, there will be municipal parking right next on
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1 just handle the operation by himself.
 2 MAYOR KIM: So, in other words, he's
 3 not going to hire another subcontractor or
 4 hairstylist?
 5 MR. BAE: Correct.
 6 MS. TARABOCCHIA: So that's a total of
 7 six chairs you have here?
 8 MR. BAE: Yes.
 9 MS. TARABOCCHIA: And one person is
 10 going to operate all six chairs?
 11 MR. BAE: He has a wife that may help
 12 him from time to time.
 13 MAYOR KIM: So now we got two. It's
 14 okay. You gotta be honest.
 15 MR. BAE: Yeah.
 16 MS. TARABOCCHIA: So potentially in the
 17 future as the business grows, you'll get more
 18 licensed hairstylists to come in?
 19 MR. BAE: Potentially, yes.
 20 MS. TARABOCCHIA: Okay.
 21 MAYOR KIM: Okay. So we could expect
 22 that there could be three different hairstylists
 23 taking their own booth like any other hair salons?
 24 MR. BAE: Right, you can expect that,
 25 yes.

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1 MAYOR KIM: Okay. So we're talking
 2 about a max of maybe four to six employees if he does
 3 a fabulous job if, you know, he's like the best
 4 hairstylist.
 5 MR. BAE: Correct. Correct.
 6 MAYOR KIM: The chairs, are they
 7 stationary or are they mobile?
 8 MR. BAE: They're stationary.
 9 MAYOR KIM: They're stuck to the
 10 ground? Ask him.
 11 CHAIRWOMAN STAR: We have to swear him
 12 in.
 13 MR. MAYOR KIM: Oh, yeah. Okay. Can
 14 he --
 15 MR. NOH: Is he going to testify, Mr.
 16 Bae?
 17 MR. BAE: Yes, he is going to, but he
 18 does have his son to help him translate it should it
 19 be needed.
 20 CHAIRWOMAN STAR: So we have to swear
 21 the translator.
 22 MAYOR KIM: You can translate for him,
 23 right?
 24 MR. BAE: I can, yes.
 25 MR. NOH: Okay. You're under oath and

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1 would you please raise your right hand, sir?
 2 First of all, can you please tell us
 3 your name and spell your last name, please?
 4 MR. SO: Jangwon J-A-N-G-W-O-N, last
 5 name S-O.
 6 MR. NOH: Okay. Now, do you swear or
 7 affirm that you will tell the truth, the whole truth
 8 and nothing but the truth?
 9 MR. SO: Yes.
 10 J A N G W O N S O,
 11 having been duly sworn, testifies as follows:
 12 MAYOR KIM: Okay. So could you ask --
 13 MR. NOH: You can lower your hand, sir.
 14 MAYOR KIM: So could you ask the same
 15 question to him? If the business does well, is he
 16 expecting to get more hair stylists, would that be an
 17 option?
 18 (Whereupon, Mr. Bae translates for the
 19 witness.)
 20 MR. BAE: Yes, he's expecting maybe
 21 one.
 22 MAYOR KIM: So then ask him if it's
 23 going to be one or two, ask why -- from our Planning
 24 Board member, why do you need six -- well, two chairs
 25 for -- hair stations, I don't know what they are, but

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1 then we have a total of six chairs.
 2 What do you need the six chairs for
 3 when there's only two people? We've got to find out.
 4 It says hair stations.
 5 COUNCILMAN KWAK: Well, Mayor Kim, I
 6 just want to clarify on the layout, you can see from
 7 the two thing --
 8 MAYOR KIM: Sir, it's not up to us to
 9 make a decision. It's up to them to answer and we'll
 10 put it on the record.
 11 MR. BAE: Yes, Mr. Mayor, so the four
 12 chairs in the front will be for chair treatments.
 13 MAYOR KIM: Yes.
 14 MR. BAE: And the chairs in the back,
 15 those will be for shampooing the hair, so preparing
 16 the hair to be cut.
 17 MAYOR KIM: So that's a sink in the
 18 front, right?
 19 MR. BAE: Yes.
 20 MAYOR KIM: Okay, great. So these four
 21 in the front, they're for hair treatment or haircut
 22 or both?
 23 MR. BAE: Haircut. It's a haircut.
 24 MAYOR KIM: So I'm asking this question
 25 again.

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1 There's four seats right now. Two
 2 seats are going to be wash. There's got to be
 3 someone who's going to wash the hair, right?
 4 And then there's four seats available.
 5 Two seats that are washing hair and four seats that
 6 are available.
 7 She's asking a very logical question,
 8 we need a logical answer, how are you going to do
 9 that with two people? What are the other people
 10 going to do, just sit down, or you're going to use a
 11 station for something else?
 12 MR. BAE: He's saying that it is very
 13 capable that the two people could handle those.
 14 MAYOR KIM: Because what everybody
 15 assumes, and I'm forcing this answer right now, but
 16 we believe if -- he needs to answer that -- they need
 17 more spaces because some people could be sitting
 18 there doing hair treatment while he gets a haircut?
 19 Ask him that question.
 20 (Whereupon, Mr. Bae translates.)
 21 MR. BAE: Okay. So sometimes there
 22 could be a family that can come for -- to get served.
 23 MAYOR KIM: Okay, sure, but I want to
 24 get this done and we're not getting the answer that
 25 we want. It's very simple.

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1 There's four spots. You're saying the
 2 family is going to sit down. They don't have four
 3 hands. There's two people, four stations.
 4 Why do you need four stations? It's
 5 very easy. We all go to beauty salons, right?
 6 You've got some over there on a station doing their
 7 hair color, right, treatments. And while they're
 8 waiting, they need that seat over there with that
 9 stuff on the top, right, that that is -- that means
 10 two people go to the other person and get a haircut.
 11 Is that true?

12 MR. BAE: So Mr. Mayor, he's saying
 13 that potentially there could be two or more -- two or
 14 three hairstylists that he could employ in the
 15 future.

16 MAYOR KIM: Okay. That's a good
 17 answer, too. Thank you.

18 Another question from me, are these
 19 seats, the four seats, are they stuck on the ground
 20 or are they movable?

21 MR. BAE: Okay. These are gonna be
 22 portable seats.

23 CHAIRWOMAN STAR: Portable.

24 MS. TARABOCCHIA: I have a question.
 25 The chairs I could understand are moveable because

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1 you probably have to clean around them and keep them
 2 clean, but the stations that are right in front of it
 3 where you most likely will have a mirror, those are
 4 permanent, permanent mirror, permanent cabinets, so
 5 you're only set for four.

6 MAYOR KIM: There's four stations.

7 MS. TARABOCCHIA: Only four stations.

8 MAYOR KIM: In other words, there will
 9 not be more than four stations, correct?

10 MR. BAE: There will not be. Yes,
 11 there's four stations.

12 MAYOR KIM: I'm okay.

13 CHAIRWOMAN STAR: I have a question.
 14 When you say "treatment," what do you mean?

15 MR. BAE: Like perm only for chair, no
 16 other treatments.

17 CHAIRWOMAN STAR: Facial or anything
 18 like that?

19 MR. BAE: No facial, no skin care, no
 20 massages.

21 CHAIRWOMAN STAR: Just a perm or color?

22 MR. JHANG: I have a question. I don't
 23 see any proposal -- it seems like a construction
 24 official denied the application for change of use. I
 25 don't see any proposal as you're adding plumbing.

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1 And then I don't see any recommendation
 2 as far as fire and safety because the previous store,
 3 there's only one means of egress. And this, I don't
 4 know, you would have to speak to the fire and safety
 5 official whether or not the changes can be made for
 6 it.

7 MAYOR KIM: Yes, it's a very good point
 8 by our newly elected member, but they go through the
 9 Building Department after this. They always have to.

10 MR. JHANG: But my concern is if we
 11 approve this and he's allowed for the change of use
 12 and then suddenly that's granted?

13 MAYOR KIM: Well, they'll stop him. If
 14 there's a problem with this, they'll stop him. It
 15 doesn't matter if we do it. We don't go over
 16 building or the fire department.

17 MR. NOH: Everything is subjected to
 18 the building and construction official.

19 CHAIRWOMAN STAR: Do we have any other
 20 questions?

21 MS. TARABOCCHIA: I have a question. I
 22 see that you have a washer and dryer. Is that going
 23 to be electric or gas? Because it doesn't look like
 24 there's plumbing.

25 MR. BAE: It will be electric.

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1 MR. KANG: I have a question. Is this
 2 strictly hair salon or is it going to do nail or skin
 3 care?

4 MR. BAE: No, no skin care, no nail,
 5 just strictly hair salon.

6 MAYOR KIM: Good question, Kang.

7 MR. KANG: So is it okay if we put the
 8 stipulation, condition if we approve, he doesn't have
 9 any issue with we put some condition on it, right,
 10 stipulation?

11 MR. BAE: Correct, yeah.

12 CHAIRWOMAN STAR: Okay. Anyone else
 13 have any questions or concerns?

14 If not, I'll open it to the public.

15 Does anyone have a question for this applicant?

16 MAYOR KIM: You're so lucky. Oh,
 17 there's a raising hand. I said that he was very
 18 lucky, but go ahead, Rebecca, stand up, your name and
 19 address.

20 MS. LEE: Rebecca Lee.

21 Question: In the future, I know --
 22 I've been a hair salon owner in the past. So in the
 23 future, if the business doesn't go well or whatever,
 24 are you going to be subletting the chairs, which is
 25 illegal, and I know a lot of Korean hair salons do

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1 that, so will you be subletting to different hair
 2 designers instead of having them as your staff?
 3 MR. BAE: No, he will not.
 4 MS. LEE: Can I ask one more?
 5 CHAIRWOMAN STAR: Yes.
 6 MAYOR KIM: Sure. Go ahead, please.
 7 Stand up.
 8 MS. LEE: There's about 25 hair salons
 9 in Pal Park right now. Why did you choose Pal Park?
 10 Because there's so much competition as is.
 11 MR. BAE: So he used to work in a hair
 12 salon here in Palisades Park for ten years, so he's
 13 very familiar with the -- and it's been his dream to
 14 open his own hair salon in town.
 15 CHAIRWOMAN STAR: Thank you, Rebecca.
 16 Anyone else have a question for the
 17 applicant?
 18 If not, we'll close that portion and
 19 will be a motion to close the portion? Roll call to
 20 close the portion.
 21 MS. HANRAHAN: Mayor?
 22 MR. KANG: We have to make a motion.
 23 CHAIRWOMAN STAR: The motion first.
 24 MAYOR KIM: We went to the public. We
 25 were supposed to make a motion to open to the public.
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1 CHAIRWOMAN STAR: We did that.
 2 MAYOR KIM: Now we're going to make a
 3 motion to close the public.
 4 I would like to make a motion to close
 5 and come back to our meeting. May I have a second?
 6 MR. KANG: I'll second.
 7 MAYOR KIM: All in favor?
 8 (Whereupon, all present members respond
 9 in the affirmative.)
 10 MR. NOH: You can vote, someone make a
 11 motion.
 12 MAYOR KIM: Make a motion. I could
 13 make a motion. I'll make a motion.
 14 I'd like to make a motion to accept
 15 this application, but I think there are certain
 16 conditions with stipulations, especially with Justin
 17 Kang and I spoke about.
 18 First is that there won't be -- I'm
 19 sorry, Justin, what was --
 20 MR. KANG: Yeah, strictly hair salon,
 21 no nail, no skin care, and no sublease.
 22 MAYOR KIM: Okay. And also, there's a
 23 stipulation on the wall, if you see over here.
 24 Please make a mark that there's a wall in the back,
 25 plain wall, there shouldn't be any obstructions. So
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1 if there's a fire call, people have enough room to
 2 escape.
 3 Okay. Good. May I have a second?
 4 MR. KANG: I'll second it with the
 5 stipulations.
 6 MS. HANRAHAN: Mayor.
 7 MAYOR KIM: Yes.
 8 MS. HANRAHAN: Star.
 9 CHAIRWOMAN STAR: Yes.
 10 MS. HANRAHAN: Aufiero.
 11 VICE CHAIRMAN AUFIERO: Yes.
 12 MS. HANRAHAN: Tarabocchia.
 13 MS. TARABOCCHIA: Yes.
 14 MS. HANRAHAN: Kang.
 15 MR. KANG: Yes, with the stipulation.
 16 MS. HANRAHAN: Han.
 17 MR. HAN: Yes.
 18 MS. HANRAHAN: Kwak.
 19 COUNCILMAN KWAK: Yes.
 20 MS. HANRAHAN: And Jhang.
 21 MR. JHANG: Yes.
 22 MAYOR KIM: Congratulations. Good
 23 luck.
 24 Rebecca, you made a very good point.
 25 This is off the subject, but as the mayor and
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1 governing body, I'm to going propose an ordinance
 2 that restricts certain businesses for the same type
 3 of business.
 4 So if that comes in effect, hopefully
 5 when time progresses, it will get better. I agree
 6 with you. There's too many -- 27 bakeries, 35 hair
 7 salons next to each other. I mean, some people think
 8 it's good, but, you know, I think that's really tough
 9 competition and I agree with you. Thank you.
 10 CHAIRWOMAN STAR: All right. Next case
 11 is Case Number 25-SP09, site plan, Fan Associates,
 12 LLC, 15 Grand Avenue.
 13 MR. NOH: So let me explain. The
 14 applicant filed a motion to enforce the legal right
 15 and the Court had to issue an order on January 23rd,
 16 2026, denying the applicant's motion.
 17 So basically what's happening is the
 18 Court has appointed the technical engineering advisor
 19 to sort of work this out between the applicant and
 20 the Board and Leems Corporation.
 21 And the applicant, when he's ready,
 22 he's going to file an application. So in the
 23 meantime, this is continued to next month.
 24 MAYOR KIM: So this is tabled.
 25 VICE CHAIRMAN AUFIERO: I'll make a
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1 motion that we table this to next meeting.
 2 CHAIRWOMAN STAR: Second.
 3 COUNCILMAN KWAK: I'll second it.
 4 MS. HANRAHAN: Mayor.
 5 MAYOR KIM: Yes.
 6 MS. HANRAHAN: Star.
 7 CHAIRWOMAN STAR: Yes.
 8 MS. HANRAHAN: Aufiero.
 9 VICE CHAIRMAN AUFIERO: Yes.
 10 MS. HANRAHAN: Tarabocchia.
 11 MS. TARABOCCHIA: Yes.
 12 MS. HANRAHAN: Kang.
 13 MR. KANG: Yeah.
 14 MS. HANRAHAN: Han.
 15 MR. HAN: Yes.
 16 MS. HANRAHAN: Kwak.
 17 COUNCILMAN KWAK: Yes.
 18 MS. HANRAHAN: And Jhang.
 19 MR. JHANG: Yes.
 20 CHAIRWOMAN STAR: Okay. Now, the next
 21 case, SP14 Hillcrest Builders, LLC, 450 East Edsall
 22 Boulevard.

23 MR. SOKOLICH: Madam Chairwoman, Mayor,
 24 Members of the Board, Counsel, engaged professionals,
 25 happy belated New Year. It's good to see everyone

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1 again.
 2 MAYOR KIM: Same to you.
 3 MR. SOKOLICH: Thank you. And
 4 congratulations and best of luck to the newly
 5 appointed members.
 6 For the record, Chairwoman my name is
 7 Mark Sokolich and I represent the applicant before
 8 you this evening, Hillcrest Builders, LLC, relating
 9 to premises 450 East Edsall Boulevard here in
 10 Palisades Park.

11 The application is for a multifamily
 12 residential development consisting of 45 units. Just
 13 by way of housekeeping, at a prior hearing, Counsel,
 14 we have presented the affidavit of service with proof
 15 of publication, which I trust is in order, vesting
 16 jurisdiction with the Board.

17 If the Board will just indulge me for a
 18 minute or two to give a little bit of background,
 19 this application is a little different than perhaps
 20 other typical site plans. This is what we would
 21 refer to as a builder's remedy site plan.

22 This is the final step of litigation
 23 that was previously instituted seeking a builder's
 24 remedy by the applicant through a lot of hard work
 25 between the applicant and the Borough and the courts.

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1 A settlement was ultimately reached.
 2 In fact, a term sheet was entered into back in
 3 November of 2024. The Borough passed a resolution on
 4 the 25th of November in 2024 approving the terms of
 5 settlement.

6 The plans that are going to be
 7 presented to you this evening we believe are
 8 consistent with the terms of the settlement approved
 9 by the applicant, approved by the Borough, approved
 10 by the Borough resolution, approved by the Court's
 11 order, and also memorialized in the terms of a
 12 settlement agreement entered into by the Borough and
 13 the applicant, which is attached as an exhibit to my
 14 application package.

15 So what I'm getting at, this site plan
 16 is the tail end of a long journey. And provided that
 17 the applicant has done their job and has remained
 18 consistent with the terms of that settlement, we
 19 trust this should be an uneventful process.

20 Now, we are in receipt of multiple
 21 review letters from the engaged professionals that we
 22 plan on responding to during the course of the
 23 evening.

24 As far as the application and the
 25 presentation is concerned, we anticipate presenting

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1 the testimony first of Steve Koestner, the site plan
 2 engineer, briefly, because those plans that
 3 Mr. Koestner is going to talk to are attached to the
 4 settlement agreement that's already been agreed to
 5 and approved.

6 Our next witness will then be Mr.
 7 Luglio to respond to a couple comments from Colliers
 8 Engineering which we thought were worthy of bringing
 9 him here so that we can respond properly and
 10 thoroughly.

11 Next is Bill Cocoros, our engaged
 12 architect. Wake up, Bill. He will then be the third
 13 on the list.

14 And finally will be David Spatz, our
 15 planner, to testify that we are in conformity with
 16 the terms of the settlement.

17 While that might sound like a large
 18 roster of experts, Chairwoman, I am going to do my
 19 best to streamline their testimony and get you
 20 through this as quickly as I can, of course
 21 satisfying that which we need to satisfy under what
 22 we believe to be the applicable law.

23 There is one item I'd like to point out
 24 at the beginning. The plans that are before you that
 25 we put forth to be consistent with the terms of

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1 settlement show an impervious coverage, and Mr.
 2 Kauker, you had picked this up also on your review
 3 letter.
 4 There's an impervious coverage
 5 requirement maximum that's been approved in the
 6 settlement, in the resolution in the settlement
 7 agreement of 94.5. However, when the ordinance was
 8 adopted, I believe it was inadvertently adopted at
 9 either 87 or 88. I forget what exactly the number
 10 was. That, I believe, is in the process of being
 11 amended to the requested terms of the settlement of
 12 94.5.

13 So technically, we're going to amend
 14 the application to ensure the variance for impervious
 15 coverage of 94.5, but I want to be clear, that is the
 16 settlement. We're only doing that because the
 17 ordinance hasn't been amended yet to conform in
 18 accordance with the Court order and the settlement
 19 agreement.

20 So with that little curveball, we would
 21 ask, with permission of the Chair, for Mr. Koestner
 22 to come forward and be sworn in, if that's
 23 acceptable.

24 CHAIRWOMAN STAR: Yes.
 25 MR. SOKOLICH: Thank you, Chairwoman.

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1 MR. BERN: Excuse me. With all
 2 deference to Mark Sokolich, my name is Douglas Bern.
 3 I will be asking questions of the applicant's
 4 experts.

5 I represent Neil Rubenstein who owns
 6 the buildings actually located to the side yard of
 7 this new building at 462 and 464 11th Street.

8 So I'm familiar with the application.
 9 I appeared at their hearing before the Board of
 10 Adjustment, now it's back in its different format,
 11 but we will have questions as it affects our
 12 property.

13 Thank you.
 14 MR. SOKOLICH: Thank you.

15 Get sworn in.

16 MR. NOH: Mr. Koestner, good to see
 17 you. Please raise your right hand, sir.

18 Do you swear or affirm that you tell
 19 the truth, the whole truth or nothing but the truth,
 20 so help you God?

21 MR. KOESTNER: I do.
 22 S T E V E N L. K O E S T N E R, P.E., L.S.

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

25 MR. NOH: Thank you.
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1 VOIR DIRE EXAMINATION
 2 BY MR. SOKOLICH:
 3 Q. Mr. Koestner, you've appeared before
 4 this Board in the past and your credentials as an
 5 expert in the field of engineering have been
 6 accepted?

7 A. **They have.**

8 Q. Okay. Would you like me to continue
 9 review -- your license remains in good standing,
 10 Steve?

11 A. **It does.**

12 Q. Okay.

13 CHAIRWOMAN STAR: I believe that you've
 14 been here.

15 THE WITNESS: Thank you very much.

16 MR. SOKOLICH: And I think it's also
 17 appropriate to point out, this application was once
 18 before the Board of Adjustment at that time.

19 THE WITNESS: A long time ago.

20 MR. SOKOLICH: A long time ago. But
 21 for the record, his credentials were accepted before
 22 that board also.

23 CHAIRWOMAN STAR: Yes.

24
 25

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1 DIRECT EXAMINATION
 2 BY MR. SOKOLICH:

3 Q. So, Steve, very briefly you were
 4 present during my brief opening remarks?

5 A. **Yes.**

6 Q. All right. How did I do?

7 A. **Not bad.**

8 Q. Good. What is the scope of your
 9 engagement?

10 A. **I've been engaged as a professional
 11 engineer and a land surveyor as well because I am
 12 both. I've prepared a site plan of the subject
 13 property. It's known as 450 East Edsall Boulevard,
 14 also known as Tax Lot 16 and Block 420.**

15 Q. But what was different about this
 16 application? What was the singular most important
 17 part of your mission?

18 A. **Well, my mission was to basically
 19 replace the building on the property.**

20 Q. And review a settlement agreement?

21 A. **And that as well, which was approved by
 22 the Court. And we have reviewed that settlement
 23 agreement and found it to conform to the settlement
 24 agreement.**

25 Q. So at this point, it's your position
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1 that the plans we're presenting are consistent with
2 the terms of that?
3 **A. Absolutely.**
4 MR. SOKOLICH: So, Counsel, with your
5 permission, I'm going to mark as A-1 Mr. Koestner's
6 cover sheet which is last revised September 8, 2025.

7
8 (Whereupon, Mr. Koestner's Cover Sheet,
9 Last Revised 9/8/2025 is marked as Exhibit A-1
10 for identification.)

11 BY MR. SOKOLICH:

12 **Q.** Now, Steve, all the plans we're about
13 to talk about have been submitted to this board and
14 the engaged professionals in advance of the hearing?

15 **A. They have.**

16 **Q.** Okay. And all the plans we're about to
17 talk about were either prepared by you or under your
18 direct supervision?

19 **A. That is true.**

20 **Q.** We've marked your cover sheet as A-1
21 dated September 8, 2025. Start where you deem
22 appropriate, location of the property.

23 **A. Sure. Basically, it's at 450 East**
24 **Edsall Boulevard, located just east, that is of**
25 **Bergen Boulevard near the Fort Lee border. I can**
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1 **turn to the next page for clarity.**

2 **Q.** Let me just mark it, Steve.

3 MR. SOKOLICH: So I'm gonna mark it as
4 A-2. Counselor, this plan is entitled "Topographic
5 Survey." This has a date of May 8, 2024.

6
7
8 (Whereupon, Topographic Survey Dated
9 5/8/2024 is marked as Exhibit A-2 for
10 identification.)

11 BY MR. SOKOLICH:

12 **Q.** Again, Steve prepared by you?

13 **A. It is.**

14 **Q.** Okay.

15 **A. And it shows the property being located**
16 **at the southwesterly corner of East Edsall Boulevard**
17 **and 12th Street.**

18 **The property is relatively vacant. It**
19 **does contain a shed, a trailer, and a couple of**
20 **containers; those, of course, will be removed.**

21 **There are several trees along the**
22 **southwesterly line as well. This plan shows the**
23 **topography of the property, the contour, and the**
24 **changes in elevation from one side to the other.**

25 **The cover sheet is a little more**
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1 **detailed in terms of the general location, include a**
2 **vicinity map which shows there's various streets in**
3 **the neighborhood, as well as the zoning and key map**
4 **in the lower left-hand corner, and a contents page**
5 **which delineates the seven sheets of the site plan.**

6 **In the upper right-hand corner we have**
7 **the zoning schedule which delineates the variance**
8 **requirements of the zone and approved requirements**
9 **that were found in the settlement agreement.**

10 **Q.** Okay. So --

11 MS. TARABOCCHIA: Can I just -- I
12 haven't had that page.

13 CHAIRWOMAN STAR: We have a
14 different -- we have an updated one.

15 MS. TARABOCCHIA: One that was in the
16 packet?

17 CHAIRWOMAN STAR: You have the one that
18 was in the packet, yeah.

19 MAYOR KIM: How do we get the updated
20 one? How come you get it? Because you're the chair?

21 CHAIRWOMAN STAR: No, this was in the
22 packet that came --

23 MAYOR KIM: Yeah, but then.

24 MS. TARABOCCHIA: I don't have that.

25 MR. SOKOLICH: Ma'am, I can tell you I
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1 personally went to great lengths multiple times to
2 make sure that plans were hand-delivered to this
3 body.

4 MAYOR KIM: You see, we have these
5 plans.

6 CHAIRWOMAN STAR: We have this, but we
7 have others.

8 MS. TARABOCCHIA: Oh, it was previously
9 provided?

10 CHAIRWOMAN STAR: I think that's the
11 previous one because the other was in color.

12 MAYOR KIM: Who has a colored one here?

13 CHAIRWOMAN STAR: We don't.

14 MAYOR KIM: Why not? That's all Leems.

15 CHAIRWOMAN STAR: That's not it. Okay,
16 so --

17 MAYOR KIM: We're looking at something
18 we don't have.

19 More importantly, engineer, traffic.

20 MR. SOKOLICH: Oh, they got them. As a
21 matter of fact, Mayor, for the record, when we
22 weren't sure who the designee was, we served it on
23 five different engineers.

24 MR. O'BRIEN: Yeah, they were part of
25 our reports.

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1 MAYOR KIM: You three have it?
 2 MR. SIMOFF: Yes.
 3 MR. KAUKER: Yes.
 4 MS. TARABOCCHIA: Can you just bring it
 5 a little closer?
 6 MR. SOKOLICH: And I can tell you that
 7 the plans you have are very, very close --
 8 MAYOR KIM: Counsel, identify on record
 9 what's different.
 10 MR. SOKOLICH: Yeah, if that's even
 11 possible. What date of plans are you looking at,
 12 Mayor?
 13 MAYOR KIM: The last one is April 15,
 14 2025.
 15 MR. SOKOLICH: Are you looking at
 16 engineering or architect planning? Those are
 17 architectural plans. We're on engineering.
 18 MS. TARABOCCHIA: We don't have --
 19 MR. SOKOLICH: Mayor, we get confused
 20 with these plans all the time also.
 21 MS. TARABOCCHIA: You have it. Okay.
 22 MR. SOKOLICH: No, no, get settled. I
 23 don't want to rush you through it.
 24 MAYOR KIM: Go ahead.
 25

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1 BY MR. SOKOLICH:
 2 Q. So, Steve, you were saying?
 3 A. **Google Map, e-map, photographs of the**
 4 **site, contents page, zoning schedule in the upper**
 5 **right-hand corner and it delineates the settlement**
 6 **agreement.**
 7 Q. Let me just interrupt you quick. Just
 8 to summarize, this is an application for what?
 9 A. **Site plan approval.**
 10 Q. For what?
 11 A. **For the apartment building proposed.**
 12 Q. How many units?
 13 A. **Forty-five units.**
 14 Q. Consistent with the settlement?
 15 A. **Yeah.**
 16 Q. You have the zoning schedule in the
 17 upper right-hand corner of A-1, do you not?
 18 A. **I do.**
 19 Q. Do you designate any variances being
 20 requested?
 21 A. **None.**
 22 Q. Why?
 23 A. **Why? Because we followed the**
 24 **settlement agreement.**
 25 Q. Okay. And I believe there is an

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1 exception to the impervious coverage that we need to
 2 that I had alluded during opening.
 3 A. **Correct.**
 4 (Whereupon, Site Grading Plan 9/8/2025,
 5 is marked as Exhibit A-3 for identification.)
 6 BY MR. SOKOLICH:
 7 Q. So we've identified where the property
 8 is, we've identified the size, we've identified the
 9 zoning schedule, which we're going to talk a little
 10 bit more about with the planner and with our traffic
 11 engineer.
 12 I'm going to turn you to the third page
 13 of your set, which is entitled "Site Grading Plan."
 14 I'm going to mark it as A-3, with the Chair's
 15 permission, and this is last revised -- where am I?
 16 A. **Last revised September 8, 2025.**
 17 Q. September 8, 2025. September 8, 2025.
 18 So this is the site plan which depicts the building
 19 as proposed to the site, correct?
 20 A. **Correct.**
 21 Q. It also shows ingress and egress?
 22 A. **It does.**
 23 Q. Wherever you deem most appropriate,
 24 could you please -- just give him a second.
 25 MAYOR KIM: Go ahead. We're listening.

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1 We could do multiple jobs. Go ahead.
 2 MR. SOKOLICH: I want to make sure you
 3 guys are --
 4 MAYOR KIM: Thank you. Thank you for
 5 the courtesy. Please continue.
 6 MR. SOKOLICH: You got it.
 7 BY MR. SOKOLICH:
 8 Q. So, Steve, we're on A-3, we've marked
 9 it as a site plan. Wherever you deem most
 10 appropriate, give us the highlights and what it
 11 depicts.
 12 A. **Same property, 29 East Edsall, an**
 13 **L-shape, as I did mention before. Of course, the**
 14 **outline of the building, also L-shaped.**
 15 **This Sheet 3 of 7 indicates the**
 16 **ground-level access for the building. Ground-level**
 17 **access will be on 12th Street.**
 18 **And on 12th Street, we have 26 parking**
 19 **spaces at the lower level provided.**
 20 **We also show a guest lobby, entry lobby**
 21 **that is, an elevator, mailroom, an**
 22 **entrance vestibule, as well as utility rooms for the**
 23 **trash areas. This is also on the architectural plan.**
 24 Q. So you're describing those rooms
 25 because this is the lowest level of this project?

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1 **A. Right.**

2 **Q. And that's what constitutes the site**

3 **plan?**

4 **A. It does, the lowest level of the site**

5 **plan, the parking. And I'd also like to bring out**

6 **the drainage structure that we proposed to capture**

7 **the increase in runoff.**

8 **Presently, the site being relatively**

9 **vacant, we did propose a series of eight seepage pits**

10 **beneath this parking lot to collect that excess**

11 **runoff, and those seepage pits being 8 feet in**

12 **diameter and 4 feet in depth, and they're shown in**

13 **detail in the lower portion of the sheet.**

14 **Q. Okay. So ingress and egress, Steve, if**

15 **we could focus on that for a moment, there are two**

16 **methods of ingress and egress to this proposed**

17 **development, correct?**

18 **A. Correct.**

19 **Q. There's one that's only accessible off**

20 **of East Edsall, it's in and out, correct?**

21 **A. Yes.**

22 **Q. And then there's one if you go down**

23 **12th Street which is also in and out?**

24 **A. Correct.**

25 **Q. And are those parking levels attached**

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1 supplementing utilities, other amendments to

2 utilities, the applicant would be in agreement with

3 that, correct?

4 **A. Absolutely.**

5 **Q. So talk to me a little bit about**

6 **setbacks. Were setbacks also part of the settlement**

7 **agreement?**

8 **A. They are.**

9 **Q. Okay. Could you just talk about a**

10 **little bit the setbacks of the proposed building?**

11 **A. East Edsall Boulevard being considered**

12 **the front yard, 12 feet from the right-of-way line to**

13 **the front of the building.**

14 **The westerly side yard, that is the**

15 **upper portion of the page, the minimum 6 feet, and**

16 **that is along this northerly part of the building,**

17 **northwesterly part of the building, we propose a**

18 **6-foot side yard setback, but in the rear on the**

19 **southwesterly corner of the lot, there would be a**

20 **9-foot side yard setback.**

21 **In the rear of the property, the**

22 **minimum dimension off the back, that would be in**

23 **5.09 feet, 5 feet and an inch or slightly more than**

24 **that, that will be provided at the rear portion at**

25 **the bump out for the stairwell. And along 12th**

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1 in any way or are they independent of each other?

2 **A. They're independent in the sense**

3 **they're of course attached vertically, but they're**

4 **independent of each other, one is above the other.**

5 **And the topography worked well for that because the**

6 **approach is higher to East Edsall avenue or East**

7 **Edsall Boulevard. And the actual grade of the**

8 **property flows from west to east, so that's how the**

9 **design works well with the site.**

10 **Q. You touched upon the drainage and the**

11 **seepage pits that you're proposing and we'll get into**

12 **the letter in a second, but the Board engineer is**

13 **Colliers Engineering; you acknowledge that?**

14 **A. Yes.**

15 **Q. You also acknowledge their review**

16 **letter that we reviewed today, correct?**

17 **A. Correct.**

18 **Q. Okay. Any comments that they have**

19 **preapplication, postapplication, postapproval,**

20 **preapproval, in fact, it's the applicant's commitment**

21 **to comply with any and all reasonable suggestions and**

22 **recommendations that Colliers has, correct?**

23 **A. Correct. We reviewed the letter and we**

24 **can comply with the recommendations.**

25 **Q. Well, I'm talking even amendments**

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1 **Street proper, 1 foot being required, 1 foot being**

2 **proposed.**

3 **Q. And, Steve, to the best of your**

4 **understanding, those exact setbacks that you just**

5 **recited are, in fact, embodied into the terms of**

6 **settlement?**

7 **A. They are.**

8 **Q. And talk to me, if you would, did you**

9 **indicate the other use -- on this lot -- let me**

10 **strike that -- it's basically parking, but there are**

11 **other uses on the lot. Would you just touch upon**

12 **them also on this level?**

13 **A. On this level, vestibule, mail room,**

14 **elevator, of course, elevator machine room, and it**

15 **will then be a utility rooms as well.**

16 **Q. Excellent. And how many parking spaces**

17 **on this level, if you know?**

18 **A. On this level, I believe there's 27.**

19 **Let me see. Sorry, 26 on the ground floor.**

20 **Q. And there's a total of?**

21 **A. Total of 53; 26 on the ground floor, 27**

22 **on the next higher floor.**

23 **Q. And just while we're on that topic, the**

24 **total number of spaces that are proposed versus the**

25 **number of units that are and have been approved under**

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1 the settlement -- under the terms of settlement,
2 there's a requirement that there at least
3 be 1.1 spaces per unit, has that threshold been met?
4 **A. Yes, the 1.17, yes. And if you do the**
5 **math, 45 units times 1.17, it comes out to 52.65, we**
6 **have 53 spaces proposed.**

7 **Q.** And I believe there's also tandem
8 spaces that's proposed on this level and the one
9 above?

10 **A. That is correct. There are eight**
11 **tandem spaces in the northwesterly corner of the**
12 **garage, two handicap spaces in the northerly portion**
13 **of the garage, and two -- let's see. We have two**
14 **compact spaces, I believe they're on the second**
15 **level.**

16 **Q.** And the tandem spaces that you just
17 alluded to, is that also permitted under the terms of
18 settlement?

19 **A. Yes, there are tandem spaces, just as**
20 **proposed on the site plan, are permitted and**
21 **acceptable.**

22 **Q.** So, again, this is the lowest level.
23 You've identified what's proposed. You've confirmed
24 that there's -- the number of parking spaces, the
25 location of the parking spaces, the ingress/egress,
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1 **be a ramp to get up to this area.**
2 **And at this level, there would be 27**
3 **spaces. And there are two compact spaces on the**
4 **easterly side of the building, the left being regular**
5 **spaces as well.**

6 **Of course, there's really no need for**
7 **drainage here, it's underneath, but we do show some**
8 **catch basins. If there was any water to collect, any**
9 **surface water may be encountered there. Same**
10 **setbacks: Front yard, side yard and rear yard as on**
11 **the first floor.**

12 **Q.** Now, on this level, no tandem spaces,
13 correct?

MAYOR KIM: There is.

14 **A. We show tandem on the second floor as**
15 **well.**

16 BY MR. SOKOLICH:

17 **Q.** Where is that?

MAYOR KIM: In the back.

18 BY MR. SOKOLICH:

19 **Q.** I'm sorry, I didn't see them on this
20 level.

MAYOR KIM: Yes.

MS. TARABOCCHIA: 46 through 50.

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1 you've gone through the setbacks. We'll get to the
2 utilities a little more in depth.

3 Is there anything else that you would
4 like to add on A-3 on your site plan?

5 **A. We talked about -- it looks like we've**
6 **covered A-3.**

7 **Q.** I believe you have a bit more detail on
8 the 12th Street improvement, but that's covered on a
9 different sheet, correct?

10 **A. It is, yes.**

11 (Whereupon, Site Grading Plan,
12 Second-Floor Parking is marked as Exhibit A-4
13 for identification.)

14 BY MR. SOKOLICH:

15 **Q.** I'm going to then turn to the second
16 page which you identify as site grading plan,
17 second-floor parking. With the Board's permission, I
18 will mark it as A-4.

19 This, correct me if I'm wrong, is the
20 level directly above the prior level?

21 **A. Yes.**

22 **Q.** Okay. Start wherever you deem
23 appropriate.

24 **A. The second-floor parking access, like I**
25 **said earlier, from East Edsall Boulevard, there will**

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1 BY MR. SOKOLICH:

2 **Q.** Those don't back out, Steve? Those
3 aren't tandem spaces? Those are tandem spaces? I'm
4 sorry.

5 **A. Yeah, that's what I have here.**

MAYOR KIM: They're tandem.

6 BY MR. SOKOLICH:

7 **Q.** Sorry. I was looking at a different
8 page. I apologize. I apologize. I need to move to
9 the next page.

10 **A. Landscaping and lighting.**

11 **Q.** Correct. This is the page. I
12 apologize. Start here.

13 **A. Landscaping and lighting. This would**
14 **show the foot-candle diagrams of the various lights**
15 **scattered throughout the ceiling of the building. We**
16 **do have from 7.7, there's a minimum of**
17 **1.0 foot-candles which will adequately light that**
18 **parking area as well.**

19 **This plan also showed proposed**
20 **landscaping along the southern line and then along**
21 **the street side, which is the easterly side of the**
22 **property as well. And the next sheet does show the**
23 **planting schedule.**

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1 (Whereupon, Lighting and Landscaping is
2 marked as Exhibit A-5 for identification.)n.)

3 BY MR. SOKOLICH:

4 Q. Let me just mark this as A-5. And this
5 is entitled "Lighting and Landscaping," and this is
6 last revised September 8th, 2025.

7 A. **Correct.**

8 Q. Go ahead, Steve.

9 A. **And we do show the various plants here,
10 junipers along the southerly side, 32 home flower
11 plants along the easterly side, and ten juniper
12 plants as well along that easterly side.**

13 **We don't have any trees. We have trees
14 to remove over here, and the borough might require,
15 request some trees along 12th Street as well.**

16 Q. Steve, turn me to the second-floor
17 parking page, if you would. Is that the second-floor
18 parking?

19 A. **Second-floor parking.**

20 Q. Thank you.
21 So second-floor parking that we
22 premarked as A-4, again, the only way to access this
23 is off of East Edsall Boulevard, correct?

24 A. **Correct.**

25 Q. Okay, number one. Number two, you have
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1 the improvements on 12th Street which is on a
2 different sheet. I think I may have interrupted you
3 before. Were you done with this page?

4 A. **Pretty much, yeah. We talked about 27
5 spaces on this floor and 26 on the lower.**

6 (Whereupon, Construction Details is
7 marked as Exhibit A-6 for identification.)

8 BY MR. SOKOLICH:

9 Q. I'll take you to the next page you want
10 to get to after that.

11 A. **This is light and landscaping, the
12 various levels there, A-5. Okay.**

13 **And A-6 we have construction details.
14 Again, the seepage pits, striping, signage, the
15 directional arrow, stop sign, and details on
16 construction of curbing and sewer connection.**

17 Q. Now, I believe you have an additional
18 sheet, do you not, regarding the improvements on 12th
19 Street?

20 A. **We do. If we flip over to that, that
21 one addendum to show road widening of 12th Street.
22 This one is dated January 23rd, 2026.**

23 THE COURT REPORTER: You said "road
24 widening"?

25 THE WITNESS: I'm sorry, addendum,
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1 addendum to show road widening of 12th Street.

2 MAYOR KIM: How much of a road are

3 you --

4 THE WITNESS: I'm sorry?

5 MAYOR KIM: How much of a widening are
6 you doing?

7 THE WITNESS: Well, right now the
8 street faces a dirt road.

9 MAYOR KIM: What's it going to be?

10 THE WITNESS: So we'll be proposing a
11 30-foot-wide cartway. It's a 50-foot-wide right of
12 way, but 30-foot-wide paved area, 9 feet, I think it
13 is, on one side, the property side, that is the side
14 in question, and 11 feet on the other.

15 There is an embankment on the easterly
16 side of 12th Street and we are clear of that
17 embankment up nearly to the edge of it, but clear of
18 it, and we do have 30 feet to work with in there. I
19 think that was mentioned earlier in the planning
20 report as well.

21 BY MR. SOKOLICH:

22 Q. Steve, I just want to ask you one
23 question just to clarify, because I am the one that
24 confused you.

25 With regard to the tandem space, the
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1 settlement allows for a total of eight, no more, no
2 less, correct?

3 A. **That's my understanding.**

4 Q. Right. And we are proposing a set of
5 the four tandem spaces on each parking deck?

6 A. **That's correct.**

7 Q. The first level and the upper level?

8 A. **Yeah.**

9 Q. And I believe there was a version where
10 there weren't tandem on the second level, but that
11 since has changed with four and four?

12 A. **Four and four.**

13 Q. And that totals the eight?

14 A. **That's right, 14 in that corner,
15 northwestern.**

16 Q. Correct. And I apologize for the
17 confusion.

18 Now, in addition to this, did you -- do
19 you acknowledge receipt of a review letter from
20 Colliers Engineering dated February 17th, 2026?

21 A. **I do.**

22 Q. And did you have an opportunity to
23 review it?

24 A. **I have.**

25 Q. Anything in this letter that you see as
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1 insurmountable or that can't be complied with?
2 Because I'm going to ask you a few questions. I'm
3 sure they'll have some for you also.

4 **A. Sure, go ahead.**

5 **Q.** There were some site triangles that
6 were requested that we're going to deal with with
7 Mr. Luglio, correct?

8 **A. Correct.**

9 **Q.** Testimony to be provided on -- to
10 direct vehicular access to the appropriate garage
11 level. Since they're not connected when you enter
12 one, you can't connect to the other, correct me if
13 I'm wrong, but the applicant plans on assigning
14 parking?

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

16 **Q.** And also having appropriate tasteful
17 signage to make sure that the cars go to the right
18 level, correct?

19 **A. Yes.**

20 **Q.** So there's no movement that you'll have
21 to reverse and then go back out, so you'll take the
22 appropriate measures to do that?

23 **A. Yes.**

24 **Q.** Are there EV spaces proposed?

25 **A. There are. The site plan doesn't**
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1 **engineer points out.**

2 **Q.** Um-hmm.

3 **A. There will be a TWA permit in all**
4 **likelihood because of the volume of sewage. We would**
5 **prepare that. We talked about the seepage pits being**
6 **8 by 4. I think we covered there.**

7 **Q.** Is there anything else that you would
8 like to add with regard to your testimony, Steve?

9 **A. Lot coverage, I would reiterate 94.5,**
10 **that's been the lot coverage and that's whatever,**
11 **that's different than.**

12 **Q.** Correct. And I think it's our
13 understanding that the ordinance now -- the ordinance
14 as written, I believe --

15 **A. Something like 84- -- 81.54 or**
16 **something of that nature. 81.74.**

17 **Q.** 81.74, correct, but I believe that's
18 going to be amended to reflect 94.5, correct?

19 **A. Correct.**

20 **Q.** But the applicant is requesting a
21 variance at the moment, not so much because we need
22 it, once the ordinance is adopted, it would be
23 rendered moot, but for purposes of this application,
24 it's being requested?

25 **A. Yes.**

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1 **denote them, but the plan is to have four EV spaces**
2 **at the entrance to the lower level and one EV space**
3 **that is a handicap space also on the lower level.**

4 **Q.** Understood.

5 **A. We have five EV spaces in total.**

6 **Q.** I believe Mr. Luglio has a cut sheet
7 that directs exactly where they are.

8 **A. He does.**

9 **Q.** Stormwater management report?

10 **A. We have done that. I presented a copy**
11 **tonight.**

12 **Q.** In fairness, tonight. So they haven't
13 had an opportunity to review it, but it's in
14 satisfaction of their request.

15 **A. Yes.**

16 **Q.** And there are a few other questions in
17 here, but, again, I just want to reconfirm, nothing
18 that you're aware of that the applicant can't comply
19 with?

20 **A. That's right.**

21 **Q.** Anything else, Steve, that you would
22 like to add with regard to the letter?

23 **A. We talked about the road widening.**
24 **There won't be any special requirement as this is not**
25 **a major development, as the engineer, your borough**

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1 **Q.** Thank you.

2 **MR. SOKOLICH:** Chairwoman, I offer
3 **Mr. Koestner.**

4 **MS. TARABOCCHIA:** I have a question.

5 **CHAIRWOMAN STAR:** Anyone have any
6 questions?

7 **MS. TARABOCCHIA:** I do. Regarding the
8 soil movement in the process of building, what was
9 there before? What was at the site before? Was
10 there ever any kind of contamination or leakage or
11 spillage or dumping on this site?

12 **THE WITNESS:** I understand there's
13 been --

14 **MR. SOKOLICH:** I don't know if
15 **Mr. Koestner** would know that. I know that a Phase 1
16 has been conducted and there's been some limited
17 environmental circumstances that are going to be
18 completely remediated and addressed by the applicant.

19 **MS. TARABOCCHIA:** It will be
20 remediated?

21 **MR. SOKOLICH:** Yeah, 100 percent.

22 **MS. TARABOCCHIA:** Okay.

23 **VICE CHAIRMAN AUFIERO:** Where's the
24 nearest sanitary sewer on that street?

25 **THE WITNESS:** Where the sewer is?

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1 VICE CHAIRMAN AUFIERO: Yeah.
2 THE WITNESS: Yeah, the sewer is on
3 East Edsall Boulevard and it's about 50 feet or so
4 west of the westerly property line. And we know
5 we're going to have to pump up to that sewer because
6 the building -- everything is lower than the invert
7 with the bottom of the sewer pipe.

8 MR. JHANG: I have a question. Are
9 there fire hydrants in that area? Because I think in
10 that area, that's the only residential, right?

11 Because across the street on Windsor, there's a
12 couple developments on that side, but that's a hill.

13 THE WITNESS: Let me go back to my
14 topographical survey.

15 MR. JHANG: I just want to make sure
16 people who reside in that building will have adequate
17 access to --

18 THE WITNESS: I think the architect
19 will take about fire potentially in terms of the
20 building proper.

21 But as to fire hydrants on the ground
22 immediately adjacent to the property, okay, let's
23 see. The water main being on the northerly side of
24 East Edsall Boulevard, but none are shown on my site
25 plan, none.

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1 remedy, even though this is a builder remedy and the
2 proper, right amount of equations to provide cars are
3 not there, but I just want to just count my fingers
4 here. You said that the first floor of the parking
5 is 26, right? The second one 27, so it goes up to
6 53, correct?

7 THE WITNESS: Correct.

8 MAYOR KIM: Now, you go back here, it
9 seems like there's 45 dwelling units, 26 one-bedroom
10 units, 17 two-bedroom units, and two three-bedroom
11 units. I believe this is an equation that complies
12 with what should be affordable homes, correct, part
13 of providing affordable home, right?

14 THE WITNESS: I understand, yes.

15 MAYOR KIM: Okay. There's 53 parking
16 here and if I count this right now, one bedroom,
17 there's 26, right? So there's 27 parking spaces left
18 now. Now, there's 17 two-bedrooms, that equals 34,
19 right?

20 So we're talking about 6, 24, 24, 27.
21 Could you tell me how many -- if we calculate per
22 bedroom, right, per bedroom, how many parking spaces
23 do we need per bedroom, just for Pete's sake?

24 MR. SOKOLICH: Are you talking
25 Residential Site Improvement Standards, Mayor?

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1 MR. JHANG: Because my concern is it's
2 six stories. God forbid if a fire should ever break
3 out, there's pretty much nothing that could be done
4 by the fire department at that point, unless they
5 could --

6 THE WITNESS: Typically a building like
7 this is sprinklered, but that's not my purview, so
8 I'm not going to go there.

9 MAYOR KIM: I've got some questions.
10 By chance, Hillcrest Builders, are they here?

11 MR. SOKOLICH: They are.

12 MAYOR KIM: Just raise your hands, I
13 just want to know. Okay. So the company that you
14 have is Hillcrest Builders. You also, I believe, you
15 have DRC, correct?

16 UNIDENTIFIED SPEAKER: Yes.

17 MAYOR KIM: So you have two companies.
18 Got it.

19 I have a question here concerning
20 parking. I think Windsor, they're a very prominent,
21 long-time community, well-groomed, very nice people
22 there. It's called Windsor area. They have great,
23 you know, condos there, good community.

24 One of the things that they're
25 concerned as much as us, even this is a builder

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1 MAYOR KIM: Yeah, I'm just trying to
2 figure out the numbers here. I'm just doing just
3 finger counting.

4 You have 53 parking spaces now, right?
5 And that's fine, but we have 45 dwellings; 26 are
6 one-bedrooms, so I consider 26 going up. So we have
7 27 parking lots left, right? 27, right?

8 THE WITNESS: Um-hmm.

9 MAYOR KIM: Okay. So we have 27, but
10 then we have 34 left. We have 17 two-bedrooms units,
11 we -- pretty much equals 34 one-bedroom units, I
12 could say, right? So we're talking about 26, 34,
13 we're talking about seven.

14 Now we're missing seven units, seven
15 parking lots. If it was for one-bedroom, one parking
16 lot, only seven, and we got two three bedrooms, so
17 that equals six, six. We're talking about 13, 13
18 spaces if this was normally built that that we would
19 require at least or maybe higher.

20 But, please, please, what I'm trying to
21 say is, we're talking about there's about seven more
22 parking lot that we need spaces, one bedroom per one
23 parking lot, correct?

24 MR. SOKOLICH: Major, first of all, the
25 applicant would stipulate that we would never lease

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1 to a tenant that required or had more vehicles than
2 what were available at the site.
3 We met the 1.17 threshold. I
4 understand what you're doing, you're adding bedrooms
5 and then I guess overlaying that onto the number of
6 spaces.

7 MAYOR KIM: Because there are people
8 right now in the audience that are very worried about
9 parking spaces, so I want to --

10 MR. SOKOLICH: But this is a
11 conscientious landlord that wouldn't, for example --
12 because I certainly know your point and it's a good
13 one. If there's an apartment that's available and
14 there's only -- let's say it's toward the end of
15 being stabilizing and there's one only parking space
16 left and it's a two bedroom and he has three
17 vehicles, that tenant is not going to be leased to.

18 So it's going to be leased to somebody
19 that either doesn't have a car or alternatively only
20 has one car. We'd stipulate to that on the record
21 absolutely unconditionally. Your point is very well
22 taken.

23 MAYOR KIM: Is this part of the
24 settlement from the fair share housing court or
25 you're giving a stipulation right now?

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1 MR. SOKOLICH: I'm giving you a
2 stipulation now to give you a safeguard because I
3 think your point is well taken and you have an
4 electorate to respond to and I can assure you I
5 completely respect that.

6 But this applicant will stipulate that
7 they will not rent or lease to a tenant that required
8 more vehicles than are available on site, without
9 question.

10 Number one, it would be an inefficient
11 development. Number two -- I know other
12 developments, the applicant has access parking
13 because that's their policy.

14 Number two, all spaces will be
15 assigned.

16 And number three, we do believe that
17 Mr. Luglio will testify to and will be relying upon
18 mass transportation which is close by.

19 MAYOR KIM: So one more question. I
20 recall they're -- visitor parking, do you know how
21 many visitor parking you guys have, by any chance?

22 MR. SOKOLICH: They're incorporated
23 into that 53 number.

24 MAYOR KIM: That's something we cannot
25 argue about because it's a fair share housing

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1 decision.

2 Now, how about street parking? How
3 many street working would there be?

4 THE WITNESS: Again, we are proposing
5 to improve the street, which would enhance the
6 parking. And I haven't delineated the parking, but
7 there would be parking along the curb on either side.

8 MAYOR KIM: How many parking are we
9 talking about in street parking there, sir?

10 THE WITNESS: How many parking spaces?

11 MAYOR KIM: Yes.

12 THE WITNESS: They're generally
13 10-by-20 along the street.

14 MAYOR KIM: So even though it's not on
15 the drawings --

16 THE WITNESS: I haven't done a
17 calculation of the delineation of the parking, but
18 you've got nearly -- you've got about a hundred feet
19 here, so you can figure five additional spaces along
20 the curb on the easterly side of the street, as well
21 as a couple along the westerly side as well. We will
22 have curb cuts there.

23 MR. SOKOLICH: And if spaces are
24 preferred, spaces will be installed. I leave that to
25 your --

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1 MAYOR KIM: So there's enough space so
2 you're telling me that they'll be five parking spaces
3 put in there?

4 MR. SOKOLICH: Public, public.

5 MS. TARABOCCHIA: I have a concern,
6 like the gentleman next to me said about the fire
7 hydrant. Is that an option for the builder or what
8 is the requirement when there's so many apartment
9 residents, how do they be safe upon if there was a
10 fire and the sprinklers are not working because it's
11 most likely automatic, is there an like an alternate
12 outside fire hydrant, would you be able to put that
13 in or is that something that's required by the state?

14 THE WITNESS: Again, I'm not aware of a
15 fire hydrant being exactly opposite the property.
16 There is a water main nearby, there may be one nearby
17 --

18 MR. SOKOLICH: I think I can relieve
19 your concern.

20 If it's a requirement of your fire
21 department, we will absolutely put it in.

22 MS. TARABOCCHIA: That's what I'm
23 saying, what's required, you know, since there isn't
24 one around in that location.

25 MR. SOKOLICH: I have a feeling that
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1 it's a requirement, which tells you that we're going
 2 to be putting in a fire hydrant. And it's a great
 3 point for safety. Again, the building is fully
 4 suppressed, but that doesn't relieve the necessity
 5 for a fire hydrant.
 6 CHAIRWOMAN STAR: Okay. Anyone else?
 7 MS. TARABOCCHIA: Nearby. I'm just
 8 saying nearby. It doesn't --
 9 MR. SOKOLICH: Correct, correct,
 10 correct. Understood, in close enough proximity.
 11 MAYOR KIM: For firefighters to use it,
 12 you know.
 13 CHAIRWOMAN STAR: Are there any
 14 questions from our experts?
 15 MAYOR KIM: The experts, go ahead.
 16 MR. SIMOFF: Steve, in reviewing the
 17 settlement agreement, I want to refer you to page 7,
 18 Paragraph 3.5. Do you have that with you?
 19 MR. SOKOLICH: If it's traffic, Hal,
 20 we're probably going to defer to Lou Luglio on this,
 21 but what was the paragraph?
 22 MR. SIMOFF: 3.5. It says if the --
 23 about halfway, a little more than halfway down, it
 24 says, "Public parking spaces are not oriented
 25 perpendicular to vehicular traffic of the driveway,
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1 the relative shall provide a civil means for vehicles
 2 to turn around such as half hammerhead."
 3 Do you have that?
 4 THE WITNESS: We have a turnaround
 5 diagram we'll be showing you.
 6 MR. SIMOFF: I haven't seen that.
 7 MR. SOKOLICH: That's why we defer to
 8 Mr. Luglio on that.
 9 MR. SIMOFF: Okay. I haven't seen
 10 that, that's my only comment.
 11 MR. O'BRIEN: Thank you,
 12 Ms. Chairwoman.
 13 For the engineering report, I'm glad
 14 you're going to be addressing the comments, that
 15 would be great. When you do them, can I get a
 16 point-by-point response letter back, typically what I
 17 get back so we can make sure everything is taken care
 18 of?
 19 THE WITNESS: Yes.
 20 MR. O'BRIEN: I's dotted, T's crossed.
 21 Just a couple things for the board members as well.
 22 Your parking stall dimensions, what are
 23 we looking at?
 24 THE WITNESS: 9-by 18.
 25 MR. O'BRIEN: 9-by-18?
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1 THE WITNESS: Two compacts, 8-by-18.
 2 MR. O'BRIEN: Okay. Are you going
 3 with single stripe or hairpin striping?
 4 THE WITNESS: Well, where the columns
 5 are, they'll be hairpin striping, others are single
 6 striping.
 7 MR. O'BRIEN: Okay. So just so the
 8 Board understands, the hairpin striping gives it more
 9 extra room for the car doors to open, and a single
 10 stripe is just your regular single stripe.
 11 So 9-by-18 is adequate. I'd like
 12 10-by-20, but you don't have all the room, I
 13 understand it.
 14 Drive aisle dimensions?
 15 THE WITNESS: 25 and greater.
 16 MR. O'BRIEN: So you're sticking right
 17 at RSIS standards.
 18 THE WITNESS: Correct.
 19 MR. O'BRIEN: And what about waste
 20 management? Are you going to be talking about that?
 21 Trash pick-up, recycling?
 22 THE WITNESS: We have a trash pick-up,
 23 but I think that will be covered later.
 24 MR. O'BRIEN: Can you -- what about
 25 12th Street with the proposed widening, can you get
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1 into that a little bit more detail? What is it now
 2 and what are you proposing it to be.
 3 THE WITNESS: Presently, it's basically
 4 a dirt road. Widening the curb, paving, nothing.
 5 MR. O'BRIEN: Okay.
 6 THE WITNESS: So we're proposing to
 7 place curbs along both the easterly and westerly
 8 sides of the road, 30-foot cartway north and south to
 9 the lower entrance and a little beyond.
 10 MR. O'BRIEN: So you're basically
 11 improving an unimproved roadway to handle this area.
 12 THE WITNESS: Yes.
 13 MR. O'BRIEN: Stormwater, thank you for
 14 the report. We'll review it and get you comments
 15 back, if any. We'll go through everything.
 16 MAYOR KIM: Engineer, I want to ask, so
 17 are both parties agreeing whatever this says here is
 18 going to comply?
 19 MR. O'BRIEN: Yes, they're saying
 20 they're going to comply to our engineer's report.
 21 MAYOR KIM: Okay.
 22 MR. O'BRIEN: I just want to get a few
 23 things on for testimony.
 24 And then the sewage, so you're going to
 25 be pumping your sanitary up to East Edsall. Have you
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1 done the necessary test to make sure that that line
2 is going to be tying into, that it has the efficient
3 capacity to enter that line?

4 THE WITNESS: We have not at this
5 point, but on occasion, I've seen where it lies in
6 the televised, and maybe that's what you're alluding
7 to to make sure they're functioning properly.

8 MR. O'BRIEN: I would suggest
9 televising the lines to make sure that there's no INI
10 in the lines and that you could actually make the
11 connection, so that when you're tying into, that the
12 isn't it dilapidated, that's one. And then two, I
13 would hate for it to be where you're pumping up to
14 this line but there's a surcharge factor as coming
15 back because the line that you're tying into cannot
16 handle the capacity.

17 So the way that I would suggest you go
18 about that is do flow metering testing where you're
19 tying into to make sure that that line can handle the
20 flow.

21 THE WITNESS: We can do that. I don't
22 anticipate issues at the end of line here.

23 MR. SOKOLICH: But we shall and that's
24 a great suggestion and we will condition it.

25 MR. O'BRIEN: Thank you.

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1 MR. BERN: Neil Rubenstein, owner of
2 462 and 464 11th Street, just to the west of this
3 site.

4 MAYOR KIM: We're talking about
5 Windsor?

6 MR. RUBENSTEIN: No, commercial
7 building just to the right on 11th Street.

8 MR. BERN: No, I represented
9 Mr. Rubenstein at the Board of Adjustment hearings
10 and I'm familiar with the property.

11 I want to follow up a couple of
12 concerns that were raised by the Board, which I
13 thought were very astute and make good points.

14 CROSS-EXAMINATION

15 BY MR. BERN:

16 Q. First of all, what's the measurement,
17 the accurate setback measurement from your proposed
18 building to ours at 462 and 464 11th Street?

19 A. **I don't have a hundred percent
20 measurement, but we have a side yard, as I mentioned
21 earlier, 9 feet. I believe you're talking about the
22 measurement in the southwesterly corner of the
23 property?**

24 Q. Yes.

25 A. **Your client being one of these two**

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1 And then the other thing is for utility
2 will-serve letters, your typical stuff. Other than
3 that, I'm pretty satisfied with everything else.

4 THE WITNESS: Thank you.

5 MR. O'BRIEN: Thank you, Chairman.

6 MAYOR KIM: Planner?

7 MR. KAUKER: The only question we had
8 related to engineering was with respect to the
9 variance that they're now requesting, so we have
10 nothing additional, that was addressed already.

11 CHAIRWOMAN STAR: Okay. Yes, sir.

12 MR. BERN: May I? Thank you.

13 MAYOR KIM: Well, we have to make a
14 motion to open, right? Open to the public?

15 CHAIRWOMAN STAR: Oh, yeah. Motion to
16 open it to the public.

17 COUNCILMAN KWAK: I'll make a motion.

18 MAYOR KIM: Somebody second.

19 VICE CHAIRMAN AUFIERO: I'll second.

20 MAYOR KIM: All in favor?

21 (Whereupon, all present members respond
22 in the affirmative.)

23 MAYOR KIM: What's your name?

24 MR. BERN: Douglas Bern.

25 MAYOR KIM: And who do you represent?

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1 **buildings which we labelled "masonry building"?**

2 Q. Yes.

3 A. **Okay. So we have 9 feet to the
4 property line and we show these buildings to be
5 approximately 9 feet off the same property line, so
6 it will be approximately 18 feet between the
7 buildings.**

8 MR. RUBENSTEIN: Eight feet. They're
9 about 8 feet.

10 BY MR. BERN:

11 Q. So we've owned those buildings since
12 1972 and they were constructed in 1950, just for the
13 Board's edification.

14 There's a drop behind it, there's a
15 steep slope of about 18 feet, I think shown on your
16 contours, and I didn't see any detail for a retaining
17 wall.

18 Can you explain what a retaining wall
19 would feature over there, the width of it, the height
20 of it, drainage facilities within the retaining wall
21 and how that would function? Because, otherwise, our
22 property will be undermined and we'll just slide into
23 yours.

24 A. **Again, the elevation at the corner of
25 the proposed building, the elevation is 305. The**

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1 **approximate elevation in that northwesterly corner**
 2 **will be 309, so there's about a 4-foot natural drop.**
 3 **And basically what we're going to**
 4 **propose to do here is to let that natural grade be**
 5 **adhered to or followed and the building would retain**
 6 **the soil adjacent to it.**

7 **Q.** Okay. So the building will function as
 8 a retaining wall?

9 **A. Yes.**

10 **Q.** And do you have loopholes or how do you
 11 accommodate the drainage?

12 And let me just point out also all
 13 these properties are under common ownership, it's the
 14 DeCarlo family, and I think the drainage from ours
 15 went onto the DeCarlo property and went towards what
 16 you've constructing at 12th street.

17 So -- and just to review that for a
 18 second, have you observed the drainage and how that
 19 functions, stormwater flow and so on, off of our
 20 property onto this property?

21 **A. No, I have not observed that, but**
 22 **obviously there is westerly to easterly flow here, as**
 23 **I said earlier.**

24 **Q.** And how will you accommodate that flow
 25 if you have a retaining wall right there?

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1 MR. RUBENSTEIN: There is no natural
 2 grade there.

3 MR. SOKOLICH: Pardon me. Objection,
 4 there's got to be one person talking at the right
 5 time.

6 BY MR. BERN:

7 **Q.** Are you planning on replacing those
 8 trees? Any plantings there?

9 **A. There's no plans to replace the trees**
 10 **at this point.**

11 **Q.** Any screening of this building, the
 12 six-story building that's going to be a few feet off
 13 of the property line from ours?

14 **A. None.**

15 **Q.** Any way to mitigate the --

16 **A. There's no proposed at the present**
 17 **time.**

18 **Q.** -- the imposition of that?

19 **A. No.**

20 **Q.** Nothing? Okay. No planting plan?

21 **A. None along this property line.**

22 MAYOR KIM: Excuse me, what was the
 23 answer?

24 THE WITNESS: There's none along this
 25 property line. As I said earlier, there is a

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1 **A. Well, generally when walls are built,**
 2 **there's an area of stone behind the wall. And at**
 3 **that -- within that stone later, there are drainage**
 4 **pipes to accommodate any runoff that would enter**
 5 **behind the wall, so that there is not hydrostatic**
 6 **pressure created behind the wall. Hydrostatic**
 7 **pressure would put additional forces on the wall, so**
 8 **you want to relieve that pressure and have that**
 9 **escape.**

10 **So any water that may come from your**
 11 **neighborhood or from your client's property would be**
 12 **siphoned or placed through a layer of stone behind**
 13 **the wall and eventually into a drainage pipe.**

14 **Q.** So you're not really going to have a
 15 retaining wall against our property, it's going to be
 16 set back because your building is going to be set
 17 back off the property line. So what's to prevent
 18 soil, rocks, erosion filling that space?

19 **A. Well, it's a natural grade now.**

20 **Q.** Because you're also removing trees
 21 there, correct?

22 **A. Correct.**

23 **Q.** Which were supporting some soil?

24 **A. Right. And the proposal is to follow**
 25 **the natural grade that's there now.**

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1 planting plan, but none along the property line that
 2 we're speaking of.

3 MR. BERN: Not as it abuts our
 4 property.

5 THE WITNESS: We have -- we have
 6 plantings, rather, along 12th Street, as I said, and
 7 also in the rear.

8 MR. JHANG: Question: For the whole
 9 adjacent property on the back, the lots they
 10 represent and to the -- it's all 4 feet, right, we're
 11 talking about? From -- I think from that building,
 12 their building, their property line is 8 feet, and
 13 from the property line to your proposed building is
 14 9 feet, so 17 feet, there's only a 4-foot drop?

15 THE WITNESS: Yeah, we had an elevation
 16 309 near that property line and the elevation of 305
 17 at the corner of the building, so --

18 MR. JHANG: I'm talking about the
 19 whole -- basically, essentially like the whole two
 20 properties, we're only seeing like a 4-foot drop?

21 THE WITNESS: At that point, yes.

22 BY MR. BERN:

23 **Q.** I think it's greater than that at the
 24 area of the parking lot, which is now a parking lot,
 25 you're going to be constructing on that, it's about

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1 an 18-foot drop.
2 **A. Oh, there's quite a drop presently, but**
3 **not where the building will be placed, the edge of**
4 **the building.**

5 **Q.** Well, you're building a -- I don't want
6 to argue, but you're building on a flat space, and
7 that flat space is about 18 feet below where we are
8 on the crest of that ridge.

9 **A. There will not be that drop between the**
10 **building and the property line.**

11 **Q.** Okay. Let me turn to fire access. I
12 thought the Board raised some good questions,
13 particularly about hydrants. We didn't see any
14 hydrants placed on the plans.

15 Is the building going to be
16 sprinklered?

17 **A. Architectural question.**

18 MR. SOKOLICH: Yes, and Billy will
19 respond to that, though, architect.

20 BY MR. BERN:

21 **Q.** Okay. And you will -- has it been
22 reviewed by the fire department yet, the plans?

23 **A. Not that I'm aware of.**

24 MR. SOKOLICH: It was submitted to the
25 town for distribution. I don't know if they reviewed

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1 BY MR. BERN:

2 **Q.** So we're concerned about fire access
3 with lithium batteries and that sort of thing.
4 You're going to be very close to us. How is access
5 going to be provided to the fire department?

6 **A. Same way. We have a lower-level access**
7 **on 12th Street and an upper-level access on East**
8 **Edsall Boulevard.**

9 **Q.** And the garage will accommodate fire
10 trucks if they have to gain entry?

11 THE WITNESS: Say it again?

12 MR. SOKOLICH: No, I didn't say
13 anything.

14 THE WITNESS: Yeah, I didn't think so.

15 The architect will know the height
16 between the floor of the garage and the ceiling.

17 BY MR. BERN:

18 **Q.** Okay, so that's for the architect.

19 MR. JHANG: Can I ask a question or
20 raise a concern about that? A lot of these EV fires,
21 they're reported that there's a specialized foam for
22 fire suppression, would that be considered?

23 And also, sometimes for the -- to
24 contain the batteries from spreading to other
25 vehicles, it's got to be pulled out of that confined

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1 it or not.

2 MR. BERN: So we would hope that the
3 fire department reviews it and identifies if hydrants
4 are needed and where they might be placed.

5 MR. SOKOLICH: We've stipulated to the
6 installation --

7 MAYOR KIM: Just make sure, again, if
8 this passes, application passes today, what happens,
9 it goes to the Building Department.

10 MR. NOH: Well, the resolution would
11 include that subject to approval from all the
12 relevant departments.

13 BY MR. BERN:

14 **Q.** Now, we raised this at the Board of
15 Adjustment and I know that the building envelope is
16 essentially a settled matter pursuant to a settlement
17 agreement, but I just want to probe a few of the
18 details and that's why we're here.

19 There are EV chargers and presumably
20 you'll have electric cars in the garage. So there's
21 a concern, the first -- how many levels of the
22 parking are there?

23 MR. SOKOLICH: Two. I'm sorry. Excuse
24 me.

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1 space.

2 MR. SOKOLICH: Yeah, we discussed that
3 with the local fire department. I know that we have
4 up the hill that we have the ability and those
5 chemicals to fight those fires, so I'm presuming that
6 the Palisades Park Fire Department --

7 MR. JHANG: Yeah, as long as, you know,
8 those are noted, you know, with some kind finalizing
9 all the details that that's addressed.

10 MR. SOKOLICH: And I think it will --
11 also to be clear, the EV spaces will be located --
12 excuse me, Doug -- at the exteriormost part of the
13 building, so it will be easy access, which we'll show
14 you in a minute.

15 MR. BERN: Towards 12th Street?

16 MR. SOKOLICH: Towards 12th Street.

17 BY MR. BERN:

18 **Q.** So there's no landscaped planning
19 planned for the buffer between our two buildings. Is
20 there any fencing proposed?

21 **A. None.**

22 MR. BERN: I would suggest on top of a
23 retaining wall there, should be fencing for safety
24 purposes.

25 THE WITNESS: We do show a chain link
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1 fencing along the westerly line that is existing on
 2 the site plan.
 3 BY MR. BERN:
 4 Q. What's the status of your TWA permit?
 5 A. **It needs to be applied for.**
 6 Q. Not applied for yet?
 7 A. **Correct.**
 8 Q. And you stipulated that you would TB
 9 the line up to your connection on East Edsall?
 10 A. **Yes.**
 11 Q. Are you aware that the condo
 12 association is currently discharging to that line?
 13 Are you aware --
 14 A. **I would expect that to be the case. I**
 15 **would expect that, yes.**
 16 Q. And we would be concerned about
 17 capacity. We're on septic in our building. In our
 18 two buildings, two septic systems.
 19 So presumably, at some point our area,
 20 which is going to be a little isolated as a result of
 21 this construction, will also want to redevelop and --
 22 MR. SOKOLICH: On septic, I would hope
 23 so.
 24 MR. BERN: -- should be anticipated by
 25 the Board's professionals.
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1 THE WITNESS: We have lighting within
 2 the ceiling and a light gram to show the
 3 foot-candles, but lighting plans would have
 4 1-foot-candles at the perimeter of the property or
 5 less.
 6 BY MR. BERN:
 7 Q. So no lights in the rear, then how do
 8 we shield the headlights in the garage from our
 9 property or are they going to be below grade?
 10 A. **I would expect the second floor --**
 11 **yeah, the second floor, this is the next highest**
 12 **floor, to be below grade of the property.**
 13 **Let's see. The grade is 291, if I'm**
 14 **reading that correctly. Ten feet would be 3- -- 301.**
 15 **You're up around 309, so we would be approximately**
 16 **8 feet below the grade of the ground at the property**
 17 **line.**
 18 MR. SOKOLICH: So short answer?
 19 THE WITNESS: I don't think so.
 20 BY MR. BERN:
 21 Q. Are there any balconies or terraces on
 22 that side?
 23 A. **He can answer that.**
 24 Q. And I have questions for Mr. Luglio, I
 25 guess, on parking and traffic; that's not your
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1 MR. SOKOLICH: I'm sorry, I didn't mean
 2 -- on septic, I would hope so, that eventually. But
 3 go ahead, Doug. I was trying to be funny. I
 4 apologize.
 5 MR. BERN: No, no, they're around in
 6 lots of places in Bergen County, I can tell you.
 7 BY MR. BERN:
 8 Q. Do you have a lighting plan? Because
 9 we're concerned about glare and light coming into our
 10 buildings.
 11 A. **Yes.**
 12 Q. Is it dark-sky compliant? Can you
 13 describe what's proposed for the rear of your
 14 building? Or, actually, we're on the side of the
 15 building aren't we?
 16 A. **Yeah, you would be on the westerly**
 17 **side.**
 18 Q. Are we going to be seeing lights of
 19 cars pulling into the garage and turning on their
 20 headlights, that sort of thing?
 21 A. **As you know, the lower level is well**
 22 **below the level of your client's property, as well as**
 23 **the next level.**
 24 MR. SOKOLICH: Doug, wait for the
 25 lighting plan here, give me one minute.
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1 department, right?
 2 MR. SOKOLICH: No, next witness.
 3 MR. BERN: Okay. That's all I have for
 4 now. Thank you.
 5 MAYOR KIM: Quick question. The
 6 streets are wide enough for fire trucks to go?
 7 THE WITNESS: Yes.
 8 MR. SOKOLICH: If I may have one follow
 9 up, Chairwoman.
 10 REDIRECT-EXAMINATION
 11 BY MR. SOKOLICH:
 12 Q. What stormwater management or drainage
 13 utilities are servicing this property now?
 14 A. **None.**
 15 Q. Okay. So when this water hits, it's
 16 going wherever it's going and impacting whatever it's
 17 impacting?
 18 A. **Correct.**
 19 Q. Your system is to contain discharge and
 20 manage it on-site, correct?
 21 A. **It is.**
 22 Q. Is it your opinion that if approved
 23 with your utility plan as revised per Colliers'
 24 recommendations, if any, it will be in a better
 25 condition than what exists now?
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1 **A. It will be, yes.**
 2 **Q. Okay.**
 3 MR. JHANG: Quick question on that.
 4 For the drainage, is it septic from the sewage?
 5 THE WITNESS: Yes. We have seepage
 6 pits to collect the drainage and inlets also, as well
 7 as the roof leaders that would be directed towards
 8 that drainage, that drainage would go into the
 9 ground.
 10 MR. JHANG: So it's not going into
 11 the --
 12 THE WITNESS: It's not going into any
 13 storm sewer, no.
 14 MR. JHANG: Okay.
 15 CHAIRWOMAN STAR: Any other questions?
 16 MAYOR KIM: The gentleman over there
 17 that was representing the neighbor retaining walls,
 18 what do you guys consider about retaining walls the
 19 attorney recommended?
 20 MR. SOKOLICH: We don't intend on
 21 constructing retaining walls if we don't need them.
 22 We don't believe we need them and we're going to
 23 follow the contour of the property, Mayor, which we
 24 felt would be the desirable condition.
 25 As far as plantings there. I'll speak
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1 to my client about that.
 2 MAYOR KIM: You could step up if you
 3 want to talk.
 4 MR. RUBENSTEIN: The attorney told me I
 5 can't speak, but if I can, I'd like to.
 6 MR. SOKOLICH: Hold on. If I could be
 7 heard, he's represented by Counsel, right? So it's
 8 either one.
 9 MR. RUBENSTEIN: I'm also an
 10 individual.
 11 MAYOR KIM: Well, Counselor, Madam
 12 Chairmen, we have always practice the attorney or the
 13 applicant I mean questions.
 14 This is public participation right now,
 15 correct?
 16 CHAIRWOMAN STAR: Yes.
 17 MAYOR KIM: So please stand up, your
 18 name and address.
 19 MR. RUBENSTEIN: Neil Rubenstein. My
 20 home address is 261 Oxford in Tenafly, and I own the
 21 two buildings, 462 and 464 11th Street.
 22 MAYOR KIM: 462 what?
 23 MR. RUBENSTEIN: 462 and 464 11th
 24 Street.
 25 THE COURT REPORTER: Could you just
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1 spell your name before you continue?
 2 MR. RUBENSTEIN: R-U-B-E-N-S-T-E-I-N.
 3 THE COURT REPORTER: Is it N-E-I-L?
 4 MR. RUBENSTEIN: N-E-I-L. Thank you.
 5 And I've owned or rented these
 6 building, including what was originally 450 Edsall,
 7 which is further up on Edsall Boulevard, for over
 8 50 years. So I'm intimately familiar with much of
 9 what has gone in on that area, including all the
 10 landfill that was put in.
 11 MR. SOKOLICH: Is there a question?
 12 MR. RUBENSTEIN: Yes, there is. You
 13 haven't talked enough? You don't want me to speak?
 14 MAYOR KIM: Please, please, this is not
 15 the place.
 16 MR. SOKOLICH: But this is the protocol
 17 now for questions and at the end we'll sum up.
 18 MR. RUBENSTEIN: The question has to do
 19 with the retaining wall or the lack of retaining
 20 wall. Could you go back to show the contour map
 21 where you're -- you were saying it was only 4 feet
 22 between the drop-off of where your building is going
 23 to be?
 24 THE WITNESS: This contour map does not
 25 show the building, but go ahead.
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1 MR. RUBENSTEIN: Well, here's the
 2 building and here you're showing 319 -- 309 feet, I'm
 3 sorry. And here on the ground you're showing 292,
 4 293, so that's about 16 feet, give or take, 293.
 5 THE WITNESS: And 816 feet.
 6 MR. RUBENSTEIN: Is that a little bit
 7 higher? Because I think the stair line might be
 8 where the tree is, but it's probably just a little
 9 bit higher.
 10 Now, you now see these contour lines
 11 here? If you come back 4 feet -- well, excuse me,
 12 this building was built by the DeCarlo family who
 13 owned this lot back here and they filled in this one.
 14 Currently, all the way out to this area
 15 where it is flat, this is all effectively retaining
 16 wall. It's rocks and soil and trees that are grown
 17 up over the past 50 years.
 18 This is holding the property, part of
 19 my property on this building, which is 464, it's
 20 holding this in place.
 21 If there is no retaining wall --
 22 already, by the way, with the loss of trees over
 23 here, the dead trees, there's a great deal of
 24 erosion, there's cracking that's been taking place in
 25 the building over here.
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1 Without an appropriate retaining wall
2 here, my building is in danger of sliding into your
3 new construction. It's true that there is less of a
4 drop-off --

5 MR. SOKOLICH: I'm going to object.
6 Speculative, not supported by expert. And this is
7 going to go on and on and this is exactly what the
8 game plan is.

9 MAYOR KIM: Sir, this is the time to
10 ask a question. You cannot really --

11 MR. SOKOLICH: It's not fair.

12 CHAIRWOMAN STAR: Ask the question,
13 they'll answer that.

14 MR. RUBENSTEIN: How can you say that
15 this is only a 4-foot drop between where your
16 property is going to be and where my property is?

17 MR. SOKOLICH: Short answer, please.

18 THE WITNESS: The building, as I said,
19 9 feet off. The contour lines would indicate an
20 approximate 4-foot drop from the edge of the proposed
21 building to your property line.

22 CHAIRWOMAN STAR: Okay. Thank you.

23 MR. RUBENSTEIN: I can't make a
24 comment?

25 CHAIRWOMAN STAR: Okay. Anyone else

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1 DIRECT EXAMINATION

2 BY MR. SOKOLICH:

3 Q. Lou, your chosen professional?

4 A. **Traffic and transportation planning.**

5 Q. And licenses that you hold?

6 A. **PE license in New Jersey, New York, and
7 a few other states.**

8 Q. And have your credentials been accepted
9 as a traffic engineer in the past before this board?

10 A. **Yes, yes, it was.**

11 Q. I believe also the zoning board,
12 correct?

13 A. **That is correct.**

14 Q. Now, could you, for the benefit of the
15 record, just indicate what the scope of your
16 engagement was in connection with the application?

17 A. **In connection with the application was
18 to look at the terms of the settlement agreement,
19 look at the plan revision, layout of parking, access
20 to the parking, turning templates, to look at
21 internal circulation and movability, sight triangle
22 at critical locations, and the EV parking space.**

23 Q. Now, you also were present during the
24 course of Mr. Koestner's testimony?

25 A. **Yes.**

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1 from the public have a question?

2 Okay. We'll close that portion. Make
3 a motion to close that portion of the --

4 COUNCILMAN KWAK: I'll make a motion.

5 MAYOR KIM: I'll second.

6 All in favor?

7 (Whereupon, all present members respond
8 in the affirmative.)

9 MR. SOKOLICH: May I call the next
10 witness?

11 Thank you, Lou.

12 MAYOR KIM: Lou is?

13 MR. NOH: Raise your right hand, sir.

14 Do you swear or affirm that you will
15 tell the truth, the whole truth, and nothing but the
16 truth, so help you God?

17 MR. LUGLIO: Yes, I do.

18 L O U I S L U G L I O, P.E.,
19 160 Hillcrest Avenue, Leonia, New Jersey, having
20 been duly sworn, testifies a s follows:

21 MR. NOH: Please state your name,
22 please.

23 MR. LUGLIO: It's Louis, L-O-U-I-S,
24 Luglio.

25 MR. NOH: Thank you, sir.

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1 Q. And you acknowledge receipt of
2 Mr. Simoff's review letter of December 16, 2025?

3 A. **Yes.**

4 Q. And also Colliers' review letter of
5 February 17, 2026?

6 A. **That is correct.**

7 Q. So, again, I know that the scope of
8 your engagement was limited, but I just distributed
9 to the Board three sheets for presentation purposes
10 to respond directly to some comments that I believe
11 were in the Colliers' report.

12 A. **Yes.**

13 Q. Could you just identify what they are
14 for the benefit of the record?

15 MR. SOKOLICH: And I'm going to mark
16 it, Counsel, I believe we're up to A-8.

17 A-7, if I may amend the record, would
18 reflect the last page that Mr. Koestner testified to,
19 that was the 12th Street -- I believe the 12th Street
20 calculation, that's A-7.

21 A-8 is what we just submitted.

22 (Whereupon, 12th Street Calculation is
23 marked as Exhibit A-7 for identification.)

24 (Whereupon, Figure 1 Sight Triangle, is
25 marked as Exhibit A-8 for identification.)

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1 BY MR. SOKOLICH:

2 Q. So A-8 consists of three sheets. Could
3 you just identify them for me, Lou?

4 A. Sure. The first sheet of A-8 is
5 entitled "Figure 1 Sight Triangle."

6 Q. Thank you. Go ahead, Lou. I'm sorry.

7 A. Figure 1 Sight Triangle, 450 East
8 Edsall with today's date, and basically -- okay.

9 Q. And what does that represent?

10 A. This represents a Sight Triangle
11 basically looking for what the driver coming out of
12 the lower-level parking garage, the ability for that
13 driver, how far they could see down the street from a
14 safety standpoint, and then also up at the
15 intersection of 12th Street and East Edsall
16 Boulevard, again, how far they can see, with the
17 requirement being 175 feet of site distance for
18 someone to safely come out of the driveway and make
19 the left-hand turn.

20 And so in both of these, the vehicle --
21 there's actually two vehicles, one that's a little
22 bit further into the garage that is at the stop bar,
23 so that site distance is at 75-foot site distance,
24 the solid black line.

25 And obviously, the site distance is
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1 somewhat hampered because the vehicle is still in the
2 garage and the garage wall would prevent a certain
3 distance for the driver to see.

4 As the vehicle moves out of the garage
5 structure, then they could basically see up to East
6 Edsall Boulevard to complete the left turn coming out
7 of the driveway and then proceed to the north to East
8 Edsall Boulevard.

9 And then in making that left-hand turn,
10 there's a pretty clear line of sight for the motorist
11 to make that turn. So that's the first page, Figure
12 1 of A-8.

13 Q. And did you -- and I believe that that
14 diagram was in response to a request for intersection
15 site distance triangle?

16 A. That's correct. And also I believe
17 maneuverability of vehicles in and out of the
18 garage -- in and out of the garage.

19 Q. In and out of garage. And we actually
20 look at the second sheet -- oh, excuse me, go ahead.

21 A. Second sheet is Figure 2, Vehicle
22 Maneuverability.

23 And so starting from the upper
24 left-hand corner, again, the drive aisle is 25 feet.

25 So we looked at the -- I guess the most difficult
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1 parking space to exit from, back out of.

2 So you could see in the upper left-hand
3 corner, the blue vehicle can back up to a certain
4 point and then pull forward so that the vehicle could
5 access and egress.

6 So the next or the bottom portion is
7 vehicle basically coming into the site, that turning
8 template coming in. We could have run one coming
9 out, but you could imagine that that is a pretty
10 clear turn as well.

11 The focus of this one was really to
12 look at what is happening internal to the garage
13 structure. If we were to flip it and it would be the
14 upper left, the most upper-left corner of the garage
15 structure, it would be very similar with the vehicle
16 backing out, and then to a certain degree where they
17 really can't proceed anymore and then moving forward,
18 it would still be turning to gain access out.

19 Now, obviously, the maneuver takes the
20 entire 25 feet of distance. There's not --
21 obviously, it's not a through lane or an aisle and
22 there are not many parking spaces that are in this
23 structure, so there's not a lot of turnover, not a
24 high turnover situation.

25 Q. I believe finally there was a request
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1 as to where the EV spaces are proposed to be located?

2 A. And that is the last Figure 3, EV
3 Parking Spaces. This is the lower level, four
4 parking spaces would be aligned with that exterior
5 wall of 12th Street. There most likely would be two
6 stations satisfying the four parking spaces, and the
7 other one is internal a little bit with the ADA space
8 that has been pointed out in the site plan because
9 one of the ADA spaces should be an EV space as well.

10 Q. Now, Lou, just generally speaking, the
11 mayor had raised some concern about the number of
12 parking spaces that are being provided, yes, we
13 recognize that it's a settlement, but we still want
14 to make sure that this works, right?

15 What safeguards are you aware of that
16 the applicant can put into place to make sure that
17 the 53 parking spaces that are being proposed will be
18 adequate to address the 45 units better?

19 A. Well, certainly the restriction of how
20 many vehicles a renter could have as to one per unit
21 regardless of the number of bedrooms. And so that is
22 a choice, obviously, for the renter. If the renter
23 cannot meet that, then obviously they wouldn't rent
24 in this building.

25 Q. But the applicant stipulating to it as
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1 a condition of any action of the Board is a pretty
 2 substantial step; would you not agree?
 3 **A. I agree and they have to adhere to**
 4 **that.**
 5 **Q.** And also assigned parking?
 6 **A. That's right, assigned parking. So,**
 7 **again, from a maneuverability standpoint also, you**
 8 **know, getting in and out of those corner spaces or**
 9 **spaces along the wall, somewhat easier because if**
 10 **that is your assigned space, you become used to**
 11 **getting in and out of that space.**
 12 **Q.** But based on your experience dealing
 13 with multifamily residential dwellings, the spaces
 14 that are proposed, the two independent levels of
 15 ingress and egress, which I believe to also be
 16 critically important, do you see a problem with this
 17 building handling that type of volume?
 18 **A. No, not at this level. Again, 27**
 19 **spaces on one level, 26 spaces on the other, this is**
 20 **not a significant number of parking spaces. Gaining**
 21 **access and coming in and out, it's not high turnover.**
 22 **This 45 units for residential is also**
 23 **considered a very low generator of traffic or parking**
 24 **that's coming in and out of the site.**
 25 **Q.** Okay. Is there anything else, Lou,
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1 that you would like to add?
 2 **A. I think that's it.**
 3 **Q.** Thank you.
 4 **MR. SOKOLICH:** Madam Chairwoman, I
 5 offer Mr. Luglio.
 6 **CHAIRWOMAN STAR:** Okay. Anybody have a
 7 question?
 8 **MR. JHANG:** Yeah, I have a question.
 9 Has a traffic study been done for the intersection at
 10 Bergen Boulevard and East Edsall?
 11 **THE WITNESS:** No, it's not required.
 12 At this level for 45 parking spaces, we're looking at
 13 less than 20 vehicle trips that would be coming in
 14 and out during any one of the peak hours, so it's
 15 just not enough traffic to warrant study.
 16 **MR. JHANG:** The reason why I raise that
 17 concern is you have Windsor that feeds into that
 18 intersection, then you also have the Chase building
 19 where there's a lot of traffic at certain points of
 20 time, and that light actually is a complicated light
 21 because it's a longer light on certain -- you know,
 22 on certain portions. So that's my concern, if you
 23 know.
 24 **THE WITNESS:** So the Chase building is
 25 a little bit further up.
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1 **MR. JHANG:** Yeah, they can come out,
 2 but sometimes they go into that, like the East
 3 Edsall, so...
 4 **THE WITNESS:** Again, from a traffic
 5 standpoint, it doesn't meet the warrant. It doesn't
 6 meet the requirement to do a traffic study.
 7 And from a qualitative standpoint, if I
 8 did one, the amount of traffic that this would
 9 generate really fluctuates on a daily basis. It's
 10 just not measurable.
 11 **MR. JHANG:** No, I understand that, but
 12 my concern is for the existing residents on Windsor
 13 that come into that intersection. I've been stuck at
 14 a light a couple times on that side of East Edsall --
 15 **THE WITNESS:** Right.
 16 **MR. JHANG:** And it's a long red light.
 17 **THE WITNESS:** Right. And, again, the
 18 applicant has to rely on just what the proposed
 19 number of units and what the impact or potential
 20 impact could be, not what the existing condition is,
 21 and I agree that is an existing condition.
 22 **MR. SOKOLICH:** Good point.
 23 **MR. JHANG:** So irrespective of the
 24 residents in the area, even if they're
 25 inconvenienced, that would bear no impact on your
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1 proposed project are you saying?
 2 **THE WITNESS:** What I'm saying is that
 3 the level, the 45 units and the amount of traffic
 4 that's associated with it does not create any
 5 negative impact as far as traffic is concerned,
 6 because there's just not enough traffic to have a
 7 measurable effect on the intersection.
 8 **MR. SOKOLICH:** And as a consequence to
 9 local residents.
 10 **THE WITNESS:** That's right.
 11 **CHAIRWOMAN STAR:** Any other questions
 12 from the Board?
 13 **MR. KANG:** Yes. The owner is going to
 14 stipulate the parking with the tenants, but what if
 15 tenants say I don't have a car, I'm not going to park
 16 on the side, well, I'll figure out, I'll park
 17 somewhere on the street? How are you going to
 18 regulate that?
 19 It's going to flood on the street. Is
 20 there any way we can prevent that? Because I am
 21 familiar with that area and because I'm a Chase bank
 22 customer, I go there almost every day and there's no
 23 parking space on the street. It's gonna flow to the
 24 street.
 25 **MR. SOKOLICH:** So parking would be
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1 included with the lease. There would be no incentive
2 for anyone to say I don't want your parking, I'm just
3 going to rely on the street. They wouldn't do that
4 because there's no upcharge if they take a parking
5 spot.

6 We would have them represent in the
7 lease that they don't have a vehicle. And if they
8 do, then it's a violation of the lease to comply with
9 the condition that we're imposing on ourselves. I
10 don't know how else we could monitor that.

11 MR. KANG: That's my concern.

12 MR. SOKOLICH: But I'm just saying that
13 we're not creating an incentive for people to do
14 that. We're not -- we're giving them the ability to
15 park. Somebody rents a two-bedroom, they got one
16 car, hey, you can have Spot Number 37. I don't want
17 it. Well, why wouldn't they take it? They wouldn't
18 go to the street if they had the ability to park -- I
19 know it's possible, I'm not suggesting -- or what if
20 they start the lease with no vehicle, but buy one
21 three months in?

22 MR. KANG: That was actually my next
23 question.

24 MR. SOKOLICH: I think that's a better
25 example. I think that's a better example. In

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1 fairness, I mean, we would flag it as best we could,
2 police it as best we could, and if that were the
3 case, we'd deal with it, you know, as a potential
4 violation of the lease.

5 But we're holding this applicant and
6 landlord to a pretty high standard to police that,
7 but we'll try. We represent that we'll try.

8 MR. KANG: How effective --

9 MR. SOKOLICH: But how is that
10 different than any other residential development in
11 the --

12 MR. KANG: Especially that area, there
13 is no street parking space at all. That's all my
14 concern.

15 MR. SOKOLICH: But, again, we got it.

16 MR. KANG: You know, the Windsor and
17 the --

18 MR. SOKOLICH: It was the Court order
19 that we were trying to comply with, but we think that
20 we could be safe guards in that would discourage
21 people from doing that hypothetical, which is a
22 little unlikely, not -- not impossible, but unlikely,
23 and, yeah, that's it.

24 I'm sorry, does Palisades Park have a
25 residential parking program?

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1 MAYOR KIM: Yes, we do.

2 MR. SOKOLICH: So if they disclose that
3 address, you could police it that way.

4 MAYOR KIM: Well, residential parking.
5 We give out permits for residents who want to park
6 their car on the streets.

7 MR. SOKOLICH: But we would be able to
8 find out if those people are the ones that are
9 asking. I'm just saying we could police it that way.

10 MAYOR KIM: Question, can I ask you
11 about this? The fire truck, you said there's enough
12 space in the building, correct?

13 THE WITNESS: Well, you'll hear the
14 architect talk about the height, but from a fire
15 truck standpoint, they would not gain access -- they
16 would not want to gain access through the garage.

17 MAYOR KIM: I'm not talking about the
18 garage, I'm talking about outside.

19 THE WITNESS: Yeah, there's room to
20 travel along 12th, yes.

21 MAYOR KIM: Okay. So let's say the
22 fire truck goes in, how does it come out, reverse?

23 THE WITNESS: The fire truck would have
24 to back out.

25 MAYOR KIM: Reverse, reverse all the
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1 way from 12th Street and reverse at Edsall Boulevard
2 and reverse all the way back?

3 THE WITNESS: It probably would be able
4 to turn around at the intersection of East Edsall
5 and --

6 MAYOR KIM: Probably.

7 THE WITNESS: -- 12th -- it would
8 take -- it would take some time to do that, yes.

9 MAYOR KIM: Well, I'm going to relate
10 to Hal Simoff our traffic engineer to kind of see
11 that later when the time comes.

12 I recall there was five parking spaces
13 on 12th Street?

14 THE WITNESS: Yes.

15 MAYOR KIM: Where are they?

16 THE WITNESS: They're right in front.

17 MAYOR KIM: Could you just point them
18 out? These are --

19 THE WITNESS: They would be along 12th
20 Street and East Edsall or near the corner of East
21 Edsall going in a southbound direction. So along --
22 along this part of --

23 MAYOR KIM: So it would be where the
24 walls are of the new building, right?

25 THE WITNESS: Yes.

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1 MAYOR KIM: Not across.
 2 THE WITNESS: It would be along the
 3 property itself, along the building.
 4 MAYOR KIM: And you said it was five
 5 parking spots?
 6 THE WITNESS: Roughly five parking
 7 spaces, yes.
 8 MAYOR KIM: So with the parking lot,
 9 you're telling me that the cars are able to go back
 10 and forth, because right now, Figure 1, it doesn't
 11 seem like it.
 12 THE WITNESS: It doesn't seem like
 13 what?
 14 MAYOR KIM: It doesn't seem like you're
 15 putting five parking spaces within this drawing.
 16 THE WITNESS: We didn't indicate any
 17 parking along 12th Street in this.
 18 MAYOR KIM: I thought you said that you
 19 were gonna put in --
 20 MR. SOKOLICH: We are. You guys are
 21 answering different questions and different answers.
 22 The mayor's point is he doesn't see the spaces on
 23 this exhibit.
 24 Lou, look at me.
 25 THE WITNESS: Yes.

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1 MR. SOKOLICH: And number one, is it
 2 efficient and safe to put five spaces here if there's
 3 room? Please confirm that.
 4 MAYOR KIM: Because it's a two-way
 5 going in and going out.
 6 THE WITNESS: It is a two-way. It's
 7 30 feet. So you can have two 11-foot lanes and a
 8 7-foot parking, parallel parking space.
 9 MAYOR KIM: And this -- really. Okay.
 10 Is this scale of one to one?
 11 THE WITNESS: This is not to scale.
 12 This is really just to demonstrate that the site
 13 triangles work.
 14 MR. JHANG: Quick question: What's the
 15 height on the entrance to the parking?
 16 THE WITNESS: The architect will talk
 17 to you about that.
 18 MR. SOKOLICH: But to reconfirm, a fire
 19 truck would never drive into the parking deck to be
 20 clear, correct, Lou?
 21 THE WITNESS: That is correct.
 22 MR. JHANG: I was coming from a
 23 perspective of a tow truck. In the event there's an
 24 EV fire, drag the vehicle out and then deal with it
 25 on the outside instead of having the fire spread.

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1 MAYOR KIM: That's a very good point.
 2 MR. SOKOLICH: That's a great question.
 3 I just asked the architect. A tow truck would fit,
 4 but we're going to confirm that with him.
 5 MAYOR KIM: Okay. That's good.
 6 Anybody else? Yes.
 7 MR. SIMOFF: I think the sketches have
 8 to be revised because on Figure 2, we show the car
 9 touching the curb on the west side.
 10 THE WITNESS: I agree with you, Hal,
 11 it's on the wrong side. It has to be moved to the
 12 bottom of Figure 2 as part of A-8. It has to be
 13 moved slightly to the bottom, but basically it would
 14 be the same --
 15 MR. SOKOLICH: We'll get it to you.
 16 MR. SIMOFF: I think it should be
 17 adjusted to show the parking and the turning radii.
 18 THE WITNESS: Yup.
 19 MR. SIMOFF: And then while you're at
 20 it, where is the trash?
 21 THE WITNESS: So the trash is a little
 22 bit to the right and it's --
 23 MAYOR KIM: Could you point it out over
 24 there, sir, so everybody could see it?
 25 THE WITNESS: Yup. The trash room is

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1 right here. This is the trash room and it has double
 2 doors. So basically, the dumpsters could be wheeled
 3 out onto 12th Street or in any direction that is
 4 deemed necessary, but it's basically right here.
 5 It's very close to East Edsall, but it's just south
 6 of the staircase that's internal to the building.
 7 MR. SIMOFF: So the trash -- so the
 8 trash vehicle will have to go south on 12th?
 9 THE WITNESS: So there's two options
 10 that I could think of. One is that if it's public or
 11 municipal pick-up, the truck would back into a little
 12 portion of 12th Street or the dumpsters could be
 13 brought out closer to the corner to be picked up.
 14 The other option is it could be a
 15 private hauler that has smaller vehicles that would
 16 pick up more frequently. Those are the two options.
 17 MR. SIMOFF: But I think these drawings
 18 should be resketched to show the template with the
 19 parking and --
 20 MAYOR KIM: I agree.
 21 THE WITNESS: So these with the parking
 22 along 12th Street and the access to the trash?
 23 MR. SIMOFF: Yes.
 24 And then my last question is, when the
 25 trash truck comes or a car comes and parked on --

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1 they're going to be on the west side of 12th Street?

2 THE WITNESS: That's correct.

3 MR. SIMOFF: So they'll be
4 approximately five spaces. How do those cars get
5 out?

6 MR. SOKOLICH: Well, they'll be picking
7 up if the truck is there, they're going to have to
8 wait.

9 MR. SIMOFF: No, I mean, if they park
10 along the curb.

11 MR. SOKOLICH: While the garbage truck
12 is there?

13 MR. SIMOFF: No.

14 THE WITNESS: In general, they
15 basically would pull forward to near the entrance to
16 the lower level of the garage and they would have to
17 make a K turn to basically come back out onto 12th.

18 MR. SIMOFF: Can you plot that as well?

19 THE WITNESS: Yes. So that's the
20 parking maneuver from the parallel spaces back out to
21 East Edsall.

22 MR. SIMOFF: Yes.

23 MAYOR KIM: Are you talking about 3.5?

24 MR. SIMOFF: Yeah.

25 MAYOR KIM: Yeah, it says if there's

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1 parking, if the public parking spaces are not working
2 perpendicular to the path of vehicular travel and
3 driveway, the developer shall provide similar means
4 of vehicles to turnaround such as a half hammerhead.

5 THE WITNESS: Yes, so that area of the
6 half hammerhead is basically the entrance to the
7 lower level of the parking garage.

8 So what we will do is we will put in on
9 these graphics, if someone were to be parked along
10 12th Street, they would come out of these parking
11 spaces and they would have to make a turn in the
12 vicinity of the entrance to the garage, but
13 obviously --

14 MAYOR KIM: Isn't that kind of
15 dangerous?

16 THE WITNESS: What's that?

17 MAYOR KIM: Isn't that dangerous to be
18 doing that?

19 THE WITNESS: No.

20 MAYOR KIM: Is there some kind of --
21 like a gate there that opens up or slows traffic?

22 MR. SOKOLICH: No gate.

23 THE WITNESS: A gate for the garage,
24 I'm not sure if the garage would have a gate, but
25 assuming that it does have a gate, we really don't

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1 have a lot of high traffic volume coming in and out
2 of 27 park spaces. So if this had a hundred parking
3 spaces, I would definitely have a different opinion.

4 MAYOR KIM: Hal, is there enough space
5 for a turnaround there?

6 MR. SIMOFF: That's a ten scale. I'm
7 not sure that's --

8 MR. SOKOLICH: We're trying to
9 provide -- we're trying to provide you guys with the
10 public parking spaces. I mean, hoping you're going
11 to work with us, right?

12 MAYOR KIM: No, no, that's perfectly
13 fine. We're talking about safety, we're talking
14 about traffic right now.

15 Mayor, I'm sure you're tired, but we're
16 tired too. It's 9 nine o'clock, there's other
17 applications coming up. So we're waiting for more
18 cooperative about this.

19 MR. SOKOLICH: No, no, I'm not tired.
20 We're cooperative.

21 MAYOR KIM: The question is this. My
22 question is to Hal and to you because you guys are
23 both traffic engineers, is there a turnaround space
24 there.

25 THE WITNESS: I believe that there's
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1 enough turnaround space and we will definitely put a
2 turning template on it. If this requires then to
3 bump this curb line out a little bit more, then the
4 turning template would reveal that.

5 MR. SIMOFF: You might want to extend
6 12th Street.

7 THE WITNESS: We could even go that
8 way, but it doesn't really provide us -- I think we
9 need more -- we need more --

10 MR. SOKOLICH: If we had to, you mean
11 this way?

12 MR. SIMOFF: Yeah.

13 THE WITNESS: We could do that too.

14 MAYOR KIM: Hal, does that satisfy you?

15 MR. SIMOFF: I've got to see it
16 plotted, but I think there should be an increase in
17 the pavement too.

18 THE WITNESS: Increase in the pavement
19 going south and possibly going east if possible,
20 right?

21 MR. SIMOFF: Right.

22 MR. KANG: Okay. We talked about the
23 fire truck and the trash pick-up. How about Amazon
24 and FedEx, UPS, how are they going to come and turn
25 around?

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1 THE WITNESS: Do you want me to answer?
 2 MR. SOKOLICH: Go ahead.
 3 THE WITNESS: In my opinion, FedEx and
 4 UPS would most likely stage along East Edsall and
 5 basically go in with the packages, make a turn around
 6 at the intersection of 12th and East Edsall and go.
 7 Even if we provided them a space along
 8 12th, I doubt that they would actually use it. And
 9 we've tried to provide, not in this, in many other
 10 applications, we tried to provide spaces for even
 11 USPS, and it's just whatever is the easiest for them
 12 to do.

13 MR. SIMOFF: One more. When you plot
 14 the five spaces, show a gap in the spaces for
 15 bringing the dumpsters back.

16 THE WITNESS: Exactly.

17 MR. O'BRIEN: So you just had testimony
 18 about having Amazon going to East Edsall, the same
 19 should apply for garbage.

20 THE WITNESS: Yes.

21 MR. O'BRIEN: Because I don't see -- if
 22 the municipality is handling the trash and recycling,
 23 I don't see them going down 12th to turn around to
 24 pick up your garage and go back. Then you've got to
 25 bring everything out to East Edsall. I think from a

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1 that tonight. So I'm leaving it open for if there's
 2 an agreement in place with the borough doing pick-up
 3 or the trash hauler is doing pick-up, private trash
 4 hauler. I would recommend private trash hauler, but
 5 that's me.

6 MR. SOKOLICH: Well, at an exorbitant
 7 expense to the applicant, I mean, we would --

8 MAYOR KIM: It's also the borough, too.

9 MR. SOKOLICH: Well, respectfully, an
 10 obligation of the borough, right? So...

11 MAYOR KIM: What did fair share housing
 12 say about garbage pick-up, or it's just up to decide?

13 MR. SOKOLICH: No, garbage pick-up is
 14 the obligation of any municipality, but this
 15 applicant will roll the garbage to East Edsall.

16 However, if that's not practical and it's not
 17 working, we would stipulate to a private hauler.

18 MR. O'BRIEN: Okay. Thank you.

19 MR. SOKOLICH: Another expression of
 20 our cooperativeness.

21 MR. SIMOFF: Make sure they don't have
 22 to push the garbage uphill.

23 THE WITNESS: Both ways.

24 MR. SOKOLICH: A lot of help, Hal.

25 Thank you.

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1 factor of consistency and time, it's not gonna work.

2 THE WITNESS: I agree with you. I
 3 don't think that they would go down head first into
 4 12th. If anything, they could basically back into
 5 12th, but only for a little bit. Either way, once
 6 they come down East Edsall, they have to make a
 7 turnaround anyway.

8 MR. SOKOLICH: But the applicant can
 9 get the garbage to the sidewalk.

10 THE WITNESS: Yes, they can. They
 11 could roll those out.

12 MR. O'BRIEN: Unless you're doing a
 13 private hauler. If you're doing private hauler, as a
 14 borough, I don't care what you do, you know, just
 15 don't make traffic all over the place, but if the
 16 borough's responsible for trash pick-up, we need to
 17 make it as economically feasible time-wise to get it
 18 out there and not have the traffic impact that would
 19 eventually happen.

20 MAYOR KIM: Why is the borough picking
 21 up the trash?

22 MR. O'BRIEN: They testified that it
 23 might be borough pick-up or private hauler.

24 MAYOR KIM: I wasn't at the --

25 MR. O'BRIEN: They just testified to

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1 CHAIRWOMAN STAR: Anybody else?

2 MAYOR KIM: Michael Kauker?

3 MR. KAUKER: No, nothing on the
 4 traffic.

5 CHAIRWOMAN STAR: Anybody from the
 6 public? Motion to open it to the public?

7 MAYOR KIM: I'll make a motion.

8 COUNCILMAN KWAK: I'll second.

9 MR. BERN: Thank you. If I could be
 10 recognized, just a couple questions for Mr. Luglio.

11 CROSS-EXAMINATION

12 BY MR. BERN:

13 Q. What's the provision for guest parking?
 14 Because it sounds like every single space is
 15 subscribed for by the tenants.

16 A. **So we would have the additional eight.**
 17 **If you have 45 that's assigned to all the tenants,**
 18 **you have eight parking spaces that are really open to**
 19 **guests and/or others.**

20 Q. Okay. So they'll be eight that are not
 21 assigned?

22 A. **That's correct.**

23 Q. Okay. And the five spots on 12th
 24 Street, are they to be dedicated to the borough?

25 A. **They would be public parking, on-street**
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1 **public parking available for guests as well.**
 2 **Q.** If they're open. If they're open.
 3 What are your plans for pedestrian
 4 access and pedestrian safety measures, sidewalks,
 5 signalization, anything like that, speed bumps?
 6 **A. There are sidewalks along the property**
 7 **along East Edsall Boulevard and 12th Street.**
 8 **Internal to the building, I defer to the architect as**
 9 **far as pedestrian movements.**

10 MR. BERN: I'll ask him.
 11 Thank you.
 12 CHAIRWOMAN STAR: Anyone else from the
 13 public? If not, let's close that portion, make a
 14 motion.

15 COUNCILMAN KWAK: I'll make a motion.
 16 MR. KIM: I will.
 17 CHAIRWOMAN STAR: All in favor?
 18 (Whereupon, all present members respond
 19 in the affirmative.)

20 MR. SOKOLICH: Architect quickly and
 21 the planner quickly.

22 VICE CHAIRMAN AUFIERO: Due to the
 23 interest of time, I don't think we're going to be
 24 able to make it tonight. We have another application
 25 after this.

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1 MR. NOH: -- carry Case No. 25-SP 14.
 2 MS. TARABOCCHIA: I'll second it.
 3 CHAIRWOMAN STAR: All in favor?
 4 MAYOR KIM: No, you've got to do the
 5 roll call.

6 MR. NOH: First of all, we need to make
 7 a proper motion.

8 So this is Case Number 25-SP14 site
 9 plan applicant, Hillcrest Builders, LLC. The
 10 application will be carried to the next month's
 11 regular meeting, which is Wednesday, March 25th at
 12 7 p.m. here, and they don't have to renotece. Motion
 13 will be carried also.

14 That's the motion. Someone make the
 15 motion.

16 COUNCILMAN KWAK: I'll make the motion.

17 MAYOR KIM: I need a second.

18 MS. TARABOCCHIA: I'll second.

19 MAYOR KIM: Roll call.

20 MS. HANRAHAN: Mayor.

21 MAYOR KIM: Yes.

22 MS. HANRAHAN: Star.

23 CHAIRWOMAN STAR: Yes.

24 MS. HANRAHAN: Aufiero.

25 VICE CHAIRMAN AUFIERO: Yes.

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1 MR. SOKOLICH: Are you guys intending
 2 on getting to that application?

3 MR. NOH: I'd like to get it started
 4 only because their expert needs to testify today.

5 MAYOR KIM: And also you guys -- it
 6 would be nice if you'd complete the drawings.

7 MR. SOKOLICH: We'll complete the
 8 requests that were made of us, yes.

9 Okay. Announce without the necessity
 10 of renotece, if you give us the next night?

11 MR. NOH: Next meeting is March 25th.
 12 And we can make a motion to carry this application to
 13 March 25th at 7 p.m. We'll carry the notice, so
 14 there's no need for additional notice.

15 MAYOR KIM: I'll make a motion with the
 16 stipulation that we've spoken of concerning the
 17 drawing to be complete after our discussion, traffic
 18 drawings where the street parking are, and what we
 19 talked about.

20 MR. NOH: So basically, we need a
 21 motion.

22 MR. KAUKER: I'll make that motion.

23 MR. NOH: To carry the case --

24 CHAIRWOMAN STAR: Carry it to the next
 25 meeting.

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1 MS. HANRAHAN: Tarabocchia.

2 MS. TARABOCCHIA: Yes.

3 MS. HANRAHAN: Kang.

4 MR. KANG: Yes.

5 MS. HANRAHAN: Han.

6 MR. HAN: Yes.

7 MS. HANRAHAN: Kwak.

8 COUNCILMAN KWAK: Yes.

9 MS. HANRAHAN: And Jhang.

10 MR. JHANG: Yes.

11 MR. SOKOLICH: Board, thank you, good
 12 evening. See you all on March 25th.

13 THE COURT REPORTER: Could we take a
 14 very quick bathroom break?

15 CHAIRWOMAN STAR: We'll take five
 16 minutes. Let's make a motion to take a five-minute
 17 break.

18 MAYOR KIM: I'll make a motion to take
 19 a five-minute break. Do I have a second?

20 MR. KANG: Second.

21 MAYOR KIM: All in favor?

22 (Whereupon, all present members respond
 23 in the affirmative.)

24 (Whereupon, a brief recess is held at
 25 9:09 p.m. to 9:19 p.m.)

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1 CHAIRWOMAN STAR: Okay. I'd like to
 2 have a motion to come back to the regular portion of
 3 the meeting.
 4 VICE CHAIRMAN AUFIERO: I'll make a
 5 motion to restart the meeting.
 6 MR. JHANG: I second it.
 7 CHAIRWOMAN STAR: All in favor?
 8 (Whereupon, all present members respond
 9 in the affirmative.)
 10 MR. NOH: Okay. Counsel, you can
 11 begin.
 12 MR. MURPHY: Okay. We're good? All
 13 right.
 14 Thank you.
 15 Madam Chair, members of the Board, for
 16 the record, my name is Chris Murphy with the law firm
 17 of Murphy, Schiller & Wilkes here on behalf of
 18 applicant, Leems Corp, who is the owner and
 19 designated redeveloper of the property located at 21
 20 Grand Avenue, Block 505, Lot 1.
 21 We're here tonight seeking preliminary
 22 and final site plan approval for a mixed-use
 23 inclusionary development consisting of two
 24 residential towers with 17 and 19 stories, 510 units,
 25 with a 20-percent affordable housing set-aside, and
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1 up to 175,000 square feet of commercial space.
 2 Importantly, the project implements the
 3 settlement agreement executed between my client and
 4 the borough which is dated December 16th, 2024, and
 5 conforms with the 21 Grand Avenue redevelopment plan
 6 which was adopted on May 22nd, 2025.
 7 The redevelopment plan supercedes the
 8 underlying zoning, establishes the controlling
 9 standards for this application. The borough's
 10 professionals have reviewed the submission. We are
 11 in receipt of the Board engineering review letter
 12 dated December 30th, 2025, the planning report dated
 13 February 4th, 2026, and the traffic report dated
 14 January 27, 2026.
 15 The application is substantially
 16 conforming with one minor design waiver that is going
 17 to be requested tonight. You will hear from our
 18 traffic engineer about that. Essentially in -- in
 19 short, we're providing 839 parking spaces at this
 20 facility. We think that that is what is appropriate.
 21 And what really we're hearing a lot from the town and
 22 seeing in the town, parking is a big issue.
 23 In order to get that, we're going to
 24 need to provide 22-foot-wide internal drive aisles in
 25 our garage. We believe that that works for this
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1 development. We have our traffic engineer here,
 2 we'll talk about that tonight as to why 22 feet
 3 works. Twenty-four-foot drive aisles are required
 4 under the zoning ordinance, which we defer to because
 5 it's not listed in the redevelopment plan.
 6 So essentially, the Board will have a
 7 decision, because we're fine with changing it if
 8 needed. We would go to 24-foot drive aisles, but
 9 we're going to lose about a hundred parking spaces.
 10 We'll still be in compliance with the redevelopment
 11 plan, which is important, but we're going to lose
 12 about a hundred parking spaces. We think that the
 13 benefits of granting that minor are far outweighed by
 14 the additional parking spaces, but that will
 15 obviously be for the Board to decide. We'll talk
 16 further about that tonight.
 17 We have multiple witness here to
 18 testify. Our first is our architect, Juan Rodriguez.
 19 If I can, Madam Chair, we'll get him
 20 sworn in and qualified and then he'll give his
 21 presentation.
 22 MR. NOH: Okay. First of all, for the
 23 record, this is Case Number 25-SP 15, site plan
 24 application filed by Applicant Leems Corporation, 21
 25 Grand Avenue, Block 505, Lot 1.
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1 Okay.
 2 MAYOR KIM: Yes, I just want to add the
 3 Planning Board members, that this is actually one of
 4 the third-round builder remedies. We have to comply
 5 with the State-mandated affordable homes.
 6 The judge -- the fair share housing
 7 court said we have to settle. So just let it be
 8 known that this one of the things that we do have to
 9 settle.
 10 MR. MURPHY: Thank you so much, Mayor.
 11 MR. NOH: I can swear you in, sir.
 12 So please raise your right hand.
 13 Do you swear to tell the truth and
 14 nothing but the truth pertaining to this application,
 15 so help you God?
 16 MR. RODRIGUEZ: I do.
 17 J U A N R O D R I G U E Z, AIA
 18 1422 Grand Street, Hoboken, New Jersey, having
 19 been duly sworn, testifies as follows:
 20 MR. NOH: Please state your name, sir.
 21 MR. RODRIGUEZ: Juan Rodriguez.
 22 J-U-A-N, R-O-D-R-I-G-U-E-Z.
 23 MR. NOH: All right. Please.
 24 MR. MURPHY: Great. Thank you so much,
 25 Counselor.
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1 VOIR DIRE EXAMINATION
 2 BY MR. MURPHY:
 3 Q. Juan, I need to qualify you as an
 4 architect to present this application. Your
 5 qualifications, your professional background, your
 6 educational experience?
 7 A. **Yes, I hold a bachelor's of**
 8 **architecture from the New Jersey Institute of**
 9 **Technology. I have a license and, you know, to**
 10 **practice architecture with the State of New Jersey.**
 11 **I've also been working on many, many projects within**
 12 **the area. None in Palisade Park, but I've worked for**
 13 **many years in Jersey City, Hoboken, Bayonne, and I**
 14 **have appeared before those boards as well.**
 15 CHAIRWOMAN STAR: We'll accept you as a
 16 qualified person.
 17 MR. MURPHY: Great. Thank you so much,
 18 Chairman.
 19 DIRECT EXAMINATION
 20 BY MR. MURPHY:
 21 Q. Juan, you prepared the plans that were
 22 submitted as part of this application?
 23 A. **Correct.**
 24 Q. Your office did?
 25 A. **Yes.**
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1 Q. Would you please walk the Board through
 2 that? I know you're very excited to share our 3D
 3 model here.
 4 A. **Yeah, I think we have to get that**
 5 **marked in?**
 6 (Whereupon, 3D Model of Site Plan is
 7 marked as Exhibit A-1 for identification.)
 8 MR. MURPHY: Yeah, we're going to mark
 9 that as A-1. And I believe we're going to pass it to
 10 the Board so you can just look at it while we're
 11 giving our presentation. Unfortunately, we have to
 12 leave it for the Board. I wanted it for my office,
 13 but Juan is going to have to make me a new one.
 14 CHAIRWOMAN STAR: It's not made out of
 15 LEGOs, is it?
 16 THE WITNESS: It's not LEGOs. This is
 17 actually a 3D model that our office has prepared. We
 18 have printed this and it's very accurate to the
 19 massing and the design of the project. I'll kind of
 20 pass it along here and you can take a look.
 21 MR. MURPHY: Great.
 22 BY MR. MURPHY:
 23 Q. And Juan, why don't you walk the board
 24 through your presentation. If there's anything that
 25 wasn't submitted to the board previously, we're going
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1 to mark it as exhibit.
 2 MR. MURPHY: So, Counselor, we'll mark
 3 these exhibits as we go. That was A-1.
 4 (Whereupon, 18-Page PowerPoint
 5 Presentation is marked as Exhibit A-2 for
 6 identification.)
 7 THE WITNESS: So I guess this would be
 8 A-2, that is an 18-page PowerPoint presentation that
 9 is essentially within the kind of same set of
 10 deliverables that was issued to the Board. There are
 11 some additional supplemental renderings and diagrams
 12 so the Board can kind of better understand the
 13 project and some of the design features.
 14 So we want to mark this in?
 15 BY MR. MURPHY:
 16 Q. Yes, I'm going to mark that in. Do you
 17 have an extra copy of it or --
 18 A. **We have a digital.**
 19 Q. Okay. We'll send it to the board
 20 secretary. Thank you.
 21 A. **So the project is -- it's a project**
 22 **that's within the 21 Grand Avenue redevelopment plan.**
 23 **As Chris highlighted, the project has been designed**
 24 **to be pretty much fully compliant with the**
 25 **redevelopment plan, with the exception of the design**
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1 **waiver for the parking variance -- sorry, the**
 2 **parking, you know, drive aisles.**
 3 **It's a mixed-use project. The project**
 4 **will be primarily providing multifamily residential**
 5 **and mixed income. It also contains a large portion**
 6 **of commercial uses kind of with the mixture of retail**
 7 **and different types of kind of uses that are also**
 8 **within -- allowed within the redevelopment plan.**
 9 **We're also providing parking for those**
 10 **associated uses and a large portion of publicly**
 11 **accessible open space. As you could see within the**
 12 **model, we have the green space that's representative**
 13 **of the open space both for the public and for the**
 14 **residents of the development.**
 15 **Just to orient you a little bit, the**
 16 **site is at Block 505, Lot 1 highlighted here in red.**
 17 **It's essentially a six-acre site bound on the east**
 18 **side by Grand Avenue, along the north by West Ruby**
 19 **Avenue. There's an active freight line along the**
 20 **west and a little bit further west, there's an**
 21 **exiting 21 Golf site and Overpeck Creek as well.**
 22 **There is an existing parking lot that**
 23 **bounds on the south, but then a little bit further**
 24 **south is also Route 46 which will provide the primary**
 25 **kind of vehicle access into the site.**
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1 So this is a diagram showing some of
2 the circulation features for the site. And before I
3 kind of get into the specifics of the project, I just
4 kind of want to highlight how important circulation
5 was for us to design into the kind of bones of the
6 site.

7 We understand that parking is a big
8 concern and in bringing so many different uses into
9 the site, we wanted to make sure that we really had a
10 really good kind of developed, cohesive strategy for
11 how well all of those uses would kind of work
12 together on the kind of day-to-day logistical end,
13 but also kind of long term so that there's something
14 that, you know, they don't start to create issues
15 both internally within the site and kind of around
16 the -- the existing surroundings.

17 So we worked very closely with the fire
18 department and the feedback that we got was to make
19 sure that we could get perimeter access around all
20 frontage of the site.

21 In right here is a kind of fire truck
22 route that we have designed that would allow the fire
23 department and fire trucks in an emergency situation
24 to come in and access the site from Grand Avenue.

25 They would be able to come in and
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1 think is going to the biggest opportunity for the
2 public to kind of come into the site. We've designed
3 a large open plaza space that kind of meets the grade
4 of the Ruby and Grand Avenue corner. This would
5 allow the public to have a fully plush kind of
6 accessible path from this main intersection with
7 which we think would kind of connect well from Ruby
8 to Broad Avenue, which is kind of the city existing
9 commercial boulevard, and bring, you know, that kind
10 of flow of traffic, that flow of pedestrians into the
11 site into where we have designed the primary kind of
12 gathering of commercial uses.

13 We've also along the west side of the
14 site have located all of our kind of commercial and
15 residential loading areas away from the kind of main
16 public-facing commercial uses along Grand Avenue.

17 So loading operations are happening
18 within the site away from where the main kind of
19 vehicle, kind of public circulation areas are
20 happening as well.

21 Highlighted in blue here, you also have
22 multiple points for ingressing into the structured
23 parking garages, which are all, again, pulled away
24 from the busy intersection, and we're kind of
25 bringing that traffic deeper into the site to hit --
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1 through this red route that goes around the full
2 perimeter to the site, they could come and access the
3 full frontage of the site and make their way out onto
4 West Ruby Avenue. So the fire department has the
5 ability to pull trucks into the site and they have a
6 safe way to get the vehicles out in an emergency
7 situation.

8 There's also a fire truck turnabout
9 that's been incorporated into the site along Grand
10 Avenue as well that's highlight here in this red
11 loop.

12 In blue you'll see that there are two
13 drop-off zones. Each drop-off areas are designated
14 for the public to kind of come in and be able to kind
15 of short term be able to kind of drop off people that
16 are kind of accessing either the commercial or
17 residential uses, but also for those kind of
18 short-term deliveries, Uber drop-offs, Amazon truck
19 drop-offs. All those things have kind of been
20 incorporated to happen within this site, and none of
21 that stuff is kind of left to chance to happen
22 outside of the site where it could interfere with the
23 traffic circulation along Grand Avenue or Ruby
24 Avenue.

25 This orange line highlights what we
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1 to help provide plenty of space for queueing in
2 backup of traffic to happen within the site and try
3 to limit that kind of overflow happening into Grand
4 Avenue and Ruby.

5 MAYOR KIM: So do we have that drawing
6 here for this application?

7 MR. MURPHY: You do not. This is an
8 exhibit, so it's not -- it hasn't been provided to
9 the Board as part of our submission. It's an exhibit
10 that's going to be marked and that's going to be sent
11 to the Board secretary. If you just want to move
12 that down.

13 MS. TARABOCCHIA: Would it be as a
14 video link?

15 MR. MURPHY: No, we can send it as a
16 PDF and it can be -- yeah, of course.

17 MAYOR KIM: Just like this with the
18 writing, the --

19 MR. MURPHY: Pardon?

20 MAYOR KIM: Same drawing like this,
21 blue, red and orange?

22 MR. MURPHY: Yup, yup, a hundred
23 percent.

24 COUNCILMAN KWAK: Mr. Rodriguez, just a
25 quick question.

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1 THE WITNESS: Sure.
 2 COUNCILMAN KWAK: You were talking
 3 about the loading dock in the back.
 4 THE WITNESS: Yes.
 5 COUNCILMAN KWAK: And you were also
 6 speaking about Uber and Amazon and all those
 7 drop-offs. Are they able to be accessible through
 8 the back to alleviate the further congestion
 9 possibility in the front?
 10 MAYOR KIM: I'm sorry, Council, it's a
 11 very good question, but the procedure is let the
 12 architect talk and then after that, we'll go back.
 13 Thank you.
 14 COUNCILMAN KWAK: Thank you.
 15 THE WITNESS: This plan is meant to
 16 kind of be a big extra overview about how all the
 17 circulation happens.
 18 MAYOR KIM: We don't want to bother
 19 your presentation. Please go ahead.
 20 THE WITNESS: Okay. So, yeah, we're
 21 going to get into the kind of details how all those
 22 things work.
 23 COUNCILMAN KWAK: Thank you.
 24 THE WITNESS: So this is a rendered
 25 site plan of the kind of overall, you know, layout of
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1 the site. This would be like a picture, you know,
 2 way up in the sky, all of the different pieces of the
 3 site kind of laid on top of each other.
 4 So you're seeing here the driveway that
 5 I mentioned. This driveway would wrap all the way
 6 around the full perimeter of the site. And, I'm
 7 sorry, this is -- if you could just give me one
 8 second.
 9 Did she just put something on there?
 10 UNIDENTIFIED SPEAKER: That's not the
 11 issue. It's cropping between the PDF. It's not that
 12 it's --
 13 MR. MURPHY: I'm standing like I know
 14 what I'm doing. I felt like I was an authority
 15 there.
 16 MS. LOMELO: Ms. Reporter, we'll give
 17 the full number of pages in this exhibit. All of
 18 these are Exhibit P-2, so we'll give the number of
 19 pages so that the record is clear.
 20 THE COURT REPORTER: Thank you.
 21 THE WITNESS: There we go.
 22 MR. MURPHY: One more, bigger one,
 23 bigger.
 24 THE WITNESS: That's a little bit
 25 better. Sorry about that.
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1 Okay. So like I said, circulation was
 2 super important for us. We wanted to first respond
 3 to the fire department's request and necessity to
 4 service the site.
 5 So the first thing that we did was we
 6 added a driveway that would give access from Grand
 7 Avenue. This will be the primary and only driveway
 8 along Grand Avenue. This would bring a new road,
 9 essentially, that's private for the development
 10 around the full perimeter of the site and it would
 11 have access along Grand, you know, a truck and
 12 vehicles could then access and exit along West Ruby
 13 Avenue.
 14 We have along that driveway the
 15 drop-off area that's, again, present along Grand
 16 Avenue. And there would be a handful of parking
 17 spaces here. This would kind of allow people that
 18 are coming to access the commercial uses or people
 19 being dropped off to the development or an Uber
 20 coming to the site to temporarily park here or
 21 temporarily load from here and then be able to either
 22 make their way into the garage or back out onto Grand
 23 Avenue.
 24 Along this driveway, you see these
 25 would be entry points into the garage. And along
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1 this point, we could get into different levels of the
 2 parking garage based off of how the kind of grade
 3 change is working around the site.
 4 Along the west side of the site, we
 5 also have, like I said, the kind of primary loading
 6 area where we have internal loading for residents to
 7 move in and get into the building.
 8 And you'll see on the lower-level plan,
 9 which I'll get to next, that the residential course
 10 for the towers come down and access onto that loading
 11 area. We also have deeper loading bays that would
 12 allow for the larger commercial loading to happen
 13 inside of the building as well.
 14 Along West Ruby Avenue, we have another
 15 blue arrow here, there would be another entry point
 16 into the garage from West Ruby as well.
 17 So this garage has a lot of kind of
 18 different points for people to kind of get in and get
 19 out, different kind of long driveways where kind of
 20 queueing could happen before they're in the right of
 21 way, and for a lot of kind of internal connectivity
 22 happens just within the site, we think that that
 23 gives a lot of flexibility for how residents and
 24 people that are coming here to park can get into the
 25 garage and make their way around.
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1 Also along West Ruby, we have this
2 drop-off vehicle access point. This is a driveway
3 that would extend into the site and would actually
4 pass under the north tower, and you would be able to
5 access this kind of internal drop-off. And the
6 residential lobby is located in this space as well.

7 The public would be able to access the
8 site, again, through this corner on West Ruby and
9 Grand Avenue. There's a landscaped plaza space and
10 you'll hear a little more details from our landscape
11 architect on how the kind of design and the
12 functionality of this plaza works.

13 But essentially, this is kind of the
14 heart of the project, this space that we're trying to
15 create, this large plaza space that's lined with
16 retail. It's two-leveled so that the public could
17 kind of get in. There would be use, some uses on the
18 lower level, and there would be some commercial uses
19 also on the second floor as well.

20 As Chris mentioned earlier, the
21 residential development is located above and then
22 these two towers that have these -- this gives a lot
23 of space between the buildings, gives visual interest
24 to the building forms, and it kind of allows us to
25 have a more compact sort of shape for the residential

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1 development and maximize the amount of open space
2 that we have on the site.

3 This is a rendering of the proposed
4 project. This is just to orient you a little bit.

5 This is kind of -- if you're standing on Grand
6 Avenue, which is running parallel, left and right
7 here. West Ruby is on the right-hand side. And then
8 the intersection that I talked about is here, would
9 be here on the corner.

10 So this would be kind of what the
11 public would see if they're driving down Grand Avenue
12 coming here for the first time. It's a -- we've kind
13 of designed the project to be very public facing,
14 very public friendly.

15 The retail has kind of been located
16 along the main frontage of the site. As you could
17 see from this image, all of the parking is shielded
18 back behind the retail, so none of the parking would
19 be visible from Grand Avenue or for the main corner
20 of West Ruby.

21 The public would be able to access the
22 two levels of retail through the internal stair here
23 so that the two levels really feel connected back
24 into this kind of main internal plaza space.

25 And as you could see, the residential
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1 towers have been set way back from the main
2 intersection so that the focus of the project, the
3 kind of main face of the project really is the public
4 face and it's really just a focus on the retail
5 environment that we're trying to create.

6 This is a rendering showing the kind of
7 evening of what this plaza would feel like. I think
8 that we're trying to do is really create a place, you
9 know, something unique that's gonna kind of give a
10 lot of life and soul to this project.

11 It's a mixed-use development that has a
12 large residential component, but I think the kind of
13 life blood of this place is going to be the
14 commercial. It's going to be a lot of different
15 commercial uses, you know, food and beverages, retail
16 and entertainment, and a lot of indoor recreation
17 opportunities, fitness and health or wellness, all
18 things that are, again, envisioned within the
19 redevelopment plan, but we think that by creating
20 this kind of destination within the center of the
21 site is something that will kind of create new
22 activity within the site and kind of allow for
23 something new to kind of start to kind of happen and
24 kind of cultivate this development within Palisade
25 Park.

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1 We think that by having this be two
2 levels that there's opportunity for more active
3 spaces, you know, at this kind of plaza down below
4 where you could have cafes and retail and shopping,
5 you know, program, outdoor arts and music events, but
6 also a second level that could be a little bit more
7 passive.

8 And then, you know, with the stair that
9 kind of brings you up to a viewing platform and then
10 you can kind of get views of the river at Overpeck
11 Creek and further beyond.

12 You're also seeing here the residential
13 amenity decks which would be landscaped and would
14 have active uses, private for residential, but,
15 again, kind of positioned in a way that they would
16 engage with this plaza down below, and this would
17 really be the face of the project for anybody coming
18 here for the first time.

19 This is a technical plan of the lower
20 level, just a nuance of the site is there's about a
21 story-and-a-half grade change from West Ruby on the
22 right and the kind of freight line on the left.

23 So what we have done is to be able to
24 have that very kind of public friendly face on Grand
25 Avenue as we've sunk in the parking, but low the

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1 site.
2 So the kind of grade that you see now
3 on the site and on that surface parking, all of that
4 would be covered by that plaza that I showed you in
5 the previous rendering.

6 And the lower level of this garage is
7 really intended to kind of be the commercial, you
8 know, to support the commercial uses. And the
9 residential parking is kind of interconnected and
10 stacked in a more kind of conventional structured
11 garage on some of the upper floors up above as you'll
12 see.

13 Again, along this back driveway, you'll
14 see that we've located our mechanical rooms for the
15 building, we've also located our loading areas.
16 Trash removal areas also are located within the
17 building.

18 And, you know, again, by doing this,
19 those things are not -- those operational things are
20 kind of given their own space to happen and they
21 won't be interfering with the public circulation
22 features of the site.

23 I'll stop a little bit so you see here,
24 this is where we've indicated that we will have
25 loading. We have two designated kind of shallowed

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1 bays for the residential loading to happen. We
2 envision like a 25-foot, you know, box truck with a
3 typical loading operation for the towers to happen.

4 And basically, you know, if you're
5 moving into this building for the first time, you
6 could park a truck here, park your car here, there
7 would be a loading dock that would allow you to, you
8 know, walk down a hallway and then you could get
9 right into the residential floor and then get up onto
10 your floor and then lead to your apartment.

11 Similar for the commercial loading, we
12 have deeper bays. And you'll hear a little bit more
13 from our traffic engineer of the types of trucks and
14 vehicles that could operate in here, but essentially
15 commercial deliveries and loading would be able to
16 happen here as well, as well as trash removal for the
17 commercial and trash removal for the residential
18 would also happen here. Again, away from the public
19 and organized internally within the development.

20 We do envision that trash is going to
21 be handled by a private hauler, so the operation and
22 the logistics of that would be handled, you know, by
23 the management company for the building.

24 We also have some commercial spaces
25 here on the lower level with some potential access

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1 that would connect the parking down below up onto the
2 plaza as well.

3 This is, again, a technical plan of the
4 ground floor. At the kind of center of the site, you
5 have this plaza that extends and it comes in again
6 from West Ruby all the way into the kind of internal
7 end of the site.

8 At the end of that plaza, we thought
9 that it would make sense to have the residential
10 lobby kind of at that point as a way to, you know,
11 bring activity, you know, into that -- into that
12 viewpoint, but also operationally, I think it puts
13 the residential development and the operation of the
14 building at the kind of center of the site, and I
15 think that that would make sense just for kind of
16 logistics and operationally to make sure that the
17 different uses all kind of were all being
18 orchestrated from one central location.

19 You're seeing here we have different
20 sizes of commercial uses. We have -- you know, some
21 spaces are a little bit larger which we envision to
22 be for the larger-anchor tenant, some of them are
23 31,000 square feet, 15,000 square feet, but we also
24 have opportunities for smaller, kind of more boutique
25 bespoke uses and some of those are located here along

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1 the south side of the podium as well.

2 You're seeing also the beginnings of
3 the internal garage. This is the kind of more
4 typical configuration of the garage, and you'll see
5 that this starts to stack on some of the floors
6 coming up, basically up until the bottom of the
7 residential tower.

8 You're seeing here where we have
9 located stair. This would be like a grand stair,
10 like a monumental stair that the public could use
11 along this plaza space and that would be able to get
12 up onto that second level of retail, which I'd rather
13 show you next.

14 And here is also the driveway that I
15 talked about earlier that would allow for cars to
16 come in, access the residential drop-off area right
17 in front of the lobby and then get into the internal
18 garage here along this drop-off court as well.

19 This is the second-floor plan. Again,
20 this is intended to be primarily a public area with
21 large, again, anchor tenants, retail opportunities,
22 smaller retail opportunities.

23 We have a kind of setback area that
24 becomes a -- what we call the overlook terrace. This
25 would be at a point now where you're up above the

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1 tracks. We have, you know, some landscape
2 opportunity here where you can have a gathering
3 space, where you could have, you know, maybe some
4 events and have like a kind of viewing platform that
5 would allow vistas over the entire creek and kind of
6 beyond housing.

7 This is a third floor plan. This is
8 kind of the beginnings now of what the residential
9 development would kind of look and feel like.

10 This is a very expansive amenity deck
11 with internal amenity rooms that would be, you know,
12 kind of private. Each building would have its own,
13 but there would be a kind of expansive amenity deck
14 that would be jointed by this walking bridge here
15 over that viewing platform.

16 And this landscaped deck, I think,
17 would be typical to what this kind of residential
18 development would kind of look and feel like with the
19 pool, you know, areas for recreational use, but also
20 maybe more active things like, you know, barbecue
21 pits and, you know, lawns and, you know, kind of
22 outdoor sports and those kinds of things.

23 This is what the two tower shapes look
24 and feel like. Again, you're seeing them here in
25 this rendering. Just to orient you again to what I'm

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1 inclusive in design so that the affordable gets the
2 same treatment as the market rate.

3 Also highlighted here in green as you
4 see in the exterior renderings, some of the units we
5 have balconies that would wrap along the exterior of
6 the building. We think that these are opportunities
7 to have some outdoor open space, which we've seen a
8 lot in some of the developments that we've designed,
9 especially after COVID. These would be great
10 opportunities for views east of Manhattan, but also
11 the river on the west side.

12 This is a roof plan. Again, this is
13 now above each of the buildings where we have indoor
14 amenity rooms. There's about -- each one is about
15 3500 square feet and there would be landscaped
16 amenity decks associated with these amenity rooms as
17 well.

18 The south tower which is the tallest
19 tower has been designed to be again compliant with
20 the redevelopment plan. The top roof of this south
21 building would be 225 feet from average grade, that's
22 about 215 feet from Grand Avenue. An average grade
23 is actually kind of the midway point between Grand
24 Avenue and West Ruby. So this would be -- this would
25 sit about 215 feet from Grand Avenue and that's the

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1 pointing to here is the south tower and then this
2 would be the north tower. The south tower is 19
3 stories and the north tower is 17 stories.

4 Each tower has about -- kind of -- it's
5 like a 50/50 split of the residential. We have in
6 total 510 units. Out of those 510 units, we have 408
7 market-rate units. The breakdown of those units is
8 we have 24 micro studio apartments. We have 40
9 studio apartments. We have 195 one-bedroom
10 apartments. We have 16 one-bedroom den units. We
11 have 121 two-bedroom units. And we have 12
12 three-bedroom units.

13 The project also includes 20 percent
14 affordable which we've designated to be a mixture of
15 64 age-restricted one-bedroom units. And we also
16 have 38 nonage-restricted units broken down as eight
17 one-bedroom affordable units, 22 two-bedroom
18 affordable units, and eight three-bedroom affordable
19 units.

20 All of the affordables would be kind of
21 given the same treatment and finishes and access to
22 the amenities and be kind of disbursed throughout the
23 residential development, so there's not a kind of
24 sectioning off of the affordable into one part of the
25 building. Everything would kind of be kind of

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1 height that's envisioned within the redevelopment
2 plan.

3 These are some of the materials that we
4 envision along the outside facades. We have kind of
5 different combinations of brick and some
6 porcelain-looking panels and terracotta-look panels.

7 We have kind of a very kind of neutral,
8 I think very kind of homogenous pleasing-color
9 palette that, you know, we don't have a -- we want
10 this to be a development that's about the activities
11 of the retail and about the activities that the
12 commercial uses will bring. We think that the
13 architecture kind of starts to become a backdrop for
14 all of those different uses to start to happen.

15 You'll see here in this rendering that
16 we have more kind of warmer, inviting materials along
17 the commercial podium area, again, between brick and
18 porcelain and terracotta, and then the top portion of
19 the towers are a little bit lighter.

20 There's a change in grade, there's
21 more glass and metal panel, so you have kind of
22 distinction between the tower and the base to just
23 kind of break up the scale of the design and just
24 have a lighter read that, you know, something that
25 feels a little bit lighter and more reflective as the

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1 building gets taller and goes up.
2 And then these are just different
3 elevations, kind of just go through quickly. I think
4 the rendering show better the intended look and feel
5 of the exterior. All of these elevations have been
6 included as part of our submission.

7 We went to great lengths to design
8 entryways into the garage, entryways into these kind
9 of driveway areas. I think the right amount of glass
10 across to show the retail so that the retail has the
11 right kind of engagement with the public and then
12 also, I think the right amount of kind of glass and
13 privacy for the residential development.

14 Up above again you're seeing ballasts
15 here that are kind of cascaded up the tower and I
16 think work well with, as you saw, the 3D model with
17 these kind of curved linear shapes of the building.

18 The building will be designed to have P
19 tax also. You know, something that we do often in
20 our work is to have the color of the PTAC
21 match colors of metal panels and some of the facade
22 materials so the PTAC grilles, which can be a little
23 unsightly, are a little bit more mask and kind of
24 integrated into the overall look and feel of the
25 building.

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1 parking.

2 BY MR. MURPHY:

3 Q. Sure.

4 A. **And I could just highlight that**
5 **quickly.**

6 **Like Chris mentioned, we do have 839**
7 **parking spaces; that's a combination of ADA parking**
8 **spaces and, you know, regular, standard parking**
9 **spaces as well.**

10 **We have kind of tried to maximize the**
11 **open space that we have within the site and as part**
12 **of doing that, we do have these kind of reduced drive**
13 **aisles.**

14 **So, you know, in having 22-foot drive**
15 **aisles within the garage, we're able to keep a more**
16 **compact footprint of the garage, and then maximize**
17 **the amount of open space that we have that's**
18 **accessible to the public.**

19 **So, again, that's the kind of trade-off**
20 **between having -- you know, needing relief for**
21 **reduced aisles which, you know, we do a lot of**
22 **22-foot drive aisles in a lot of different projects**
23 **that we do.**

24 **The stalls themselves would be still**
25 **standard stalls for cars. But that basically, you**
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1 And this is a view looking west. And
2 this is the final rendering. Basically, this is,
3 again, if you're kind of coming from 46, we wanted
4 the development to really stand out.

5 This would be the kind of front face of
6 what people would see as they're approaching here.
7 We thought by having something that kind of captured
8 the attention of the public coming here, especially
9 as we're trying to activate and bring activity and
10 engagement to the commercial uses, we wanted
11 something that would kind of draw the attention of
12 people coming to the site and, you know, reorient the
13 buildings in a way that they really kind of created
14 the water that, you know, we took a lot of
15 inspiration from that and we wanted to, you know,
16 kind of create an environment that, you know, really
17 worked with this context in that way.

18 And, you know, as the building gets
19 taller, we think that it would be pretty incredible
20 to have, you know, stay on some of these top-number
21 floors and get views east of Manhattan and even Fort
22 Lee further beyond and of course all of Palisade Park
23 and the foreground as well.

24 So I'm happy to go through. I think --
25 sorry, one thing I can maybe go back on to is the

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1 **know, every foot that we save within the drive aisle**
2 **is space that we have allocated for open space. It's**
3 **going to be more public facing within the center of**
4 **the site within this plaza space.**

5 MR. MURPHY: I have no further
6 questions on direct, but I think one point to make
7 and also in addressing those drive aisles, we're
8 adding more spaces. I think that's the natural
9 result of the smaller drive aisles along with the
10 open space.

11 So I have no further questions for this
12 witness.

13 MS. TARABOCCHIA: Currently, you have
14 how many parking spaces?

15 THE WITNESS: We have 839.

16 MAYOR KIM: How many retail?

17 THE WITNESS: Right now they're kind of
18 all mixed in within the garage, but we envision to
19 have about --

20 MR. MURPHY: Our traffic management
21 plan and our traffic engineer can address the --

22 MAYOR KIM: You're the architect. You
23 don't know how many retails we have right now?

24 THE WITNESS: How many retail spaces?

25 MAYOR KIM: Yeah, retail spaces.

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1 THE WITNESS: Well, I think the way we
2 have designed that the residents would have at least
3 one to one. So you would have about 510 residential
4 spaces and those would be assigned spaces and then
5 there would be -- the balance would be the --

6 MAYOR KIM: So 329.

7 THE WITNESS: 339.

8 MAYOR KIM: 329.

9 MR. KAUKER: Are you talking about the
10 number of retail stores?

11 MAYOR KIM: Retail stores.

12 THE WITNESS: I'm sorry, I --

13 MAYOR KIM: Did I say parking space?
14 I'm sorry, I had a long day.

15 THE WITNESS: I thought you were
16 talking about the parking breakdown of what is
17 residential and what is --

18 MAYOR KIM: How many retail use is
19 there right now?

20 THE WITNESS: We have about
21 170,000 square feet of total retail. We have not
22 broken down how many different retails centers will
23 be within that.

24 MAYOR KIM: Before we continue, I just
25 want to direct this question to Kauker. And Kauker,
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1 he was part of the builder's remedy with the fair
2 share housing.

3 This is just about basic concept.

4 Besides the -- you know, we're in a builder's remedy
5 and we have to settle, so over population, you know,
6 the expenditures of public services and also the
7 increase of, you know, students coming in, fire
8 department, police department, what have you, that's
9 out the window kind of right now.

10 But my question still stands. It's --
11 besides that, it's -- I mean, you all agree it's a
12 very beautiful, beautiful concept. It's a very
13 beautiful, beautiful layout. There's no shopping
14 mall, I think that's great.

15 But my question to you is, I'm a little
16 worried about the traffic. We'll talk about it
17 later, because the traffic engineer is going to come,
18 but because of this beautiful area of retail, and I
19 would love to shop there some day, is that if it's
20 just hundred percent residential, right, they'll be
21 a certain amount of coming in and coming out.

22 With this beautiful layout of retails,
23 I expect a lot of traffic coming in and out on not
24 just a strict restricted area having tied, it will be
25 just constant. I would be coming here for lunch, for

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1 dinner, shop around.

2 So I was just kind of curious, why did
3 you guys decided to do retail instead of do a hundred
4 percent homes? That would also increase the amount
5 of 20-percent affordables that we need in the
6 borough. I'm just curious, yeah, just because this
7 looks like nice or --

8 THE WITNESS: No, I mean, I think the
9 goal was to create, you know, a real place, you know,
10 I think that was intentional. There's already retail
11 on the site. There's a large grocery store that's
12 there already and I think that that's been very
13 successful and I think that --

14 MAYOR KIM: You mean ShopRite?
15 There's --

16 VICE CHAIRMAN AUFIERO: Warehouse,
17 Mayor.

18 THE WITNESS: Sorry.

19 MAYOR KIM: No, that's all right.

20 THE WITNESS: But, you know, I think
21 that was the intention. I think that this would be
22 something that we saw would strengthen some of the
23 existing retail within the --

24 MAYOR KIM: It looks beautiful, don't
25 get me wrong. Like I said, I would love to go shop
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1 there someday.

2 But Kauker, Michael, when you were at
3 fair share housing, I wasn't there. You were part of
4 it, right?

5 MR. KAUKER: I was, yes.

6 MAYOR KIM: So the fair share housing,
7 I want to let everybody know, fair share housing is
8 involved because we didn't comply with our
9 third-round remedy, we're trying to comply right now.

10 We want to keep it immune so we can
11 comply with third-round remedy, go to fourth round,
12 show our presentation of how we're going to comply
13 with our fourth round affordable homes, so we can be
14 immune, so there's no contractors coming in, buying
15 three homes in a residential area and tell us that,
16 you know what? You're illegal, you guys are now
17 breaking the law, someone build another 48, 50 units,
18 correct?

19 MR. KAUKER: Yeah, the intent is to
20 come into compliance with the affordable housing.

21 MAYOR KIM: And us to get the right
22 back to decide for the fourth round where the future
23 development is going to happen.

24 MR. KAUKER: Right.

25 MAYOR KIM: We don't have that right,
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1 guys; that's why the governing body suffered.
2 My question to you is, why wouldn't the
3 affordable homes be more involved -- I mean the fair
4 share housing court be more involved in trying to
5 create more units for residential, thus ergo provide
6 more units for 20 percent instead of a shopping mall,
7 which really doesn't really relate to our situation
8 that we have in compliance with the Affordable Homes
9 Act.

10 MR. KAUKER: I mean, I don't
11 necessarily know if I could speak for them but just
12 to clarify, Fair Share Housing Center isn't --
13 they're not the court, they're just an agency that's
14 involved in the process.

15 MAYOR KIM: We're listening to them
16 right now. No, fair share housing court, judge,
17 they're part of it. An adjudicator is there, we're
18 there, our attorney is there. I call that a fair
19 share housing court.

20 MR. KAUKER: Well, there's Fair Share
21 Housing Center.

22 MAYOR KIM: The court that we were --

23 MR. MURPHY: The court that adjudicated
24 this and ultimately told the borough this is what
25 you're going to do.

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1 speak as a planner, not a traffic engineer as to my
2 experience with that, but --

3 MAYOR KIM: Well, my question is why
4 wouldn't that court, the superior court --

5 MR. KAUKER: I don't think the Court
6 has any -- they mirror --

7 MR. MURPHY: I think they evaluate the
8 plan as its presented, and just to be clear,
9 Mr. Mayor, you know, I think that one of the reasons
10 why you're seeing this design, because I represent
11 developers throughout the state, there are a lot of
12 developers that would have said I'm going to put the
13 cheapest product I can on here with a thousand units.
14 That was not the case, that was not -- this is a
15 generational family in Palisades Park that will hold
16 this.

17 MAYOR KIM: Don't get me wrong --

18 MR. MURPHY: Of course what I'm saying
19 is I think that's why you're seeing this design
20 because it's a thoughtful, engaging design that
21 hopefully will benefit the borough.

22 MAYOR KIM: Well, we all have a problem
23 with traffic.

24 MR. MURPHY: Of course, and everyone
25 does, I understand that.

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1 MAYOR KIM: What is that called?

2 MR. MURPHY: It's just the superior
3 court.

4 MAYOR KIM: Just superior court.

5 So the question is, the fair share
6 housing there, who don't really care about shopping
7 mall, right? And the judge is there because -- and
8 the Court is there because we're not complying with
9 third round, right, of affordable homes, right?

10 Why would they entertain -- don't get
11 me wrong again, I love this, it's beautiful, but why
12 wouldn't they say why don't you just build more
13 affordable homes, more apartments?

14 While if this is a shopping mall right
15 now, I'm very afraid -- we'll talk about traffic
16 later, you know -- if you have just residential
17 apartments, right, they'll be certain amount of time
18 frame during the day where they'll be traffic and it
19 will be gone. People are leaving work, they are
20 coming back from work.

21 This is a wonderful shopping mall with
22 tons of retail space. I could only imagine more
23 increase of traffic coming in and out. That is just
24 my question.

25 MR. KAUKER: Yeah, I mean, I could

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1 MAYOR KIM: I could only imagine if you
2 have a hundred percent residentials, it will be less
3 traffic; that's why I directed my question to Kauker,
4 it's not involving you.

5 My question is, why would that Superior
6 Court not talk about that?

7 MR. KAUKER: Well, first of all, I
8 don't think the Superior Court really is concerned
9 about the amount of traffic that's generated.

10 They're ultimately concerned with the number of
11 affordable housing units. Now, to your point --

12 MAYOR KIM: That's my point.

13 MR. KAUKER: I don't think the judge --
14 I don't think it's really the judge's place to tell
15 either the borough or the applicant or whatever --

16 MR. MURPHY: Developer, yeah.

17 MR. KAUKER: Developer in this
18 instance, what they're going to do, they just
19 evaluate the proposal that's before them, but they're
20 good questions. And I think when we get to the
21 traffic engineer, and I'm sure Hal is going to have
22 some comments on it, they can address those issues as
23 well.

24 But from a planning standpoint, I mean,
25 I've heard numerous cases, plenty of developments and

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1 a lot of traffic engineers testify, you know, traffic
2 is one thing to be concerned about, but when you're
3 dealing with a retail component, there are two
4 different uses: Retail, residential.

5 But I think a lot of times with the
6 type of retail development that you're going to get
7 at this place, it's not going to be not like someone
8 is going in there -- it's not like a five a dime or a
9 CVS where they're coming in and going out. I think
10 they're probably going to visit the site and they're
11 going to stay there for probably an hour or two
12 hours.

13 MAYOR KIM: If there's a nice
14 restaurant there, I'll go there for about an hour.

15 MR. KAUKER: Yeah, and the other thing,
16 as I told you before, you're going to get a lot of
17 individuals who reside in those units that are going
18 to use the commercial components, which is going to
19 help because you're not going to have those
20 individuals getting in their cars and driving to
21 other places.

22 One other thing is you're probably
23 going to get a lot pass-by traffic, and Hal can speak
24 to that. I hear traffic engineers talk about pass-by
25 traffic all the time.

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1 shopping mall there, they wouldn't care. That's what
2 you're saying?

3 MR. KAUKER: Ultimately as a planner, I
4 would like to hear, you know, testimony from their
5 traffic engineer with respect to those issues and
6 then Hal's, you know, comments as well.

7 MAYOR KIM: But the courts don't care,
8 Superior Court don't care.

9 MR. KAUKER: Two different issues. The
10 Superior Court, yeah, from my understanding, they
11 don't care about traffic, they don't care about
12 schoolchildren or any other impacts.

13 MAYOR KIM: Thank you.

14 MR. KAUKER: And you can correct me if
15 I'm wrong, any of the attorneys.

16 MR. MURPHY: As the attorney I would
17 just say that I think there would be a different
18 situation if we were proposing 40 residential units
19 in this big commercial space. Of course I don't
20 think the Court would buy that. I think that's -- it
21 would be an end round to get some kind of commercial
22 space.

23 It's 510 units, it's a very large
24 project. I think that the Court looks at the facts
25 and they look at the totality of the circumstances

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1 But basically, you get someone that's
2 driving down Grand Avenue that's already there,
3 they're going to go down Grand Avenue whether or not
4 this development is there or not, and they're going
5 to decide to go pull in and utilize the commercial
6 component.

7 But they're great questions and I think
8 that those would be better answered by a traffic
9 engineer.

10 MAYOR KIM: And also if you can, I
11 would like for you to send an e-mail to our attorney,
12 has the same question, our representative attorney.

13 MR. KAUKER: I'll give him a call, if
14 that's okay.

15 MAYOR KIM: Thank you. Because people
16 will -- you know, as much as people will enjoy this
17 beautiful shopping center. People will say, hey,
18 just logical thinking wow, there's more traffic
19 coming in out nonstop.

20 So like you said, the Court don't care
21 what type of application. They don't have the right
22 to say why don't you do this and why don't you do
23 that. They're just here to go okay, what do you have
24 for the residentials. And if the applicant, this or
25 any other applicant says, hey, I want to put some

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1 and they say, this project works with this unit mix
2 and in the amount of commercial space.

3 I think that when we saw this a lot in
4 the third round when there wasn't compliance, the
5 Court really didn't really take a hard stance on
6 municipalities that hadn't complied and said listen,
7 if someone is coming forward with a good project that
8 we think is going add affordable units to the
9 borough, municipality, you're going to get it.

10 So, but I do think that and -- Mayor, I
11 appreciate you saying how beautiful it is and we
12 think the same. It's -- this is a top-of-the-line
13 product for any town in the state of New Jersey.

14 I mean, you're gonna get this nowhere
15 else, you know, whether it's Hoboken, Jersey City,
16 those are the types of products we're bringing here
17 instead of a thousand units in essentially a big
18 building and we say, you know what, don't give us 20
19 percent, give us 40-percent affordable, 60-percent
20 affordable and, you know, I don't think the town
21 necessarily wanted that product, so I think the
22 trade-off is --

23 MAYOR KIM: Well, I don't know what the
24 town wants, but, you know, we don't have that.

25 MR. MURPHY: Sure.

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1 MAYOR KIM: There are towns who don't
 2 like retail like Demarest, right.
 3 MR. MURPHY: Yes, of course.
 4 MAYOR KIM: Thank you very much, but --
 5 MS. TARABOCCHIA: I have a question for
 6 the architect.
 7 MAYOR KIM: Go ahead.
 8 MS. TARABOCCHIA: How long will this
 9 project take to come to fruition?
 10 THE WITNESS: Typically a project like
 11 this is -- there's from -- let's say we were approved
 12 today, it would be probably a one-year process for us
 13 to draw out all the technical drawings before you saw
 14 any construction on the site, and then about two
 15 years of construction after that.
 16 MAYOR KIM: I say you're going to take
 17 about four years, that's my bet. Let's see if
 18 I'm right.
 19 MS. TARABOCCHIA: Upon approval and
 20 everything else you need to get from the State of New
 21 Jersey, the DEP and --
 22 MR. MURPHY: The DEP. In fact, we just
 23 got a DEP --
 24 THE WITNESS: So just concurrent to
 25 this process, we've also been working with a
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1 construction team to advise us on all of the things
 2 that we're doing. This has all kind of been vetted
 3 through that. We have some engineers also that have
 4 been pooling in.
 5 So I think we're very -- very kind of
 6 ready to kind of flush out the next level of detail
 7 and this is a two-year project.
 8 MR. JHANG: I have a question. This is
 9 a steel-poured concrete building?
 10 THE WITNESS: At this height and at
 11 this scale, it's a concrete building, yeah.
 12 MR. JHANG: Steel structure, then you
 13 have poured concrete?
 14 THE WITNESS: This would be all poured
 15 concrete all the way up.
 16 CHAIRWOMAN STAR: I have a question.
 17 MR. JHANG: So have soil tests been
 18 done as far as -- I know down there is a swamp area,
 19 so we have a problem with drainage and the stability
 20 of underlying. Were special considerations taken
 21 or --
 22 THE WITNESS: We've done geotechnical
 23 investigations. We have a structure engineer that's
 24 been working alongside us also. So we're aware of
 25 those issues.
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1 MAYOR KIM: Just -- I'm so sorry,
 2 Madam, I know you want to ask your question, but if
 3 you don't mind, it's already 10:10.
 4 CHAIRWOMAN STAR: It's very quick.
 5 MAYOR KIM: Okay. Go ahead.
 6 CHAIRWOMAN STAR: What's a micro --
 7 THE WITNESS: A micro studio?
 8 CHAIRWOMAN STAR: Yeah, what is that?
 9 THE WITNESS: We just -- you know, to
 10 keep different income brackets, it's just a --
 11 MAYOR KIM: It's just a room.
 12 THE WITNESS: It's a smaller unit.
 13 It's still going to have all the same --
 14 MR. MURPHY: It's what you would get in
 15 New York City for about eight grand a month.
 16 MR. JHANG: How many square feet?
 17 MAYOR KIM: All right, guys.
 18 MR. MURPHY: Probably about 450 square
 19 feet.
 20 MR. KANG: So Mike, does builder's
 21 remedy include the commercial spaces?
 22 MR. KAUKER: Yeah, it's all one. The
 23 applicant or the proposed development.
 24 MR. KANG: And do they need, like,
 25 limitation controlling the size of it or just the --
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1 MR. KAUKER: No, the Court has no say
 2 in terms of limiting the size of the development, as
 3 long as they provide, you know, the affordable
 4 housing, as Mr. Murphy mentioned before, the Court is
 5 okay with that.
 6 MR. KANG: Well, I like it.
 7 MR. HAN: Doesn't necessarily mean that
 8 they do have to have retail space?
 9 MR. KAUKER: Well, the retail space was
 10 part of the plan that was submitted and agreed upon,
 11 so there was a settlement agreement that was entered
 12 into with the town.
 13 MR. MURPHY: I think from a policy
 14 perspective too, Mike, if I can jump in, I think
 15 there's a policy rationale behind having some retail
 16 space, creating jobs in affordable inclusionary
 17 housing development, so...
 18 MR. HAN: This is about 170,000 square
 19 feet which is almost maybe 50 percent of the entire
 20 retail space in Palisades Park. And, you know,
 21 Mayor, the small businesses, they're having a hard
 22 time.
 23 MAYOR KIM: They are.
 24 MR. HAN: Yeah, I'm a little worried
 25 about the little, small business.
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1 MAYOR KIM: I agree with you, too. We
2 had a big problem with the small businesses because
3 of ICE raids, the economy, and the very severe
4 internal competition. There's 27, 28 bakeries;
5 someone is going to go down. There's about 22 or 25
6 hair salons; someone is going to go down, but this
7 has no relationship with this.

8 It's -- I agree with you, it is a
9 concern, but that's something else that's already
10 existing. We've got to figure that out.

11 But I would, Madam, Esteemed Board
12 Members, it's already 10:10, 10:15, I actually saw
13 the time. We should -- next time we should continue
14 this -- the architect is done, but I already notice
15 that we should give -- we'll do the public. You want
16 to do public, just make sure now?

17 MR. MURPHY: If we just do the
18 architect.

19 MAYOR KIM: After the public
20 participation, you know, if we can, we'll continue on
21 the application, but I checked out the time, we
22 actually -- we actually gave 30 minutes more to the
23 prior application. So if you don't mind, we should
24 give them another 30 minutes when they come back.

25 MR. JHANG: Well, it's the only day the
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1 architect is available; that's why we stayed this
2 late.

3 MAYOR KIM: Architect, right.

4 MR. MURPHY: We appreciate that, Mayor,
5 and I think we wrap up the architectural testimony by
6 opening it up to the public, close it out, and then
7 move on.

8 MAYOR KIM: Thank you.

9 MR. MURPHY: Thank you.

10 CHAIRWOMAN STAR: Okay. So just open
11 it up to the public?

12 THE WITNESS: I'm happy to answer any
13 questions.

14 CHAIRWOMAN STAR: Any questions from
15 the Board?

16 All right. We'll open it up to the
17 public --

18 (Simultaneous Speaking.)

19 MAYOR KIM: We're still doing the
20 Board.

21 MR. JHANG: The south side with the
22 glass, is it a flat, plain glass or an acrylic glass?

23 THE WITNESS: It's going to be flat.

24 MR. JHANG: My only concern is that
25 whole side of the building, there's a curvature to

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1 it.

2 THE WITNESS: Yeah.

3 MR. JHANG: And then you have the south
4 sunlight and is that going to affect anybody with
5 that curved --

6 THE WITNESS: It's something that we
7 run into a lot and we've designed these kind of
8 curved buildings before.

9 As you're seeing here, we have this
10 vertical metal panels that are all along that curve,
11 and what that does is it stops that kind of big
12 mirror effect and it breaks up that pane of glass so
13 you don't have those big reflections like the
14 Walkie-Talkie building in London.

15 MR. JHANG: Yeah, one is the main one
16 where it's, like --

17 THE WITNESS: Part of this is to design
18 around that, that's the intention of this plan. It
19 also helps with curbs as well, that's usually a
20 concern.

21 MAYOR KIM: Questions, members? Go
22 ahead.

23 CHAIRWOMAN STAR: Any other questions
24 from the members?

25 Okay. How about the experts, do you
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1 have any questions for this witness?

2 MR. KAUKER: I think I do have one
3 quick question, but I don't know if you're the --
4 would be --

5 THE WITNESS: I'll do my best.

6 MR. KAUKER: It was a question I had in
7 my memo regarding rooftop amenities and I know that
8 -- I think you had it shown, but I think the
9 landscape architect had more details, so would he be
10 the more appropriate one to ask the question?

11 THE WITNESS: Yeah. I mean, I'm
12 showing it here and, you know, we do have his layout
13 shown here, but you'll see this with more detail --

14 MR. KAUKER: With the landscaped
15 architect?

16 MR. MURPHY: Yeah, the landscape
17 architect has the full detail.

18 MR. KAUKER: That's great. I have
19 nothing else.

20 MR. O'BRIEN: Nothing from engineering.

21 MR. SIMOFF: Nothing yet.

22 CHAIRWOMAN STAR: Motion to open it to
23 the public.

24 COUNCILMAN KWAK: I'll make a motion.

25 MR. JHANG: I'll second that.

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1 CHAIRWOMAN STAR: Okay. All in favor?
 2 (Whereupon, all present members respond
 3 in the affirmative.)
 4 CHAIRWOMAN STAR: Okay. Anyone from
 5 the public have a question?
 6 Yes, Rebecca.
 7 MS. LEE: I have two quick questions.
 8 MR. NOH: Can you just stand up
 9 and state your name?
 10 MS. LEE: Rebecca Lee. Two quick
 11 questions. Because it will be open to the public and
 12 whatnot, so there will be people, not only
 13 pedestrians, they will be on bicycles. Will you have
 14 bicycle lanes or bike -- bicycle access areas?
 15 And another question is, I currently
 16 work in that site. And there are a few fire
 17 hydrants. Earlier as one of the board members
 18 mentioned about fire with the other plan, will you
 19 incorporate the current fire hydrants that are in the
 20 building?
 21 I know you will have, you know,
 22 sprinklers and all that, you know, that is in code
 23 with the fire department, but the current fire
 24 hydrants, will you be -- what's that word I'm looking
 25 for -- will you be using it --

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1 MS. TARABOCCHIA: Are you going to
 2 implement more fire hydrants?
 3 MS. LEE: Yeah, more or, you know, like
 4 --
 5 MAYOR KIM: Or is that more for the
 6 engineer?
 7 THE WITNESS: The fire hydrant question
 8 will be answered by our civil engineer, so that would
 9 be the next time.
 10 And then the -- we do have bike racks
 11 that are along, you know, different locations
 12 throughout that landscaped plaza space. So, you
 13 know, like the public could just park their bikes.
 14 MS. LEE: Yeah, but not only just
 15 parking, but like with walking pedestrians and having
 16 the bikes.
 17 MR. MURPHY: I'm not necessarily sure.
 18 Correct me if I'm wrong, that there are bike lanes
 19 because we don't necessary want --
 20 THE WITNESS: People riding their
 21 bikes, people would walk through.
 22 MS. LEE: Okay. All right. Thank you.
 23 CHAIRWOMAN STAR: Anyone else from the
 24 public? If not, we'll close that portion. A motion
 25 to --

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1 MS. TARABOCCHIA: I have a question.
 2 MAYOR KIM: Well, let's close the
 3 public and come back.
 4 COUNCILMAN KWAK: I'll make a motion.
 5 MAYOR KIM: I'll second.
 6 MS. TARABOCCHIA: I have a question
 7 regarding the traffic.
 8 As you said the cars, but what about
 9 these scooters, these electric scooters that are
 10 running through the municipality and every
 11 municipality all over, do you have access for them to
 12 park? Like you had bike racks, is there something on
 13 this plan that has designated --
 14 THE WITNESS: Not at the moment.
 15 MS. TARABOCCHIA: -- with electric
 16 parking and stuff like that?
 17 THE WITNESS: We don't have like a
 18 designated electric scooter area. I think that
 19 that's a great idea. We see it in front of buildings
 20 in, you know, everywhere.
 21 MAYOR KIM: I would like to also add
 22 that if there is a bike, it has to be parked in a
 23 biking --
 24 THE WITNESS: Stall?
 25 MAYOR KIM: Stall, yeah, which includes

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1 probably electric bikes.
 2 THE WITNESS: I think that that's a
 3 good idea. That's something we could take into
 4 consideration.
 5 MAYOR KIM: Just one question.
 6 I recall there was a light rail
 7 drawing.
 8 MS. TARABOCCHIA: Yes, in your last
 9 drawing.
 10 MAYOR KIM: Yeah, where would you put
 11 in your light rail? That will probably increase your
 12 investment. If there's a light rail that's going to
 13 open up, where would the light rail station be.
 14 THE WITNESS: I know that there's been
 15 some talks and I guess conversations about maybe a
 16 little bit further on the kind of north side of West
 17 Ruby. I think that would be a great opportunity for
 18 it if the rail is there, and there's a long strip of
 19 land where I think New Jersey Transit would do it and
 20 there have been some conversations about that.
 21 MAYOR KIM: There's space enough to put
 22 in the light rail stuff, right?
 23 THE WITNESS: Yeah, yeah, further on
 24 the north side, not on our property, not on our
 25 property. We would love to have it there, but I

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1 don't think it's going --
 2 MR. JHANG: Yeah, that's all the
 3 loading areas.
 4 MR. MURPHY: Yeah, I think you would be
 5 a little bit further up and there would be
 6 pedestrians walking.
 7 MAYOR KIM: What a shame if there was a
 8 light rail stop there, wow.
 9 MR. MURPHY: Yes, it would be very
 10 good.
 11 THE WITNESS: That would be more --
 12 this is us here. I think there's space along here
 13 further north where you could put a light rail
 14 station.
 15 MAYOR KIM: Isn't there like an EPA or
 16 something on the environmental concerning building
 17 residents really close to the rails?
 18 MR. MURPHY: It's pretty close to the
 19 rails in a lot of spaces. I think -- I'm not quite
 20 sure, I can't really answer, but maybe one of your
 21 professionals can, but --
 22 MR. KAUKER: I'm not aware of anything.
 23 THE WITNESS: We do buildings that are
 24 10 feet from the rail line.
 25 CHAIRWOMAN STAR: If there are no
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1 further questions.
 2 THE WITNESS: We would have answered
 3 that already.
 4 MR. MURPHY: Chairwoman, are we going
 5 to carry to the 25th or is there --
 6 CHAIRWOMAN STAR: Well, that's
 7 something we want to discuss.
 8 MR. MURPHY: Okay.
 9 MAYOR KIM: So that's a very good
 10 question. Madam, what do you recommend?
 11 CHAIRWOMAN STAR: I recommend two
 12 separate ones, one for the other case and one for
 13 this case, because we don't want to rush you, we want
 14 to get all the facts, so...
 15 MR. MURPHY: Madam Chair, if it was up
 16 to us, we would love to just be here by ourself
 17 talking to you and getting --
 18 MAYOR KIM: Same for us too.
 19 CHAIRMAN SALEMME: We may have some
 20 small cases, you know, a change of use or something.
 21 MAYOR KIM: Which we'll get done first.
 22 MR. MURPHY: Get done first and then
 23 get us on by 8 o'clock or so.
 24 CHAIRWOMAN STAR: But to do the both of
 25 them the same night...
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1 MR. MURPHY: We'd be open to whatever
 2 date you maybe have, the sooner the better so we can
 3 carry the notice. Is there one meeting or two
 4 meetings a month?
 5 MAYOR KIM: Just one meeting.
 6 MR. MURPHY: Just one. Is there an
 7 appetite for a special or is that --
 8 CHAIRWOMAN STAR: We can do -- can we
 9 do a special?
 10 MAYOR KIM: We've got to ask the rest
 11 of the members.
 12 Would you guys be interested in doing a
 13 special? Because they don't want to wait another
 14 month.
 15 MR. MURPHY: And we'll be very quick.
 16 Traffic will be about four minutes.
 17 MR. NOH: For special meeting, we need
 18 to check the dates that are available for this room.
 19 MAYOR KIM: How about this: We can't
 20 make a decision right now, but we'll entertain your
 21 special meeting. I think it's a good idea. We don't
 22 want you to wait two months.
 23 MR. MURPHY: Yeah, I agree. And I
 24 think maybe if we carry now to the 25th so that we
 25 preserve renotece.
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1 MR. NOH: Right now let's carry to the
 2 next regular meeting, which is Wednesday, the 25th of
 3 March, 7 p.m. here. And we can, if you like, we can
 4 carry the notice as well.
 5 MR. MURPHY: We can carry the notice to
 6 the 25th. And then if we were to maybe be a week or
 7 two later from that, we could then carry again for
 8 the special at that meeting.
 9 MAYOR KIM: We'll entertain that with
 10 the members.
 11 MR. MURPHY: We appreciate that and
 12 thank you so much.
 13 MR. NOH: The motion is that Case
 14 25-SP15, site plan, Leems Corporation, 21 Grand
 15 Avenue.
 16 Someone has to make a motion to carry
 17 this application to March 25th at 7 p.m. here and to
 18 carry the notice as well, so there's no need for
 19 renotece. Can someone make the motion?
 20 COUNCILMAN KWAK: I make a motion.
 21 MR. JHANG: I'll second the motion.
 22 MAYOR KIM: Second. Roll call.
 23 MS. HANRAHAN: Mayor.
 24 MAYOR KIM: Yes.
 25 MS. HANRAHAN: Star.
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1 CHAIRWOMAN STAR: Yes.
 2 MS. HANRAHAN: Aufiero.
 3 VICE CHAIRMAN AUFIERO: Yes.
 4 MS. HANRAHAN: Tarabocchia.
 5 MS. TARABOCCHIA: Yes.
 6 MS. HANRAHAN: Kang.
 7 MR. KANG: Yes.
 8 MS. HANRAHAN: And Jhang.
 9 MR. JHANG: Yes.
 10 CHAIRWOMAN STAR: Motion to adjourn.
 11 MAYOR KIM: I make a motion. Do I have
 12 a second?
 13 COUNCILMAN KWAK: I second.
 14 MAYOR KIM: All in favor?
 15 (Whereupon, all present members respond
 16 in the affirmative.)
 17 CHAIRWOMAN STAR: Memorialization?
 18 MR. NOH: There's no memorialization.
 19 THE COURT REPORTER: I'm sorry. I
 20 can't hear you.
 21 MAYOR KIM: Guys.
 22 MR. NOH: We have to close the meeting,
 23 so, please.
 24 I submit there's no memorialization
 25 this evening, so --
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1 CHAIRWOMAN STAR: Right. Any old
 2 business? New business? Motion to adjourn.
 3 COUNCILMAN KWAK: I make a motion.
 4 VICE CHAIRMAN AUFIERO: I make a
 5 motion.
 6 MAYOR KIM: Oh, that was unanimous
 7 first and second.
 8 All in favor?
 9 (Whereupon, all present members respond
 10 in the affirmative.)
 11 (Whereupon, meeting in concluded.
 12 Time noted: 10:24 p.m.)
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201-641-1812

CERTIFICATE

1
 2
 3
 4 I, LAURA A. CARUCCI, C.C.R., R.P.R., a Remote
 5 Online Notary Public, Notary ID. #1810618, Certified
 6 Court Reporter of the State of New Jersey, and a
 7 Registered Professional Reporter, hereby certify that
 8 the foregoing is a verbatim record of the testimony
 9 provided under oath before any court, referee, board,
 10 commission or other body created by statute of the
 11 State of New Jersey.
 12 I am not related to the parties
 13 involved in this action; I have no financial
 14 interest, nor am I related to an agent of or employed
 15 by anyone with a financial interest in the outcome of
 16 this action.
 17 This transcript complies with
 18 regulation 13:43-5.9 of the New Jersey Administrative
 19 Code.
 20
 21
 22
 23
 24
 25

 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: 3-20-26
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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