

BOROUGH OF PALISADES PARK
 ZONING BOARD OF ADJUSTMENT
 MONDAY, MARCH 16, 2026
 7:28 p.m.

Case No. 25-18)
 Golan Shazo)
 145 Morningside Lane)
 Block: 717, Lot: 10) TRANSCRIPT OF
Case No. 25-17) PROCEEDING
 550 Bergen LLC)
 550 Bergen Blvd)
 Block: 416, Lot: 3)
Case No. 25-09)
 Robert Lee)
 317 9th Street)
 Block 410, Lot 17)
Case No. 25-16)
 Grand Kukbo NJ, Inc)
 71 Grand Ave, #102)
 Block 313, Lot 3)
Case No. 25-13)
 Jaehoon Lee)
 525 Glen Ave)
 Block 317, Lot 17)
Case No. 25-10)
 Sang Won Sur)
 32 Delia Boulevard)
 Block 728, Lot 24)
Case No. 25-15)
 Hosu Lee)
 432 Glen Ave)
 Block 320, Lot 8)

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

CHARLIE CHUNG, CHAIRMAN
 SEONG HYE YOON, VICE CHAIRWOMAN
 ELEPTERIOS ELEPTERIOU, MEMBER
 DAVID TERRANOVA, MEMBER (ABSENT)
 BRIAN KIM, MEMBER (ABSENT)
 STEVEN BROGNA, MEMBER
 AARON CHIESA, MEMBER
 SOPHIA KIM, ALTERNATE MEMBER (ABSENT)
 JUSTIN SUNG, ALTERNATE MEMBER
 SOOKYUNG PARK, ALTERNATE MEMBER (ABSENT)

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 201-641-1812

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1 MS. TESTA: Stand for the Pledge of
 2 Allegiance, please.
 3 (Whereupon, all rise for a recitation
 4 of the Pledge of Allegiance.)
 5 MS. TESTA: This evening we have to
 6 swear in three of our members.
 7 So I'll ask Mr. Elefteriou, Mr. Chiesa,
 8 and also Mr. Sung, please stand, raise your right
 9 hand and repeat after myself.
 10 (Whereupon, Mr. Elefteriou, Mr. Chiesa
 11 and Mr. Sung all stand, raise their right
 12 hands and recite the Oath of Office for board
 13 member and alternate board member.)
 14 MS. TESTA: Congratulations.
 15 MR. SOKOLICH: Congratulations.
 16 MS. TESTA: So we'll start with the
 17 applications, if that's okay with the board, and then
 18 we'll go to the memorializations.
 19 CHAIRMAN CHUNG: Do that later, okay.
 20 MS. TESTA: Okay.
 21 So the first case -- oh, case --
 22 Chairman, Case No. 25-09, Robert Lee, 317 9th Street,
 23 Block 410, Lot 17, at the request of the applicant is
 24 going to be carried to the April meeting.
 25 CHAIRMAN CHUNG: Okay.
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1 MS. TESTA: Let me just get that date.
 2 April 20th.
 3 Okay. So we would just need a motion
 4 on that to waive the notice requirement, that this
 5 would be the notice and the applicant waives any time
 6 constraints. Correct?
 7 MR. SOKOLICH: We do, Counsel.
 8 MS. TESTA: Okay.
 9 So I just need a motion.
 10 CHAIRMAN CHUNG: I'll make a motion.
 11 MR. ELEFTERIOU: Second.
 12 MS. TESTA: Roll call, please.
 13 SECRETARY KIM: We didn't do the
 14 attendance.
 15 MS. TESTA: Oh, I'm sorry, yes, please
 16 do the attendance.
 17 Sorry about that.
 18 SECRETARY KIM: Mr. Chung?
 19 CHAIRMAN CHUNG: Yes.
 20 SECRETARY KIM: Ms. Yoon?
 21 VICE CHAIRMAN YOON: Yes.
 22 SECRETARY KIM: Mr. Brogna?
 23 MR. BROGNA: Yes.
 24 SECRETARY KIM: Mr. Chiesa?
 25 MR. CHIESA: Yes.
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1 SECRETARY KIM: Mr. Elefteriou?
 2 MR. ELEFTERIOU: Yes.
 3 SECRETARY KIM: Mr. Kim?
 4 (No Response.)
 5 SECRETARY KIM: Mr. Terranova?
 6 (No Response.)
 7 SECRETARY KIM: Ms. Park?
 8 (No Response.)
 9 SECRETARY KIM: Mr. Sung?
 10 MR. SUNG: Here.
 11 SECRETARY KIM: Mrs. Kim?
 12 (No Response.)
 13 MS. TESTA: Okay.
 14 And we have a motion and a second, if
 15 you can just do the roll call for the adjournment of
 16 25-09.
 17 SECRETARY KIM: Mr. Chung?
 18 CHAIRMAN CHUNG: Yes.
 19 SECRETARY KIM: Mrs. Yoon?
 20 VICE CHAIRMAN YOON: Yes.
 21 SECRETARY KIM: Mr. Brogna?
 22 MR. BROGNA: Yes.
 23 SECRETARY KIM: Mr. Chiesa?
 24 MR. CHIESA: Abstain.
 25 SECRETARY KIM: Mr. Elefteriou?
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1 MR. ELEFTERIOU: Yes.
 2 SECRETARY KIM: Mr. Sung?
 3 MS. TESTA: You can abstain.
 4 It's for the adjournment, but that's
 5 fine.
 6 Okay. So Case No. 25-09, Robert Lee,
 7 317 9th Street, Block 410, Lot 17 is being postponed
 8 to the next meeting of the zoning board, which will
 9 be April 20th, 2026 at 7 p.m.
 10 No further notice will be provided to
 11 the public.
 12 This is the notice.
 13 MR. SOKOLICH: And we waive all time
 14 constraints.
 15 MS. TESTA: Yes.
 16 Thank you, Counsel.
 17 So the next case then will be
 18 145 Morningside.
 19 MR. SOKOLICH: I was going to give them
 20 my phone number in case they wanted to call me before
 21 the next meeting.
 22 MS. TESTA: Sure.
 23 (Whereupon, a brief recess is held.)
 24 MR. SOKOLICH: Chairman, for the
 25 record, I gave those members of the public my cell
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1 number so we can communicate before the next hearing
2 so that we can confirm that the matter is proceeding
3 so they don't come for no reason.

4 MS. TESTA: Very good.

5 MR. SOKOLICH: As you I know you don't
6 like people coming for no reason.

7 MS. TESTA: Chairman, I have the
8 Affidavit of Publication and everything is in order.

9 CHAIRMAN CHUNG: Okay.

10 MS. TESTA: So the board has
11 jurisdiction over this matter.

12 MR. SOKOLICH: Thank you, Mr. Chairman.
13 Counsel, Members of the Board, Engaged

14 Professionals, Mark Sokolich on behalf of the
15 applicant before you Golan Shazo.

16 My client is a licensed builder here in
17 the State of New Jersey, has built multiple houses in
18 the area, is hopeful to reside in the residence
19 that's before you this evening.

20 Just by way of housekeeping, we had
21 filed with Ms. Testa a copy of our Affidavit of
22 Service which we believe vests jurisdiction with the
23 board and we provided that, that is all in order.

24 It's our intention this evening to
25 present the testimony of Vassilios Cocoros as a

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1 139 Morningside. This application was approved for
2 seven townhomes.

3 Again, this property and the adjacent
4 property, as you face this property, 139 would be the
5 property to the left.

6 It was approved for seven units in two
7 clusters, a cluster of three units and a cluster of
8 four units.

9 So we would only point out to the board
10 that we're now dealing with approximately half, a
11 little bit more than half of what was previously the
12 subject of an application before you.

13 We're now with two units and the
14 seven-unit approval has since been abandoned, number
15 one.

16 And number two, we will point out and
17 just only keep in mind that we do have a topographic
18 condition that we will be dealing with and we'll talk
19 about it as we get into the plans.

20 So without any further ado -- oh,
21 excuse me, I thought it would be helpful to provide
22 you with the photographic exhibit that we will
23 provide testimony on once we reach David Spatz, but I
24 thought if we provided it earlier than later, the
25 board can look along as we go.

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1 licensed architect, and then David Spatz to provide
2 the professional planning testimony.

3 This is an application for a duplex
4 residential dwelling on a slightly oversized lot.

5 I say oversized because it's 52-feet
6 wide, but there are two -- two characteristics, two
7 circumstances I want to bring to the board's
8 attention right at the outset.

9 This property is compromised with a
10 pretty steep slope. I believe there's a 17-foot dip
11 from front to rear.

12 And as a consequence that dip skews the
13 height calculation because your height requires an
14 averaging and as a consequence the height is quite
15 high.

16 But from street level we will provide
17 you with the testimony as to what the height will
18 look like as someone is walking by and you see it
19 from the street, number one.

20 Number two, if the board recalls for
21 those members that were on the board, and I don't
22 think any actually, but several years ago this
23 application was part and parcel of an application for
24 a multifamily building. It was in conjunction with
25 the adjacent property which is designated as

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1 Diane, if you want me to mark it, I
2 will, otherwise I'll start marking whatever you --
3 whatever you would like me to do.

4 MS. TESTA: You can start with the
5 plans and then we'll --

6 MR. SOKOLICH: Start with the plans and
7 then I'll mark --

8 MS. TESTA: Yes.

9 MR. SOKOLICH: Thank you.

10 So, Bill, you need to get sworn in.

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

14 MR. COCOROS: I do.

15 V A S S I L I O S C O C O R O S, AIA
16 467 Sylvan Avenue, Englewood Cliffs, New Jersey
17 07632, having been duly sworn, testifies as
18 follows:

19 MS. TESTA: Please state your name and
20 business address for the record.

21 MR. COCOROS: Sure.

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

25 MS. TESTA: Thank you.

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1 VOIR DIRE EXAMINATION
 2 BY MR. SOKOLICH:
 3 Q. Billy, your credentials have been
 4 accepted as an expert here?
 5 A. Yes.
 6 Q. In the field of architecture?
 7 A. Yes.
 8 Q. And your license remains in good
 9 standing?
 10 A. Yes, it does.
 11 MR. SOKOLICH: I offer Mr. Cocoros.
 12 MS. TESTA: Yes, he's been here
 13 numerous times.
 14 BY MR. SOKOLICH:
 15 Q. Nothing's happened since last time you
 16 were here, Bill, I asked that question of you?
 17 A. No.
 18 DIRECT EXAMINATION
 19 BY MR. SOKOLICH:
 20 Q. Bill, you were the engaged architect by
 21 Mr. Shazo in connection with this property, correct?
 22 A. Yes.
 23 Q. And, in fact, we have plans that are
 24 now on the tripod that we will mark as A-1, -2 and
 25 -3, as we get to them, but all the plans that we're
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1 about to talk about and are presented to the board
 2 were either prepared by you or under your direct
 3 supervision?
 4 A. Yes.
 5 Q. First plan we're going to mark is A-1,
 6 which is entitled "Elevation Site Plan and Zoning
 7 Information," again prepared by you, correct?
 8 A. Yes.
 9 MR. SOKOLICH: Diane, with your
 10 permission, A-1?
 11 MS. TESTA: Yes, please.
 12 MR. SOKOLICH: And then I'll initial it
 13 and I'll date it today the 16th.
 14 (Whereupon, Elevation Site Plan and
 15 Zoning Information, Last Revised November 4,
 16 2025 is marked as Exhibit A-1 for
 17 identification.)
 18 BY MR. SOKOLICH:
 19 Q. And, Bill, so I don't have to keep
 20 interrupting you, your next plan, which you also
 21 called A-2, we're going to mark as A-2. It is --
 22 MR. SOKOLICH: Excuse me, Diane, A-1,
 23 it's initial date is August 1, 2025 and it's last
 24 revised date is November 4, 2025.
 25 MS. TESTA: Thank you.
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1 MR. SOKOLICH: A-2 is entitled "Floor
 2 Plans," initial date August 1, 2025, last revised
 3 date, 11/04/2025, which we'll mark as A-2 with
 4 counsel's permission.
 5 (Whereupon, Floor Plans, Last Revised
 6 November 4, 2025 is marked as Exhibit A-2 for
 7 identification.)
 8 MR. SOKOLICH: And then, finally, A-3
 9 is also entitled "Floor Plans," also initially dated
 10 August 1, 2025, with a last revised date of November
 11 4, 2025.
 12 We'll mark this as A-3, if that's
 13 acceptable?
 14 (Whereupon, Floor Plans, Last Revised
 15 November 4, 2025 is marked as Exhibit A-3 for
 16 identification.)
 17 BY MR. SOKOLICH:
 18 Q. So A-1, -2 and -3, Bill, were prepared
 19 by you?
 20 A. Yes.
 21 Q. All right. And you were present when I
 22 gave that brief little opening remark, talked about
 23 the severe topographic condition?
 24 A. Yes.
 25 Q. And also spoke about the prior
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1 approval.
 2 I don't know if you were involved with
 3 that prior approval, but --
 4 A. No.
 5 Q. -- the topography in particularly
 6 you're aware of?
 7 A. Yes.
 8 Q. And you've designed the house
 9 accordingly to accordance that topographic condition?
 10 A. Yes.
 11 Q. So referring to A-1, wherever you think
 12 it's smartest to start, please do.
 13 And I'm hoping that would be the site
 14 plan?
 15 A. **Yeah, just the property is located on**
 16 **the west side of Morningside Lane.**
 17 **The front of it has 52-feet wide, it's**
 18 **about 400 feet to the south of Homestead Avenue.**
 19 **The property, as you mentioned, is**
 20 **considerably oversized. It's 52-feet wide in the**
 21 **front, 50-feet wide in the back.**
 22 **On the right-hand side it is**
 23 **144.65-feet deep and 151.13-feet deep on the**
 24 **left-hand side.**
 25 **Has a total lot area of 7,595 square**
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1 feet.
 2 **And as I mentioned before, as Mark**
 3 **mentioned before, there is quite a bit of a**
 4 **topographic difference on the property from the curb**
 5 **line at Bergen Boulevard, which is State Highway 63,**
 6 **there's about a 30-foot difference, almost a**
 7 **three-story difference or even slightly more in some**
 8 **cases to the -- up from Morningside.**

9 **To the back of our property we're**
 10 **looking at about 26 feet difference from front to**
 11 **back.**

12 **So there is quite a bit of a drop-off,**
 13 **which is the condition on all those properties along**
 14 **Morningside Lane.**

15 **So whatever you kind of do there has an**
 16 **issue with height due to the drop-off and what**
 17 **complicates that, there is a sewer back there --**
 18 **there's a sewer in that area.**

19 **It hasn't really been located. That's**
 20 **one of those things where we either have to kind of**
 21 **pre-dig it and find out where it is.**

22 **And that's something that can be**
 23 **coordinated with the board engineer and the DPW and**
 24 **then, you know, that kind of precludes us from**
 25 **putting retaining walls on the side to bring the**

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1 **As you can see --**

2 **Q.** So, Bill, let me just stop you for one
 3 second.

4 Before I indicated -- when I said
 5 "slightly oversized," I was just talking about the
 6 width where at the front, I believe, it's 2 feet
 7 above the --

8 **A. Yes.**

9 **Q.** But in reality, this is a
 10 7500-square-foot lot?

11 **A. Yes.**

12 **Q.** Which is 50 -- 60 percent bigger,
 13 greater than that which is required of 5,000 square?

14 **A. Yeah, one-and-a-half times.**

15 **Q.** Number one.

16 The number two, so is there a useable
 17 backyard to speak of beyond that retaining wall
 18 that's proposed?

19 **A. No.**

20 **Like I said, we have an area that we**
 21 **would kind of -- kind of terrace, so we do have a**
 22 **level portion that would be accessible for**
 23 **maintenance purposes.**

24 **We might have to do a staircase within**
 25 **that retaining wall to get to the lower level.**

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1 height calculation down, which also in a weird way
 2 would be cheating, so we're kind of limited to any
 3 improvements on the side yards where the sewer
 4 relocation would occur.

5 **So the building, itself, is 40-foot**
 6 **wide. We have a depth of 68-feet deep.**

7 **It's similar to other duplexes that we**
 8 **do have on 125-foot lots where we're able to get a**
 9 **three-level configuration, but in this case here we**
 10 **have a situation with the drop-off in the back.**

11 **We're not really filling the property**
 12 **considering the sewer that we have to work with**
 13 **around that area.**

14 **In addition to that, there is a really**
 15 **nice view in the back overlooking the Meadowlands.**

16 **We've done houses before where we've**
 17 **had roof decks facing that and it's a nice amenity.**

18 **In addition, the rear yard is somewhat**
 19 **unusable as an exterior space.**

20 **So we're kind of, like, creating a yard**
 21 **up in the sky that's accessed from inside the**
 22 **apartment.**

23 **On the Sheet A-1, I have my zoning**
 24 **table, my schematic site plan and the front rear and**
 25 **right elevation.**

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1 **In most cases it's really just for any**
 2 **emergency maintenance in the back, but as in other**
 3 **cases like on Glen or Roff where you have the**
 4 **downhill side, they have similar topographic**
 5 **differences and in most cases nobody really uses that**
 6 **yard.**

7 **The main thing here is, you know, we**
 8 **have the decks and those decks themselves would be**
 9 **steel structure given the heights that we're dealing**
 10 **with.**

11 **Q.** And staying on your -- on the
 12 architectural site plan for the moment, just talk to
 13 me about parking and garage width.

14 **A. Sure.**

15 **The garage -- the parking is a typical**
 16 **duplex configuration where we have a two-car driveway**
 17 **in the front and then we have the garages interior.**

18 **It's set up, technically you fit two**
 19 **small cars in there.**

20 **However, we do have it a little bit**
 21 **deeper for room for storage and room for -- you know,**
 22 **for garbage cans within the space.**

23 **Sometimes we do them under the**
 24 **staircase, but since the property does drop off quite**
 25 **a bit, you can see that the front corners of the**

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1 building are lower than the actual sidewalk which
2 also adds to the height calculation bringing it up.

3 If you look at it from the front
4 elevation along Morningside Lane, it looks like a
5 typical duplex where it's three stories.

6 We have the garage, itself, slightly
7 higher than the sidewalk, so water doesn't go down
8 and that's kind of a fixed point.

9 Everything drops off behind that based
10 on the topography.

11 This is a similar configuration size
12 and height as to one that we recently did on Glen
13 Avenue.

14 We've done a few of them on Glen and a
15 few of them on Roff and there's also some that we've
16 done on Morningside further to the south to have a
17 similar configuration.

18 And like I said, we could have terraced
19 two retaining walls to bring the height up.

20 The building would look basically the
21 same.

22 However, we did try to minimize the
23 site work on the rear portion since we have a sewer
24 to deal with and that would have to be designed by a
25 licensed engineer as far as the relocation.

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1 It will probably be four manholes, one
2 lateral -- actually three laterals that connect the
3 old sewer to the new sewer line and then back to the
4 old sewer again.

5 But that's, like I said, the old maps
6 are kind of unclear, so that's one of those things
7 where we have to kind of find out with the DPW and
8 the board engineer if this is approved in regards to
9 the sanitary sewer in the backyard.

10 Q. Back to your front elevation as one is
11 standing on Morningside, could you just speak to the
12 height of the house that you'll see if you're
13 standing on that sidewalk?

14 A. The height when you look at it from the
15 midpoint of the roof, it's actually -- I have
16 36 feet, it's probably closer to 32 feet and that's
17 kind of based on the driveway being slightly higher
18 than the -- than the actual sidewalk.

19 The 28 feet that the ordinance allows,
20 even if the lot is flat, you'd have to have a
21 driveway go down about 2-and-a-half, 3 feet to meet
22 that requirement and that was -- that was kind of
23 past before we had all these issues with these
24 100-year rainstorms that have been kind of hitting us
25 for the past 10 years.

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1 So I know since the original adoption
2 of that height, the board has been granting height
3 variances based on avoiding having a negative pitch
4 driveway.

5 Q. So at -- that's the front and that's in
6 my view and I submit this respectfully, that's most
7 consequential, right?

8 A. Yes.

9 Q. But then we get to the rear where then
10 you begin to notice that there are two sublevels and
11 the reason for that is because of that pretty harsh
12 topographic condition.

13 A. Yes.

14 Q. Could you speak to that for a moment?

15 A. And also, some of the older duplexes,
16 they have the same condition, you don't even know
17 that there is something going on back there because
18 from Morningside they look like regular duplexes, but
19 if you go on the side yards, you can see that they
20 drop off quite a bit.

21 And then from the back, you can't
22 really see anything from Bergen Boulevard, because
23 there's a little bit of a terrace.

24 And it's also kind of wooded back
25 there, nobody really maintains that portion.

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1 So, you know, from the back you barely
2 see it.

3 However, like I said, the drop-off
4 creates the four-story configuration at the back
5 where you kind of basically have a walkup.

6 And then the other older duplexes have
7 a similar condition where they basically have a
8 walkout.

9 I think the previous house that was
10 there has a -- has a garage that's down at that level
11 right now where you kind of drive down almost 10 feet
12 from the -- from Morningside to get to the existing
13 detached garage that's kind of close onto the
14 property line.

15 Q. Bill, I think your -- God bless you --
16 your dimension from the right elevation, I think,
17 shows this topographic condition you're talking of,
18 correct?

19 A. Yeah, you see -- yeah, you can see
20 here, like on the A-1 sheet, even on the A-2 sheet --
21 I have the right and on the A-2 I have the left.

22 You see the front corners where we
23 measure the height, it drops off almost 3 feet from
24 the actual driveway level and that's because the
25 existing grade and the houses adjacent to us have a

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1 **similar configuration.**
 2 **Basically they keep their driveway**
 3 **level and they start stepping down to follow the**
 4 **grade down to their back portion of their house.**

5 Q. The variance that are being sought by
 6 Mr. Shazo, there are no -- well, let me say this in
 7 reverse.

8 There are no variances being sought
 9 for, for example, side yard, for rear yard, front,
 10 unless, of course, we're corrected, but we don't
 11 anticipate seeking a variance for any of the bulk
 12 requirements, whether it's coverage, whether it's
 13 side yard, whether it's rear yard, lot depth, lot
 14 width, so forth and so on, correct?

15 A. **Correct.**

16 Q. However, there is a variance that's
 17 being sought for height, number of stories and linear
 18 height and, again, that request we submitted is
 19 generated by that averaging of the average of the
 20 grade plane, correct?

21 A. **Yes.**

22 Q. So let's just presume that
 23 145 Morningside was perfectly level, it was a kitchen
 24 tabletop and that sublevel of basement weren't
 25 proposed that we're about to get to and that we

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1 Q. Okay. Not -- not modern or anything
 2 aesthetically appealing of any nature?

3 A. **No.**

4 Q. Okay. I'm going to turn you to what
 5 we've premarked, Billy, as A-2 and this is -- we
 6 start with now the left elevation.

7 It's just essentially symmetrical to
 8 right elevation, correct?

9 A. **Yes.**

10 **On that side you can see it's a lot**
 11 **more -- much more of a drop-off at the front corner**
 12 **and we have a small staircase meet the existing grade**
 13 **where the stair landing ends and that's basically**
 14 **you're facing north as you're looking at the -- at**
 15 **the dwelling.**

16 Q. But the condition exists throughout the
 17 rear yard?

18 A. **Yes.**

19 Q. Is the point, okay.

20 So we now get to the first floor of
 21 this proposed residence, what's you're describing as
 22 lower level plan.

23 If I can just refer back for one second
 24 when you call "lower level plan," we're talking about
 25 the most level --

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1 actually see here, what would roughly the height of
 2 this building be?

3 A. **Like I said, if we did, say, a typical**
 4 **4-on-12 pitch, it comes out to about 30 --**

5 Q. One, two?

6 A. **Yeah, let's say 32 feet to be on the**
 7 **safe side.**

8 Q. Okay.
 9 So considerably less than that, which
 10 we're looking for, right?

11 A. **Yes.**

12 Q. Which is sought?

13 A. **Correct.**

14 Q. But am I correct when I submit to you
 15 that the variances -- there are no variances sought
 16 other than for height and number of stories?

17 A. **Correct.**

18 Q. I'm going to turn you, if I may, we
 19 have photographs that are before the board.

20 Could you characterize what the
 21 condition of the existing residence is?

22 A. **It's kind of like left, I don't want to**
 23 **say rot, but it's basically just kind of --**

24 Q. State of disrepair?

25 A. **Correct.**

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1 A. **Lowest level.**

2 Q. -- of the residence, right?

3 A. **Correct.**

4 Q. And this is essentially, and correct me
 5 if I'm wrong, the void that's created by virtue of
 6 this harsh steep slope?

7 A. **Correct.**

8 Q. Could you describe to the board what
 9 you propose on that level?

10 A. **If you see basically the back**
 11 **two-thirds of the dwelling, it's a mirror image side**
 12 **by side.**

13 **You have -- we have a recreation room**
 14 **accent with a sliding glass door out to the back with**
 15 **a patio under the deck, two AC units per side, we**
 16 **have a gym, closets, powder room, storage room and**
 17 **staircase up to the ground floor, which I'm calling**
 18 **the basement, which is the first level that's level**
 19 **with the street itself.**

20 **So, the -- and then to the left of that**
 21 **plan, also as the front portion is the slab above,**
 22 **that will probably have to be a structural design**
 23 **wall because of the -- that whole area is going to be**
 24 **fill.**

25 Q. And the balance of that level, is it

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1 devoted to gym and to --

2 **A. Gym, yeah, storage, yeah, powder room,**
3 **recreation room.**

4 **Q.** Now, you do know that this board and
5 this chairman is eventually going to say, well, how
6 do we know that's not going to become bedrooms,
7 multiple bedrooms.

8 So the applicant would consider any
9 safeguards that the board would want us to put into
10 place to make sure that that doesn't happen, correct?

11 **A. Correct.**

12 **Q.** So we then move to what you describe on
13 A-2 as the basement plan?

14 **A. Yes.**

15 **Q.** I'm going to refer back quickly to A-1
16 and the basement plan is this level, what I'll call
17 the conventional basement?

18 **A. And also the garage.**

19 **Q.** And also the garage.

20 So it's -- and these go straight
21 across. The front of this plan -- the front of this
22 level of the garage and the rear are what you're
23 calling the "basement level."

24 Could you describe what's on that
25 level?

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1 follow.

2 When we talk first floor, we're talking
3 this level and we're talking the first level above
4 the garage?

5 **A. Yes.**

6 **Q.** Sorry, Bill.
7 A-3, okay?

8 **A. Yeah.**

9 **Going from left to right, we have the**
10 **first floor plan, which is the main living space.**

11 **That's also accessed by a staircase**
12 **from the sidewalk level into the front door, which**
13 **goes directly into the living room.**

14 **Behind that we have a dining room,**
15 **kitchen with an open floor plan, galley-style with a**
16 **sink in the island.**

17 **In the back corner at the top of the**
18 **staircase from the lower level below we have the**
19 **powder room.**

20 **And then in the back we have a nice**
21 **family room with a triple slider out to a wood deck**
22 **that overlooks the backyard.**

23 **The -- that is also connected to the**
24 **floor below via the staircase.**

25 **Above that is the second -- what I'm**
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1 **A. Sure.**

2 **The front we have the garage, which is**
3 **accessed by a garage door.**

4 **On the outside corner at the back of**
5 **the garage, we have a utility room and then the door**
6 **and the center portion at the back of the garage we**
7 **have a door that brings you into the main living**
8 **space.**

9 **Directly ahead is the staircase up to**
10 **the first floor, which is the main living space and**
11 **then off of that is a small mudroom area with a coat**
12 **closet and behind that we have a powder room,**
13 **hallway, closets, recreation room and a home office.**

14 **The recreation room is down below, has**
15 **a sliding glass door that go out to a deck, which**
16 **lines up with the deck above on the first floor.**

17 **So it's basically a similar**
18 **configuration as far as layout goes as the floor**
19 **below, except that the front portion we have an**
20 **actual garage.**

21 **Q.** And A-3, Bill?

22 **A. A-3 is the -- I have it set up with the**
23 **first floor, which is all the way across.**

24 **Q.** Now, again, I hate to keep doing this,
25 I apologize, but I'm just hoping it's easier to

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1 **calling the second floor, which is the main bedroom**
2 **level.**

3 **It's a four-bedroom configuration with**
4 **three bathrooms, three full bathrooms, one being a**
5 **master on-suite primary bathroom with a double sink,**
6 **oversized shower, soaking tub, toilet alcove.**

7 **And then the primary suite is in the**
8 **back with three closets on each side and a nice big**
9 **window to look at the backyard and have a nice view**
10 **on that portion because you'll be up because of the**
11 **drop-off in the back of the property.**

12 **And then above that what we've done in**
13 **similar houses in that area and over on the other**
14 **side of Bergen Boulevard since you have a great view,**
15 **we have an attic area that we have a -- in the back**
16 **portion we have a roof deck, a finished attic area**
17 **with nice sliding glass doors and windows facing the**
18 **west, a small den, bathroom and a wet bar.**

19 **So that's basically the secondary**
20 **space. It's going to act like a backyard exterior**
21 **space but up on the roof.**

22 **Q.** Bill, what you're referring to is the
23 attic floor. This sloped roof is sloping towards
24 Morningside, correct?

25 **A. Yes.**

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1 Q. So when you're on Morningside,
2 eventually you'll be able to see it, but when you're
3 directly in front of the sidewalk facing this house,
4 do you see this?

5 A. **No, because this recessed back at least
6 15 feet from -- and that's the way the bathroom is
7 and then, you know, in the back portion of the den is
8 another almost 25 feet from the front line of the
9 building.**

10 Q. But so the first two sections that say
11 "roof below," is a slope towards Morningside --

12 A. **Yes.**

13 Q. -- right?

14 And then the two sections that you
15 indicate "slope below," which are on either side of
16 --

17 A. **I think there's a bath --**

18 Q. -- where you're depicting as a
19 bathroom, those slope to the size yards --

20 A. **Yes.**

21 Q. -- correct?

22 A. **Correct.**

23 Q. So those are all sloping roofs?

24 A. **So now we have a flat roof over the den
25 and the finished attic area.**

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1 **they're four stories because of the drop-off from
2 front to back.**

3 Q. But this isn't a circumstance where we
4 believe this house would then dwarf the house next
5 door, correct?

6 A. **No, you know, it's a little bigger, but
7 like I said, it's in line with newer stuff that's
8 been built in that area.**

9 Q. Is there anything else that you want to
10 add, Bill, before I conclude with you?

11 A. **No.**

12 **As I said, a pretty tough site to work
13 with.**

14 **Like I said, we tried to -- you know,
15 tried to keep the first floor, the garage level as
16 close to the ground as we can without creating an
17 issue with water.**

18 Q. You know, let me just ask you this last
19 question: This lower level, Bill, where you proposed
20 a gym, I believe and -- if you weren't to do that,
21 what would then be done in its place?

22 Would it be steel girders or would it
23 be a larger retaining wall excavated, is that --

24 A. **It will be a hallow space.**

25 **It will -- you know, it would have been**

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1 **And then in the back the roof deck is a
2 flat function, a flat area basically above the floor
3 below.**

4 **And then we finish that off with the
5 dividing wall between the two units about 4- or
6 5-feet high.**

7 **And then we're going to do a glass rail
8 system around the perimeter of the outside.**

9 Q. So I'm going to bring you back to A-1,
10 Bill, before we finish with your testimony and what's
11 an important question especially when a height
12 variance is sought, you had indicated that this house
13 from street level would look like roughly a 31-,
14 32-foot high house; is that your testimony?

15 A. **Yes.**

16 Q. In relationship to the newer residences
17 that are next to it, is it comparable in height?

18 I know you didn't -- I know you didn't
19 scale it, but --

20 A. **Yeah, it's comparable to the newer ones
21 that had variances.**

22 **Some of the older ones would have
23 problems going down.**

24 **They look similar because they're three
25 stories and they're similar in the back because**

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1 **built regardless.**

2 **The volume of the building would have
3 been the same. It just would have been like a, you
4 know, unfinished space.**

5 **Like I said, because to fill that up
6 8 feet is -- you know, give a lot of surcharge to the
7 ground.**

8 **And also given the fact there's a sewer
9 close by and we don't want to put any additional
10 weight into the area.**

11 Q. Doesn't that also dramatically increase
12 the height of your retaining wall?

13 A. **Yeah. That and, you know, like I said,
14 the structure and the loads that it impacts on the
15 surrounding topography, I think it makes the -- the
16 hallow portion weighs less than a filled stone or
17 backfill in that area.**

18 Q. Understood.

19 But this house that's proposed before
20 this board is not something you've not designed in
21 the past, correct?

22 A. **No, this is the same configuration as
23 529 Glen Avenue, that was -- that was -- that we
24 presented to that board and that had similar
25 topography conditions.**

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1 I think this one is slightly less by
2 about -- I mean, this one is slightly worse with
3 about a 5-foot increase difference from front to back
4 then we had on Glen.

5 Q. Now, we all know that prior approval is
6 not even -- it's not even relevant to or it's not
7 persuasive as to this application, but I'm only
8 bringing that up that this is something that has been
9 designed by you in the past and has worked?

10 A. Yes.

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

13 CHAIRMAN CHUNG: Thank you.
14 Members?

15 (No Response.)

16 CHAIRMAN CHUNG: Steve?

17 (No Response.)

18 CHAIRMAN CHUNG: Nothing? No?

19 All right. Carl, what do you got,
20 anything?

21 MR. O'BRIEN: Yes, a few things.

22 Thank you, Chairman.

23 Just getting the plans today with

24 everything, so thank you for the testimony.

25 A few question along the way.

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1 THE WITNESS: So it will be two
2 separate sized connections.

3 MR. O'BRIEN: Yeah, so -- so two
4 separate connections into the main. Work with -- I
5 would work with the water company and whatever else
6 over there for your underground.

7 Sewer, we're -- we're going to need to
8 see your sewer layout.

9 We likely handle that during -- if the
10 board finds this application favorable, we can put a
11 condition in there that the sanitary sewer and all
12 utilities would be handled through the building
13 department process and we would review it at that
14 point to make sure that they're making all the right
15 connections.

16 And, also, with the road opening permit
17 and everything else has to go through your building
18 department anyway.

19 The concern I have with the sanitary
20 sewer is where are you putting the lines? How is
21 that affecting everything on-site? How is it
22 affecting in the right-of-way?

23 You know, are you -- I heard you
24 testify to easements. Is there going to be an
25 easement for sanitary sewer.

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1 None of the utilities are shown on the
2 plan. You're going to -- assuming you're going to
3 field locate it, tie --

4 THE WITNESS: Yeah.

5 MR. O'BRIEN: It's all going to be new
6 tie-ins, you're not reusing waterlines, sewer lines,
7 it's all new.

8 THE WITNESS: All new.

9 I guess new curbs. We have electric,
10 there's going to be two lines, one sprinkler, one
11 domestic, a gas line.

12 MR. O'BRIEN: Your sanitary -- and your
13 sanitary, water and everything going up to the two
14 units, it's going to have two separate --

15 THE WITNESS: Two separate laterals.

16 MR. O'BRIEN: Or it's going to be on
17 lateral that splits off.

18 THE WITNESS: Whatever the -- whatever
19 the -- you guys prefer. You know --

20 MR. O'BRIEN: I would recommend two
21 separate.

22 THE WITNESS: Two separate --

23 MR. SOKOLICH: Then that's what it
24 shall be.

25 MR. O'BRIEN: Yeah.

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1 THE WITNESS: Well, the last couple
2 that we did, we actually had designed them by a P.E.
3 and I think Collazuol was the engineer requesting an
4 easement on that portion of the zigzag, we'll call
5 it, of the sewer.

6 MR. O'BRIEN: Okay.

7 So we would need to see how your sewer
8 is being laid out and if an easement is necessary or
9 not.

10 If it's totally private, we don't need
11 an easement, if it's going to be used for them.

12 If it's tied in with the borough system
13 and we need to get back for maintenance or something
14 like that, then, yes, we would need an easement.

15 But I would prefer that it be all
16 private up until your connection, but let's see how
17 your layout is.

18 MR. SOKOLICH: We too are hopeful to
19 keep it all private also, because it gets complicated
20 once we --

21 MR. O'BRIEN: It does, it does.

22 And then your retaining wall, I know
23 you're having that designed by an engineer for that.

24 One of the things just to make sure and
25 this is more on the building department side, when

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1 they do submit, make sure they have fall protection.
 2 So there's going to be some type of
 3 fencing up there at the top so that, you know, God
 4 forbid you have your fall protection.
 5 THE WITNESS: Understood.
 6 MR. O'BRIEN: And then for stormwater
 7 management, you're going to be doing some type of --
 8 THE WITNESS: Yeah, the engineer will
 9 do like, you know, either concrete pits, I guess
 10 whatever the design --
 11 MR. O'BRIEN: Seepage pits or CULTEC
 12 chambers. CULTEC chambers are that -- are those half
 13 moon pipes?
 14 So I would need to see where it goes.
 15 I would need percolation tests to see if the soil is
 16 good.
 17 If it's not good, you're going to have
 18 to design something else for retaining the
 19 stormwater.
 20 And then how is it discharging for
 21 emergency overflow?
 22 Is this all being designed to perc
 23 straight down or are we tapping out to something else
 24 too?
 25 So your engineer is going to have to
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1 provide that so that we can review it.
 2 Once again, that's something that I
 3 would have to review during building department
 4 anyway and it's commonly contingent upon approval.
 5 So if it's approved, they still have
 6 homework to do.
 7 MR. SOKOLICH: Understood.
 8 MR. O'BRIEN: Thanks.
 9 CHAIRMAN CHUNG: That's it?
 10 MR. O'BRIEN: That's all I have right
 11 now.
 12 CHAIRMAN CHUNG: Mike?
 13 MR. KAUKER: Yeah, just one question.
 14 In terms of verification, you testified
 15 that the building height as viewed from the street
 16 would be like 31 or 32 feet.
 17 THE WITNESS: Yeah.
 18 MR. KAUKER: But actually per the
 19 ordinance, the way that it's defined, it's higher
 20 than that, correct.
 21 THE WITNESS: Yes, yeah, because of the
 22 -- yeah, because of the midpoint, you know, and they
 23 actually average the average grades.
 24 MR. KAUKER: Right.
 25 So that would be the
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1 36-and-a-half-point dimension.
 2 THE WITNESS: Yes.
 3 Yeah, because that's to the drop-off at
 4 the corner to come bring it down.
 5 MR. KAUKER: And then just in terms of
 6 the roof, just it's somewhat unique because it's not
 7 a typical slope.
 8 There is a flat roof for a portion of
 9 it.
 10 THE WITNESS: Yes, and that's where I
 11 took the midpoint measurement.
 12 If you take it from the midpoint of the
 13 regular roof on a 4-on-12 pitch, that's where I get
 14 that 32-foot number.
 15 MR. KAUKER: Okay.
 16 Thank you.
 17 CHAIRMAN CHUNG: Thank you, Mike.
 18 All right. Billy, how many bedrooms in
 19 each unit?
 20 THE WITNESS: We have it set up for
 21 four.
 22 CHAIRMAN CHUNG: Four?
 23 THE WITNESS: Yeah.
 24 CHAIRMAN CHUNG: Four bedrooms.
 25 THE WITNESS: I mean, it's a big lot.
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1 Like I said, it was previously
 2 approved, you know, with more bedrooms as a total.
 3 Like I said, it's a nice size lot. You
 4 know, the guy wants to do a nice custom house.
 5 CHAIRMAN CHUNG: All right.
 6 So looking for 40 feet height, right?
 7 THE WITNESS: Yes.
 8 CHAIRMAN CHUNG: That is high.
 9 You're going to put a sprinkler system
 10 there?
 11 THE WITNESS: Oh, we have to, yeah.
 12 CHAIRMAN CHUNG: Huh?
 13 THE WITNESS: We have to, yes.
 14 CHAIRMAN CHUNG: Okay. All right.
 15 What about the last one, the bottom
 16 one, lower basement?
 17 THE WITNESS: Yes.
 18 CHAIRMAN CHUNG: What are you doing
 19 with that?
 20 Why do you need that one?
 21 THE WITNESS: You know, it's --
 22 basically it's a vacant space. You know, we've done
 23 -- you know, on all downhill sites we've done that
 24 before.
 25 CHAIRMAN CHUNG: Okay. Have you seen
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1 117 Morningside?
 2 Have you seen that? Did you design
 3 that?
 4 THE WITNESS: I think so, a while ago.
 5 CHAIRMAN CHUNG: You did?
 6 THE WITNESS: Yeah.
 7 CHAIRMAN CHUNG: It was higher than
 8 this one, right, 117 Morningside.
 9 THE WITNESS: I think they're about
 10 similar as far as the height goes.
 11 CHAIRMAN CHUNG: All right.
 12 That one is a lot lower than yours.
 13 THE WITNESS: Yeah.
 14 CHAIRMAN CHUNG: All right. I would
 15 like to see the bottom -- get rid of that bottom one,
 16 the retaining wall.
 17 THE WITNESS: And just like -- like, a
 18 crawl space?
 19 CHAIRMAN CHUNG: Yeah.
 20 That way you lower it 9 feet and then
 21 you would be right there.
 22 MR. SOKOLICH: No, hold on.
 23 Chairman, you're referring to the lower
 24 level here?
 25 CHAIRMAN CHUNG: Yes.

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1 waste that space.
 2 BY MR. SOKOLICH:
 3 Q. Bill, I mean, is that correct?
 4 A. **Yeah, it's a void there.**
 5 **Yeah, we can open it up to make it, you**
 6 **know, less of like, you know, like a separated room,**
 7 **just make it a big -- a big open space down below.**
 8 **You know, in addition, you know, we can**
 9 **play with the roofs up on top to kind of bring the**
 10 **volume of it down.**
 11 MR. SOKOLICH: I will tell you,
 12 Chairman, if we didn't have the topographic condition
 13 we were dealing with, we wouldn't be asking for it,
 14 but we're trying to make, as the expression goes,
 15 lemons -- lemonade out of lemons.
 16 CHAIRMAN CHUNG: Okay.
 17 Well, if you're looking at it from the
 18 rear, the rear, you got five floors, one, two, three,
 19 four, five.
 20 MR. KAUKER: Mr. Chairman, if I can
 21 just interject, I think a more meaningful impact
 22 would be looking to do something with the top floor,
 23 because as he said, if you -- even if you eliminate
 24 that basement, the subbasement area, it's not going
 25 to really change the height.

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1 MR. SOKOLICH: I don't know, does that
 2 ultimately -- Billy, does that impact the height?
 3 THE WITNESS: I mean, it doesn't really
 4 -- the height stays the same, it just doesn't make
 5 any --
 6 CHAIRMAN CHUNG: Well, you have to --
 7 if you would build a retaining wall, no?
 8 THE WITNESS: The only thing, if we
 9 have to do sewer, I can't put a retaining wall on top
 10 of the sewer line to build up the corner.
 11 CHAIRMAN CHUNG: Well, the sewer line
 12 -- the sewer line is going to be deeper than that.
 13 MR. SOKOLICH: Chairman, when we were
 14 reviewing this, I specifically had indicated to the
 15 applicant and also to Bill, I said, look, the board
 16 is going to be concerned, right?
 17 They want to make sure they don't end
 18 up with five or six bedroom, right?
 19 There are four that are being sought.
 20 We would -- we would ask the board to at least
 21 consider any safeguards.
 22 We can open up walls. We can do
 23 whatever it is that you like. We can eliminate
 24 things.
 25 But we're hopeful that we just don't

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1 I would focus on the impact of the side
 2 of the building, on the neighboring properties and
 3 then by maybe bringing that roof line down, maybe be
 4 able to improve that.
 5 CHAIRMAN CHUNG: Yeah. Okay, get rid
 6 of that one.
 7 If we get rid of that one, you have to
 8 make a rooftop on this one.
 9 MALE AUDIENCE MEMBER: Chairman.
 10 CHAIRMAN CHUNG: No, not yet. The
 11 public is not open yet.
 12 We're not open to the public yet. Wait
 13 a second.
 14 Go ahead.
 15 THE WITNESS: What we've done before is
 16 we've done a flat roof and then set -- like you
 17 mentioned before, set the portion of -- the approved
 18 portion in further, make that space up in the attic
 19 smaller.
 20 So when you look at it, it's recessed
 21 back and then you'll see, like, a flat roof line
 22 here.
 23 And then the building would be far back
 24 enough so you're looking at it from down below, you
 25 don't see the actual penthouse, you know, the

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1 bulkhead of the penthouse.
2 So we can kind of create a -- almost
3 like a hat where you have a flat roof up and then
4 back down again.

5 So when you look at it from down below,
6 you won't see the highest-most portion, because it's
7 recessed back from the back portion of the building
8 and it's recessed -- and also I would bring down some
9 of the square footage up there also.

10 MR. KAUKER: So would it -- Bill, would
11 it be recessed from the side as well?

12 THE WITNESS: Yes, yes.

13 And if we do a flat roof, you're not
14 going to see like -- you're not going to see the
15 shingles on the flat -- you know, the flat roof.

16 BY MR. SOKOLICH:

17 Q. Bill, that's what we had discussed, I
18 think, during the pre-meeting, correct?

19 A. Yes.

20 **Can I draw?**

21 Q. Please.

22 A. **See in the front here, there's the
23 little triangle.**

24 **If we cut that out here and cut that
25 out over here, this is the flat roof.**

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1 portion here. So when you look at the building
2 itself, you won't see shingle roof. You'll see,
3 like, a flat roof line, which, you know, will look
4 nice, like a nice modern look.

5 And then the portion where the attic
6 is, those walls will get moved in so they're not --
7 they're not right up against the edge of the
8 building, so it doesn't look like the four -- you
9 know, like the full four stories above that first
10 floor line.

11 CHAIRMAN CHUNG: And, also, you know,
12 the first floor, you got 10 feet, right?

13 THE WITNESS: Yes.

14 CHAIRMAN CHUNG: That's the ceiling.
15 Why so high?

16 THE WITNESS: We did it before on, you
17 know, on a house we developed.

18 Yeah, he's willing to go to a typical
19 9 foot, we can bring that down.

20 CHAIRMAN CHUNG: All right.

21 Bring it down to 9 foot, all right,
22 please.

23 THE WITNESS: Okay.

24 CHAIRMAN CHUNG: So where is that --
25 where is that now total, the height?

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1 **And then, you know, the flat roof goes
2 all the way across.**

3 **This portion would just be where the
4 stairs come up, on the back or the front portion of
5 the house, you'll only -- this wall will be recessed
6 in about 7, 8 feet from the edge of the building.**

7 **So say you're standing down here, when
8 you look at it, you won't be able to see that
9 penthouse.**

10 **And we do the same thing in this we
11 see, if you look at the right elevation, you see
12 where the window is.**

13 MS. TESTA: Upstairs window.

14 THE WITNESS: Yeah, the upstairs
15 window.

16 Those walls would also get pushed back.

17 So when you're down below -- you can
18 see here.

19 So, you know, so we're basically
20 reducing the footprint by bringing the outside walls
21 in and then by doing the flat roofs, you don't see,
22 like, the gable of the roof on the side.

23 So as you see here, this gets shrunken.
24 It gets moved in.

25 The same thing on the -- on this

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1 THE WITNESS: It's going to bring us
2 down like 39-feet-9-inches.

3 Now, it's a -- you know, because it's
4 measured to the midpoint, but like I said, we can
5 minimize the overall look by doing the flat roof,
6 which, you know, technically if you measure to the
7 flat roof height, would, you know, bring it down
8 another 3, 4 feet.

9 But like I said by ordinance, it's
10 measured to the highest point from the second floor
11 plate as the midpoint and the highest point is those
12 bulkhead portions that would be moved in to minimize
13 the overall impact when you're looking at it from the
14 side.

15 CHAIRMAN CHUNG: All right.

16 That's my question.

17 Okay. Now, we're going to open to the
18 public, any questions, please.

19 MS. HAN: Hi.

20 CHAIRMAN CHUNG: Stand up, please.

21 MS. TESTA: Please stand up and state
22 your name and your address, please.

23 MS. HAN: Hi.

24 My name is Hailey Han.

25 I live at 153B Morningside Lane right

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1 next to the property.
 2 So I just have a few questions.
 3 Right now it's a single-family home.
 4 So I know it could at least park two
 5 cars, but with this being a duplex, now it's going to
 6 at least require four cars and you said the garage
 7 currently holds two small cars.
 8 So with that being said, the parking is
 9 really bad right now in the area.
 10 So I just wanted to make sure, like,
 11 what's going to happen with the parking situation.
 12 THE WITNESS: Well, we comply with the
 13 -- we comply with the ordinance as far as parking.
 14 It's basically a two-car garage,
 15 two-car driveway for each side and I think before the
 16 house was a two-family house.
 17 It looks like a one-family, but it was
 18 set up as a two-family legally.
 19 MS. HAN: And also my other question is
 20 since this is going to bring the height, what's going
 21 to -- like what's going to happen with the sunlight
 22 situation for the next door neighbors.
 23 THE WITNESS: I mean, you know, the --
 24 if -- you know, anything that would be built there
 25 would impact it.

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1 You know, in the afternoon they'll get
 2 sun from the west.
 3 You know, in the morning, you know, a
 4 little bit less, but, you know, they'll still get sun
 5 as the sun goes down towards the west.
 6 MS. HAN: So there are newly built
 7 properties in that area.
 8 So I was wondering why it needs to be,
 9 like, so tall. I know you said you're bringing it
 10 down 9 feet, but --
 11 THE WITNESS: The other properties we
 12 built like we did recently on the uphill side, which
 13 is different.
 14 So, you know, this is a whole different
 15 dynamic. You know, almost 20-something difference
 16 from front to back creates that -- a good 10 foot of
 17 variance.
 18 MS. HAN: I mean, I understand because
 19 I live right next door.

20 So we do have a steep --
 21 MR. SOKOLICH: I don't mean to
 22 interrupt you.
 23 As we look at this house, you're to the
 24 right.
 25 MS. HAN: I'm right to the right side.

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1 MR. SOKOLICH: As we face this home.
 2 MS. HAN: Yes.
 3 MR. SOKOLICH: Thank you.
 4 MS. HAN: Was just wondering why it
 5 can't be about the same level as my house.
 6 MR. SOKOLICH: So we think that we've
 7 put some safeguards into place that are going to
 8 limit the impact of the height, if not eliminate
 9 them.
 10 But if I may, Chairman, be heard for a
 11 moment. Every application when you make some modest
 12 revision, you can do it verbally or we can submit
 13 plans, the board can act on those modest revisions,
 14 but we've gotten into some pretty substantial
 15 revision here and I think it would be appropriate to
 16 maybe have the board take a look at revised plans.
 17 Do you think that, perhaps, the
 18 applicant be given the opportunity to revise the
 19 slopes he's talking about, bring down the ceiling
 20 height, clean up that lower level, eliminate some
 21 walls and then maybe, just maybe it will be a little
 22 easier for the public and also the board to act on
 23 this.

24 CHAIRMAN CHUNG: Thank you.
 25 MR. SOKOLICH: Do you think that's

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1 acceptable.
 2 CHAIRMAN CHUNG: Yes.
 3 MR. SOKOLICH: Because, again, I know
 4 we try to get these done and I know that when the
 5 revisions are modest, we're able to make a verbal
 6 change and people understand it.
 7 But Billy articulated quite a bit, and
 8 I think we should put it on paper, unless you direct
 9 me otherwise.
 10 CHAIRMAN CHUNG: No, that's -- that's a
 11 good idea.
 12 MR. O'BRIEN: Mr. Chairman, if I can
 13 add to that?
 14 CHAIRMAN CHUNG: Yes.
 15 MR. O'BRIEN: Since you are going to be
 16 revising the plans --
 17 MR. SOKOLICH: Yes.
 18 MR. O'BRIEN: -- I would love to have
 19 the utilities laid out, any potential easements that
 20 you were speaking about and your stormwater design,
 21 where is it going? What's the size? Meet all the
 22 stormwater requirements.
 23 You hit those, then we shall be in
 24 pretty good shape.

25 MR. SOKOLICH: We shall.
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1 Thank you, Carl.
 2 Chairman, as long as you're okay with
 3 that, then that's, in fact, what we shall do.
 4 CHAIRMAN CHUNG: Yeah, I want to see
 5 you reduce the height.
 6 MR. SOKOLICH: We're going to work on
 7 it.
 8 CHAIRMAN CHUNG: Thank you.
 9 MR. SOKOLICH: We're going to work on
 10 it.
 11 MS. TESTA: So that -- okay.
 12 So April 20th also for this application
 13 and your client waives the time constraints?
 14 MR. SOKOLICH: We do.
 15 MS. TESTA: Okay.
 16 So we just need a motion from the board
 17 to allow the applicant to carry this to the next
 18 meeting, April 20th at 7 p.m. and there will be no
 19 further notice to the public.
 20 CHAIRMAN CHUNG: I'll make a motion.
 21 MR. ELEFTERIOU: I'll second.
 22 MS. TESTA: Roll call, please?
 23 SECRETARY KIM: Mr. Chung?
 24 CHAIRMAN CHUNG: Yes.
 25 SECRETARY KIM: Mrs. Yoon?

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1 VICE CHAIRMAN YOON: Yes.
 2 SECRETARY KIM: Mr. Brogna?
 3 MR. BROGNA: Yes.
 4 SECRETARY KIM: Mr. Chiesa?
 5 MR. CHIESA: Yes.
 6 SECRETARY KIM: Mr. Elefteriou?
 7 MR. ELEFTERIOU: Yes.
 8 SECRETARY KIM: Mr. Sung?
 9 MR. SUNG: Yes.
 10 MS. TESTA: Okay. So this application
 11 will be April 20th and, again, there will be no
 12 further notice.
 13 MR. SOKOLICH: Chairman, Members of the
 14 Board, Counsel, thank you.
 15 We'll see you on April 20th.
 16 MS. TESTA: Have a good evening.
 17 MR. SOKOLICH: Good luck, Brian.
 18 I warmed them up for you. I didn't use
 19 up all the yes votes.
 20 (Laughter.)
 21 MS. TESTA: So next will be Case 25-17,
 22 550 Bergen LLC.
 23 MR. CHEWCASKIE: Good evening,
 24 Mr. Chairman, Members of the Board, Brian Chewcaskie;
 25 Cleary, Giacobbe, Alfieri, Jacobs on behalf of the

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1 applicant.
 2 Before I start, we did provide a copy
 3 of our Affidavit of service to Ms. Testa and Ms. Kim
 4 on March 6th.
 5 We were requested to re-notice, because
 6 this was carried from the February meeting.
 7 So hopefully you have that and have
 8 reviewed it.
 9 MS. TESTA: Yes, and everything is in
 10 order.
 11 MR. CHEWCASKIE: Thank you.
 12 So the board has jurisdiction over this
 13 case.
 14 Basically this matter was previously
 15 before the board in 2021. The previous owner was
 16 Dong Nam New York, LLC.
 17 The board granted approval for a
 18 five-story 40-unit building.
 19 At that time there was testimony by
 20 Mark Virgona and Anthony Kurus from Neglia
 21 Engineering.
 22 The resolution of approval was adopted
 23 April 19th, '21 and an extension of that approval was
 24 granted last year, which takes it to April of this
 25 year.

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1 Since the original approval, the
 2 Borough adopted a new Housing Element and Fair Share
 3 Plan, which included this project as a multifamily
 4 inclusionary development.
 5 So the master plan has envisioned this
 6 for multi-family with an affordable housing
 7 set-aside.
 8 Now, this project is 34 units, seven
 9 units will be affordable. Ms. Testa called me
 10 earlier today. Seven of the units are affordable.
 11 We have one one-bedroom, two three bedrooms. The
 12 balance are two bedrooms.
 13 On Mr. Virgona, our architect's chart,
 14 it indicated the affordable, but didn't say the three
 15 bedrooms were affordable. I'll represent they are.
 16 They are marked on the plan accordingly.
 17 So we will have a total of 12
 18 one-bedroom, 20 two-bedroom and two three-bedroom
 19 units, which -- which is inclusive of the affordable.
 20 There's no change to the footprint of
 21 the building that was previously approved or new
 22 variances created.
 23 So the board should have a site plan
 24 prepared by Neglia Engineering which is dated
 25 October 6th of '25 and an architectural plan prepared

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1 by Virgona & Virgona, dated October 8th, '25.
2 We received two reports, one from
3 Mr. Kauker on February 12th and one from Pennoni
4 Associates, dated December 31st.

5 I had the opportunity to speak to
6 Mr. O'Brien prior to the meeting. We intend to
7 indicate we will comply with the Pennoni comments.
8 Mr. O'Brien's at a bit of disadvantage, but we did
9 provide him the plans.

10 So hopefully they address what he will
11 need to see.

12 And as I've indicated, there isn't a
13 lot of change. So the change is we went from 40 to
14 34 units. We added seven affordable units.

15 On the original plan we provided
16 parking on the extension of Oakdene to service the
17 building. That parking was eliminated except for one
18 handicap space.

19 So as I indicated, I have two witnesses
20 this evening, unless there are any questions of me.

21 I have Scott Loverich from Neglia
22 Engineering to testify as to the site plan. If I can
23 have Mr. Loverich sworn.

24 MS. TESTA: Yes.

25 Please raise your right hand.

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1 **in Union County, Clark Planning and Zoning Board, the**
2 **City of Elizabeth Planning and Zoning Board.**

3 **And I represent many municipalities on**
4 **the board representative side of the aisle,**
5 **specifically Norwood, Northvale, Dumont, Paramus**
6 **Planning and Zoning Boards, Fairview boards.**

7 Q. I'll stop you there.

8 So you regularly appear before planning
9 and zoning boards in the State of New Jersey?

10 A. **Correct.**

11 Q. Your license is in good standing?

12 A. **Correct.**

13 Q. And part of your position with Neglia
14 is to prepare site plans and review site plans,
15 correct?

16 A. **Correct.**

17 MR. SOKOLICH: Mr. Chairman, I submit
18 Mr. Loverich as an expert in the field of civil
19 engineering.

20 MS. TESTA: Yes, he's accepted.

21 MR. CHEWCASKIE: Thank you.

22 DIRECT EXAMINATION

23 BY MR. CHEWCASKIE:

24 Q. So Mr. Loverich, you're familiar with
25 the -- this site, correct?

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1 Do you swear the testimony you'll
2 provide in this application will be the truth, the
3 whole truth and nothing but the truth?

4 MR. LOVERICH: Yes.

5 S C O T T L O V E R I C H, P.E., CME
6 34 Park Avenue, Lyndhurst, New Jersey, having
7 been duly sworn, testifies as follows:

8 MS. TESTA: Please state your name and
9 business address for the record.

10 MR. LOVERICH: Scott Loverich, spelled
11 L-O-V as in Victor -E-R-I-C-H of Neglia Group, 34
12 Park Avenue, Lyndhurst, New Jersey.

13 VOIR DIRE EXAMINATION

14 BY MR. CHEWCASKIE:

15 Q. And, Scott, I don't know if you've
16 testified before this board before, so if you can
17 give the board the benefit of your education and
18 experience, please.

19 A. **Yes.**

20 **I'm a licensed professional engineer in**
21 **the State of New Jersey from November of 2023.**

22 **Bachelor's of science degree in civil**
23 **engineering from NJIT, 2019.**

24 **I've been practicing civil engineering**
25 **since then and I've appeared before numerous boards**

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1 A. **That's correct.**

2 Q. And you're also familiar with the prior
3 drawings that were prepared regarding this set?

4 A. **Yes.**

5 Q. What is the first drawing you have on
6 the board?

7 A. **So I have here a boundary and**
8 **topographic survey prepared by our office.**

9 **It was dated September 2nd, 2020. It**
10 **was submitted in the original application package. I**
11 **just want to give a brief overview --**

12 Q. Now, Scott, let me stop you there. We
13 can mark that as A-1, Ms. Testa?

14 MS. TESTA: Yes.

15 (Whereupon, Boundary and Topographic
16 Survey, dated September 2nd, 2020 is marked as
17 Exhibit A-1 for identification.)

18 BY MR. CHEWCASKIE:

19 Q. Okay. Thank you, Scott.

20 Please continue?

21 A. **For orientation purposes, the top of**
22 **this page is to the west.**

23 **North to the right-hand side of the**
24 **page.**

25 **South is towards the left.**

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1 **And to the bottom is the east.**
 2 **The property is known as Block 416,**
 3 **Lot 3 within the Borough.**
 4 **And it has located within the MC**
 5 **district industry and selected businesses, it has an**
 6 **area of approximately 0.31 acres and it is fronted by**
 7 **Oakdene Avenue unimproved to the west.**
 8 **To the south is bordered by a mixed-use**
 9 **and business uses over here.**
 10 **To the north is generally bordered by**
 11 **the Borough of Fort Lee municipal boundary, along**
 12 **with their affordable housing development.**
 13 **And then to the west is -- sorry -- to**
 14 **the east is additional business uses.**
 15 **So the topography of the site is such**
 16 **that it generally slopes from Bergen Boulevard down**
 17 **towards the back of this site at a fairly consistent**
 18 **slope and the site is currently vacant unimproved.**
 19 **We did note and it was previously**
 20 **testified as part of the previous application that it**
 21 **was a -- the prior use was heavy equipment yard with**
 22 **material storage and there was a square-shaped garage**
 23 **on the site used for maintenance and repair of**
 24 **vehicles with fuel dispensers since been demolished**
 25 **many years ago.**

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1 **eliminated, except for one ADA parkin space towards**
 2 **the building.**
 3 **And we've added additional accessible**
 4 **crosswalks throughout the Oakdene Avenue and into the**
 5 **lobby entrance of the building.**
 6 **Additional improvements were minor**
 7 **relocations of hydrants and transformer pads in place**
 8 **of where the parking spaces were on Oakdene is just a**
 9 **concrete area and the width of Oakdene is minimum**
 10 **24 feet at the drive aisle and the ADA parking space**
 11 **down to or up to a maximum of 30 feet for the**
 12 **remainder.**
 13 **And that is sort of the general changes**
 14 **from the prior application.**
 15 **Q.** Okay. So with respect to -- take a
 16 step back and say it this way: In order to access
 17 the project, Oakdene avenue needs to be extended from
 18 Bergen Boulevard, correct?
 19 **A. That's correct.**
 20 **Q.** So that extension is there, that
 21 extension was previously proposed as part of the
 22 application in 2021?
 23 **A. That's correct.**
 24 **Q.** The change to Oakdene in this instance
 25 was the elimination of the parking on the street and

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1 **So those are the existing conditions of**
 2 **the site.**
 3 **And I'll move to, this is Sheet 2.00 of**
 4 **the submitted site plan application.**
 5 **Q.** And is that the site plan itself,
 6 Scott?
 7 **A. That's correct.**
 8 MR. CHEWCASKIE: All right. So that
 9 would be A-2.
 10 MS. TESTA: Yes.
 11 (Whereupon, Site Plan, Last Revised
 12 October 6, 2025 is marked as Exhibit A-2 for
 13 identification.)
 14 BY MR. CHEWCASKIE:
 15 **Q.** And that was last revised when?
 16 **A. Last revised October 6th, 2025.**
 17 **Q.** And why don't you just walk us through
 18 what's happening on the site plan.
 19 I'm going to defer any testimony on the
 20 variances for a moment?
 21 **A. Sure.**
 22 **So the site plan is largely similar to**
 23 **what was presented before the board back in 2021.**
 24 **The major difference on this plan is**
 25 **that the parking on Oakdene Avenue has been**

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1 the -- and its place there's a concrete area?
 2 **A. Right.**
 3 **Q.** That roadway in order to access is
 4 going to be built to the municipal specifications as
 5 determined by the Borough engineer, correct?
 6 **A. Correct.**
 7 **Q.** So the, you know, grading and the
 8 pavement, the sidewalks, any lighting, landscaping
 9 will be in accord with what's required by the Borough
 10 engineer.
 11 With respect to the footprint of the
 12 building, you've indicated that that has not changed
 13 and any of the changes were internal, the
 14 architectural, correct?
 15 **A. Correct.**
 16 **Q.** And I believe you mentioned a generator
 17 pad, that that was added somewhere?
 18 **A. It was just minor relocation as we made**
 19 **-- designed in this ADA space. It changed from the**
 20 **prior application.**
 21 **Q.** Now, in regard to the variances that
 22 were granted by this board in 2021 and as previously
 23 extended, there are no changes to those variances
 24 that are being requested this evening, correct?
 25 **A. That's correct.**

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1 Q. And my understanding that the only
 2 change that has been made is that as a result of the
 3 reduction of the number of units and credits that are
 4 provided for electric vehicles, that for parking it's
 5 compliant, correct?
 6 A. **That's right.**
 7 **Per -- per Residential Site Improvement**
 8 **Standards, the required parking for this site given**
 9 **the 34 units is 66 spaces.**
 10 **There's 60 spaces proposed within the**
 11 **parking garage itself.**
 12 **We provide 10 electric vehicle charging**
 13 **stations for which up to 10 percent of the parking**
 14 **requirement or six spaces we're allowed to count**
 15 **double towards our requirement.**
 16 **So six of those 10 electric vehicle**
 17 **charging stations count double.**
 18 **Therefore, we provide 66 parking spaces**
 19 **in compliance with the code and plus the one ADA**
 20 **space outside the building for a total of 67 spaces.**
 21 Q. Now, as I indicated, we did receive a
 22 report from the board's prior engineer, Pennoni,
 23 dated December 31st, 2025; is that correct?
 24 A. **That's right.**
 25 Q. And did you have an opportunity to
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1 review that report?
 2 A. **I reviewed that report.**
 3 **Many of the comments were technical in**
 4 **nature. We don't have any problems with complying**
 5 **with any of those.**
 6 Q. So in that regard, as I -- we know have
 7 a new engineer, we will provide Mr. O'Brien with the
 8 Pennoni report.
 9 If there are additional requirements
 10 with respect to what was proposed by Pennoni, would
 11 there be any issue with complying with those
 12 requests?
 13 A. **We can certainly accommodate any**
 14 **requests of the board engineer.**
 15 MR. CHEWCASKIE: Okay.
 16 Mr. Chairman, I have no further
 17 questions for Mr. Loverich.
 18 CHAIRMAN CHUNG: Thank you.
 19 Members, questions?
 20 (No Response.)
 21 CHAIRMAN CHUNG: Do you want --
 22 MR. O'BRIEN: Yeah, I got a couple.
 23 Thank you.
 24 I literally just got the plans, so but
 25 with that, and thank you, Mr. Chewcaskie, for adding
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1 all that for us to look at.
 2 If I can get a copy of the Pennoni
 3 review letter from --
 4 CHAIRMAN CHUNG: You didn't get it.
 5 MR. O'BRIEN: Did not get it?
 6 CHAIRMAN CHUNG: No, no, no, okay.
 7 MR. O'BRIEN: So that would be helpful.
 8 MR. CHEWCASKIE: I have to have one
 9 somewhere.
 10 MR. O'BRIEN: There you go.
 11 Thank you.
 12 The one question I do have before we
 13 dive in and review everything, I see there's -- I
 14 know for Alternate A with the parking on top or is it
 15 below or if that has anything to do with this or
 16 what?
 17 MR. CHEWCASKIE: That -- that was an
 18 error on the sheet.
 19 So the parking calculation in the
 20 center of the plan is correct.
 21 I'm glad you raised that because,
 22 Scott, I still think there was on the parking the 12
 23 spaces shown on the upper right-hand corner and we
 24 have the accurate parking count in the middle, so we
 25 can provide a revised sheet.
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1 MR. O'BRIEN: Okay.
 2 When you guys drew the other sheets,
 3 that area is all graded out, but on the cover sheet
 4 it's laid out as alternate.
 5 THE WITNESS: I think he's referring --
 6 you're referring to this top right --
 7 MR. O'BRIEN: Yes.
 8 So that -- how is that being connected
 9 into this site.
 10 THE WITNESS: It might be easier to
 11 look at the survey.
 12 MR. CHEWCASKIE: Go back to A-1.
 13 THE WITNESS: So if you take a look at
 14 the survey and if you drive the site, basically as
 15 Oakdene slopes down and our property, which I'm sort
 16 of outlining here square in shape, there's a portion
 17 of our neighbor's property, Lot 1, that sort of is in
 18 this section here.
 19 So they would technically be losing
 20 parking spaces.
 21 So the alternate is sort of a potential
 22 agreement with that landowner to accommodate work
 23 improvements on their property, you know, in good
 24 faith neighborly fashion to work out there.
 25 MR. O'BRIEN: So is your application --
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1 THE WITNESS: There's no contingencies
2 on that.

3 MR. O'BRIEN: Are you looking to get
4 that -- are you making that approval in as a
5 potential future improvement.

6 MR. CHEWCASKIE: No, the -- what will
7 happen is the adjoining property owner's attorney,
8 Mr. Basralian is behind us.

9 MR. O'BRIEN: Okay.

10 MR. CHEWCASKIE: We need to grade and
11 place a retaining wall on our property.

12 In order to construct that, we will
13 have an easement on the adjoining property.

14 MR. O'BRIEN: Okay.

15 MR. CHEWCASKIE: There was existing
16 parking that encroached into the area.

17 So when we restore that area, we are
18 going to restore the parking.

19 MR. O'BRIEN: Clean it all up, got it.

20 MR. CHEWCASKIE: Not a creation of new
21 parking, not associated with this, but in order to do
22 these improvements, we require some assistance from
23 the adjoining building and we have hopefully finally
24 negotiated all our agreements.

25 But as I said, Mr. Basralian is behind

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1 you talked a little bit about having the easement --
2 easement on the neighbor's property in order to build
3 a retaining wall.

4 MR. CHEWCASKIE: What will happen is
5 during the construction we require a construction
6 easement to build a retaining wall.

7 As part of the consideration for that
8 easement, the parking on the adjoining property will
9 be restored.

10 MR. KAUKER: So the parking that's
11 along, I guess, Bergen Boulevard to the west of the
12 property?

13 Because there are two buildings that
14 are located to the east and to the south.

15 THE WITNESS: It's the south,
16 southwest.

17 MR. KAUKER: Yeah, I just want to make
18 sure whatever is done, we're taking into
19 consideration any potential new development on that
20 site in the future.

21 MR. CHEWCASKIE: Yes.

22 MR. KAUKER: Okay.

23 CHAIRMAN CHUNG: Okay, Mike?
24 All right. Anybody out there in the
25 public?

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1 me and I'm sure he will speak when we complete.

2 MR. O'BRIEN: Appreciate you explaining
3 that.

4 MR. CHEWCASKIE: And the other thing,
5 Mr. O'Brien, while we're speaking about that, we're
6 going to ask you to look at those improvements
7 because we have a retaining wall and the like, so we
8 want to make sure that, you know, they meet the
9 standard that you would want.

10 MR. O'BRIEN: Understood.

11 Thank you.

12 That's all I have for right now.

13 Appreciate it.

14 CHAIRMAN CHUNG: Thanks, Carl.

15 Mike?

16 MR. KAUKER: Just one question, you
17 talked about or you did talk about briefly
18 improvements on Oakdene Avenue in terms of parking,
19 grading and sidewalks.

20 Who would be responsible for those?

21 That would be the applicant.

22 MR. CHEWCASKIE: The applicant will do
23 all those improvements.

24 MR. KAUKER: Okay.

25 And then in terms -- just in terms of,

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1 MR. BASRALIAN: Yeah.

2 Joseph Basralian with the firm of
3 Winne, Banta, Basralian & Kahn.

4 I represent 550 -- I'm sorry --
5 Boulevard East, which is the adjacent property owner.

6 And I just ask that the engineer
7 clarify so that you fully understand where the
8 retaining wall is and why it's being installed.

9 The fact the property -- our property
10 is higher than the extension road and thus it
11 requires an easement.

12 And so for the record, I'd just like
13 their engineer to show you where it is.

14 There's an encroachment of the
15 retaining wall on the Boulevard East property for
16 which we'll grant a variance.

17 MR. CHEWCASKIE: You mean, easement?

18 MR. BASRALIAN: I'm sorry, an easement
19 rather.

20 Yeah, I shouldn't be able to grant a
21 variance.

22 (Laughter.)

23 MR. BASRALIAN: Pardon, an easement,
24 grant a temporary construction easement for access to
25 our property.

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1 It will affect the parking on our
2 property for the duration of the time they're
3 constructing the retaining wall and they will rebuild
4 the parking spaces.

5 CROSS EXAMINATION

6 BY MR. BASRALIAN:

7 Q. But for the purpose of your
8 understanding, the public's understanding, would you
9 please show where the retaining wall is, the height
10 of the retaining wall, if you have it and why it's
11 necessary.

12 A. **I now have Sheet 3.00, which is the**
13 **grading plan.**

14 MR. CHEWCASKIE: Mark that A-3?

15 MS. TESTA: Yes.

16 (Whereupon, Grading Plan, Sheet 3.00 is
17 marked as Exhibit A-3 for identification.)

18 THE WITNESS: So the retaining wall
19 around the perimeter rear of the property begins --
20 begins here, wraps to the -- I'm sorry -- for
21 orientation purposes, this plan is different than the
22 survey.

23 So the north is sort of towards the
24 bottom of the page here along Bergen Boulevard.

25 The south towards the top corner of the
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1 retaining wall on the applicant's property, how high
2 would you see the -- how high will the retaining wall
3 be.

4 A. **If you're standing --**

5 Q. On your -- on the 550 property.

6 A. **550 property. In the back here, max**
7 **looks like 10 feet.**

8 MR. BASRALIAN: For the record, we've
9 had a discussion. We've been -- we negotiated with
10 the prior owner in terms of an infrastructure
11 agreement that we've had discussions with Mr.
12 Chewcaskie to get to a point of the agreement.

13 Our latest discussion was to make the
14 retaining wall high enough since our vehicles are
15 higher than the applicant's property, to make sure
16 it's high enough to prevents cars from coming over
17 it, which we'd like to be provided in the resolution
18 of approval, if that's to be granted, plus some sign
19 improvements, such as wheel stops so that you can
20 prevent cars from even hitting the retaining wall.

21 We have also required as part of our
22 infrastructure agreement a performance bond so that
23 the work gets done promptly, so it doesn't affect the
24 tenants of the Boulevard East property for any
25 duration or the time it takes to build the wall and
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1 page.

2 So the retaining wall starts down at
3 the bottom here to the southeast and runs along the
4 building within our property line.

5 I can sort of outline it here.

6 The height of it is certainly a
7 structural wall as we call them, greater than 4 feet,
8 required to be designed by a structural engineer,
9 provide stability calculations, which will be
10 provided by others.

11 And max height is, I'll say, 10, around
12 10 feet.

13 BY MR. BASRALIAN:

14 Q. What's the grade differential between
15 Boulevard East property and 550 property along the
16 retaining wall?

17 A. **We slope to the north on Boulevard East**
18 **down this way.**

19 **Up here is about Elevation 314 as it**
20 **makes its way down to 310, but if we're around 314**
21 **here and our property is about 3 -- it says 304 here**
22 **at the wall.**

23 Q. So what would the height of the wall be
24 when you're viewing it from Oakdene?

25 So if you stand at the bottom of the
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1 repair the parking that they've had to disrupt to
2 construct the retaining wall.

3 So you should be aware of that and we
4 would ask if you approve this application, and we
5 don't object to the application.

6 We just want to make sure that we're
7 taken care of in terms of the board knowing fully
8 what we expect from the applicant as a requirement of
9 this -- of this approval and it may be required by
10 the municipality in any case if it affects a public
11 improvement.

12 I'm not sure it really does, but even
13 if it doesn't, we still will have a performance bond
14 to make sure it's constructed in a timely fashion.

15 MR. CHEWCASKIE: And, Mr. Chairman, we
16 agree.

17 The wall has to be designed in a safe
18 manner, the timing and the like and we view this as
19 required in order to do the extension of Oakdene
20 Avenue.

21 So we would expect it to be a public
22 improvement as required by the Borough engineer. If
23 it's not, we're still going to bond it.

24 MR. BASRALIAN: I might add that
25 there's an access agreement for the construction of
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1 the wall and an access agreement for any repairs that
 2 are necessary where they have to access onto the
 3 Boulevard East property and that's in perpetuity.
 4 CHAIRMAN CHUNG: All right.
 5 Thank you.
 6 MS. TESTA: And the wall is 10 feet?
 7 Is that --
 8 MR. CHEWCASKIE: Well, the wall will
 9 vary, right --
 10 MS TESTA: -- the whole wall?
 11 MR. CHEWCASKIE: -- Scott.
 12 THE WITNESS: It's going to vary with
 13 the maximum --
 14 MS TESTA: Okay.
 15 THE WITNESS: -- that appears to be
 16 10 feet --
 17 MS TESTA: Okay.
 18 THE WITNESS: -- maximum.
 19 MS. TESTA: Maximum?
 20 THE WITNESS: Yes.
 21 MS. TESTA: Okay.
 22 Thank you.
 23 CHAIRMAN CHUNG: Thank you.
 24 THE WITNESS: But it would be designed
 25 by a structural engineer.

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1 MS. TESTA: Sure.
 2 CHAIRMAN CHUNG: Anybody else in the
 3 public?
 4 (No Response.)
 5 CHAIRMAN CHUNG: No?
 6 Mike.
 7 MR. KAUKER: I just have one other just
 8 confirmation.
 9 CHAIRMAN CHUNG: Go ahead.
 10 MR. KAUKER: Mr. Chewcaskie, I
 11 apologize if you mentioned this in your introduction,
 12 but just to refresh the board's memory, in terms of
 13 -- this is the third iteration of this project, so if
 14 my memory serves correct, the first application was
 15 for a six-story 50-unit building.
 16 MR. CHEWCASKIE: I believe it was
 17 revised to bring it down when it --
 18 MR. KAUKER: Bring it down.
 19 MR. CHEWCASKIE: -- was before the board
 20 by the prior applicant.
 21 MR. KAUKER: Right.
 22 And then now it's five stories and 34
 23 units, correct?
 24 MR. CHEWCASKIE: Correct.
 25 MR. KAUKER: I just wanted to make the

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1 board aware of that.
 2 MR. CHEWCASKIE: So the iteration of
 3 the plan is that the building hasn't changed, the
 4 number of units has.
 5 MR. KAUKER: Correct.
 6 Thank you.
 7 MR. CHEWCASKIE: Thank you, Scott.
 8 Mr. Chairman, our next witness is Mark
 9 Virgona, our project architect.
 10 CHAIRMAN CHUNG: Thank you.
 11 MS. TESTA: Please raise your right
 12 hand.
 13 Do you swear the testimony you'll
 14 provide in this application will be the truth, the
 15 whole truth and nothing but the truth?
 16 MR. VIRGONA: I do.
 17 M A R K V I R G O N A, AIA
 18 125 River Road, Suite 201, Edgewater, New Jersey,
 19 having been duly sworn, testifies as follows:
 20 MS. TESTA: And if you could state your
 21 name and your business address, please.
 22 MR. VIRGONA: Yes.
 23 It's Mark Virgona. It's 125 River
 24 Road, Suite 201 in Edgewater, New Jersey.
 25 MR. CHEWCASKIE: And, Mr. Chairman,

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1 Mr. Virgona has appeared before this board at prior
 2 occasions.
 3 I would submit him as an expert in the
 4 field of architecture, unless you want to here his
 5 qualifications.
 6 CHAIRMAN CHUNG: Yes.
 7 MS. TESTA: We'll accept him.
 8 MR. CHEWCASKIE: All right.
 9 Thank you.
 10 DIRECT EXAMINATION
 11 BY MR. CHEWCASKIE:
 12 Q. Mark, what were you retained to do with
 13 respect to this project?
 14 A. **So we -- we were hired by the purchaser**
 15 **of the property to revisit the plan that we had**
 16 **already worked on for the prior owner.**
 17 **We were here, as you said, a few years**
 18 **back for a -- this exact application, but the**
 19 **difference was that the number of units was**
 20 **different, the owner was different. The board**
 21 **granted approval.**
 22 **We went -- actually, we were in the**
 23 **process of getting the mayor and council's approval**
 24 **to do the street improvements.**
 25 **And in the meantime we actually went**

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1 ahead and we were, like, 95 percent done with the
2 construction drawings for the prior scheme.
3 What you're seeing here is a revision
4 to the construction drawings of the prior approved
5 scheme and everything that was in the resolution for
6 the original application was taken into account and
7 incorporated into that set of construction drawings.

8 So this is just a reduction of that
9 project, but otherwise the exterior is the same.

10 The height is the same.

11 The footprint is the same.

12 The setbacks are the same.

13 The only thing that's really different
14 is the density is lower, because we have 32 -- 34
15 units instead of 40 and the number of parking spaces
16 is different because it's based on the new number of
17 units and the street parking has been eliminated with
18 the exception of the one spot in the front.

19 So that's the change between now and
20 then and that's a little bit of a backstory from our
21 perspective.

22 MR. CHEWCASKIE: And before you go to
23 another drawing, Mark, if we can have the rendering
24 marked as A-4, Ms. Testa.

25 MS. TESTA: Yes.

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1 us what sheet that is on your set.
2 A. That's A-102.
3 (Whereupon, Drawing A-102 is marked as
4 Exhibit A-5 for identification.)

5 THE WITNESS: What this is, is it's
6 actually the lobby level plan and the approach, the
7 design, the orientation, everything is the same.

8 The location of entry and the driveways
9 and the -- everything is the same.

10 You approach the building from Oakdene.
11 Straight ahead of you is the main part of the
12 building with the lobby entrance and if you were to
13 turn right, you would enter into the garage and the
14 garage is basically sort of a spiral that starts to
15 go down.

16 So it starts at the Oakdene elevation
17 and it travels down until you're under the lobby by
18 the time you reach the eastern part of the property
19 and then it continues down beyond that.

20 So all of the cars are housed in that
21 garage with the exception of the one handicap space
22 which is in front of the building.

23 So at this level -- well, let me go
24 through the bigger picture.

25 In general we have a total of 34 units.

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1 MR. CHEWCASKIE: Thank you.

2 MS. TESTA: Is there a date on the
3 rendering.

4 MR. CHEWCASKIE: It's --

5 THE WITNESS: It is October 8, 2025.

6 MS. TESTA: Thank you.

7 THE WITNESS: You said that was A --

8 MS. TESTA: A-4.

9 (Whereupon, Rendering dated October 8,
10 2025 is marked as Exhibit A-4 for
11 identification.)

12 BY MR. CHEWCASKIE:

13 Q. And, Mark, why don't you walk us
14 through what the changes with respect to the number
15 of units --

16 A. Sure.

17 Q. Show us the floor plans or however you
18 want to do it.

19 A. Let me switch to the floor plans. I'm
20 going to actually start in the middle of the
21 architectural set and all of these drawings are the
22 same as the drawings that were submitted, so there's
23 no new information on these.

24 Q. So the first set, Mark, the first
25 drawing we'll mark now as A-5 and why don't you tell

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1 It used to have 10 units per floor, on each floor and
2 just to step back, as Mr. Chewcaskie mentioned, or
3 maybe it was a board member, it was -- there was --
4 this was in front of the board for 50 units a few
5 years back.

6 My client, my original client took it
7 and we came in with a 40-unit project and now we're
8 here with the new client and it's the 34. So that's
9 -- that is the history of it. I know that the
10 40-unit project was approved.

11 I don't remember if the 50-unit was
12 actually approved or it was just, you know, an idea.

13 But any case, the -- the total new unit
14 count is 34. We have a total of one studio, 11
15 one-bedrooms, 16 two-bedrooms and -- I'm sorry, 20
16 two-bedrooms and two three-bedrooms.

17 As Mr. Chewcaskie mentioned, the three
18 bedrooms are the affordable units. There are no
19 three-bedroom market rate units.

20 So we have two of those. One -- I'm
21 sorry, four affordable two-bedrooms and one
22 affordable one-bedroom.

23 The parking is based on RSIS. It is
24 inclusive of the EV charging credit and with that
25 credit we come to comply, which is basically the

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1 standard for all new buildings.
 2 The total building area including all
 3 the garage levels and everything is 65,000 square
 4 feet.
 5 So what we have -- originally we had 10
 6 units per floor on the upper floors. They were small
 7 units. They were 550 square feet. There was a
 8 number of studios in the previous scheme and in this
 9 approach we're enlarging the units and reducing the
 10 number of units.
 11 So the other building had a little bit
 12 of common space on the lobby level because there was
 13 -- the units themselves were so small, they felt like
 14 it was a requirement.
 15 In this scheme we're using the lobby
 16 for an additional two units. So we have two units at
 17 the lobby and then we have eight units per floor on
 18 the floors above.
 19 So I'm going to switch to Sheet 103.
 20 BY MR. CHEWCASKIE:
 21 Q. And that will be --
 22 A. **That will be A-6.**
 23 Q. A-6.
 24 MS. TESTA: Yeah, A-6.
 25

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1 (Whereupon, Floor Plan, Sheet 103 is
 2 marked as Exhibit A-6 for identification.)
 3 THE WITNESS: And that's a typical
 4 floor in the upper part of the building.
 5 And as you can see, we have eight units
 6 on the floor. There are -- and actually it's -- come
 7 to think of it, this is showing an affordable studio.
 8 The studio is actually an affordable one bedroom.
 9 It's -- the chart is incorrect. This D unit here is
 10 actually a one-bedroom.
 11 So we have a one-bedroom affordable
 12 here and then the C line is -- the entire line of
 13 C units is an affordable unit through the whole
 14 building.
 15 So we have four of those and then we
 16 have the remaining units on the floor are the
 17 market-rate units and they are -- we have three --
 18 four, we have four two-bedrooms for the remaining
 19 units and we have two one -- three one-bedroom.
 20 I'm sorry, let me rephrase. We have
 21 one, two, three, four two-bedrooms and two
 22 one-bedrooms on the remainder of the floor.
 23 The one-bedrooms square footages are
 24 around 670 square feet to around 800 square feet
 25 typically and the two-bedrooms are around 940 square

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1 feet to 1,093 square feet.
 2 So compared to the previous scheme, the
 3 units are much more generous and they're much more,
 4 let's say, up to market compared the tight units we
 5 had originally.
 6 You can imagine, in a small footprint
 7 fitting two more units per floor, it has a big impact
 8 on the amount of square footage per unit.
 9 So this occurs, this floor four times.
 10 It's exactly the same on every floor.
 11 We are not proposing any kind of
 12 rooftop amenity. There's no deck on the roof.
 13 There's no occupied space on the roof. It's just the
 14 four floors of residential and the one floor of
 15 lobby.
 16 Our utilities are in the garage. The
 17 garage, as I mentioned -- I'll go the garage level so
 18 I can give you some background.
 19 BY MR. CHEWCASKIE:
 20 Q. That will be A-7, Mark.
 21 A. **Okay.**
 22 (Whereupon, Lowest Level Garage Plan is
 23 marked as Exhibit A-7 for identification.)
 24 THE WITNESS: So I'll just go to A-1
 25 and this is A-7.

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1 This is the lowest level garage and as
 2 you can see, the building has a core in the middle
 3 which has our elevator, the stair and some utility
 4 spaces.
 5 And then we have a second stair in the
 6 northeast corner of the building that takes you up to
 7 the lobby level.
 8 And this is the beginning of the garage
 9 ramp, so this is the lowest level on the top of the
 10 sheet, which is facing south and as you travel
 11 towards the north, you start to go up the ramp.
 12 So the ramp wraps around this core.
 13 That continues for the next level,
 14 which is Sheet A-101, which we'll mark as A-8.
 15 (Whereupon, Floor Plan, Sheet A-101 is
 16 marked as Exhibit A-8 for identification.)
 17 THE WITNESS: So you continue, it's
 18 basically the same plan.
 19 You continue up that ramp. The garage
 20 takes you up to the lobby level.
 21 So basically you have approximately two
 22 levels below the lobby level. The property slopes
 23 from Oakdene to the east.
 24 So there's roughly a one-story grade
 25 change from Oakdene down to the east. So from

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1 Oakdene the garage is not really visible. It's only
2 as you start to go around the building that the grade
3 falls away and you start to see more of the garage
4 from the rear.

5 Go through now at the elevations.

6 MR. CHEWCASKIE: A-9.

7 THE WITNESS: A-9 and this is Sheet
8 A-200.

9 (Whereupon, Elevations, Sheet A-200 is
10 marked as Exhibit A-9 for identification.)

11 THE WITNESS: And in the upper left
12 corner is the front elevation facing Bergen Boulevard
13 and as you can see mainly what you see is the lobby,
14 the neighboring property overlaps our building on the
15 right half of our building, if you remember the site
16 plan.

17 So the Oakdene extension is the left
18 half of our façade more or less and the neighboring
19 property overlaps this building.

20 This building is a little bit -- it's
21 almost like a -- it's almost like a flag lot, because
22 it's largely surrounded by other properties with
23 exception of the frontage you get on Oakdene.

24 So what happens is you drive up
25 Oakdene, you're heading towards the lobby and then

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1 you would turn to the right and head down the garage
2 ramp and we have a retaining wall there on our
3 property that helps shield the property from seeing
4 any cars on our side.

5 And the garage, itself, ramps down away
6 from this -- the existing grade there.

7 So we're below the ground with the
8 garage in that spot on the south, that would be the
9 southwest corner.

10 The building façade is a mixture of
11 stone -- I'm sorry -- brick, some stucco and some
12 decorative metal. We're using this language to try
13 to break up the mass of the building.

14 The treatment kind of continues as you
15 go around to the south side of the building. You can
16 see, you're seeing a little bit more of the garage.

17 You see at the bottom of this sheet on
18 Drawing 1, you see a railing that wraps round the
19 building, that is to prevent someone from falling
20 into the garage, let's say, or, you know, accessing
21 the garage.

22 And then you can also see here the
23 height of the building is taken from the grade plane
24 and as we -- as we -- just to keep in mind, the grade
25 plane is lower than the front of the building because

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1 the property slopes towards the rear.

2 So the height is 65-feet-and-a-quarter
3 of an inch to the highest high point of the roof.

4 Again, we don't have anything proposed
5 on the roof. We have one stair that goes up there as
6 required by code.

7 And then as I turn to the next
8 elevation drawing, which is Sheet 201.

9 MR. CHEWCASKIE: A-10, Mark.
10 (Whereupon, Elevation Drawing,

11 Sheet 201 is marked as Exhibit A-10 for
12 identification.)

13 THE WITNESS: Yup.

14 As we go to this sheet, you see now the
15 east elevation of the building, which is the top
16 drawing, and to the bottom of the sheet is the north
17 elevation.

18 And in the north elevation the garage
19 extends -- the roof of the garage becomes an
20 accessway to get to the Oakdene side from the rear
21 fire stair, so that's what you're seeing here along
22 this side.

23 And, yes, so the building is four
24 stories above the lobby basically and so in terms of
25 the construction of the building, we have a

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1 noncombustible construction up into the lobby,
2 meaning all the -- everything from our one down is
3 all concrete and then from our one to the roof would
4 be a fully sprinklered wood building, meaning, you
5 know, all of the current codes for the units, we meet
6 all the accessibility standards, as well as any other
7 current building codes.

8 BY MR. CHEWCASKIE:

9 Q. So, Mark, just one clarification.

10 There are no studios in this --

11 A. **That's correct.**

12 Q. -- this building? So the reference to
13 studios is incorrect, they're all one and two.

14 CHAIRMAN CHUNG: I see the studio
15 there. You don't have a studio.

16 MS. TESTA: So no studios.

17 MR. CHEWCASKIE: There are no studios.

18 BY MR. CHEWCASKIE:

19 Q. So the affordable will be a
20 one-bedroom, correct, Mr. Virgona?

21 A. **Yes.**

22 Q. So just to recap your testimony, the
23 footprint of the building has not changed?

24 A. **Correct.**

25 Q. The bulk of the building has not

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1 changed and the height of the building has not
 2 changed?
 3 **A. Correct.**
 4 **Q.** The only changes that were made were to
 5 the interior with the reallocation of the units?
 6 **A. Yes.**
 7 **Q.** So you were here the last time, the
 8 building hasn't changed, just the number of units?
 9 **A. Right, exactly.**
 10 MR. CHEWCASKIE: That's all I have for
 11 Mr. Virgona, Mr. Chairman.
 12 CHAIRMAN CHUNG: Thank you.
 13 Anybody else now?
 14 (No Response.)
 15 CHAIRMAN CHUNG: Mike, do you have any
 16 questions.
 17 MR. KAUKER: I have nothing of the
 18 architect, but I would -- you know, nothing of the
 19 architect.
 20 CHAIRMAN CHUNG: All right.
 21 MS. TESTA: Carl?
 22 MR. O'BRIEN: Oh, I'm sorry.
 23 No, I have nothing on the architect.
 24 MS. TESTA: Anybody in the public?
 25 CHAIRMAN CHUNG: Anybody in the public?

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1 (No Response.)
 2 CHAIRMAN CHUNG: No?
 3 MR. BASRALIAN: Yes, Mr. Chairman, I
 4 omitted to say before with the last approval, there
 5 was requirement by the governing body that an
 6 infrastructure agreement be reached and executed by
 7 the parties before any construction.
 8 I would add the same for the imposition
 9 of a performance bond, whether it's required by the
 10 municipality or it's required by our agreement, that
 11 those are conditions precedent before any
 12 construction plans, any permits to be issued for
 13 construction.
 14 And I think that's exactly what the
 15 agreement said, the previous agreement said.
 16 Mr. Chewcaskie can confirm that. The
 17 resolution so stated.
 18 You might want to look back at the
 19 previous resolution, which will include some of that
 20 language.
 21 MS. TESTA: Very good.
 22 CHAIRMAN CHUNG: Thank you.
 23 MR. BASRALIAN: Again, I have no
 24 objection to the building itself.
 25 MS. TESTA: Thank you.

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1 CHAIRMAN CHUNG: Well, unfortunately
 2 our engineer hasn't got no information.
 3 So let him -- we have to give him time
 4 to review it.
 5 MR. CHEWCASKIE: However you want to
 6 handle it, Mr. Chairman.
 7 I think you can conditionally approve
 8 the application based upon the approval before, but
 9 you tell me how you would like to handle it.
 10 CHAIRMAN CHUNG: We would like to carry
 11 to next month.
 12 MR. CHEWCASKIE: Okay. And is the
 13 purpose to carry, it's solely to have Mr. O'Brien
 14 review the application --
 15 CHAIRMAN CHUNG: Yes.
 16 Thank you.
 17 MR. CHEWCASKIE: -- and the like? No
 18 issue with that.
 19 MR. KAUKER: I do have one other
 20 question.
 21 Are you going to provide any testimony
 22 -- I know the variances were granted last time. I
 23 don't believe they were changed, but I would put
 24 something on the record just with respect to that,
 25 but you don't have to do it now, but next meeting.

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1 MR. CHEWCASKIE: Next meeting we'll do
 2 that, Mr. Chairman.
 3 CHAIRMAN CHUNG: Thank you.
 4 MR. CHEWCASKIE: We'll provide the
 5 variances as they haven't changed.
 6 MS. TESTA: Right.
 7 And the parking layout. I don't know
 8 if that's something that needs to be reviewed, the
 9 parking layout is sufficient? You know, Mr. O'Brien
 10 hasn't had a chance to look at it, but just make sure
 11 that the spaces comply and that, you know, I know
 12 sometimes in the past cars really can't maneuver in
 13 and out, so I just want to make sure all the spaces
 14 are --
 15 MR. O'BRIEN: So the goal of our review
 16 is to review the plans based on the testimony
 17 provided, the plans received and comparing it to the
 18 prior engineer's review letter to make sure those
 19 comments are addressed as well.
 20 If we happen to find anything new,
 21 we'll add it in there.
 22 CHAIRMAN CHUNG: And, Carl, also
 23 looking into utilities and traffic as well.
 24 MR. O'BRIEN: Yes.
 25 So we will have our traffic engineer

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1 take a look at it.

2 We want to make sure the utilities,

3 just like the prior application, make sure all the

4 utilities are being taken care of.

5 If there's anything that's outstanding,

6 like a major issue, we'll bring it up.

7 MR. SUNG: I think Bergen Boulevard is

8 a state highway. You should have a traffic engineer

9 for this application.

10 MR. O'BRIEN: So we are the traffic.

11 So we have -- we are traffic engineers, highway

12 engineers, so we take a look at that.

13 If they have any permits required, just

14 like stormwater, soil erosion, there's DOT access

15 permit, that is all part of their application and

16 would be a condition of approval.

17 If they can't get, for example, state

18 highway access, guess what, the application is no

19 good.

20 MR. SUNG: Okay.

21 CHAIRMAN CHUNG: Thank you.

22 MS. TESTA: They come here first before

23 they go to the state, but it's contingent.

24 We're just asking because it's on

25 Bergen Boulevard, so one of the board members just

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1 had a question how it worked.

2 MR. CHEWCASKIE: Yeah, I believe we

3 have -- I'll deal with Mr. O'Brien. I believe --

4 MR. O'BRIEN: Yeah, we'll just trade

5 e-mails.

6 MS. TESTA: Right, but, again, you

7 would need that.

8 MR. CHEWCASKIE: The Letter of No

9 Interest and the like and, you know, these are all

10 prior approvals that would be required.

11 MS. TESTA: Sure.

12 But regardless what this board would

13 decide, you would have to do that.

14 If you didn't, otherwise you would not

15 be able to build.

16 MR. CHEWCASKIE: And I just spoke with

17 Mr. Loverich.

18 He will be dealing with Mr. O'Brien

19 directly prior to the next meeting.

20 MS. TESTA: Great.

21 CHAIRMAN CHUNG: Approve the last one,

22 the '21, 2021?

23 MR. CHEWCASKIE: I'm sorry?

24 CHAIRMAN CHUNG: 2021, right.

25 MR. CHEWCASKIE: It was approved in

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1 2021, Mr. Chairman.

2 Last year there was an extension for a

3 year for the prior approval for the --

4 CHAIRMAN CHUNG: Then what happened, it

5 expired?

6 MS. TESTA: No, it's going to expire,

7 but the applicant has the new applicant has filed, so

8 you're fine.

9 CHAIRMAN CHUNG: Okay.

10 Thank you, sir.

11 MS. TESTA: Good.

12 So this is going to be carried to

13 April 20th also.

14 MR. CHEWCASKIE: It will be April 20th,

15 no further notice will be required.

16 MS. TESTA: Correct.

17 MR. CHEWCASKIE: And to the extent you

18 need it, you have the extension of time.

19 MS. TESTA: Right.

20 So just need to make a motion for that.

21 CHAIRMAN CHUNG: I'll make a motion.

22 MS. TESTA: Just need to do --

23 CHAIRMAN CHUNG: I'll make a motion.

24 MR. ELEFTERIOU: Second.

25 MS. TESTA: Very good.

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1 Roll call, please.

2 SECRETARY KIM: Mr. Chung?

3 CHAIRMAN CHUNG: Yes.

4 SECRETARY KIM: Mrs. Yoon?

5 VICE CHAIRMAN YOON: Yes.

6 SECRETARY KIM: Mr. Brogna?

7 MR. BROGNA: Yes.

8 SECRETARY KIM: Mr. Chiesa?

9 MR. CHIESA: Yes.

10 SECRETARY KIM: Mr. Elefteriou?

11 MR. ELEFTERIOU: Yes.

12 SECRETARY KIM: Mr. Sung?

13 MR. SUNG: Yes.

14 MS. TESTA: Okay. Then we just have a

15 couple of housekeeping matters.

16 We just have a couple of -- we have to

17 pay some bills and we have some resolutions.

18 So what we also have is we did do the

19 reorg back in March, but -- back in January, but

20 there was some questions, you know, board members

21 held over, so we're just going to redo the reorg.

22 So at the January meeting we made a

23 motion to appoint Charlie Chung as the Chairman for

24 2026.

25 So if we want to make a motion.

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1 MR. ELEFTERIOU: I'll make a motion.
 2 VICE CHAIRMAN YOON: Second.
 3 MS. TESTA: Roll call.
 4 SECRETARY KIM: Mr. Chung?
 5 CHAIRMAN CHUNG: Yes.
 6 SECRETARY KIM: Mrs. Yoon?
 7 VICE CHAIRMAN YOON: Yes.
 8 SECRETARY KIM: Mr. Brogna?
 9 MR. BROGNA: Yes.
 10 SECRETARY KIM: Mr. Chiesa?
 11 MR. CHIESA: Yes.
 12 SECRETARY KIM: Mr. Elefteriou?
 13 MR. ELEFTERIOU: Yes.
 14 SECRETARY KIM: Mr. Sung?
 15 MR. SUNG: Yes.
 16 MS. TESTA: Okay.
 17 And Vice Chair, Ms. Yoon was the motion
 18 for Vice Chair.
 19 MR. ELEFTERIOU: I'll make the motion.
 20 MS. TESTA: And somebody want to second
 21 that?
 22 MR. BROGNA: I'll second it.
 23 MS. TESTA: Roll call, please.
 24 SECRETARY KIM: Mr. Chung?
 25 CHAIRMAN CHUNG: Yes.

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1 SECRETARY KIM: Mrs. Yoon?
 2 VICE CHAIRMAN YOON: Yes.
 3 SECRETARY KIM: Mr. Brogna?
 4 MR. BROGNA: Yes.
 5 SECRETARY KIM: Mr. Chiesa?
 6 MR. CHIESA: Yes.
 7 SECRETARY KIM: Mr. Elefteriou?
 8 MR. ELEFTERIOU: Yes.
 9 SECRETARY KIM: Mr. Sung?
 10 MR. SUNG: Yes.
 11 MS. TESTA: Okay.
 12 And then the next would be for
 13 secretary, Rebekah, Rebekah Kim.
 14 We need a motion for that, please.
 15 MR. ELEFTERIOU: I'll make a motion.
 16 MS. TESTA: Can I have a second?
 17 VICE CHAIRMAN YOON: Second.
 18 MS. TESTA: Roll call, please.
 19 SECRETARY KIM: Mr. Chung?
 20 CHAIRMAN CHUNG: Yes.
 21 SECRETARY KIM: Mrs. Yoon?
 22 VICE CHAIRMAN YOON: Yes.
 23 SECRETARY KIM: Mr. Brogna?
 24 MR. BROGNA: Yes.
 25 SECRETARY KIM: Mr. Chiesa?

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1 MR. CHIESA: Yes.
 2 SECRETARY KIM: Mr. Elefteriou?
 3 MR. ELEFTERIOU: Yes.
 4 SECRETARY KIM: Mr. Sung?
 5 MR. SUNG: Yes.
 6 MS. TESTA: Okay.
 7 And then my legal services.
 8 MR. ELEFTERIOU: I'll make a motion.
 9 MS. TESTA: And a second?
 10 CHAIRMAN CHUNG: Second.
 11 MS. TESTA: Roll call, please.
 12 SECRETARY KIM: Mr. Chung?
 13 CHAIRMAN CHUNG: Yes.
 14 SECRETARY KIM: Mrs. Yoon?
 15 VICE CHAIRMAN YOON: Yes.
 16 SECRETARY KIM: Mr. Brogna?
 17 MR. BROGNA: Yes.
 18 SECRETARY KIM: Mr. Chiesa?
 19 MR. CHIESA: Yes.
 20 SECRETARY KIM: Mr. Elefteriou?
 21 MR. ELEFTERIOU: Yes.
 22 SECRETARY KIM: Mr. Sung?
 23 MR. SUNG: Yes.
 24 MS. TESTA: Thank you.
 25 Next would be planner, Kauker & Kauker.

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1 Can I have a motion?
 2 MR. ELEFTERIOU: Motion.
 3 CHAIRMAN CHUNG: Second.
 4 MS. TESTA: Roll call, please.
 5 SECRETARY KIM: Mr. Chung?
 6 CHAIRMAN CHUNG: Yes.
 7 SECRETARY KIM: Mrs. Yoon?
 8 VICE CHAIRMAN YOON: Yes.
 9 SECRETARY KIM: Mr. Brogna?
 10 MR. BROGNA: Yes.
 11 SECRETARY KIM: Mr. Chiesa?
 12 MR. CHIESA: Yes.
 13 SECRETARY KIM: Mr. Elefteriou?
 14 MR. ELEFTERIOU: Yes.
 15 SECRETARY KIM: Mr. Sung?
 16 MR. SUNG: Yes.
 17 MS. TESTA: Okay. Engineer, we have
 18 Colliers Engineering, Carl O'Brien is the engineer
 19 assigned from that firm.
 20 We need a motion.
 21 MR. ELEFTERIOU: Motion.
 22 CHAIRMAN CHUNG: Second.
 23 SECRETARY KIM: Mr. Chung?
 24 CHAIRMAN CHUNG: Yes.
 25 SECRETARY KIM: Mrs. Yoon?

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1 VICE CHAIRMAN YOON: Yes.
 2 SECRETARY KIM: Mr. Brogna?
 3 MR. BROGNA: Yes.
 4 SECRETARY KIM: Mr. Chiesa?
 5 MR. CHIESA: Yes.
 6 SECRETARY KIM: Mr. Elefteriou?
 7 MR. ELEFTERIOU: Yes.
 8 SECRETARY KIM: Mr. Sung?
 9 MR. SUNG: Yes.
 10 MS. TESTA: Okay.
 11 MR. O'BRIEN: Thank you, all, I
 12 appreciate it.
 13 MS. TESTA: Congratulations.
 14 And we have a couple of resolutions.
 15 The first one is Jaehoon Lee, 525 Glen Avenue.
 16 And just to -- this was a variance for
 17 number of stories, height, building coverage,
 18 construct a new four-story two-family duplex at
 19 525 Glen Avenue.
 20 CHAIRMAN CHUNG: I'll make a motion to
 21 accept that one.
 22 Can I get a second, please?
 23 MR. ELEFTERIOU: Second.
 24 SECRETARY KIM: Mr. Chung?
 25 CHAIRMAN CHUNG: Yes.

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1 SECRETARY KIM: Mrs. Yoon?
 2 VICE CHAIRMAN YOON: Yes.
 3 SECRETARY KIM: Mr. Brogna?
 4 MR. BROGNA: Abstain.
 5 MS. TESTA: You were here.
 6 MR. BROGNA: Oh, was I here.
 7 MS. TESTA: Yes.
 8 MR. BROGNA: I was? Oh.
 9 MS. TESTA: Yeah, this is from -- I'm
 10 sorry, this was December.
 11 MR. BROGNA: Oh, December.
 12 MS. TESTA: Yeah.
 13 MR. BROGNA: Oh, that's why.
 14 MS. TESTA: Yup.
 15 MR. BROGNA: So, yes.
 16 SECRETARY KIM: Mr. Chiesa?
 17 MS. TESTA: You were also here.
 18 MR. CHIESA: Yes.
 19 SECRETARY KIM: Mr. Elefteriou?
 20 MR. ELEFTERIOU: Yes.
 21 SECRETARY KIM: Mr. Sung?
 22 MS. TESTA: You can abstain.
 23 MR. SUNG: Abstain.
 24 MS. TESTA: Okay.
 25 And then the next is Sang Won Sur,

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1 Case No. 25-10, this is property at 32 Delia
 2 Boulevard.
 3 It was a height variance, lot area per
 4 unit, lot area, lot width, number of stories, side
 5 yards, combined side yards, some parking, building
 6 coverage in order to construct a new three-story
 7 two-family residential property.
 8 CHAIRMAN CHUNG: I'll make a motion to
 9 accept that one.
 10 Can I get a second?
 11 MR. ELEFTERIOU: I'll second.
 12 CHAIRMAN CHUNG: Thank you, Lefty.
 13 SECRETARY KIM: Mr. Chung?
 14 CHAIRMAN CHUNG: Yes.
 15 SECRETARY KIM: Mrs. Yoon?
 16 VICE CHAIRMAN YOON: Yes.
 17 SECRETARY KIM: Mr. Brogna?
 18 MR. BROGNA: Abstain.
 19 SECRETARY KIM: Mr. Chiesa?
 20 MS. TESTA: Abstain.
 21 MR. CHIESA: Abstain.
 22 SECRETARY KIM: Mr. Elefteriou?
 23 MR. ELEFTERIOU: Yes.
 24 SECRETARY KIM: Mr. Sung?
 25 MR. SUNG: Abstain.

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1 MS. TESTA: Abstain, yes.
 2 And then we have Hosu Lee, which is
 3 Case 25-15.
 4 That was a use variance for height and
 5 variances for side yard, building coverage, number of
 6 stories and they constructed a new three-story
 7 two-family residential building, 432 Glen Avenue.
 8 CHAIRMAN CHUNG: I'll make a motion to
 9 accept that.
 10 MR. ELEFTERIOU: I'll second it.
 11 SECRETARY KIM: Mr. Chung?
 12 CHAIRMAN CHUNG: Yes.
 13 SECRETARY KIM: Mrs. Yoon?
 14 VICE CHAIRMAN YOON: Yes.
 15 SECRETARY KIM: Mr. Brogna?
 16 MR. BROGNA: Abstain.
 17 MS. TESTA: Abstain.
 18 SECRETARY KIM: Mr. Chiesa?
 19 MR. CHIESA: Abstain.
 20 SECRETARY KIM: Mr. Elefteriou?
 21 MR. ELEFTERIOU: Yes.
 22 SECRETARY KIM: Mr. Sung?
 23 MR. SUNG: Abstain.
 24 MS. TESTA: Good. Okay.
 25 And then we have just a motion to

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1 approve the minutes from the January meeting.
 2 MR. ELEFTERIOU: Motion.
 3 MS. TESTA: Second?
 4 CHAIRMAN CHUNG: I'll second.
 5 SECRETARY KIM: Mr. Chung?
 6 CHAIRMAN CHUNG: Yes.
 7 SECRETARY KIM: Mrs. Yoon?
 8 VICE CHAIRMAN YOON: Yes.
 9 SECRETARY KIM: Mr. Brogna?
 10 MR. BROGNA: Abstain.
 11 SECRETARY KIM: Mr. Chiesa?
 12 MR. CHIESA: Abstain.
 13 SECRETARY KIM: Mr. Elefteriou?
 14 MR. ELEFTERIOU: Yes.
 15 SECRETARY KIM: Mr. Sung?
 16 MR. SUNG: Abstain.
 17 MS. TESTA: Okay.
 18 And then we have, let's see, payment of
 19 bills. Do you have anything besides -- what do we
 20 have? Okay.
 21 So we have bills from my firm in the
 22 amount of \$2,142.00.
 23 We also have bills from the court
 24 stenographer in the amount of \$6,023.00.
 25 From Kauker & Kauker, \$5,705.00.

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1 The newspaper, \$111.48.
 2 So we can just do -- do you want to
 3 just do one motion?
 4 Is everybody okay with that?
 5 CHAIRMAN CHUNG: Yes.
 6 I'll make a motion.
 7 MR. ELEFTERIOU: I'll second it.
 8 MS. TESTA: Roll call, please.
 9 SECRETARY KIM: Mr. Chung?
 10 CHAIRMAN CHUNG: Yes.
 11 SECRETARY KIM: Mrs. Yoon?
 12 VICE CHAIRMAN YOON: Yes.
 13 SECRETARY KIM: Mr. Brogna?
 14 MR. BROGNA: Yes.
 15 SECRETARY KIM: Mr. Chiesa?
 16 MR. CHIESA: Yes.
 17 SECRETARY KIM: Mr. Elefteriou?
 18 MR. ELEFTERIOU: Yes.
 19 SECRETARY KIM: Mr. Sung?
 20 MR. SUNG: Yes.
 21 MS. TESTA: Okay.
 22 I do believe that's it.
 23 Anybody have any questions?
 24 Just went through quite a few.
 25 SECRETARY KIM: Do we do this

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1 withdrawal one.
 2 MS. TESTA: Oh, I'm sorry, yes.
 3 Thank you, Rebekah.
 4 And then there's also on the agenda a
 5 withdrawal of -- do you have any --
 6 SECRETARY KIM: 25-16, 71 Grand Avenue.
 7 MS. TESTA: I had my agenda, but I
 8 misplaced it.
 9 Okay. Case No. 25-16, Grand Kukbo NJ,
 10 Inc., 71 Grand Avenue, Block 313, Lot 3.
 11 The applicant has requested to withdraw
 12 his application. So we -- I need a motion to accept
 13 his withdrawal.
 14 CHAIRMAN CHUNG: I'll make a motion to
 15 accept that.
 16 MR. ELEFTERIOU: I second.
 17 MS. TESTA: Roll call, please.
 18 SECRETARY KIM: Mr. Chung?
 19 CHAIRMAN CHUNG: Yes.
 20 SECRETARY KIM: Mrs. Yoon?
 21 VICE CHAIRMAN YOON: Yes.
 22 SECRETARY KIM: Mr. Brogna?
 23 MR. BROGNA: Yes.
 24 SECRETARY KIM: Mr. Chiesa?
 25 MR. CHIESA: Yes.

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1 SECRETARY KIM: Mr. Elefteriou?
 2 MR. ELEFTERIOU: Yes.
 3 SECRETARY KIM: Mr. Sung?
 4 MR. SUNG: Yes.
 5 MS. TESTA: Okay.
 6 Now I think that's it.
 7 So I guess a motion at adjourn.
 8 Anybody?
 9 MR. ELEFTERIOU: Oh, I'm sorry.
 10 MS. TESTA: Motion to adjourn.
 11 CHAIRMAN CHUNG: I'll make a motion to
 12 adjourn.
 13 MR. BROGNA: I'll make it -- I'll
 14 second it.
 15 MS. TESTA: All in favor?
 16 (Whereupon, all present members respond
 17 in the affirmative.)
 18 MS. TESTA: Thank you, everybody.
 19 (Whereupon, this meeting is concluded.
 20 Time noted: 9:12 p.m.)
 21
 22
 23
 24
 25

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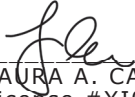
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C E R T I F I C A T E

I, LAURA A. CARUCCI, C.C.R., R.P.R., a Remote Online Notary Public of the State of Florida, Notary ID. #1810618, Certified Court Reporter of the State of New Jersey, and a Registered Professional Reporter, hereby certify that the foregoing is a verbatim record of the testimony provided under oath before any court, referee, board, commission or other body created by statute of the State of New Jersey.

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

This transcript complies with regulation 13:43-5.9 of the New Jersey Administrative Code.



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