

1 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 BOROUGH OF PALISADES PARK ZONING BOARD OF ADJUSTMENT MONDAY, JULY 20, 2026 7:07p.m. Case No. 21-28 118 Union Assoct 112-118 Union Street Block 107, Lot 4,5 Case No. 24-21 Chris Kim 19 W Homestead Ave Block 601, Lot 23.01 Case No. 25-09 Robert Lee 317 9th Street 550 Bergen Boulevard Block 410, Lot 17 Case No. 26-01 Bryan Ryu 324 East Palisades Blvd Block 414, Lot 10 Case No. 26-02 320 Bergen Boulevard Corp 245 Roff Ave Block 312, Lot 13 Case No. 26-03 Jeong Mi Lee 545 5th Street Block 325, Lot 12 Case No. 26-04 Alaaeldin Elbana Bergen Boulevard Block 717, Lot 25 PROCEEDINGS TRANSCRIPT OF PROCEEDINGS B E F O R E: BOROUGH OF PALISADES PARK BOARD OF ADJUSTMENT THERE BEING PRESENT: CHARLIE CHUNG, CHAIRMAN SEONG HYE YOON, VICE CHAIRWOMAN (ABSENT) ELEFTERIOS ELEFTERIOU, MEMBER DAVID TERRANOVA, MEMBER STEVEN BROGNA, MEMBER (ABSENT) AARON CHIESA, MEMBER JUSTIN SUNG, ALTERNATE MEMBER 1 LUIS CRESPO, ALTERNATE MEMBER 2 SEROM HONG, ALTERNATE MEMBER 3 L LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	3 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 INDEX WITNESS SWORN TESTIMONY Case No. 25-09 Robert Lee 317 9th Street Block 410, Lot 17 Case No. 26-01 Bryan Ryu 324 East Palisades Boulevard Block 414, Lot 10 Case No. 21-28 118 Union Associates 112-118 Union Street Block 107, Lot 4,5 Case No. 26-02 320 Bergen Boulevard Corp 245 Roff Ave Block 312, Lot 13 Case No. 26-03 Jeong Mi Lee 515 5th Street Block 325, Lot 12 VASSILIOS COCOROS, AIA Direct Examination by Mr. Sokolich Board/Professional Questions Mr. Terranova Chairman Chung Mr. Kauker Ms. Louloudis Public Questions John Mantone 537 5th Street David Lorenzo Palisades Park DAVID SPATZ, PP, AICP Voir Dire Examination by Mr. Sokolich Direct Examination by Mr. Sokolich Board/Professionals Questions Mr. Kauker 13 14 15 16 20 22 23 44 47 52 55 57 62 65 66 73 LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
2 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 APPEARANCES: TESTA & DeCARLO BY: DIANE TESTA, ESQUIRE 865 Broad Avenue Ridgefield, New Jersey 07657 Counsel for the Zoning Board of Adjustment SOKOLICH & MACRI BY: MARK J. SOKOLICH, ESQUIRE 1223 Anderson Avenue Fort Lee, New Jersey 07024 (201) 224-4444 Counsel for the Applicant ALSO PRESENT: REBEKAH KIM, BOARD SECRETARY NIKKI LOULLOUDIS, P.E., BOARD ENGINEER MICHAEL KAUKER, PP, AICP, BOARD PLANNER LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	4 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 INDEX WITNESS SWORN TESTIMONY Case No. 26-04 Alaaeldin Elbana Bergen Boulevard Block 717, Lot 25 Marios Lachanaris, RA Voir Dire Examination by Mr. Sokolich Direct Examination by Mr. Sokolich Board/Professionals Questions Chairman Chung Mr. Terranova Mr. Kauker Ms. Louloudis DAVID SPATZ, PP, AICP Direct Examination by Mr. Sokolich 82 84 85 86 108, 119, 120 110, 121 112 117 123 124 LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

1 2 EXHIBITS 3 No. Description Ident/Evid 4 Case No. 26-03 5 Jeong Mi Lee 6 515 5th Street 7 Block 325, Lot 12 8 A-1 Elevations Last Revised 3/6/26 24 9 A-2 Floor Plans Dated 7/20/26 34 10 A-3 Floor Plan Last Revised 3/6/26 38 11 A-4 Four Photograph Photoboard 65 12 Case No. 26-04 13 Alaaeldin Elbana 14 Bergen Boulevard 15 Block 717, Lot 25 16 A-1 Colorized Architectural Site 17 Plan 87 18 A-2 Survey 88 19 A-3 Floor Plans Last Revised 1/12/26 95 20 A-4 Front Elevations 101 21 A-5 Set of Four Photographs 125 22 23 24 25 LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	7 1 CHAIRMAN CHUNG: Okay. 2 MS. TESTA: Okay. Please raise your 3 right hand, repeat after me. 4 I, state your name, do solemnly swear 5 or affirm that I will support the Constitution of the 6 United States, and the Constitution of the State of 7 New Jersey, and that I will bear true faith and 8 allegiance to the same and to the governments 9 established in the United States and in this state 10 under the authority of the people so help me, God. 11 I do further solemnly swear or affirm 12 that I will impartially and justly perform all the 13 duties of Alternate Board Member of the Zoning Board 14 of Adjustment of the Borough of Palisades Park 15 according to the best of my ability, so help me God. 16 MS. HONG: I, Serom Hong, do solemnly 17 swear or affirm that I will support the Constitution 18 of the United States, and the Constitution of the 19 State of New Jersey, and that I will bear true faith 20 and allegiance to the same and to the governments 21 established in the United States and in this state 22 under the authority of the people so help me, God. 23 I do further solemnly swear or affirm 24 that I will impartially and justly perform all the 25 duties of Alternate Board Member of the Zoning Board LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
6 1 MS. TESTA: Please stand for the Pledge 2 of Allegiance. 3 (Whereupon, all rise for a recitation 4 of the Pledge of Allegiance.) 5 MS. TESTA: Chairman, this evening, I 6 believe the Mayor and Council have appointed two new 7 members, so I will invite the members up here. 8 CHAIRMAN CHUNG: Yes, please come up. 9 MS. TESTA: Mr. Hong [sic] and 10 Mr. Crespo. 11 CHAIRMAN CHUNG: Please come up. 12 MS. TESTA: Oh, Ms. Hong, I'm sorry. 13 MS. HONG: That's okay. 14 MS. TESTA: Please come up to be sworn 15 in. 16 CHAIRMAN CHUNG: They'll be seated 17 right away, right? 18 MS. TESTA: They're going to sit 19 tonight, yes. 20 CHAIRMAN CHUNG: So bring your stuff 21 here. 22 MS. TESTA: Should we do it up here, 23 Mayor? 24 MAYOR KIM: Whatever you want. 25 MS. TESTA: It's okay. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	8 1 of Adjustment of the Borough of Palisades Park 2 according to the best of my ability, so help me God. 3 Mr. CRESPO: I, Luis Crespo, do 4 solemnly swear or affirm that I will support the 5 Constitution of the United States, and the 6 Constitution of the State of New Jersey, and that I 7 will bear true faith and allegiance to the same and 8 to the governments established in the United States 9 and in this state under the authority of the people 10 so help me, God. 11 I do further solemnly swear or affirm 12 that I will impartially and justly perform all the 13 duties of Alternate Board Member of the Zoning Board 14 of Adjustment of the Borough of Palisades Park 15 according to the best of my ability, so help me God. 16 MS. TESTA: Congratulations. 17 MAYOR KIM: Congratulations. 18 (Applause.) 19 MS. TESTA: Roll call. 20 BOARD SECRETARY KIM: Mr. Chung? 21 CHAIRMAN CHUNG: Here. 22 BOARD SECRETARY KIM: Mrs. Yoon? 23 (No Response.) 24 BOARD SECRETARY KIM: Mr. Brogna? 25 (No Response.) LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

9 1 BOARD SECRETARY KIM: Mr. Chiesa? 2 MR. CHIESA: Yes. 3 BOARD SECRETARY KIM: Mr. Elefteriou? 4 MR. ELEFTERIOU: Here. 5 BOARD SECRETARY KIM: Mr. Terranova? 6 MR. TERRANOVA: Here. 7 BOARD SECRETARY KIM: Mr. Sung? 8 MR. SUNG: Here. 9 BOARD SECRETARY KIM: Mr. Crespo? 10 Mr. CRESPO: Here. 11 BOARD SECRETARY KIM: Mrs. Hong? 12 MS. HONG: Here. 13 MS. TESTA: In accordance with the Open 14 Public Meeting Act, the notice of this meeting has 15 been posted on borough bulletin board. 16 Notice has been provided to at least 17 two official borough newspapers and filed with the 18 borough clerk's office. 19 Chairman, we'll need a motion to 20 approve the minutes from the June 15th, 2026 meeting. 21 CHAIRMAN CHUNG: Yes, can I have a 22 motion, please? 23 MR. ELEFTERIOU: I first. 24 CHAIRMAN CHUNG: Can I have a second, 25 please? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	11 1 MS. TESTA: Oh, no, I'm sorry. 2 Yes, they do. Okay. I miscounted. 3 CHAIRMAN CHUNG: You both are eligible. 4 MAYOR KIM: And they're allowed to 5 vote? 6 MS. TESTA: Yes. 7 MAYOR KIM: Thank you. 8 MR. SOKOLICH: Only if they're yeses, 9 Mayor. 10 MS. TESTA: Yes, this is only the 11 minutes. 12 You were not at the June meeting, so 13 therefore, you would not vote on this. 14 MS. HONG: Okay. 15 CHAIRMAN CHUNG: Yes. 16 MS. TESTA: Okay. 17 And now, Chairman, we have some bills 18 that need to be paid, Kauker -- I'll just read them 19 all and then -- 20 CHAIRMAN CHUNG: Sure -- 21 MS. TESTA: -- one vote. 22 CHAIRMAN CHUNG: Just have one vote, 23 yes. 24 MS. TESTA: Okay? 25 Kauker & Kauker, \$805.00. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
10 1 MR. CHIESA: Second. 2 BOARD SECRETARY KIM: Mr. Chung? 3 CHAIRMAN CHUNG: Yes. 4 BOARD SECRETARY KIM: Mr. Chiesa? 5 MR. CHIESA: Yes. 6 BOARD SECRETARY KIM: Mr. Elefteriou? 7 MR. ELEFTERIOU: Yes. 8 BOARD SECRETARY KIM: Mr. Terranova? 9 MR. TERRANOVA: Yes. 10 BOARD SECRETARY KIM: Mr. Sung? 11 MR. SUNG: Yes. 12 BOARD SECRETARY KIM: Mr. Crespo? 13 Mr. CRESPO: Abstain. 14 MS. TESTA: You'll abstain. 15 And Ms. Hong is an eighth member, she 16 doesn't vote this evening. 17 BOARD SECRETARY KIM: Okay. 18 MAYOR KIM: I'm so sorry, Attorney? 19 MS. TESTA: Yes. 20 MAYOR KIM: So the new board members 21 cannot vote this evening? 22 MS. TESTA: No, they're both 23 alternates, we just need one because seven -- right, 24 if my math is correct? 25 CHAIRMAN CHUNG: No, they can vote. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	12 1 Court stenographer, \$1,747.50. 2 And Testa & DeCarlo, \$3,298.75. 3 CHAIRMAN CHUNG: Thank you. 4 Can I have a motion, please? 5 MR. ELEFTERIOU: I move. 6 CHAIRMAN CHUNG: Second? 7 MR. CHIESA: I second. 8 CHAIRMAN CHUNG: Thank you. 9 BOARD SECRETARY KIM: Mr. Chung? 10 CHAIRMAN CHUNG: Yes. 11 BOARD SECRETARY KIM: Mr. Chiesa? 12 MR. CHIESA: Yes. 13 BOARD SECRETARY KIM: Mr. Elefteriou? 14 MR. ELEFTERIOU: Yes. 15 BOARD SECRETARY KIM: Mr. Terranova? 16 MR. TERRANOVA: Yes. 17 BOARD SECRETARY KIM: Mr. Sung? 18 MR. SUNG: Abstain. 19 BOARD SECRETARY KIM: Mr. Crespo? 20 Mr. CRESPO: Abstain. 21 BOARD SECRETARY KIM: Mrs. Hong? 22 MS. HONG: Abstain. 23 MS. TESTA: Okay. 24 And then, Chairman, next we have a 25 couple resolutions to be memorialized. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

13 1 CHAIRMAN CHUNG: Okay. 2 MS. TESTA: The first one is Robert 3 Lee, Case No. 25-09, and this was for the 4 construction of a three-unit multifamily dwelling at 5 317 9th Street. 6 CHAIRMAN CHUNG: Okay. 7 MS. TESTA: We just need a motion to -- 8 CHAIRMAN CHUNG: Can I have a motion, 9 please? 10 MS. TESTA: That would be Mr. Chiesa 11 and Mr. Sung. Okay. 12 So you're first, Mr. Chiesa. 13 MR. CHIESA: Yes. 14 BOARD SECRETARY KIM: Mr. Chung? 15 CHAIRMAN CHUNG: Yes. 16 BOARD SECRETARY KIM: Mr. Chiesa? 17 MR. CHIESA: Yes. 18 BOARD SECRETARY KIM: Mr. Elefteriou? 19 MR. ELEFTERIOU: Yes. 20 MS. TESTA: No, you'll abstain on this. 21 You voted no. 22 MR. ELEFTERIOU: I abstain, yes. 23 MS. TESTA: Abstain, yeah. 24 BOARD SECRETARY KIM: Mr. Terranova? 25 MR. TERRANOVA: Abstain. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	15 1 BOARD SECRETARY KIM: Mr. Elefteriou? 2 MR. ELEFTERIOU: Yes. 3 BOARD SECRETARY KIM: Mr. Terranova? 4 MR. TERRANOVA: Yes. 5 BOARD SECRETARY KIM: Mr. Sung? 6 MR. SUNG: Yes. 7 BOARD SECRETARY KIM: Mr. Crespo? 8 Mr. CRESPO: Yes. 9 MS. TESTA: You'll abstain. 10 Mr. CRESPO: Abstain. 11 BOARD SECRETARY KIM: Mrs. Hong? 12 MS. HONG: Abstain. 13 MS. TESTA: Okay. 14 And then the next was the request for 15 an extension. This was 118 Union Associates. This 16 was for property located at 112-118 Union Avenue. 17 It was for a 28-unit multifamily 18 building. 19 This matter had been in litigation. 20 The litigation has been settled and the applicant is 21 looking to proceed and is entitled to by law three 22 one-year extensions, so this is the first extension. 23 So we just need a motion and all of the 24 members that were at the meeting did vote in the 25 affirmative on this one. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
14 1 BOARD SECRETARY KIM: Mr. Sung? 2 MR. SUNG: Yes. 3 BOARD SECRETARY KIM: Mr. Crespo? 4 Mr. CRESPO: I abstain. 5 BOARD SECRETARY KIM: Ms. Hong? 6 MS. HONG: I abstain. 7 MS. TESTA: Yes, okay. 8 And then the next case is 26-01, Bryan 9 Ryu, and this was for property located at 324 East 10 Palisades Boulevard. It was for a two-family duplex. 11 And all members voted yes on this one, 12 so we just need a motion. 13 CHAIRMAN CHUNG: Can I have a motion, 14 please? 15 MR. ELEFTERIOU: I motion. 16 CHAIRMAN CHUNG: Thank you, Lefty. 17 Can I have a second, please? 18 MR. CHIESA: Second. 19 CHAIRMAN CHUNG: Second. 20 Thank you. 21 Roll call, please. 22 BOARD SECRETARY KIM: Mr. Chung? 23 CHAIRMAN CHUNG: Yes. 24 BOARD SECRETARY KIM: Mr. Chiesa? 25 MR. CHIESA: Yes. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	16 1 CHAIRMAN CHUNG: Okay. 2 Can I have a motion, please? 3 MR. ELEFTERIOU: I motion. 4 CHAIRMAN CHUNG: Lefty, thank you. 5 Second? 6 MR. CHIESA: Second. 7 BOARD SECRETARY KIM: Mr. Chung? 8 CHAIRMAN CHUNG: Yes. 9 BOARD SECRETARY KIM: Mr. Chiesa? 10 MR. CHIESA: Yes. 11 BOARD SECRETARY KIM: Mr. Elefteriou? 12 MR. ELEFTERIOU: Yes. 13 BOARD SECRETARY KIM: Mr. Terranova. 14 MR. TERRANOVA: Abstain. 15 BOARD SECRETARY KIM: Mr. Sung? 16 MR. SUNG: Yes. 17 BOARD SECRETARY KIM: Mr. Crespo? 18 Mr. CRESPO: Abstain. 19 BOARD SECRETARY KIM: Mrs. Hong? 20 MS. HONG: Abstain. 21 CHAIRMAN CHUNG: Thank you. 22 MS. TESTA: And that's all the -- 23 that's it for now, Chairman, so -- 24 Oh, I'm sorry there is one other. We 25 -- a request for a postponement, this is regarding LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

17 1 345 Roff Avenue, Block 312, Lot 13, 320 Bergen 2 Boulevard Corp. 3 The applicant's attorney has requested 4 that this matter be carried to the next meeting, 5 which would be August 17th, 2026, without the 6 necessity of renoticing. 7 So if the Board is in favor of that, I 8 would just need a motion. 9 CHAIRMAN CHUNG: Okay. 10 Can I have a motion, please? 11 MR. ELEFTERIOU: I'll motion. 12 CHAIRMAN CHUNG: Motion. 13 Second? 14 MR. CHIESA: Second. 15 CHAIRMAN CHUNG: Thank you. 16 Roll call? 17 MS. TESTA: You can vote. 18 This is to carry this application to 19 the August meeting, yes. 20 CHAIRMAN CHUNG: Yes, they can vote. 21 You can vote. 22 MS. TESTA: Yes. 23 BOARD SECRETARY KIM: Mr. Chung? 24 CHAIRMAN CHUNG: Yes. 25 BOARD SECRETARY KIM: Mr. Chiesa? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	19 1 CHAIRMAN CHUNG: It's a typo. 2 MR. KAUKER: It's a typo. 3 It's actually -- 4 MS. TESTA: Yeah. 5 It's -- okay. Yeah, because I'm 6 reading -- 7 MR. LORENZO: And then -- and then one 8 other item, Case 24-21, 19 West Homestead, which was 9 memorialized. 10 MS. TESTA: Right. 11 That one is being carried, the 12 memorialization of that one to the -- 13 MR. LORENZO: It's being carried to 14 correct -- 15 MS. TESTA: Yes. 16 MR. LORENZO: It's correct, as written? 17 MS. TESTA: It's correct as written, 18 yeah. 19 MR. LORENZO: Because it was for a 20 two-family duplex. 21 There is no two-family duplex in the 22 resolution. 23 MS. TESTA: On 19 West Homestead? 24 MR. LORENZO: Correct, the resolution 25 that's stated and was identified is for a duplex, and LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
18 1 MR. CHIESA: Yes. 2 BOARD SECRETARY KIM: Mr. Elefteriou? 3 MR. ELEFTERIOU: Yes. 4 BOARD SECRETARY KIM: Mr. Terranova? 5 MR. TERRANOVA: Yes. 6 BOARD SECRETARY KIM: Mr. Sung? 7 MR. SUNG: Abstain. 8 BOARD SECRETARY KIM: Mr. Crespo? 9 Mr. CRESPO: Yes. 10 BOARD SECRETARY KIM: Mrs. Hong? 11 MS. HONG: Yes. 12 MS. TESTA: Okay. 13 So 320 Bergen Boulevard Corp., 345 Roff 14 Avenue -- 15 MR. LORENZO: Madam Chairperson [sic], 16 just a point of order, David Lorenzo, property owner, 17 Palisades Park. 18 MS. TESTA: Uh-huh. 19 MR. LORENZO: Was that Case 26-02 20 320 Bergen Boulevard Corp. for 245 Roff Avenue? 21 MS. TESTA: Yes. 22 MR. LORENZO: Okay. 23 So there is no 245 Roff Avenue. 24 I think that's incorrect notice. 25 MS. TESTA: Oh. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	20 1 it's not a duplex, it's a subdivision with two 2 two-family homes. 3 MS. TESTA: Correct. 4 MR. LORENZO: Okay. 5 MS. TESTA: Right, but it's not being 6 memorialized -- 7 MR. LORENZO: Okay. 8 MS. TESTA: -- this evening. 9 Okay. 10 So Case No. 26-02, 320 Bergen 11 Boulevard, 345 Roff Avenue, Block 312, Lot 13 at the 12 request of the applicant is being carried to the 13 August meeting, which is August 17th, 2026, at 7 p.m. 14 There will be no further notice 15 provided to the public. This is your notice. 16 Okay. Chairman, so -- 17 CHAIRMAN CHUNG: All right. 18 MS. TESTA: So we have, right, 26-03 19 and 26-04. 20 CHAIRMAN CHUNG: You want to do 26-03 21 first. 22 MS. TESTA: Okay. 23 Case No. 26-03, you're up. 24 MR. SOKOLICH: That would be me. 25 MS. TESTA: Yes. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

21 1 MR. SOKOLICH: Thank you, Counsel. 2 Chairman, Members of the Board, Mark 3 Sokolich on behalf of the next public hearing before 4 you as identified as 26-03. 5 The client is Jeong Mi Lee. The 6 property is 545 5th Street. 7 I am presenting and I am happy to 8 report, without green cards, so by certified mail, 9 but, Diane, I made sure that every page was stamped. 10 Sometimes -- 11 MS. TESTA: I see that. 12 MR. SOKOLICH: Sometimes you can't 13 teach an old dog new tricks, but I'm learning. 14 MS. TESTA: Very good. 15 Let's just see the date of the 16 newspaper. 17 Chairman, the affidavit of service is 18 in order, so the Board does have jurisdiction to hear 19 this matter. 20 CHAIRMAN CHUNG: Okay. 21 MR. SOKOLICH: Thank you, Chairman. 22 Thank you, Counsel. 23 Thank you, Board Members and Engaged 24 Professionals. 25 Again, Mark Sokolich for the applicant, LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	23 1 VASSILIOS COCOROS, AIA, 2 467 Sylvan Avenue, Englewood Cliffs, New Jersey 3 07632, having been duly sworn, testifies as 4 follows: 5 MS. TESTA: Please state your name and 6 business address for the record. 7 MR. COCOROS: Sure. Vassilios, 8 V-A-S-S-I-L-I-O-S, Cocoros, C-O-C-O-R-O-S, VCA Group, 9 LLC, 467 Sylvan Avenue, Englewood Cliffs, New Jersey 10 07632. 11 MR. SOKOLICH: Billy -- you accept him 12 as an architect. 13 MS. TESTA: Yes, he's been here 14 numerous times. 15 The Chairman knows you. 16 MR. SOKOLICH: Numerous times. 17 DIRECT EXAMINATION 18 BY MR. SOKOLICH: 19 Q. Just preliminarily, Bill, before we get 20 into your plans, the scope of your engagement? 21 A. Sure. 22 Design a two-family side-by-side duplex 23 on the existing property. 24 The property is located at the dead end 25 of 5th Street on the -- I guess it would be north end LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
22 1 Jeong Mi Lee. 2 This is an application for a two-family 3 dwelling located at the subject premises which is 4 located in the AA zone, which is an expressly 5 permitted use. 6 For this evening's purposes, we propose 7 to present the testimony of Vassilios Cocoros, 8 licensed architect. 9 And then planning testimony from David 10 Spatz, the professional planner. 11 For the record, we've presented the 12 Board with adequate notice and we would ask that the 13 Chair give us permission to start. 14 CHAIRMAN CHUNG: Yes. 15 MR. SOKOLICH: Thank you, Chairman. 16 CHAIRMAN CHUNG: Please start. Thank 17 you. 18 MS. TESTA: Please raise your right 19 hand. 20 Do you swear the testimony you'll 21 provide application be the truth, the whole truth, 22 and nothing but the truth? 23 MR. COCOROS: I do. 24 25 LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	24 1 of town. 2 It abuts the Oakdene Avenue, which is 3 the access point for the super market behind us or to 4 the side of us. 5 Q. Correct. 6 Let me just mark your plan, if I may? 7 MR. SOKOLICH: Diane -- 8 MS. TESTA: Yes. 9 MR. SOKOLICH: -- with your permission, 10 A-1. 11 MS. TESTA: Okay. 12 MR. SOKOLICH: I will initial it and 13 date it today, July 20. 14 (Whereupon, Elevations, Last Revised 15 March 6, 2026, are marked as Exhibit A-1 for 16 identification.) 17 BY MR. SOKOLICH: 18 Q. And, Billy, your plan is identified 19 as -- where are we -- elevations with the last 20 revised date of March 6, 2026. And we'll mark your 21 other plan as we get there. 22 So on A-1, you were focusing on 23 existing conditions, if you would. 24 But, Bill, before you get into that, 25 this was an application previously before the Board; LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

25 1 was it not? 2 A. Yes. 3 Q. And what was the request before the 4 Board and what was the outcome of that application? 5 A. We had a three-family townhouse 6 configuration and we had two two-family configuration 7 on the property. 8 Q. And I believe one of them was formally 9 presented with a negative here -- with a negative 10 outcome and one was withdrawn by the applicant before 11 an outcome -- 12 A. Yes. 13 Q. Correct? All right. 14 So now the applicant has reduced, we're 15 not talking subdivision. We're not talking three 16 units. 17 We're talking a two-family residential 18 dwelling, correct? 19 A. Correct. 20 Q. Okay. So focusing on the upper 21 left-hand corner of what we've marked as A-1, the 22 existing conditions. 23 A. Sure. 24 The property is 74-feet-11-inches in 25 the front and it widens out to 76-feet-1-inches in LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	27 1 60-feet-8-inches wide. 2 We set it off the left side property 3 7 feet to the main building line. 4 And then on the right-hand side, which 5 is abutting the street and the boundary of the two 6 boroughs. We have 7 feet, 6-and-a-half feet in the 7 front, and 6-feet-1-and-three-eighths in the back. 8 It's a three-level configuration. We 9 have a ground floor with a garage, entry door, entry 10 foyer. 11 There's no staircases on the side or 12 the front, so it minimizes the building footprint. 13 Q. Let me get a question in, so -- and as 14 far as utilities are concerned, we're going to get to 15 the Colliers' review letter in a minute, but as far 16 as the stormwater, the system, the drainage, that's 17 not yet been submitted, correct? 18 A. On the site plan, it shows the details 19 on the -- basically chambers in the back. 20 Q. But were the Board to act favorably on 21 the application, any recommendations that are made by 22 Colliers or any other engaged professional will be 23 complied with by the applicant, correct? 24 A. Yes. 25 Q. Okay. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
26 1 the back. 2 It's 100-feet deep. 3 It's a compliant lot. It's actually a 4 bigger lot than what's permitted in that area. 5 It's in the AA zone. 6 The property does have a drop-off from 7 front to back, as most of those properties in that 8 portion of town do. 9 So the -- also, there's a cross pitch 10 on 5th Street which is similar to all those streets 11 on the north end of town that border Leonia and Fort 12 Lee. 13 We have a difference of about -- about 14 3-feet difference across the front from right to left 15 going downhill towards Edsall Boulevard. 16 The existing dwelling, we're proposing 17 to demolish it and construct a new side-by-side 18 two-family dwelling with a seepage pit at the rear. 19 We also have a small retaining wall to 20 kind of level off the property in the back portion. 21 The building, itself, is basically 22 50-feet deep. We have a 25-foot front yard setback 23 and 25-foot rear yard setback which complies with the 24 requirement. 25 We have a building width total of LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	28 1 And I interrupted you. 2 But with regard to existing conditions, 3 is there anything we need to disclose? Any wetlands? 4 A. No. 5 Q. Any environmental conditions? 6 A. Not that I know of. 7 Q. Bill, continue where you left off. I 8 apologize. 9 Focus on location of air conditioners 10 also and any decks. 11 A. Yeah, the decks are basically in the 12 back. They're -- one is 12-feet wide, the other one 13 is 13-feet-8-inches wide. 14 And then we have two AC condensers in 15 the back that will be screened. 16 And they're located in the middle of 17 the building, so they're away from the property. 18 The adjacent properties, however, 19 Oakdene not as critical as much because it's 20 basically a street on the side, there's no 21 neighboring -- 22 Q. Understood. Understood. 23 As you face this proposed building, 24 what's to the left? 25 A. To the left is an existing two-story LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

29 1 dwelling. I don't know if it's a one-family or a 2 two-family, I'm not sure -- 3 Q. Okay. 4 A. -- but it's an older, you know, 5 two-family dwelling, you know, I think they basically 6 have a 25-foot setback where the entry is, and then 7 they came back where our setbacks are basically at 8 the required line. 9 And we also recessed the entry door a 10 little bit. 11 Q. Talk to me about entry point ingress 12 for people -- 13 A. Sure. 14 Q. -- but stay on this A-1 in the upper 15 right-hand corner. They're located -- they're 16 situated to the front? 17 A. Sure. 18 This is not really a mirror image. 19 It's basically stepped configuration, that's why we 20 put the doors on the same side, so it's -- 21 Q. Uh-huh? 22 A. -- more of a townhouse look. 23 And we have basically a sidewalk 24 from -- well, actually, a walkway from the street to 25 the house on each side. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	31 1 Q. Okay. 2 And talk to me -- talk to the Board, if 3 you would, about parking what -- on each unit, what's 4 exterior and what's interior? 5 A. Parking, we have a two-car driveway on 6 each side. 7 In addition, we have a two-car garage. 8 However, RSIS recognizes that three 9 spaces per side, however, we still comply with the 10 parking in regards to the quantity of cars that we 11 can handle on the property. 12 Q. You talked about AC units being 13 centrally located to the rear? 14 A. Yes. 15 Q. Okay. 16 In the upper left -- and landscaping, 17 I'm sorry, Bill, before you get there, there's 18 landscaping that's proposed for the island. 19 Is there any landscaping around the 20 perimeter of the premises? 21 A. Yeah, I don't know if we're planning it 22 but, yeah, we could work with the Board's engineer as 23 far as like landscaping. 24 Q. And whatever it is they want within 25 reason, in fact will be provided by the applicant, is LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
30 1 And then we have planting strips 2 between that walkway. 3 And then we have a 20-feet-4-inch-wide 4 driveway on the left unit and a 20-foot-8-inch-wide 5 driveway on the right-hand side. 6 Q. But walking into the front door of this 7 house, it's an even walk, you're not going down, 8 maybe up one step for weather purposes, but it's 9 basically level, correct? 10 A. Yeah, basically the -- there's a 6-inch 11 step up to the masonry platform where the front door 12 is. 13 And then from the street to the curb is 14 about maybe a two-inch drop, so it's basically flat, 15 and we have a pitch up. 16 And then we have a minimum pitch of 4 17 to 8 inches on the driveway so no water goes down 18 into the garage, which has been a problem with the 19 recent storms, so I know that the Board kind of 20 frowns on us putting the driveways down below. 21 Q. So the -- there's no negative pitch 22 that's being proposed that wouldn't be in the 23 interest of sound design and the front door is 24 elevated for weather also, correct? 25 A. Yes, correct. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	32 1 that our testimony? 2 A. Yes. 3 Q. Okay. 4 A. And there's a planting area that's at 5 the gate, I don't know if that's going to stay. 6 I think the last time they wanted us to 7 take it out -- 8 Q. Uh-huh? 9 A. -- and make it, you know, more access 10 if they -- 11 Q. Understood. Understood. 12 Upper left-hand corner of A-1 is the 13 front elevation of the proposed residence. 14 If you could talk to the building 15 materials and you could also provide some height 16 testimony? 17 A. It's basically a brick-and-stucco 18 building; however, we do a panelized system where the 19 bay windows are in the front, to make these look 20 different from each other, we decided to do a 21 different roof configuration. 22 We have a gable on the left-hand side 23 and a flat roof on the right-hand side just to give 24 it a little bit of variety. 25 Since, you know, we do have the pitch LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

33 1 of the street, you know, we try to break up the mass 2 of the building. 3 So the neighbor to the left of us has a 4 lower building on the right-hand side which is along 5 the street, which is basically Fort Lee, and only 6 cars really go down there. 7 And the building is probably another 8 70, 80 feet -- the super markets about 70, 80 feet 9 away from our actual property. 10 Q. Okay. 11 And you have a side elevation, actually 12 a right elevation on A-1, lower left-hand corner. 13 A. Yes. 14 Q. Are the building materials going to be 15 consistent? 16 A. Yes. 17 On the side we're going to do stucco, 18 like a panelized stucco to kind of break it up for 19 aesthetic purposes and also for maintenance purposes. 20 Q. So turn us, turn to the floor plans, if 21 you could, which I believe are your next page that I 22 have to mark, Bill. 23 A. Yes, elevations and the ground floor. 24 Q. Understood. 25 MR. SOKOLICH: So, Diane, with your LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	35 1 each unit. 2 The -- so basically, the rear and the 3 side elevation are similar in regards to finishes and 4 windows. 5 In the right-hand side of the drawing 6 here, we have our ground floor plan, which we're 7 calling a basement. 8 So you see here we have a two-car 9 garage for each unit. 10 We also have a nice size entry hall 11 with a door that's recessed into the main building 12 line and that you step down into the walkway that 13 brings you out to the street, that's typical for each 14 side. 15 The entry hall, we have a L-shaped 16 staircase up to the first floor, which is the main 17 living space. 18 That's the only way to get up to the 19 first floor. 20 Like I said before, there's no steps on 21 the side yards, no steps in the center that kind of 22 stick out in the building to kind of help minimize 23 the overall footprint of the space. 24 Q. So there's no bump outs on either side 25 of the building that we commonly do and no intrusions LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
34 1 permission, I'm going to mark what's entitled "Floor 2 Plans," as A-2. 3 They're A-2, as said Billy set also and 4 I'll date it today, the 20th of July. 5 (Whereupon, Floor Plans Dated July 6 20th, 2026 is marked as Exhibit A-2 for 7 identification.) 8 BY MR. SOKOLICH: 9 Q. Billy, you prepared -- well, you 10 prepared all the exhibits you're testifying to -- 11 A. Yes. 12 Q. -- correct? All right? 13 A. Yes. 14 Q. So if you would, let's go through the 15 elevations. 16 On A-2 in the upper left and lower left 17 corners, you have the other elevations, just provide 18 some testimony with regard to that. 19 A. Yeah, we basically match the side where 20 we have a stucco panelized system. 21 They look a little bit different, it's 22 not your typical mirror image layout. 23 The insides are basically similar; 24 however, they're slightly adjusted because of the 25 configuration of the doors being on the right side of LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	36 1 into the -- 2 A. We have bump outs where the kitchen is. 3 Q. On the ground level? 4 A. On the -- no, there are no bump outs on 5 the ground level. 6 Like I said we also recessed the front 7 door a little bit, you know, which kind of gives it, 8 you know, like a nicer look as far as -- 9 Q. Understood, understood. 10 A. -- you know looking form the elevation. 11 The ground floor, we have basically a 12 garage with a utility room that has a door from the 13 garage for service purposes. 14 We have a recreation room, guest room, 15 walk-in closet. 16 Since the property does drop off, the 17 basement steps down. We tried to keep the property 18 as far as natural grade without really raising it up 19 too much with retaining walls that might impact the 20 neighbors on the left-hand side and possibly the 21 rear. 22 So the basement steps down, which also 23 adds to one of the reasons why we have a height 24 variance. 25 We have a storage room. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

37 1 We also have a powder room. No 2 bathroom on the ground floor, it's just a powder room 3 on each side. 4 And if you go to Sheet A-3, it's the 5 second -- first and second floor plan. 6 Q. Stay with me on A-2 for a second, Bill. 7 So the only way to get into the A-2 8 level is the garage, right, if you have a vehicle, 9 and then you would proceed into the door into that 10 hallway on either side? 11 A. Yes. 12 Q. And then continue up the stairs to 13 the -- 14 A. And the front door. 15 Q. -- to a different level -- and the 16 front doors and also the door on the side? 17 A. Yes, correct. 18 Q. All right. 19 Your next plan, I believe, you marked 20 also as A-3, and you do -- this plan is entitled also 21 "Floor Plan" with a last revised date of March 6, 22 2026? 23 MR. SOKOLICH: With the Board's 24 permission, I'm going to mark this set as A-3 and I 25 will date it today, the 20th of July 2026. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	39 1 Since the configuration is different, 2 the right side unit does not have that little eating 3 area off the kitchen. The kitchen is slightly 4 different. However, we do have a dining room in the 5 middle. 6 In the front we have a home office and 7 a guest bedroom which has an ensuite bathroom. 8 And we have a powder room for guests 9 and the people using the living space on the first 10 floor. 11 The second floor is set up as a 12 four-bedroom configuration. 13 Q. Not to interrupt you, the wood deck 14 that you showed to the rear, the only way to access 15 that wood rear deck is from what you're calling the 16 kitchen -- 17 A. Yeah. 18 Q. -- on the inside? 19 A. Yeah, on the right-hand side of that 20 sliding glass door from the kitchen portion. 21 And then, you know, we kept the deck 22 closer to the street on here. 23 Q. Understood. 24 So you did that because there's no 25 residents on the side? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
38 1 (Whereupon, Floor Plan Last Revised 2 March 6, 2026 are marked as Exhibit A-3 for 3 identification.) 4 BY MR. SOKOLICH: 5 Q. And, Bill, starting at the lowest level 6 above where you just testified from. 7 A. Sure. 8 We set it up where we have a -- 9 basically the same -- it's not a mirror image, but 10 it's the same setup on both sides. 11 You have the staircase, a U-shaped 12 staircase up from the ground floor level, which is 13 the entry hall. 14 That's also open so you have a balcony 15 and you go down, and you also see the stairs going up 16 to the second floor. 17 When you come up there, you have what 18 we're calling a dining room. 19 And then we'll have a kitchen with a 20 small eating area behind it and a living room and a 21 nice fireplace that has access to a deck that's in 22 the backyard. 23 We set it up where we have a little bit 24 of a bump out to kind of give it a nicer size and 25 also to make the kitchen a little bit more cozier. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	40 1 A. Right, that's why I moved it a little 2 further into the building line and then -- 3 Q. And that's off the living room? 4 A. Yeah, the living room and the kitchen 5 eat-in area would have been too far out. 6 Q. Correct. 7 But there's no separate ingress/egress 8 to the deck, it's only from the interior, in case of 9 the left side unit, the living room. 10 A. Right. 11 Q. And in the case of the right side unit, 12 the kitchen area? 13 A. Yeah, there's no stairs or anything 14 going on that. 15 Q. Okay. Sorry to interrupt. 16 A. And then upstairs we have the bedroom 17 level. It's a four-bedroom configuration. 18 There's a hall bathroom that the two 19 front bedrooms share. 20 The middle bedroom has an ensuite with 21 a small -- with a bathroom with cabinetry, a toilet, 22 and a shower. 23 And in the back we have our master 24 suite, our primary, which consists of an ensuite 25 bathroom. We're doing a spa style on the left-hand LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

41 1 side with a spy-style shower with a tub inside of it, 2 a double sink, toilet alcove. 3 In addition to that, we have two 4 walk-in closets for the primary suite on the 5 left-hand side. 6 On the right-hand side, since we have a 7 slightly different configuration, we have one larger 8 walk-in closet. And the primary bathroom on the 9 second floor has a large shower with the tub next to 10 it. 11 So the bathrooms look slightly 12 different because of the configuration of the layout; 13 however, the front portion and the middle are 14 basically the same. You can see here that the 15 U-shaped staircase with a railing that you look down 16 into the floor below, so it kind of gives it like a 17 one-family feel to it. 18 Q. Anything else you'd like to add? 19 A. No, that's it. 20 Q. That's it. 21 So, Bill, do you acknowledge receipt, I 22 believe you do, of the Colliers -- 23 A. Yes. 24 Q. Just take a look at it. 25 Is it the applicant's position to LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	43 1 there's a maximum. The maximum is 2500 square feet 2 and 40 percent -- 3 A. Yes. 4 Q. -- of the lot, correct? 5 A. Yes. 6 Q. In this particular case, since this lot 7 is oversized, 40 percent of the lot is well over 8 2500, so elaborate on that if you would. 9 A. The coverage calculation that was 10 40.4 percent, we can make it -- you know, we can make 11 that comply by taking two inches off the building, it 12 will be slightly under the requirement of 40 percent. 13 Q. But just to clear this up, the maximum 14 is 2500 square feet numerically but if you have an 15 oversized lot, 40 percent of an oversized lot could 16 be considerably higher than 2500 square feet, right? 17 A. Yeah. 18 Q. So it's not -- the percentage, maximum 19 percentage we're seeking a variance from, actually 20 we're in compliance, off by an inch -- 21 A. Yes. 22 Q. -- we'll conform to it. 23 It's the square footage that we seek a 24 variance for? 25 A. Yes. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
42 1 comply with all the recommendations that are set 2 forth? 3 Or if you can point out for the record 4 what things can't be complied with, we'll ask it that 5 way? 6 A. No, yeah, you know, the -- I guess the 7 storm water management system would have to be 8 confirmed with a perc test and also a drainage 9 calculation by a licensed P.E. 10 Q. And, obviously, if there's any comments 11 and requested revisions, those would be incorporated 12 into the plan, correct? 13 A. Yes. 14 Q. Okay. 15 A. And then I guess we'll get a topo 16 survey signed and sealed as part of the application. 17 Q. Now, the variances that are being 18 sought with this application, as I believe Colliers 19 also points out, staying here for a second, are 20 namely the height, right, two-and-a-half to three 21 stories, and then the 25 to 30. 22 But explain the coverage. 23 So the coverage -- 24 A. The coverage -- 25 Q. The coverage under the ordinance, LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	44 1 Q. Correct. 2 Is there anything else that you would 3 like to add? 4 A. No. 5 Like I said, you know, as far as like I 6 know the planner has appeared on the -- you know to 7 testify on the variances and -- 8 Q. Understood. 9 A. But, you know, part of the problem here 10 was we had the big topo drop off and the cross pitch 11 on the street level. 12 Q. Got it. 13 A. You know, there's ways we can -- you 14 know, if we bring the pitch down 3-and-a-half feet or 15 3 feet on the roof, we could probably bring the 16 height down. 17 Q. Understood. Understood. 18 MR. SOKOLICH: Chairman, I offer 19 Mr. Cocoros. 20 CHAIRMAN CHUNG: All right. Thank you. 21 All right, members, anyone have 22 questions? 23 MR. TERRANOVA: Yeah. 24 CHAIRMAN CHUNG: Go ahead, Dave. 25 MR. TERRANOVA: The height, I don't LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

45 1 even think you addressed it. 2 I mean, we're 11 feet higher? 3 THE WITNESS: No, I got 30 -- the one 4 side drops off quite a bit, but the -- 5 CHAIRMAN CHUNG: Which one? The first? 6 Second? Third? 7 MR. TERRANOVA: He's got two stories at 8 9 feet. 9 THE WITNESS: Yes, I measured to the 10 highest roof, you know, I used that one as the 11 guideline, so that's why it comes out a little bit 12 higher. 13 And like I said, you know, and the 14 reason why I stepped them is like, you know, it's an 15 architectural feature and also, it brings down the 16 overall height for the -- the neighbor on the 17 left-hand side. 18 MR. TERRANOVA: Okay. But you're still 19 11-and-a-half-feet high. 20 So is there anything we could do to 21 lower that? 22 THE WITNESS: We have 30. 23 MR. SOKOLICH: Ceiling heights, Bill, 24 what can we do to -- 25 THE WITNESS: I could probably put do LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	47 1 MS. TESTA: 34.58. 2 THE WITNESS: Yes. 3 MR. SOKOLICH: Correct. 4 If I recall correctly, Diane, we got 5 everybody confused last time. 6 MS. TESTA: Yes. 7 THE WITNESS: It would be a 6-foot 8 difference, but like I said, I'm not the planner, but 9 Dave's here for it, but there is a big topo 10 difference in the property, and we did not try to 11 artificially fill it up with double retaining walls 12 that would get us, you know, within 10 percent, but 13 you're impacting the neighbors as far as the 14 retaining walls. 15 CHAIRMAN CHUNG: What about the garage? 16 Why is it 9-and-a-half feet there? Why do you have 17 high ceiling? 18 THE WITNESS: That's 8 feet in the 19 basement -- 20 MR. SOKOLICH: It's 6 feet along -- 21 THE WITNESS: -- that portion, no, 22 because it's -- you're supposed to take a step from 23 the garage, the ground floor is 8 feet -- 24 CHAIRMAN CHUNG: Right. 25 THE WITNESS: And then you have a LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
46 1 9-foot ceiling with pop-ups on the second floor, so 2 it's 1 foot. 3 I could probably get another foot, a 4 foot-and-a-half on the roof part. 5 So, you know, I could probably bring it 6 down let's say 2, 2-and-a-half feet. 7 MR. TERRANOVA: Bring it down 2, 8 2-and-a-half feet? 9 THE WITNESS: Yeah. 10 MR. TERRANOVA: It would be great. 11 MR. SOKOLICH: We said that last time 12 and it caused a ball of confusion. 13 MS. TESTA: Yes, so -- 14 MR. SOKOLICH: So -- 15 MS. TESTA: So let's -- 16 MR. SOKOLICH: So, 2 feet. 17 THE WITNESS: Two feet, keep it safe. 18 MR. SOKOLICH: That's fine. 19 Excuse me. 20 I don't know if that's fine, but 2 feet 21 is the -- 22 THE WITNESS: Yes. 23 MR. SOKOLICH: -- I understand. 24 THE WITNESS: Reduced it last time the 25 2 feet is -- LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	48 1 3-inch pitch that comes off the street, so any gas or 2 water goes out the front door. 3 So you have 6 -- let's say 8 feet, it 4 comes out to 8-foot-9 at the garage door. 5 On the other side, we have 9 -- 6 CHAIRMAN CHUNG: 9.5. 7 THE WITNESS: Yeah, I guess we can 8 bring that down a little bit, match the other one. 9 MR. TERRANOVA: Bring it down a little 10 further? 11 THE WITNESS: Yeah, maybe match the 12 other one. Yeah, we'll bring it down -- 13 MS. TESTA: So which unit is this? 14 THE WITNESS: Yes, this is the 15 right-hand side, Unit B. 16 CHAIRMAN CHUNG: Right right-hand side. 17 MS. TESTA: Unit B. 18 CHAIRMAN CHUNG: Yeah, what are you 19 bringing it down to? 20 THE WITNESS: I can bring it down to 21 8-foot-9, which is basically what 8-inch -- about an 22 8-inch difference, you know, part of the -- 23 MR. SOKOLICH: In addition to the 24 2-foot reduction is what you're saying. 25 THE WITNESS: Say again? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

49 1 MR. SOKOLICH: In addition to the 2 2-foot reduction -- 3 MR. TERRANOVA: 2-foot-8 altogether is 4 what you're saying? 5 THE WITNESS: Yeah, I'd say 6 2-and-a-half feet, you know, we'll bring it down 7 2-and-a-half feet. 8 MR. TERRANOVA: Okay. 9 Bill, for the record duplex, I thought, 10 was 28, no? 11 MR. KAUKER: Yes, it is. 12 MR. TERRANOVA: You have 25. 13 THE WITNESS: Oh, you know why, because 14 it was -- we had a three-family before and two six 15 over sixes. 16 CHAIRMAN CHUNG: Right. 17 THE WITNESS: I forgot to change that. 18 I'm sorry. 19 MR. TERRANOVA: So that should be 28, 20 right? 21 MS. TESTA: So it's -- 22 THE WITNESS: Yes, that's where you got 23 the 11 feet before. 24 MR. TERRANOVA: Looking better already. 25 MR. SOKOLICH: Could we have the LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	51 1 to, you know, kind of minimize the building size. 2 CHAIRMAN CHUNG: Okay. 3 THE WITNESS: I mean, you know, it's 4 actually an extra expense of the owner to do it that 5 way because you have the flash everything. It's just 6 a -- like I said, you know, they came up, you know, 7 his designer, you know, layout. 8 CHAIRMAN CHUNG: Well, in the long run, 9 it might not be a good idea you might have a problem 10 there. 11 MR. SOKOLICH: Well, I mean -- 12 THE WITNESS: Yeah, basically, the 13 firewall goes up -- both sides of the firewall go all 14 the way up to the top and they just flash, this 15 portion here where it meets the firewall, so you know 16 we've done it before, you know. 17 CHAIRMAN CHUNG: What are you using? 18 THE WITNESS: Getting foam also -- I'm 19 sorry? 20 CHAIRMAN CHUNG: What kind of material 21 are you using there? 22 THE WITNESS: Well, the flashing is 23 behind the material. 24 CHAIRMAN CHUNG: Right. 25 THE WITNESS: So, basically, it would LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
50 1 2-and-a-half feet back, Chairman? 2 MS. TESTA: Yes. 3 MR. TERRANOVA: That's all I have. 4 CHAIRMAN CHUNG: Bill, I have a 5 question, the roof from the duplex, you think that 6 should be even? 7 Why is one higher than the other? 8 THE WITNESS: Actually, we have the 9 pitch down there and like I said it would be -- it's 10 two reasons. 11 Architecturally it looks nicer, you 12 have the breakup -- you know, the breakup of two 13 units. 14 CHAIRMAN CHUNG: Yes. 15 THE WITNESS: And then also, the height 16 for the neighbor on the left-hand side is about, you 17 know, a foot-and-a-half -- I'm sorry. 18 We have a 20-inch difference between 19 the two units, and I'll probably make it 16 inches 20 because it's easier as far as construction goes. 21 So, basically, the unit on the left 22 will feel, let's say 18 inches lower than the -- or 23 20 inches lower than the unit on the right. 24 So as I said, it's twofold: 25 Architectural variety and also, like I said, somewhat LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	52 1 be a stucco -- you know it would be a stucco face or 2 a siding face, and then you put the flashing behind 3 the stucco -- 4 CHAIRMAN CHUNG: Right. 5 THE WITNESS: -- under the roof 6 shingles. 7 CHAIRMAN CHUNG: All right. 8 Anybody else? 9 Members? 10 (No Response.) 11 CHAIRMAN CHUNG: No? 12 Any questions? 13 (No Response.) 14 CHAIRMAN CHUNG: Okay. Professionals? 15 MR. KAUKER: Sure. 16 Just a couple questions, to follow up 17 on your question on the roofline -- 18 CHAIRMAN CHUNG: Right. 19 MR. KAUKER: You know, we had -- we had 20 the same comment and recommended that the roof be 21 consistent, but in looking at the site plan, it 22 doesn't look like when you look at the front left 23 corner and the right left [sic] corner, there's less 24 than a foot difference. 25 I mean is there any way to kind of make LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

53 1 that grade level all the way across? Because it does 2 look like it's -- 3 THE WITNESS: If I make it level, I've 4 got to raise the left side a little bit and bring the 5 other one down, because basically I have almost a 6 dead flat sidewalk -- 7 MR. KAUKER: Right. 8 THE WITNESS: -- from -- from the right 9 side of the property up to where the landing is. 10 You know, It's like I usually try to 11 do, like, a 6-inch step at the walkway and then 12 another 6-inch step up to the -- up to the door. 13 MR. KAUKER: So you -- basically, it 14 would be possible to average it out make it flat, so 15 you could adjust that. 16 I just want to make the Board aware of 17 that, so it would be -- the roofline would be kind of 18 more symmetrical and even. 19 THE WITNESS: I mean, yeah, I can bring 20 the roofline up. 21 The only problem is, you know, it will 22 still comply with the height, it will just look 23 taller on the left-hand side of the building. 24 MR. KAUKER: I mean, I guess it's more 25 of an engineering issue, I'm a planner, but just from LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	55 1 THE WITNESS: Yes. 2 MR. KAUKER: -- because the property is 3 greater than 50 feet, you have to increase the side 4 yard setback one-third of that overage, which would 5 bring your minimum side-yard requirement up to 14.33, 6 so you would need a variance for that. 7 THE WITNESS: Okay. 8 MR. KAUKER: And then the total side 9 yard setback would be double that. 10 So you would need a variance for that. 11 That would be about 28-and-change. 12 So that -- so you would need, just, I 13 mean, for David's edification as well, you would need 14 the side yard setback variance. 15 THE WITNESS: Again, like I said, we've 16 proposed similar configurations that were approved by 17 the Board. 18 MR. KAUKER: That's all I have. 19 CHAIRMAN CHUNG: That's it? 20 MR. KAUKER: I just wanted to make sure 21 that that variance was addressed. 22 CHAIRMAN CHUNG: Yes, I think we got 23 it. 24 You got anything, Nicki? 25 MS. LOULLOUDIS: I think Mr. Sokolich LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
54 1 a planning standpoint, the difference between 244.67 2 and 245.33 doesn't seem all that substantial. 3 THE WITNESS: Like I said, you know, 4 aesthetics, but also the main thing, like I said, is 5 getting that walkway basically when you're walking 6 from the right-hand side of the building, you know, 7 you have the curb, you know, it's basically maybe a 8 2-inch difference from the step of the platform of to 9 the curb. 10 You know so it's like, I don't want 11 anybody walking down into a hill. 12 And also here, you know, we try to 13 basically not overdo the pitch in the garage so it's 14 a comfortable pitch and we don't have a 2-foot 15 difference from the sidewalk and the street, it's 16 only about 4 inches to 8 inches, you know, 4 inches 17 to 8 inches on the cross pitch. 18 MR. KAUKER: Okay. Just something for 19 the Board to consider. 20 You answered the comment that I had 21 regarding the parking area, there's four parking 22 spaces provided to each unit pursuant to the duplex 23 ordinance requirements. 24 Just one last thing with respect to the 25 side yard setback -- LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	56 1 said that they would be providing new drainage 2 calculations and the perc test. 3 And I think my only other question has 4 to do with the retaining wall. 5 Can you just confirm the height of 6 that? 7 THE WITNESS: While we're rebuilding it 8 we're -- basically, it is 4-feet maximum at the back 9 and that was kind of through fix up an old one. 10 So we're not -- the one side we're 11 basically 2-feet-4-inches, then it steps, you know, 12 because the yard kind of goes down cross slope also. 13 So we have a step in the retaining wall. 14 At the maximum point, which is the 15 rear, the rear left corner is basically 4 feet above 16 that. 17 However, you know, we can submit 18 details as far as retaining wall design. 19 If we need an engineer, we could have 20 somebody give you calculations also and the portion 21 at the rear left-hand corner. 22 MS. LOULLOUDIS: That is going to be a 23 block wall, correct, it's not concrete it's -- 24 THE WITNESS: No, it's going to be -- 25 MS. LOULLOUDIS: Like a keystone? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

57 1 THE WITNESS: A keystone or whatever, 2 Allan block, whatever they use -- 3 MS. LOULLOUDIS: Okay. 4 THE WITNESS: -- and you know, probably 5 have that Geogrid, you know, we'll get you a detail 6 and if we need calculations, we'll get that also to 7 you. 8 MS. LOULLOUDIS: Okay. 9 Thank you. 10 CHAIRMAN CHUNG: Thank you. All right. 11 Anybody else? 12 All right. Open to the public. 13 Please come up, John. 14 MR. MANTONE: John Mantone, 537 5th 15 Street. 16 A couple of things, couple of questions 17 I have. 18 The height as we spoke and listening to 19 the Board, there's another thing you can do. You've 20 got 9-foot ceilings, make them 8. I've got-foot 21 ceilings in my house. 22 I'm 6'1 and there's plenty of space. 23 MR. SOKOLICH: Don't do it. 24 MR. MANTONE: The only thing is 25 proposed from 2500 feet to 3,050 feet, 40.4. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	59 1 to be under the 40 percent coverage requirement. 2 MR. MANTONE: All right. 3 Do you agree with that? It -- that 4 doesn't compute with my math, but maybe I'm wrong. 5 The road barrier in there is another 6 concern that that doesn't get taken away, moved or 7 whatever, that it stays. 8 And my last concern, I've lived there 9 since 1979. 10 When the snowplows come up, you're 11 going to be building this house with the driveways 12 there, what's the town going to have to do, remove 13 the snow with a bucket loader? 14 I mean, that's more work for the town. 15 THE WITNESS: I mean, you know, we set 16 the driveways further away, so there's, like, a small 17 area back there. 18 MR. SOKOLICH: Well, it's no different 19 than any other dead-end street condition, correct? 20 THE WITNESS: Correct. Yeah. 21 MR. MANTONE: Yeah, but the -- 22 MR. SOKOLICH: Let me get this out 23 there, John. 24 MR. MANTONE: Go ahead. 25 MR. SOKOLICH: You can tell me why I'm LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
58 1 That doesn't -- math doesn't calculate. 2 Are you sure it's not 44 or 45 percent -- 3 THE WITNESS: No. 4 MR. MANTONE: -- from 2500 to -- 5 Well, 2500, that's 550 feet more, 6 that's .4 percent. 7 THE WITNESS: No, there's two 8 components. There's a maximum footprint and there's 9 a percentage coverage. 10 Percentage coverage, we're going to 11 adjust that to comply. 12 MR. MANTONE: To comply with what, 13 40 percent. 14 THE WITNESS: Yeah, the other 15 40 percent. 16 Right now we're .4 percent over the 17 footprint of the coverage requirement. 18 MR. MANTONE: So it would be 19 45 percent, 2500 feet or more. 20 THE WITNESS: No, it would be 21 slightly -- it would be slightly let's say... 22 MR. MANTONE: The thing I got in the 23 mail says it's going from 2500 to 3,050. 24 THE WITNESS: No, it's going to go down 25 to, you know, about 3,000 square feet, which is going LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	60 1 wrong in a second. 2 There's no intention with the applicant 3 removing that barricade or allowing -- 4 THE WITNESS: No. 5 MR. SOKOLICH: -- none of that, right? 6 That's the municipal -- Mayor and 7 Council's determination that we're not requesting, 8 nor are we contemplating it, as best I know. 9 Is there any room here, Bill, where 10 snow, like any other dead-end street? 11 THE WITNESS: Basically from the edge 12 of the driveway to the -- let's say the barrier, you 13 have about 16 feet. 14 So there's a little bit of room back 15 there, you know, if you want to push it up against 16 the barrier. 17 You know, the other thing is if you 18 want to move the barrier back a little bit further, 19 you'll have a little bit more room, because there's a 20 concrete barrier and there's a Jersey barrier on the 21 front right corner that kind of blocks Oakdene, but 22 there's also that little planted area with, I think, 23 a wood gate that's kind of like stopping people from 24 driving onto Oakdene Avenue. 25 MR. SOKOLICH: That's it. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

61 1 MR. MANTONE: So another question, the 2 building that you're proposing to build, the wall of 3 the building, looking at in the building department, 4 it shows 5.1 feet from the building next door. 5 THE WITNESS: No, it's 7 feet to the 6 side yard. 7 MR. MANTONE: So from the property line 8 of the 74 by a hundred, whatever it is, from that 9 property line, the house is 7 feet in. 10 THE WITNESS: Yeah. 11 So, basically, we're going to have 12 about -- 13 MR. MANTONE: I saw 5.5 feet from the 14 building next door -- 15 THE WITNESS: No, that's -- no, 16 that's -- from your building next door? 17 MR. MANTONE: No, I'm not next door. 18 I'm on the -- 19 THE WITNESS: Yeah, the -- the building 20 next door to us, from our property line to their 21 building is 5.5, so about 5-and-a-half feet. 22 MR. MANTONE: All right. 23 So your building from that property 24 line is 7 feet more in? 25 THE WITNESS: Yeah. So we have LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	63 1 I believe for a duplex on an oversized lot requires a 2 maximum not to exceed 2500 square feet. 3 THE WITNESS: Yes. 4 MR. LORENZO: And the reason why it's 5 going over. 6 THE WITNESS: It's a configuration, you 7 know, like a configuration and design. 8 MR. LORENZO: All right. 9 But the ordinance says 2500 square feet 10 maximum? 11 THE WITNESS: Yeah, it's an oversized 12 lot, we've done it before. 13 The Board's approved it before. 14 You know, like I said, we meet -- you 15 know we basically meet the front -- front, rear yard 16 setbacks, you know, we have a side yard variance but, 17 you know, it's been approved before. 18 A typical duplex is 6 feet, plus a 19 3-foot in with the stairs. 20 MR. LORENZO: And What would be a -- 21 what would be conforming -- well, obviously, 2500 22 square feet is conforming. 23 Whether the math is right or not, 24 that's just a matter of numbers. 25 But what would be the conforming side LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
62 1 12-and-a-half feet between the buildings. 2 MR. MANTONE: Oh, okay. 3 Because I'm not an architect -- 4 MR. SOKOLICH: No, no. 5 MR. MANTONE: I'm not an engineer -- 6 MR. SOKOLICH: You know what, John, it 7 was a great point. It was a great point. 8 CHAIRMAN CHUNG: Very good, John. 9 Anything else, John. 10 MR. MANTONE: No. 11 THE COURT REPORTER: Do me a favor, 12 just spell your last name for me. 13 MR. MANTONE: Sorry? 14 THE COURT REPORTER: Spell your last 15 name for me. 16 MR. MANTONE: M-A-N-T-O-N-E. 17 THE COURT REPORTER: Thank you. 18 CHAIRMAN CHUNG: Yes. 19 MR. LORENZO: David Lorenzo, property 20 owner, Palisades Park. 21 How high is the building, how many 22 stories? 23 THE WITNESS: The building is three 24 stories. 25 MR. LORENZO: And under the ordinance, LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	64 1 yard on an oversized duplex? 2 THE WITNESS: Probably actually -- for 3 every -- 4 MR. LORENZO: So it's a third, a third, 5 and a third? One-third, one-third, and one-third. 6 THE WITNESS: Yeah. 7 MR. LORENZO: Does that sound familiar. 8 We're exceeding that -- 9 THE WITNESS: Yes. 10 MR. LORENZO: -- by a hundred percent? 11 Close to it? 12 THE WITNESS: Yeah, I'm not going to do 13 the math right now. 14 MR. LORENZO: No need. 15 Thank you, Bill. 16 CHAIRMAN CHUNG: Thank you. 17 Anybody else? 18 (No Response.) 19 MR. SOKOLICH: We'd call Mr. Spatz if 20 there's no other questions. 21 CHAIRMAN CHUNG: Yes, please thank you. 22 MR. SOKOLICH: And, Chairman, as David 23 approaches, we've presented the Board with a series 24 of photographs, excuse me, that we've marked as A-4, 25 but we'll let David get sworn in first. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

65 1 MS. TESTA: Please raise your right 2 hand. 3 Do you swear that the testimony you'll 4 provide with regards to this application will be the 5 truth, the whole truth, and nothing but the truth? 6 MR. SPATZ: Yes, I do. 7 D A V I D S P A T Z, PP, 8 60 Friend Terrace, Harrington Park, New Jersey, 9 having been duly sworn, testifies as follows: 10 MS. TESTA: Please state your name and 11 your business. 12 MR. SPATZ: Certainly. 13 David Spatz, S-P-A-T-Z. 14 My business address is 60 Friend 15 Terrace, Harrington Park, New Jersey. 16 (Whereupon, Four Photograph Photoboard 17 is marked as Exhibit A-4 for identification.) 18 VOIR DIRE EXAMINATION 19 BY MR. SOKOLICH: 20 Q. And, Mr. Spatz, your credentials have 21 been accepted as an expert in the field of planning, 22 correct? 23 A. Many times before this Board. 24 Q. Thank you. 25 MS. TESTA: Yes. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	67 1 the subject property. 2 The top left -- excuse me -- is the 3 subject property, which is a three-family home. 4 The top right is looking to the left of 5 our property. There are a couple of single-family 6 homes and then a newer two-family home. 7 The bottom left is looking directly 8 across the street from us, which is -- the top of the 9 embankment is 46. 10 And then the bottom right is at the 11 end. We are at the end of the dead end. 12 And there's the barrier, then Oakdene, 13 which provides driveway into the super market. 14 And then beyond that is 46 as well as 15 the Borough of Fort Lee. 16 So we are in the AA zone which does 17 permit the two-family dwelling, as was described 18 earlier. 19 Initially it was a subdivision with two 20 two-family homes. Then that was reduced to a 21 three-family. And now we are to a conforming 22 two-family. 23 There was one D variance which was 24 building height, which has been reduced as -- from 25 our original submission this evening. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
66 1 DIRECT EXAMINATION 2 BY MR. SOKOLICH: 3 Q. If you could, for the benefit of the 4 record, the scope of your engagement. 5 A. Certainly. 6 I reviewed the plans. I've visited the 7 property. I reviewed the master plan and zoning 8 ordinance. 9 And then provided -- and provided 10 testimony for this evening. 11 Q. Thank you. 12 So -- and the photographs that we have 13 distributed that we have marked as A-4 are a series 14 of four photographs. 15 If you could just identify them for the 16 record, if you would? 17 A. Certainly. 18 Q. Going clockwise? 19 A. Certainly. 20 Well, first, the photos were taken from 21 one of the previous iterations of plans; that's why 22 there's snow on the ground. 23 They were taken a while ago, but I've 24 confirmed that everything is the same out there. 25 So the top right-hand photograph is of LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	68 1 And then there are two C variances, 2 building coverage and side yard. 3 So looking first at the height 4 variance, it was described in topographic conditions. 5 The property slopes from south to north 6 a bit, but then significantly from the front to the 7 rear of the property. 8 And that has a greater impact on the 9 height. The way it's measured, it's at the four 10 corners of the building, and because of the 11 topographical changes on the site, that certainly 12 impacts the height calculation. 13 So to support the D variance, we looked 14 to the Municipal Land Use Law for the purposes of 15 zoning which provide the special reasons for the 16 variance, and I believe we meet a number of those. 17 We meet Purpose A, which is promoting 18 public health, safety, morals and general welfare; 19 providing a residential dwelling in a residential 20 zone; a new dwelling being constructed that will meet 21 all fire safety codes, all building codes, we'll 22 certainly meet that standard. 23 Purpose E, which is for the 24 establishment of appropriate population densities. 25 There's a three-family currently on the property. We LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

69 1 are reducing that to a permitted two-family. That 2 purpose is certainly met. 3 And then lastly, promotion of a 4 desirable visual environment. The dwelling that has 5 been proposed by Mr. Cocoros, who did the design, 6 does have to meet the topographic challenges of the 7 property with the cross topographical change. 8 The other older dwellings on the 9 property are two, two-and-a-half stories in height, 10 but the photograph at the top right at the very left 11 of that property is the newer two-family dwelling 12 which has recently been constructed, and I think the 13 building has been designed in a way that certainly 14 meets that purpose. 15 In terms of the building height, the 16 caselaw indicates that what we need to look at is 17 consistency with the neighborhood. 18 The photographs indicate that the older 19 homes are two, two-and-a-half stories in height, but 20 the newer dwelling on the street is the same three 21 stories in height. 22 I'll also note that the properties 23 behind us are at a much lower elevation and not 24 impacted by our height. 25 The properties to the north and to the LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	71 1 So I think that the building coverage 2 will be supported. 3 In terms of the side yard, again, we 4 meet the typical side yard standard of the ordinance. 5 But of course we have a wider lot, a 6 greater side yard is required. The building has been 7 designed so the property to the north of us is vacant 8 and is not impacted by the side yard. 9 In order to get a two-car garages for 10 each unit, the building has to be a certain dimension 11 and that is what impacts the side yard. 12 We felt it's a public benefit to -- 13 even though the side yards are a little less than 14 what a larger lot requires, getting two cars within 15 the garage certainly was a public benefit, and so we 16 felt that that outweighed the side yard requirement. 17 So I think the C variances the two 18 C variances can be supported. 19 Looking at the negative criteria, I 20 don't think anything is substantially negative. 21 The use is permitted in the zone. It's 22 consistent with a newer development that is taking 23 place in the area. We're reducing the density of the 24 property from what currently exists. 25 The building height has been reduced in LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
70 1 east are vacant and are -- the right-of-way for the 2 highway are not impacted by our height. 3 The design of the building as 4 originally proposed by Mr. Cocoros has the building 5 as it's adjacent to the property to the left of us 6 making it a little lower in height to match that, but 7 perhaps the Board wanted that evened out based on 8 earlier discussions, but that was the original 9 design, but primarily driven by the topographical 10 conditions. So I think the D variance would be 11 supported. 12 Looking at the C variance, there are 13 two C variances. The first one for building 14 coverage. Initially our -- the percentage was a bit 15 over what was permitted. We're going to reduce the 16 building slightly so that the 40 percent coverage is 17 met. 18 In terms of the overall floor area of 19 the building, we have an oversized lot by at least 20 2,000 square feet. 21 And so getting that 40 percentage does 22 create the bigger lot. 23 As Mr. Cocoros indicated that drainage 24 improvements are being provided on the property which 25 mitigates the slightly larger building. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	72 1 height. 2 The fact that the properties behind us 3 are much lower, there is no -- there is no 4 development to the north or east of us, across the 5 street from us. 6 We are at the end of a dead end, so we 7 have a limited impact. The building was originally 8 designed to be a little lower next to the adjacent 9 property. 10 I do believe that a sufficient amount 11 of light, air, and open space is provided, and meet 12 the front yard setback. We meet the rear yard 13 setback as well. 14 And, again, the side yards will be 15 conforming on a 50-foot-wide lot, but because we have 16 a larger lot, we have a larger requirement, but, 17 again, as I noted, I think providing that parking is 18 more important than that. 19 There is a bit -- as the bottom 20 right-hand photograph shows, there is a bit of the 21 street parking at the dead end, which will still be 22 available, but we do have a conforming amount of 23 parking on site. 24 So I think that on balance, the 25 positive criteria is met for both the C and LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

73 1 D variances. I think it far outweighs anything that 2 might be considered negative and I believe it is 3 appropriate to grant the variances. 4 Q. Thank you, Dave. 5 MR. SOKOLICH: I offer Mr. Spatz, 6 Mr. Chairman. 7 CHAIRMAN CHUNG: Thank you, David, 8 thank you. 9 All right, Members, any questions? 10 (No Response.) 11 CHAIRMAN CHUNG: No? Okay. 12 Mike, anything? 13 MR. KAUKER: Yeah, just one question of 14 clarification. 15 So with respect to the height of the 16 building, it's your opinion pursuant that pursuant to 17 the Spring Lake Heights case that the proposed 18 building is consistent, there are other buildings in 19 the area that would be consistent with this? 20 THE WITNESS: There are. 21 As the top photograph indicates, it's 22 three lots. To the south of us is a newer two-family 23 home that is designed very similar to us. 24 We are only three stories at the 25 street, a half story above what is permitted, but it LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	75 1 mitigate the slightly larger building. 2 Again, the square footage is driven by 3 the oversized nature of the lot, but we do meet the 4 -- will meet the 40 percent limitation. 5 MR. KAUKER: Okay. Thank you. 6 CHAIRMAN CHUNG: Nicki? 7 MS. LOULLOUDIS: I have no questions for 8 Mr. Spatz. 9 Thank you. 10 CHAIRMAN CHUNG: No questions? 11 All right. Open to the public. 12 Anybody? 13 (No Response.) 14 CHAIRMAN CHUNG: No? Okay. 15 MS. TESTA: Okay. 16 MR. SOKOLICH: Chairman -- oh, I'm 17 sorry. 18 CHAIRMAN CHUNG: Yes. 19 MR. SOKOLICH: May I? 20 CHAIRMAN CHUNG: Please. 21 MR. SOKOLICH: That concludes our 22 application proper. 23 We have no other witnesses. 24 CHAIRMAN CHUNG: Okay. 25 MR. SOKOLICH: I guess unless the Board LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
74 1 is a flat roof. There's no roof deck on this or 2 bulkhead. 3 So the topographic conditions really 4 drive the building height because of the uneven 5 setbacks in order to do the measurement. 6 And, again, we reduced it a bit already 7 this evening by 2, 2-and-a-half feet, so I think it 8 is consistent. 9 MR. KAUKER: Okay. 10 And just a clarification on the side 11 setback variances and then I guess the building 12 footprint coverage variance, and I apologize if I 13 missed it, but I'm assuming you're looking for the 14 justification based upon the C-2. 15 THE WITNESS: That's correct, yes. 16 MR. KAUKER: Okay. 17 THE WITNESS: Yeah, the positive -- the 18 building being wider to provide two interior garage 19 spaces by nature have to be a certain width which 20 affects the side yards. 21 We do meet the side yard standard if 22 this were a 50-foot-wide lot. 23 And there is no property to the north 24 of us which is impacted by what we're proposing. In 25 terms of the coverage, the drainage improvements LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	76 1 had anything of I, I have a brief closing statement 2 unless the public has anything. 3 CHAIRMAN CHUNG: All right. 4 MS. TESTA: Just if anybody has any 5 comments. 6 CHAIRMAN CHUNG: Anybody else from the 7 public have any comments? 8 (No Response.) 9 CHAIRMAN CHUNG: No. 10 MR. SOKOLICH: May I be heard, 11 Chairman, briefly. 12 CHAIRMAN CHUNG: Yeah, please. 13 MR. SOKOLICH: I don't think I stressed 14 enough that this was an application that has had a 15 long journey. 16 The applicant appeared here with a 17 subdivision application and then construction of a 18 two-family on each, then appeared here with a 19 three-family application that was 20 affirmatively denied by the Board. 21 The principle of res judicata does not 22 serve to bar this application. We've reduced the 23 unit by 33-and-a-third percent or density, I should 24 say, from three to two. 25 And I share that with you because this LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

77 1 applicant has heard the Board along the way, has 2 adjusted, finally, its application to something that 3 we believe to be palatable. 4 And even during the hearing process, we 5 were able to reduce the height by 2-and-a-half feet. 6 As far as the coverage, the applicant 7 stipulates that it will comply with the 40 percent 8 maximum, which will bring us down closer to 9 3,000 square feet, but it's the numeric limitation in 10 your ordinance that we exceed -- that we're unable to 11 because of the oversized nature of the lot. 12 We will provide the calculations on the 13 retaining wall. 14 Mr. Spatz has provided, we believe, 15 respectfully ample -- ample testimony with regard to 16 the side yard variance that the application's amended 17 to seek. 18 And we rely on the testimony of the 19 witnesses, keeping in mind that there is no residence 20 to the north. 21 This is a residential building. We 22 would submit that this is progress. It's a 23 beautifully designed building on that block. We have 24 no intentions of affecting that barricade. And we 25 believe that this building works. It was designed LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	79 1 that you are inclined to give us, I will speak with 2 Billy, and try and remember, we're dealing with a 3 maximum of 28. 4 Bill? 5 MR. COCOROS: I mean... 6 CHAIRMAN CHUNG: Bill, talk to us. 7 MR. SOKOLICH: Yeah, I mean I want to 8 make the Chairman happy, so -- 9 MR. COCOROS: Yeah, if I can do a flat 10 spot in part of the roofs, you know, which is doable, 11 I could probably get it down maybe 3 feet. 12 MS. TESTA: What would that be then, 13 the overall height? 14 MR. COCOROS: The overall height to the 15 midpoint would be 33-feet-7-inches, 33.58. 16 MR. SOKOLICH: And that's a total of 17 how many feet from our original proposal? 18 MR. COCOROS: 3 feet, a 3-foot 19 difference. 20 MR. SOKOLICH: But the rationale behind 21 this, Bill, isn't -- what's the rationale? It's 22 because we want to avoid the negative pitch, so forth 23 and so on. 24 MR. COCOROS: Yeah, we could play with 25 the roof to make it -- you know, get that 3-foot LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
78 1 well in consideration of neighbors in the area, and 2 we would respectfully ask the Board to act favorably. 3 CHAIRMAN CHUNG: Thank you, 4 Mr. Sokolich. 5 Thank you, sir. 6 All right. 7 MS. TESTA: Now, Chairman, you need a 8 motion to either approve -- 9 CHAIRMAN CHUNG: Yes. 10 MS. TESTA: -- or deny this application. 11 CHAIRMAN CHUNG: All right. 12 MS. TESTA: And that's with reduction 13 of the -- 14 CHAIRMAN CHUNG: I'm thinking it still 15 is too high for that building, but, you know, it's up 16 to the members. 17 I'm not going to go to a particular 18 number it needs to be reduced to, but... 19 MR. SOKOLICH: Well, we do want to -- 20 Chairman, we do want to make everyone happy. 21 And I'm running out of options -- 22 CHAIRMAN CHUNG: Right. 23 MR. SOKOLICH: -- with this lot. 24 CHAIRMAN CHUNG: Right. 25 MR. SOKOLICH: So if there's a number LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	80 1 level, you know. 2 MR. SOKOLICH: Chairman, would 3 feet 3 suffice? 4 We're trying. 5 CHAIRMAN CHUNG: Yes, thank you. 6 All right. Very good. Thank you. All 7 right. 8 MS. TESTA: Anybody else have any 9 comments? 10 (No Response.) 11 MS. TESTA: We just need a motion 12 to either approve or deny. 13 CHAIRMAN CHUNG: Can I have a motion to 14 approve or deny? 15 So make a motion. Can I have a motion, 16 please. 17 MR. CHIESA: (Raises hand.) 18 MR. ELEFTERIOU: I move to approve it. 19 CHAIRMAN CHUNG: All right. Thank you. 20 MS. TESTA: And who seconded? 21 Mr. Chiesa. 22 Roll call, please. 23 BOARD SECRETARY KIM: Mr. Chung? 24 CHAIRMAN CHUNG: I'm going to abstain. 25 BOARD SECRETARY KIM: Mr. Chiesa? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

81 1 MR. CHIESA: Yes. 2 BOARD SECRETARY KIM: Mr. Elefteriou? 3 MR. ELEFTERIOU: Yes. 4 BOARD SECRETARY KIM: Mr. Terranova? 5 MR. TERRANOVA: Yes. 6 BOARD SECRETARY KIM: Mr. Sung? 7 MR. SUNG: Yes. 8 BOARD SECRETARY KIM: Mr. Crespo? 9 Mr. CRESPO: Yes. 10 BOARD SECRETARY KIM: Mrs. Hong? 11 MS. HONG: Yes. 12 MR. SOKOLICH: Chairman, Members of the 13 Board, thank you. 14 Thank you very much for your 15 consideration and we plan on building a beautiful 16 house here. 17 CHAIRMAN CHUNG: Thank you so much. 18 MR. SOKOLICH: Thank you. 19 And I mean that. Thank you very much. 20 Chairman, can we take a quick -- 21 MS. TESTA: Five-minute break? 22 CHAIRMAN CHUNG: Yeah. 23 (Whereupon, a brief recess is held at 24 8:09 p.m. to 8:25 p.m.) 25 CHAIRMAN CHUNG: Okay. We ready? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	83 1 Chairman, Members of the Board, 2 Counsel, Engaged Professionals, attending members of 3 the public, my name is Mark Sokolich on behalf of the 4 next applicant before you, Alaaeldin Elbana. 5 For the record, my client is present 6 this evening. He is the record owner of the property 7 which is the subject matter of this application which 8 is known as Bergen Boulevard, which has a lot and 9 block designation of Lot 25, Block 717. 10 The application is for a two-family 11 residential dwelling. This is a very oddly-shaped 12 parcel of property. We think that we've worked hard 13 to present the Board with what we believe to be a 14 very viable two-family on this site. 15 As far as this evening is concerned, we 16 intend to present the testimony of Marios Lachanaris, 17 who is the engaged architect, and conclude with Mr. 18 David Spatz to discuss the variance relief that's 19 being sought by this applicant. 20 Just by way of housekeeping, I had 21 presented to Diane, albeit a little while ago, the 22 affidavit of service, which we are hopeful is in 23 order, vesting jurisdiction with the Board. 24 MS. TESTA: This is correct. 25 I had an opportunity to review it and LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
82 1 MR. SOKOLICH: Yes. 2 CHAIRMAN CHUNG: Let's go. 3 BOARD SECRETARY KIM: Should I do the 4 roll call? 5 MS. TESTA: Yeah, roll call, please. 6 CHAIRMAN CHUNG: Roll call, please, 7 yeah. 8 BOARD SECRETARY KIM: Mr. Chung? 9 CHAIRMAN CHUNG: Here. 10 BOARD SECRETARY KIM: Mr. Chiesa? 11 MR. CHIESA: Here. 12 BOARD SECRETARY KIM: Mr. Elefteriou? 13 MR. ELEFTERIOU: Here. 14 BOARD SECRETARY KIM: Mr. Terranova? 15 MR. TERRANOVA: Here. 16 BOARD SECRETARY KIM: Mr. Sung? 17 MR. SUNG: Here. 18 BOARD SECRETARY KIM: Mr. Crespo? 19 Mr. CRESPO: Here. 20 BOARD SECRETARY KIM: Ms. Hong? 21 MS. HONG: Here. 22 MS. TESTA: Okay. 23 So the next case is Bergen Boulevard, 24 Block 717, Lot 25. 25 MR. SOKOLICH: Thank you, Diane. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	84 1 the affidavit of service looks to be in order, so the 2 Board does have jurisdiction over this matter on this 3 application. 4 MR. SOKOLICH: Thank you. 5 And also, just for the record, the 6 property exists in the AA zoning district. 7 So with that, we would ask 8 Mr. Lachanaris to be sworn in, please. 9 MR. LACHANARIS: Good evening. 10 MS. TESTA: Okay. Please raise your 11 right hand. 12 Do you swear the testimony you will 13 provide in this application will be the truth, the 14 whole truth, and nothing but the truth? 15 MR. LACHANARIS: Yes, I do. 16 M A R I O S L A C H A N A R I S, RA 17 1610 Central Avenue, Fort Lee, New Jersey, 18 having been duly sworn, testifies as follows: 19 MS. TESTA: Please state your name, 20 spell it, and your business address? 21 MR. LACHANARIS: Marios Lachanaris, 22 L-A-C-H-A-N-A-R-I-S. 23 I'm on 1610 Central Avenue, Fort Lee, 24 New Jersey. 25 CHAIRMAN CHUNG: Thank you. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

85 1 VOIR DIRE EXAMINATION 2 BY MR. SOKOLICH: 3 Q. Now, Marios, you are an 4 engaged architect in the state of New Jersey, 5 correct? 6 A. Yes, I am. 7 Q. How long have you been licensed? 8 A. Been licensed? Since '93. 9 Q. And your license is in good standing? 10 A. Yes, sir. 11 Q. Have you had the opportunity to appear 12 before other boards of adjustment and planning boards 13 and you are an expert -- you've been accepted as an 14 expert in the field of architecture? 15 A. Yes. 16 Q. How about this Board, Zoning Board of 17 Palisades Park? 18 A. Yeah, I was here numerous -- numerous 19 times. 20 Q. And your credentials were accepted? 21 A. Yes. 22 Q. And your status, your experience, your 23 credentials, your license has remained in good 24 standing since you've been accepted as an expert here 25 before this Board? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	87 1 A. It's an irregular-sized property. It 2 has a 150-foot frontage. 3 And on the side yard on the north side 4 is only 25 feet. 5 The side yard on -- the side property 6 line on the south side is 46 feet. 7 Q. So before we get too far into it, 8 Marios, I'm going to mark your first plan as A-1? 9 MR. SOKOLICH: With, Diane, your 10 permission. 11 MS. TESTA: Yes. 12 (Whereupon, Colorized Architectural 13 Site Plan is marked as Exhibit A-1 for 14 identification.) 15 BY MR. SOKOLICH: 16 Q. This is a copy of what I believe to be 17 your architectural site plan which is part of your 18 package to the Board, but you've colorized it for 19 presentation purposes, correct? 20 A. That is correct. 21 Q. So all the black-and-white details the 22 Board has, but the colorization you've done so you 23 can describe the property a little more clearly, 24 correct? 25 A. Correct. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
86 1 A. Yes, sir. 2 Q. You've had the opportunity to design 3 other two-family residential dwellings on 4 oddly-shaped properties in the past? 5 A. Yes. 6 Q. Matter of fact, we've done quite a few 7 ourselves in Edgewater of late? 8 A. That's correct. 9 MR. SOKOLICH: Chairman, I would offer 10 Mr. Lachanaris as an expert, unless you'd like more 11 details. 12 CHAIRMAN CHUNG: No, that's fine. 13 Thank you. 14 DIRECT EXAMINATION 15 BY MR. SOKOLICH: 16 Q. So, Marios, your credentials have been 17 accepted as an expert in the field of architecture. 18 Just without even referring to this 19 applicant -- this particular -- what was the scope of 20 your engagement? What were you hired to do? 21 A. I was hired to design a two-family 22 house on this particular property. 23 Q. And this particular property, would you 24 characterize it as an oddly-shaped parcel of 25 property? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	88 1 Q. Okay. So -- and all the plans that 2 I've marked, including A-1 and all the ones after it, 3 were either prepared by you or under your direct 4 supervision? 5 A. That's right. 6 Q. I'm also going to take the opportunity 7 to mark the survey which was also submitted with the 8 package. 9 MR. SOKOLICH: I'll mark it, Diane, 10 with your permission as A-2. 11 This was a survey prepared by Collazuol 12 Engineering & Surveying Associates. It is dated 13 April 16th of 2020. 14 (Whereupon, Survey prepared by 15 Collazuol Engineering & Surveying Associates 16 is marked as Exhibit A-2 for identification.) 17 BY MR. SOKOLICH: 18 Q. Now, Marios, you didn't prepare the 19 survey, we understand that, but you based your plans 20 off of that survey, correct? 21 A. That's correct. 22 Q. All right. So I'm going to stop 23 talking for a second and I want you to globally 24 explain to the Board the layout, the concept, and 25 refer to the colors that you have on A-1. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

89 1 A. Okay. What we tried to accomplish here 2 is to disturb as little as possible; the existing 3 site, visibility of the site. 4 The site is vacant there is no any 5 building other than an old masonry stair that it was 6 existing there maybe a hundred years ago. 7 Q. So at one point there was a house here, 8 correct? 9 A. It appears there was a house, yes. 10 Q. Okay. 11 A. So I locate the house on the south side 12 because that's where we have the widest part of the 13 property. 14 And the house occupies about 27 percent 15 of the property. The lot coverage on this particular 16 zone is 40 percent. 17 The lot coverage of this particular 18 two-family house is 27.3 percent. 19 Q. So there's no coverage variance that's 20 being sought? 21 A. No coverage variance. 22 The challenge here is how to 23 accommodate the entering and exiting the site with a 24 big vehicle. 25 So the way I solve that problem is that LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	91 1 property, it's elevated from the street. 2 It's about 3-and-a-half, 4 feet from 3 the street level, and there is an existing retaining 4 wall, masonry retaining wall running along the front 5 of the property. 6 That wall is within the right-of-way. 7 The property is about 2-and-a-half, 8 3 feet behind the wall to each side. 9 And that is shown on the survey, this 10 is the heavy straight line, that's the property line. 11 And the double line in the front, 12 that's the existing retaining wall. 13 So this helps us with establishing the 14 ground elevation for the cars to be able to drive 15 under the building. 16 Q. Understood. 17 And just so that we're clear, the gray 18 area depicts the driveway; is that right? 19 A. That's correct. 20 Q. But if this middle section didn't 21 exist, this gray area would actually continue, 22 correct, in between these two dotted lines, because 23 that's the driveway? 24 A. The purple would be structure. 25 Q. That's the structure, right? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
90 1 because Bergen Boulevard is a well-traveled street, I 2 created a two-way driveway that has an entrance side. 3 We have garages on the left. And on the right side 4 of the building at the bottom in the middle core of 5 the building, it's an open area where the cars can 6 make a U-turn exiting the garages, and then they can 7 drive out to the street facing the street. 8 So there's no backing the cars into the 9 boulevard. 10 Q. So let me just stop you for a second. 11 When I first looked at your colorized 12 version of your architectural site plan, I said, my 13 goodness, we're asking for three units. 14 We're not -- these dotted lines are to 15 distinguish the units on either side, but the 16 gray essentially drives under that middle section, 17 correct? 18 A. Right, right. 19 Q. And then once you're under that middle 20 section, there are garages for each residence that 21 face each other, there's ample room for cars to back 22 out, back in, and not have to make any K-turn 23 manipulations on a state highway? 24 A. That's correct. 25 And also, I have to note that the LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	92 1 And then the green, I'm going -- 2 there's a concrete path to the rear? 3 A. Correct. 4 Q. And the green, I trust, is open space, 5 lawn and then landscaping, correct? 6 A. Correct. 7 Q. So since you situated this building to 8 the south, correct? 9 A. Yes. 10 Q. The northerly section, there is quite a 11 bit of space, of open space. 12 How wide is that from -- first of all, 13 how wide is it from the northerly side versus the 14 southerly side from the property line? 15 A. As I mentioned earlier, the building -- 16 the property is 46 feet, and I'm going to describe 17 the building going through my floor plans, but the 18 building on the south side, it's not the 22.10, it's 19 20- -- almost 23 feet away. 20 The building all the way to the north 21 side is barely 20 -- 15 feet in width. 22 So it's a narrow, long building because 23 of the nature of this property. 24 Q. But back to my question, how far is 25 this building line from the property line? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

93 1 How far is this building line from the 2 property line? 3 A. Right. 4 On the south side is 6 feet away from 5 the property line. 6 On the south side, I believe it's 52 7 or -- it's noted on my -- 70- -- 8 Q. But the combined side yard is how -- 9 A. 77 feet. 10 Q. How long? 11 A. 77 feet. 12 Q. Okay. 13 But, again, that's because the property 14 narrows? 15 A. That's correct. 16 Q. Now, what are your intentions with this 17 77 feet? Are there any improvements that are 18 proposed here? 19 A. Well, it will stay and improvement is 20 going to be clean. 21 Right now it's overgrown with -- 22 Q. But no building? 23 A. No building. 24 Q. Okay. No -- right now, no pool, no 25 tennis court, no 7-Eleven, nothing? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	95 1 of any action by the Board, we'll agree 100 percent 2 to comply with the Board's engineer on amending the 3 utility plan, more of it, less of it, seepage pits, 4 size, capacity, so forth and so on? 5 A. That's correct. 6 Q. So you've generally laid out the 7 layout, right -- 8 A. Right. 9 Q. -- in A-1 and A-2? 10 I'm now going to turn you to the next 11 page where we can start talking about the site plan, 12 which I'm -- next page. 13 All right. So I'm going to mark, 14 Marios -- so I'm going to mark as A-3, Marios, your 15 floor plans -- or where's your title sheet, please? 16 What's the title of the page? 17 Okay. Your floor plans which we've 18 marked as A-3, which is last revised or only dated -- 19 is this the date, Marios? 20 A. Yes. 21 Q. January 12th of 2026 with no last 22 revised date. 23 (Whereupon, Floor Plans Last Revised 24 January 12th, 2026, is marked as Exhibit A-3 25 for identification.) LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
94 1 A. Nothing. 2 Q. Right now, we're talking open space. I 3 think you have some trees here for a berm, but -- 4 A. Yes. 5 Q. -- just correct me if I'm wrong, the 6 applicant is open to any type of landscaping that any 7 engaged professional or the Board would recommend, 8 right? 9 Now this is what you're proposing, but 10 the applicant is open to different species, more or 11 less robust landscaping, what have you, correct? 12 A. That's right. 13 Q. That's the same case with engineering; 14 is it not? 15 A. Yes. 16 Q. And with regard to engineering, and 17 we'll get to the engineering letter in a second, I 18 know that there were not utility plans submitted, I 19 believe stormwater calculation. 20 For the record, I presented them 21 literally one hour ago, those have not been reviewed 22 by Colliers yet, but they have been prepared and 23 submitted, correct? 24 A. That's correct. 25 Q. And the applicant, also as a condition LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	96 1 BY MR. SOKOLICH: 2 Q. So starting in the upper left-hand 3 corner, this is the ground level, correct? 4 A. That's correct. 5 Q. This is where cars -- the middle 6 section shows where cars will pull in and either go 7 to the right or the left. 8 If you could please describe it? 9 A. As I mentioned earlier, the driveway is 10 in the middle -- the building, itself, is about 11 73 feet in length. 12 And the south side is -- is measure of 13 this level at 29 feet. 14 And on the north side is measure 22 15 feet. 16 Why? Because the hard part of the 17 basement, the ground floor at this level is below 18 grade because the grade changes drastically from 19 front to back. It's about 20-foot in grade 20 difference. 21 Just to give you an example, the grade 22 along the front is at the elevation 217. 23 The grade at the rear property line is 24 232. 25 So the building itself at the ground LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

97 1 level is used as a retaining wall and also is 2 encroaching the rear yard, but it's below the ground 3 level. So it's not noticeable. 4 You cannot see the part of the house 5 from the neighbors' because everything is 6 underground. 7 And I believe I have -- you're going to 8 see that on my side yards that I presented. Okay. 9 So what we have on this level, we have 10 on the right side a two-car garage for the unit. 11 On the south side, a utility room and a 12 set of stairs that leads to the first floor. 13 The unit on the left side, the same 14 design. We have a two-car garage, a utility room, 15 and a set of stairs that leads to the first floor. 16 As I mentioned earlier, there is 17 24 foot more driveway between the two garages where 18 the cars can enter the garages, park, and then pull 19 out, make a K-turn, and go to the street. 20 Q. Okay. So the 24 width becomes 21 critical. 22 Is 24 feet enough for a car to -- I'm 23 not talking about that you have to be a professional 24 race car driver to do it. Is it something that a 25 vehicle, a regular person, myself, anyone else can LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	99 1 design. 2 The unit on the north side is much 3 smaller. It's only about 32 feet in length and it 4 has the same three layout, but much smaller areas. 5 It has a living room, dining room that measures 6 12-by-17, the kitchen is-by-9, and a powder room and 7 a laundry facility. 8 Q. What's noticeable, back to the ground 9 floor for a sections, other than the garages and an 10 entry foyer, entry points, utility room, there's no 11 additional living space, correct? 12 A. That's correct. 13 Q. There's no family room? 14 A. No. 15 Q. There's no office that somebody is 16 going to use a bedroom for, none of that. 17 There's no cheating. It's basically -- 18 A. No. 19 Q. -- for the cars, for the vehicles, plus 20 the utility-type stuff, utility room and then, of 21 course the stairway -- 22 A. That's right. 23 Q. -- maybe a little foyer room, but no 24 room that can be labeled as something but used as 25 something else, correct? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
98 1 simply back out and pull out? 2 Is that ample space to do that? 3 A. Yes, it is. 4 Q. As a matter of fact, under the uniform 5 standards here in New Jersey, I believe the cartway 6 width that's prescribed to have for that very 7 purpose, I believe, is 24 feet, correct? 8 A. That's correct. 9 Q. And this is at least -- actually, it's 10 a little bit more than 24 feet? 11 A. That's correct. 12 Q. Okay. Continue, Marios. I'm sorry. 13 A. Okay. 14 That's a description of the ground 15 floor or basement floor. 16 The picture on the right side of this 17 exhibit shows the layout of the -- of the first 18 floor. 19 I have two units. The unit on the 20 south side is much larger. The length of it is about 21 41-feet-by-22-and-a-half-feet in width; that's the 22 maximum depth -- I'm sorry -- depth of these unit. 23 Coming up from the downstairs, we find 24 ourselves in the living room. There's a small powder 25 room, a dining room and a kitchen, a very basic LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	100 1 A. Absolutely right. 2 Q. All right. So then we get to the next 3 floor and that's where -- what are the total bedrooms 4 for each unit on either side? 5 A. Okay. 6 The two units are not similar in size. 7 They are for the unit on the south side, it's a 8 three-bedroom unit. 9 On the north side is only a two-bedroom 10 unit. 11 Q. So you're talking a three and a two, 12 which is uncommon. 13 A. Yes. 14 Q. Typically in a large duplex, it's 15 three, sometimes four, sometimes even more than that? 16 A. That's correct. 17 Q. In this particular case, as you face 18 the building, it's three units and it's two units? 19 A. That's right. 20 Q. So this is the ground floor with the 21 driveway and the garage. 22 The next floor is the living room, if 23 you will, and the kitchen, correct, on both? 24 A. Correct. 25 Q. Different sizes. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

101 1 And then the next level of the bedrooms 2 where the left side depicts two, the right side 3 depicts three? 4 A. That's correct. 5 Q. Is there any other levels above this? 6 A. No. 7 Q. Okay. No sky top decks -- 8 A. No. 9 Q. -- nothing like that? 10 A. Nothing, nothing. 11 (Whereupon, Front Elevations is marked 12 as Exhibit A-4 for identification.) 13 BY MR. SOKOLICH: 14 Q. I'm going to turn you now, Marios, to 15 what I'm going to mark as A-4. It's a very 16 interesting layout. 17 So I'd like you to start on the left 18 side and talk about the proposed elevation and the 19 upper left-hand corner of A-4, which you have a date 20 of January 12, 2026, in the last revised date. Just 21 describe the materials, the layout, and then I want 22 you to talk about height also, Marios. 23 A. Okay, great. 24 So the picture on the left side is 25 named "Front Elevation" and that depicts the front of LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	103 1 the first floor above or we can access this unit from 2 an exterior staircase that goes to the -- located on 3 the north side of the building. 4 And the main entrance is on the north 5 side of the building. 6 The picture on the bottom is called 7 "Rear Elevation" and that shows what I was describing 8 before, that the rear -- the ground of the rear 9 elevation, it's above the garage and the driveway 10 level. 11 So anybody on the adjacent buildings, 12 they cannot see the ground floor. 13 Q. So what's the height of this structure, 14 Marios? 15 A. The height of the overall structure is 16 about 25 feet, less than 25 feet, and that's from the 17 average grade to the highest point. 18 Q. But the reason for that is because you 19 built into the contour of the existing lot and its 20 slope and topography, correct? 21 A. That's correct. That's correct. 22 Q. Upper right-hand corner, I believe, is 23 the right side elevation? 24 A. So the -- it is right side elevation 25 and this shows us the comparison between the existing LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
102 1 the elevation of the building. 2 As I mentioned earlier, the -- we have 3 in the middle of this building the driveway and it 4 clearly shows in this picture. 5 And on the right side, we see the door 6 for the unit on the south side, and on -- above it we 7 have the window for the living room. 8 And on the top floor, the second floor, 9 we have the window for the bedroom. And the same 10 design, you have windows for the first floor and 11 windows on the second floor. 12 The exterior of this building is going 13 to be stucco. 14 The roof we have is standard asphalt 15 shingle roofing material. 16 We have a small bay coming out right 17 above the center of the driveway. And that we're 18 going to dress it up with a small metal roof in order 19 to bring some accent to this building. 20 We have the access to -- the access to 21 the unit on the south side is from directly from the 22 outside. 23 The access for the unit on the north 24 side, we have two access, one from inside the garage 25 area, there is a doorway and a stairway leading to LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	104 1 structure on the eastern side of this property and 2 the roofline of this proposed building. 3 So if we look at the structure, this is 4 their basement. 5 This is their first floor. 6 And we can see that this roofline is 7 halfway above their first floor. So it's very little 8 obstruction -- structure. 9 Q. So because of the varying topography, 10 Marios, there's no chance that we're going to be -- 11 because I've always asked you on your plan, 12 especially before particular boards, it's important 13 that you try to give the Board an idea as to the 14 impact that our proposal will have on the adjacent 15 heights. 16 A. That's correct. 17 Q. So whether this is to scale or not, 18 presume it's close enough -- 19 A. It's to scale. 20 Q. -- it's to scale? 21 A. Yeah. 22 Q. So we're well below that residential 23 dwelling to the north? 24 A. That's correct. That's correct. 25 Q. Okay. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

105 1 A. And even -- I like to mention that 2 these dwellings at the basement level, they don't 3 have any windows, they're just bare. 4 Q. Understood. And I believe you have one 5 more, lower right? 6 A. And also that's where the structure got 7 so narrow because we wanted to create a bigger 8 distance from the property line to the proposed 9 building. Because this -- this property is narrow, 10 we provided the -- that's why the variance that we're 11 asking, instead of being to having 25-foot of rear 12 yard, we provided only 13- or 12-and-a-half-foot rear 13 yard, but the whole purpose is to create the longest 14 distance from the neighbor. 15 And the picture on the bottom corner of 16 this exhibit shows the south side elevation which 17 depicts the windows for the stairway, the bathroom 18 upstairs and downstairs. 19 Q. Now, I know that the variances sought, 20 many of which is triggered by the size of the 21 property, we have Mr. Spatz on board. 22 A. Yes. 23 Q. Do you acknowledge receipt of the 24 Colliers report? 25 A. Yes, I do. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	107 1 The foundation, it's above the -- at 2 this location, the driveway, there's no foundation to 3 worry about, but if -- okay. Let me see what else. 4 Soil test will be done upon approval 5 and we're going to comply with the requirements, the 6 seepage pit. 7 Also they wanted to see the inverts and 8 the drainage around the property. My site plan shows 9 all the roof leaders and all the drainage I think 10 that we need to connect to the seepage tanks. 11 The engineer has to have the elevation 12 of those. That is no problem, we're going to comply. 13 Q. But, again, I don't need you to go 14 through each thing. 15 A. No. Okay. No. 16 Q. Is there anything in here that -- 17 A. No, we can comply to everything. 18 MR. SOKOLICH: Got it. 19 Mr. Chairman, I offer Mr. Lachanaris, 20 with Mr. Spatz on deck. 21 CHAIRMAN CHUNG: Thank you. 22 All right, Members, any questions? 23 (No Response.) 24 CHAIRMAN CHUNG: I do have a question, 25 though. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
106 1 Q. And would you just -- is there anything 2 in it -- I don't want to belabor the Board and 3 go through each one. 4 But is there anything in it that you do 5 not believe the applicant can comply with? 6 A. No, we can comply to all their 7 requirements. 8 Q. Is there anything in particular that 9 you would like to point out while you have an 10 opportunity before Mr. Spatz? 11 A. We engaged the service of an engineer 12 to prepare a site drainage plan that we will be 13 presented to the engineer -- 14 Q. Board engineer? 15 A. -- to the Board engineer for review. 16 There was a question about the seepage 17 tanks. We have drainage calculation that we already 18 submitted. 19 And we are in compliance with the size 20 and the location of the seepage tanks. 21 I placed my seepage tanks in the 22 driveway and there was a question why it's so close 23 to the building, but there is no basement below this 24 level, so it doesn't -- it doesn't affect the 25 foundation of this building. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	108 1 From your driveway going right in the 2 middle of the building, right, the house -- 3 THE WITNESS: Yes. 4 CHAIRMAN CHUNG: -- so what's between 5 Bergen Boulevard, the road from your property drops? 6 THE WITNESS: It's... 7 CHAIRMAN CHUNG: How many feet of drop 8 from the -- 9 THE WITNESS: From the street I'm going 10 to have just have a very -- 11 CHAIRMAN CHUNG: You're not going to 12 have a problem with that. 13 THE WITNESS: No, no, so I'm complying 14 with the State requirement of having a 5 percent of 15 slope on the first 20 feet of the property, that's a 16 State requirement. 17 CHAIRMAN CHUNG: Okay. 18 So I see the property line from there, 19 you only have 13 feet, right, from the front of the 20 building -- 21 THE WITNESS: Yes. 22 CHAIRMAN CHUNG: -- to Bergen Boulevard. 23 THE WITNESS: Yes, from the curb cut to 24 the property line is 15 feet -- 25 CHAIRMAN CHUNG: Right. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

109 1 THE WITNESS: -- and then I have 2 another 7 feet. 3 CHAIRMAN CHUNG: So how high is it, 4 your property, from Bergen Boulevard? 5 THE WITNESS: If we're going to have -- 6 no driving up higher. 7 The driveway -- the curb cut is 215.23. 8 Right below the building is 216.86, so it's a 9 foot-and-a-half. 10 CHAIRMAN CHUNG: So you start coming 11 down, you're going to be hitting the -- 12 THE WITNESS: No, if you're going to 13 have only 20 feet -- 14 MR. SOKOLICH: How far of a span is 15 that? 16 THE WITNESS: It's 25 feet. 17 MR. SOKOLICH: So over 25 feet, 18 Chairman, it's a foot-and-a-half. 19 CHAIRMAN CHUNG: 25 feet. 20 MR. SOKOLICH: Yes. 21 CHAIRMAN CHUNG: A foot-and-a-half. 22 MR. SOKOLICH: It's not drastic where 23 it would hit. 24 CHAIRMAN CHUNG: Okay. 25 MR. SOKOLICH: It's from, you know, LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	111 1 MR. TERRANOVA: I just wanted to see 2 how far you were away from the other property. 3 THE WITNESS: Yeah. 4 MR. TERRANOVA: Right, I do have 5 another question. 6 What's the line-of-sight coming out of 7 this driveway? 8 I realize that the wall is there, but 9 when you come down, like is there, like, 10 line-of-sight to Bergen Boulevard, so looking at the 11 traffic that's oncoming. 12 THE WITNESS: The existing retaining 13 wall, it's about 3-and-a-half feet in height maximum. 14 MR. TERRANOVA: Right. 15 THE WITNESS: Now, the distance from 16 the retaining wall to the curb, that's an existing 17 retaining wall. 18 It will be to the benefit to remove the 19 retaining wall and grade the site so there is a 20 better access for the -- 21 MR. SOKOLICH: But, Marios, isn't there 22 room between the retaining wall and where you would 23 make the turn? 24 THE WITNESS: It's 12 feet. 25 MR. TERRANOVA: 12 feet. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
110 1 wall to wall. 2 CHAIRMAN CHUNG: I'm sure you saw the 3 house next to it, apartment building, 118 apartment 4 building, right, you had to go sideways. 5 MR. SOKOLICH: Right, right, right. 6 THE WITNESS: That's the building on 7 the south side, yes. 8 MR. SOKOLICH: Understood. 9 MR. TERRANOVA: How far is the property 10 line away from that building, the next building to 11 the south? 12 THE WITNESS: Oh, there is another 13 property here vacant. 14 MR. TERRANOVA: So you're right up 15 against the multifamily? 16 THE WITNESS: No, there is a property 17 between. 18 MR. TERRANOVA: There's a property 19 between. 20 THE WITNESS: Yeah, there's about a 21 hundred feet. 22 That's where they've got an approval a 23 year or two ago for seven units -- 24 MR. TERRANOVA: Okay. 25 THE WITNESS: -- so it's -- LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	112 1 That's the question. I just want to 2 make sure. 3 THE WITNESS: And there is no walkway. 4 There's no walkway for pedestrians. 5 MR. TERRANOVA: Yeah, totally 6 understood. 7 I just want to make sure when you come 8 down, you can see the traffic that's coming, you 9 know, the retaining wall. 10 CHAIRMAN CHUNG: That's really 11 dangerous. 12 MR. TERRANOVA: Okay. I don't have any 13 other questions. 14 CHAIRMAN CHUNG: All right. 15 Mike, what do you got? 16 MR. KAUKER: Yeah, so just staying on 17 the driveway for a minute -- 18 THE WITNESS: Yes. 19 MR. KAUKER: You're required to have -- 20 with a duplex, you're required to have a total of 21 eight parking spaces between both units. 22 So you're also -- I see you have the 23 two garage spaces, but it doesn't look like there's 24 going to be sufficient room in the driveway. 25 Because, I get you mean 36 feet and it looks like you LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

113 1 accommodate or you have 26 feet. 2 So I'm just -- I guess two questions, I 3 mean, you're going to need a variance for that, but 4 where are other vehicles going to park? 5 Obviously, you have two in the 6 driveway, but if people come to visit. I mean, even 7 if you park a car in the front of the driveway, 8 there's not going to be enough room for the vehicle 9 to back out of the adjacent garage. 10 So I'm just curious how you're going to 11 deal with that. 12 THE WITNESS: The requirement is for a 13 duplex. 14 MR. KAUKER: Right. 15 And you are a duplex. 16 THE WITNESS: I don't know about that. 17 MR. SOKOLICH: It's not symmetrical. 18 It's a two-family. 19 MR. KAUKER: It's a side-by side 20 separated by a wall, right? 21 THE WITNESS: The bottom is a common 22 area. 23 MR. KAUKER: Right, the bottom is, but 24 the remainder of the building is a duplex if you look 25 at the definition. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	115 1 what you provided, was that this is a duplex and 2 that's how I viewed it. 3 THE WITNESS: Okay. 4 Is the lot -- 5 MR. SOKOLICH: I mean, it doesn't 6 matter. 7 It doesn't really make a difference if 8 you're going to need a variance. 9 THE WITNESS: Talking about the parking 10 right now, this application -- 11 MR. KAUKER: Yes. 12 THE WITNESS: -- we have provided 13 two -- we have provided two parking -- enclosed 14 parking spaces for each unit. 15 And also, there is an extra area for at 16 least another car (Audio Distortion) -- there is a 17 fifth parking space available to be parked to the 18 rear of the property. 19 THE COURT REPORTER: Thank you. 20 MR. KAUKER: So you would have a car 21 parked parallel on that space? 22 THE WITNESS: Yes, correct. 23 MR. KAUKER: All right. 24 But you're not going to be able to park 25 vehicles -- I mean, behind the garage because there LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
114 1 THE WITNESS: But the lot doesn't 2 comply for a duplex. 3 MR. KAUKER: I know that. 4 THE WITNESS: So it's not a duplex. 5 MR. KAUKER: But they're -- 6 THE WITNESS: I don't know. 7 That's a determination of the Board, in 8 my opinion. 9 MR. KAUKER: It's not a two-family 10 because a two-family is defined, I believe, as one 11 over the other. 12 THE WITNESS: Right. 13 MR. KAUKER: So a duplex, I believe the 14 definition of a duplex is -- so a duplex is a 15 building designed for and intended to contain not 16 more than two dwelling units, units arranged 17 side-by-side with a common parting wall. So does it 18 have a common parting wall. 19 THE WITNESS: For the second and third 20 floor, but for the first is not. 21 MR. KAUKER: The first is not, but the 22 second and third, no dwelling units being above or 23 below each other, and each dwelling unit having its 24 own front, rear and side access to the outside. 25 So my interpretation was based upon LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	116 1 won't be enough access? 2 THE WITNESS: Yes. 3 And one is a two-bedroom unit that the 4 RSIS requires to have only two parking spaces. 5 MR. SOKOLICH: Understood, but it's a 6 legitimate question. 7 THE WITNESS: Yes. 8 MR. SOKOLICH: We're not bickering. 9 MR. KAUKER: So -- and just for 10 perspective, duplex -- I mean, just in terms of 11 modification of the bulk table, you know, maximum 12 building height, you show 25, you're actually 28, but 13 you comply anyway. 14 THE WITNESS: Okay. I agree. 15 MR. KAUKER: And then similar to the 16 last application when you have a property that's 17 wider than what's permitted, you have to increase the 18 side yard setback. 19 So the side yard would increase to 20 39 feet and then 78 for both, so you'd need an 21 additional variance for that? 22 THE WITNESS: That's a variance, yes, 23 because I cannot move it. 24 MR. KAUKER: Okay. And let's see. 25 You talked about, I guess, the trees in LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

117 1 your initial part of your testimony. 2 What if -- so I know you had a 3 landscaping plan shown, but it wasn't submitted, but 4 your intent is to -- I guess to maintain the trees on 5 the site, but supplement where it's, I guess, sparse. 6 THE WITNESS: Yes. 7 MR. KAUKER: Okay. All right. I have 8 nothing else. 9 MR. SOKOLICH: If I may, Mike, I'm 10 sorry. 11 But that's a great point. In the open 12 area, if there are any very large, mature trees, we 13 don't plan on removing them, correct? 14 THE WITNESS: Correct. 15 MR. SOKOLICH: Yeah. 16 MR. KAUKER: Yeah, okay. 17 Thank you. 18 CHAIRMAN CHUNG: Okay. 19 MS. LOULLOUDIS: I just have a couple of 20 quick questions. 21 So just for clarification, design 22 clarification, on the first sheet, you have a 23 callout, it says 12-inch-thick reinforced concrete 24 retaining wall that's pointing to the north side of 25 the site. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	119 1 I see that you've got the property 2 that's, you know, much higher. 3 Yes, you're putting in a wall, but are 4 you concerned over any drainage coming over that wall 5 and coming towards the proposed house? 6 Like maybe we just need to look at the 7 layout of the drains a little bit better, but we can 8 work through that. 9 And I have one other question. DOT, 10 something that wasn't actually noted in my letter, 11 but will you need a DOT access permit for the new 12 driveway? 13 MR. SOKOLICH: Yes. 14 THE WITNESS: Yes. 15 MS. LOULLOUDIS: Have you had any 16 correspondence with them? 17 THE WITNESS: No, the engineer will 18 have -- engineer will take care of it. 19 MS. LOULLOUDIS: Okay. 20 Because that might change your 21 driveway. It may change the configuration -- 22 MR. SOKOLICH: It may. 23 We would -- 24 MS. LOULLOUDIS: -- sight distance and 25 things like that. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
118 1 Is that an error or does the wall 2 actually continue all the way down above Lot 26 where 3 it says Lot 26? 4 THE WITNESS: On the left side? 5 MS. LOULLOUDIS: Go up, up and to the 6 left. 7 THE WITNESS: Oh, yeah, that's an 8 error, that's from the previous design, that I used 9 to have a parking area here. 10 And then I decided not to have a 11 parking area. 12 MS. LOULLOUDIS: So the wall stops where 13 those dashed lines are? 14 THE WITNESS: That's correct. 15 MS. LOULLOUDIS: Okay. 16 My second question, I know we just 17 received the drainage calculation. 18 Just to confirm, there's only one yard 19 drain currently proposed on the right-hand side? 20 THE WITNESS: Yes. 21 MS. LOULLOUDIS: Okay. 22 MR. SOKOLICH: But open to as many as 23 you like. 24 MS. LOULLOUDIS: I can see that there's 25 two issues. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	120 1 MR. SOKOLICH: I'm sorry. 2 If it materially changes, we would 3 represent to the Board that we would be back, number 4 one. 5 And number two, we wouldn't -- and I 6 know you know this, I'm just saying for the record, 7 we wouldn't initiate the approval process with other 8 agencies until we got the seal of approval from this 9 Board. 10 This is the predominant board. But if 11 there is a material change to anything that you see 12 on this layout, we will have to come back. 13 But, Marios, you complied with the 14 State-prescribed grades - 15 THE WITNESS: Yes. 16 MR. SOKOLICH: -- as far as entry and 17 off, correct. 18 THE WITNESS: Yes. 19 MR. SOKOLICH: Okay. 20 MS. LOULLOUDIS: Thank you. 21 That was it. 22 CHAIRMAN CHUNG: Thank you. 23 Anybody else? 24 (No Response.) 25 CHAIRMAN CHUNG: No? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

121 1 Okay. On the last page. 2 THE WITNESS: Yes. 3 CHAIRMAN CHUNG: It's not a big deal, 4 but which side is the right side and which side is 5 the left side? Right side elevation, right side 6 elevation. Which one is the left? Which one is the 7 right? I mean, it's not a big deal. 8 THE WITNESS: Yeah, the top one is the 9 left side. I'm sorry, where the entrance is, the 10 north side site. 11 CHAIRMAN CHUNG: It's okay. We don't 12 have a left side, right? 13 THE WITNESS: Yeah, I thought I changed 14 it, but it was another. 15 MR. TERRANOVA: I have one more 16 question. 17 CHAIRMAN CHUNG: Please, go ahead. 18 MR. TERRANOVA: How many trees are you 19 removing to make this happen? 20 THE WITNESS: Well, based on the -- on 21 the survey that I was provided, it was only -- I show 22 that -- 23 MR. TERRANOVA: One. 24 THE WITNESS: Only one grown tree. 25 MR. TERRANOVA: Yeah, on the plan, it LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	123 1 THE WITNESS: The size of the -- 2 MS. TESTA: Um-hmm. 3 MR. TERRANOVA: I changed my mind. 4 Tree preservation. 5 CHAIRMAN CHUNG: I'm sorry, I'm just 6 talking to myself. 7 Mike, do you have any more questions? 8 You good? 9 MR. KAUKER: Of the architect, no, I 10 don't. 11 CHAIRMAN CHUNG: Nikki? 12 MS. LOULLOUDIS: No. 13 CHAIRMAN CHUNG: All right. So you got 14 anybody else? 15 MR. SOKOLICH: Mr. Spatz. 16 CHAIRMAN CHUNG: Please, sir. 17 Thank you. 18 MS. TESTA: Please raise your right 19 hand. 20 Do you swear the testimony you'll 21 provide in this application be the truth, the whole 22 truth, and nothing but the truth? 23 MR. SPATZ: Yes, I do. 24 25 LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
122 1 only looks like one tree is being removed. 2 THE WITNESS: Let me -- that's what it 3 was shown on my survey that I have. 4 MR. TERRANOVA: Okay. 5 THE WITNESS: Maybe there are shrubs or 6 some things. 7 MR. TERRANOVA: Understood, just wanted 8 to -- because you have the one big tree in the 9 middle -- 10 THE WITNESS: Yes. 11 MR. TERRANOVA: -- that's the only tree 12 that looks like it's being removed, because we didn't 13 get the survey, so... 14 THE WITNESS: I understand. 15 MR. SOKOLICH: I didn't pass it out 16 because I didn't have enough copies, but I have one 17 that I can share with you guys of the survey, but I 18 don't have enough to pass out. 19 I'm sorry. 20 You know, sometimes also, Marios, on 21 surveys, what one survey calls a tree and what other 22 people call a tree are not consistent, right? 23 THE WITNESS: Yes. 24 MR. SOKOLICH: I don't know what the 25 cutoff is, but -- LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	124 1 D A V I D S P A T Z, PP, 2 60 Friend Terrace, Harrington Park, New Jersey, 3 having been duly sworn, testifies as follows: 4 MR. SOKOLICH: Please state your name, 5 business address. 6 MR. SPATZ: David Spatz, S-P-A-T-Z. 7 My business is address is 60 Friend 8 Terrace in Harrington Park, New Jersey. 9 CHAIRMAN CHUNG: Thank you. 10 DIRECT EXAMINATION 11 BY MR. SOKOLICH: 12 Q. David, you were a planner an hour ago, 13 I presume you haven't gotten any Xs on your license? 14 A. I haven't gotten into trouble in the 15 last half hour or so. 16 Q. And you're still in good standing as a 17 professional planner in New Jersey? 18 A. I a m . 19 Q. The scope of your engagement as to this 20 application was? 21 A. Was to review the plans, visit the 22 property, prepare exhibits, review the master plan 23 and zoning ordinance, and provide testimony this 24 evening. 25 Q. And obviously, you're very familiar LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

125 1 with the zoning ordinance here in the Borough of 2 Palisades Park? 3 A. I am, yes. 4 Q. And the site plan where it pertains to 5 you? 6 A. Correct. 7 Q. You were present during Mr. Lachanaris' 8 testimony? 9 A. I was. 10 Q. And you reviewed the plans? 11 A. Yes. 12 Q. You acknowledged receipt of the 13 Colliers review letter? 14 A. Yes. 15 MR. SOKOLICH: And we distributed a 16 one-page set of four photographs that I've identified 17 and marked as A-5, Diane, if that's okay with you. 18 THE WITNESS: Yes. 19 (Whereupon, One-Page Set of Four 20 Photographs is marked as Exhibit A-5 for 21 identification.) 22 BY MR. SOKOLICH: 23 Q. I believe that's what we're up to. I 24 dated it today and initialled it. If you would just 25 identify the photos and get started with your LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	127 1 There are no D variances required. 2 We need C variance is for a front yard 3 setback, rear yard setback, and then the side yard 4 setback as was discussed earlier. 5 Looking at those bulk variances, I 6 think they are justified on both the C-1 hardship 7 standard, as well as the C-2 flexible where the 8 positive outweighs the negative on that. 9 In terms of those variances, as 10 Mr. Lachanaris described, the property is long and 11 narrow. 12 At its widest point, it is 46-feet 13 deep, and so it is impossible to provide for a front 14 and rear yards because the setbacks would require 15 50 feet of property and we are only 46-feet deep, so 16 it's not possible to provide those setbacks. 17 The rear properties are -- properties 18 behind us are significantly higher elevation, they 19 have bigger backyards. 20 So in terms of the rear yard, there's a 21 limited impact. In terms of the front yard setback, 22 that multifamily to the south of us, you can see from 23 the photograph, so behind where that white car is on 24 Bergen Boulevard, that building is actually as close 25 to Bergen Boulevard as ours is. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
126 1 planning assessments? 2 A. Certainly. 3 The top left-hand photograph is of the 4 subject property. It's on the eastern side of Bergen 5 Boulevard. 6 The dwellings that you can see in the 7 rear of the property are on Morningside Lane, which 8 is at a significantly higher elevation. 9 The top right-hand photograph is 10 looking to the right and to the south of our 11 property. 12 That large tree there is part of the 13 vacant lot. 14 And then there's that multifamily 15 building adjacent to it, which takes access from a 16 sort of curbing driveway off of Bergen Boulevard. 17 The bottom left is looking towards the 18 north to the left side of our property. The property 19 beyond us is vacant and then there's structures 20 beyond that. And then the bottom right is directly 21 across the street from us which are single-family 22 dwellings. 23 So we are located in AA zone, which 24 permits the two-family dwelling that we're seeking. 25 We do need C variances. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	128 1 So we've tried to create enough of a 2 setback from the street, from the building so that we 3 can have the driveway, which would enable cars to go 4 on the property, park, turn around on-site, and then 5 head first out onto Bergen Boulevard, so there's no 6 backing out onto that property at all. 7 The -- those properties to the north of 8 us is actually developed. There's no ability to 9 acquire additional properties. They actually also 10 narrow down, so they have a similar circumstance to 11 us. 12 As was described, the building has been 13 designed to meet the challenging dimensions of the 14 property itself in terms of side yard setbacks, meet 15 the side yard setback on the south if we were a 16 normal lot, but we don't because of the extra 17 wideness. 18 The northern part of the property will 19 be kept vacant and will be landscaped. And that -- 20 obviously that setback, that side yard setback 21 conforms. And we are just slightly off the combined 22 side yard setbacks, but the property next to us is 23 vacant and then the multifamily building is near 24 their property line as well, so we are consistent 25 with the development. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

129 1 In the area, the building has been 2 designed again to acknowledge that there's only about 3 400-square-foot; oversized for a two-family, but it 4 is unusually shaped, but it's been designed so that 5 we have conforming coverage. The building height is 6 conforming as well. 7 So I think in terms of being designed 8 to fit on this site, it's certainly doesn't overwhelm 9 any of the adjacent properties. 10 So I think that the variance can be -- 11 the positive criteria is met, particularly because of 12 the hardship nature of the dimensions of the property 13 itself. 14 In terms of the negative criteria, I 15 don't believe there's anything substantially 16 negative. It's a permitted use. 17 It's consistent with the neighborhood. 18 The Morningside Lane behind us is primarily a 19 two-family development, you have the multifamily 20 building to the south of us as well. 21 The properties to the rear of us are in 22 significantly higher elevation and our building does 23 not impact them. 24 As was described, our building height, 25 which is conforming, only impacts their basement LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	131 1 CHAIRMAN CHUNG: Time to vote. 2 MR. ELEFTERIOU: I make a motion to 3 approve this application and also \$2,000.00 tree 4 preservation. 5 CHAIRMAN CHUNG: Yes. 6 Second? 7 Anybody second? 8 MR. CHIESA: I'll second. 9 CHAIRMAN CHUNG: Second. 10 Thank you. 11 MS. TESTA: Roll call. 12 BOARD SECRETARY KIM: Mr. Chung? 13 CHAIRMAN CHUNG: Abstain. 14 BOARD SECRETARY KIM: Mr. Chiesa? 15 MR. CHIESA: Yes. 16 BOARD SECRETARY KIM: Mr. Elefteriou? 17 MR. ELEFTERIOU: Yes. 18 BOARD SECRETARY KIM: Mr. Terranova? 19 MR. TERRANOVA: Yes. 20 BOARD SECRETARY KIM: Mr. Sung? 21 MR. SUNG: Abstain. 22 BOARD SECRETARY KIM: Mr. Crespo? 23 Mr. CRESPO: Yes. 24 BOARD SECRETARY KIM: Mrs. Hong? 25 MS. HONG: Yes. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
130 1 level, which does not have any windows. 2 Drainage improvements are going to be 3 provided on the site, even though we are conforming 4 in terms of coverage. 5 So I believe on balance, the positive 6 criteria, both for the C-1 and C-2 standards, as well 7 as the negative criteria is being met, and I think 8 it's appropriate to grant those setback variances. 9 MR. SOKOLICH: Thank you. 10 Chair, thank you. Mr. Chairman, we 11 offer Mr. Spatz. 12 CHAIRMAN CHUNG: Thank you. 13 Dave, members, questions? 14 (No Response.) 15 CHAIRMAN CHUNG: Anybody? 16 (No Response.) 17 CHAIRMAN CHUNG: No? 18 Okay. Mike, do you have anything? 19 MR. KAUKER: I have no questions. 20 CHAIRMAN CHUNG: Okay. Nicki? 21 MS. LOULODIS: I'm fine. 22 Thank you. 23 CHAIRMAN CHUNG: Okay. I'll open to 24 the public. Okay. No? Okay. 25 THE WITNESS: Very good. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	132 1 MR. SOKOLICH: Mr. Chairman, Members of 2 the Board, thank you. 3 This was a creative house and I think 4 we came up with a creative solution and I think it's 5 going to work very well, and I mean that. 6 CHAIRMAN CHUNG: Just be careful with 7 the driveway. 8 MR. SOKOLICH: We hear you and we have 9 a lot of open space. 10 So we're proud of this presentation. 11 Thank you so much and I mean that. 12 Have a wonderful, wonderful rest of the 13 summer. 14 MS. TESTA: You too. 15 CHAIRMAN CHUNG: I need a motion to 16 adjourn. 17 MR. ELEFTERIOU: Motion. 18 MR. CHIESA: Second. 19 (Whereupon, this meeting is concluded. 20 Time noted: 9:13 p.m.) 21 22 23 24 25 LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

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

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

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

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

Dated: _____

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

#	124^[1] - 4:11 125^[1] - 5:17 12th^[2] - 95:21, 95:24 13^[7] - 1:13, 3:4, 3:12, 17:1, 20:11, 105:12, 108:19 13-feet-8-inches^[1] - 28:13 13:43-5.9^[1] - 133:10 14^[1] - 3:7 14.33^[1] - 55:5 15^[3] - 3:9, 92:21, 108:24 150-foot^[1] - 87:2 15th^[1] - 9:20 16^[3] - 3:12, 50:19, 60:13 1610^[2] - 84:17, 84:23 16th^[1] - 88:13 17^[2] - 1:9, 3:4 17th^[2] - 17:5, 20:13 18^[1] - 50:22 19^[3] - 1:6, 19:8, 19:23 1979^[1] - 59:9	20th^[3] - 34:4, 34:6, 37:25 21-28^[2] - 1:3, 3:8 215.23^[1] - 109:7 216.86^[1] - 109:8 217^[1] - 96:22 22^[2] - 3:15, 96:14 22.10^[1] - 92:18 224-4444^[1] - 2:7 23^[2] - 3:16, 92:19 23.01^[1] - 1:7 232^[1] - 96:24 24^[6] - 5:6, 97:17, 97:20, 97:22, 98:7, 98:10 24-21^[2] - 1:5, 19:8 244.67^[1] - 54:1 245^[4] - 1:13, 3:11, 18:20, 18:23 245.33^[1] - 54:2 25^[14] - 1:17, 4:4, 5:11, 42:21, 49:12, 82:24, 83:9, 87:4, 103:16, 109:16, 109:17, 109:19, 116:12 25-09^[3] - 1:7, 3:3, 13:3 25-foot^[4] - 26:22, 26:23, 29:6, 105:11 2500^[12] - 43:1, 43:8, 43:14, 43:16, 57:25, 58:4, 58:5, 58:19, 58:23, 63:2, 63:9, 63:21 26^[3] - 113:1, 118:2, 118:3 26-01^[3] - 1:10, 3:5, 14:8 26-02^[4] - 1:12, 3:10, 18:19, 20:10 26-03^[7] - 1:14, 3:13, 5:3, 20:18, 20:20, 20:23, 21:4 26-04^[4] - 1:16, 4:3, 5:10, 20:19 27^[2] - 89:14, 133:16 27.3^[1] - 89:18 28^[4] - 49:10, 49:19, 79:3, 116:12 28-and-change^[1] - 55:11 28-unit^[1] - 15:17 29^[1] - 96:13	3,000^[2] - 58:25, 77:9 3,050^[2] - 57:25, 58:23 3-and-a-half^[3] - 44:14, 91:2, 111:13 3-feet^[1] - 26:14 3-foot^[3] - 63:19, 79:18, 79:25 3-inch^[1] - 48:1 3/6/26^[2] - 5:6, 5:8 30^[3] - 42:21, 45:3, 45:22 312^[4] - 1:13, 3:12, 17:1, 20:11 317^[3] - 1:8, 3:4, 13:5 32^[1] - 99:3 320^[6] - 1:12, 3:11, 17:1, 18:13, 18:20, 20:10 324^[3] - 1:11, 3:6, 14:9 325^[3] - 1:15, 3:14, 5:5 33-and-a-third^[1] - 76:23 33-feet-7-inches^[1] - 79:15 33.58^[1] - 79:15 34^[1] - 5:7 34.58^[1] - 47:1 345^[3] - 17:1, 18:13, 20:11 36^[1] - 112:25 38^[1] - 5:8 39^[1] - 116:20	127:15 467^[2] - 23:2, 23:9 47^[1] - 3:17
\$			5	
\$1,747.50^[1] - 12:1 \$2,000.00^[1] - 131:3 \$3,298.75^[1] - 12:2 \$805.00^[1] - 11:25			5^[1] - 108:14 5-and-a-half^[1] - 61:21 5.1^[1] - 61:4 5.5^[2] - 61:13, 61:21 50^[2] - 55:3, 127:15 50-feet^[1] - 26:22 50-foot-wide^[2] - 72:15, 74:22 515^[2] - 3:14, 5:4 52^[2] - 3:18, 93:6 537^[2] - 3:20, 57:14 545^[2] - 1:15, 21:6 55^[1] - 3:18 550^[2] - 1:9, 58:5 57^[1] - 3:19 5th^[8] - 1:15, 3:14, 3:20, 5:4, 21:6, 23:25, 26:10, 57:14	
'				
'93^[1] - 85:8				
0	2	4	6	
07024^[1] - 2:7 07632^[2] - 23:3, 23:10 07657^[1] - 2:3	2^[7] - 1:24, 46:6, 46:7, 46:16, 46:20, 46:25, 74:7 2,000^[1] - 70:20 2-and-a-half^[8] - 46:6, 46:8, 49:6, 49:7, 50:1, 74:7, 77:5, 91:7 2-feet-4-inches^[1] - 56:11 2-foot^[3] - 48:24, 49:2, 54:14 2-foot-8^[1] - 49:3 2-inch^[1] - 54:8 20^[8] - 1:2, 3:14, 24:13, 50:23, 92:19, 92:21, 108:15, 109:13 20-feet-4-inch-wide^[1] - 30:3 20-foot^[1] - 96:19 20-foot-8-inch-wide^[1] - 30:4 20-inch^[1] - 50:18 201^[1] - 2:7 2020^[1] - 88:13 2026^[13] - 1:2, 9:20, 17:5, 20:13, 24:15, 24:20, 34:6, 37:22, 37:25, 38:2, 95:21, 95:24, 101:20 2028^[1] - 133:16	4^[7] - 30:16, 54:16, 56:15, 58:6, 58:16, 91:2 4,5^[2] - 1:5, 3:9 4-feet^[1] - 56:8 40^[12] - 43:2, 43:7, 43:12, 43:15, 58:13, 58:15, 59:1, 70:16, 70:21, 75:4, 77:7, 89:16 40.4^[2] - 43:10, 57:25 400-square-foot^[1] - 129:3 41-feet-by-22-and-a-half-feet^[1] - 98:21 410^[2] - 1:9, 3:4 414^[2] - 1:11, 3:7 44^[2] - 3:17, 58:2 45^[2] - 58:2, 58:19 46^[4] - 67:9, 67:14, 87:6, 92:16 46-feet^[2] - 127:12,	6^[8] - 24:15, 24:20, 37:21, 38:2, 47:20, 48:3, 63:18, 93:4 6'1^[1] - 57:22 6-and-a-half^[1] - 27:6 6-feet-1-and-three-eighths^[1] - 27:7 6-foot^[1] - 47:7 6-inch^[3] - 30:10, 53:11, 53:12 60^[4] - 65:8, 65:14, 124:2, 124:7 60-feet-8-inches^[1] - 27:1 601^[1] - 1:7 62^[1] - 3:20 65^[3] - 3:22, 3:22, 5:9 66^[1] - 3:23	
1			7	
1^[2] - 1:23, 46:2 1/12/26^[1] - 5:15 10^[3] - 1:11, 3:7, 47:12 100^[1] - 95:1 100-feet^[1] - 26:2 101^[1] - 5:16 107^[2] - 1:5, 3:9 108^[1] - 4:7 11^[2] - 45:2, 49:23 11-and-a-half-feet^[1] - 45:19 110^[1] - 4:8 112^[1] - 4:9 112-118^[3] - 1:4, 3:9, 15:16 117^[1] - 4:9 118^[4] - 1:4, 3:8, 15:15, 110:3 119^[1] - 4:7 12^[6] - 1:15, 3:14, 5:5, 101:20, 111:24, 111:25 12-and-a-half^[1] - 62:1 12-and-a-half-foot^[1] - 105:12 12-by-17^[1] - 99:6 12-feet^[1] - 28:12 12-inch-thick^[1] - 117:23 120^[1] - 4:8 121^[1] - 4:8 1223^[1] - 2:6 123^[1] - 4:10			7^[7] - 20:13, 27:3, 27:6, 61:5, 61:9, 61:24, 109:2 7-Eleven^[1] - 93:25 7/20/26^[1] - 5:7 70^[3] - 33:8, 93:7 717^[5] - 1:17, 4:4, 5:11, 82:24, 83:9 73^[2] - 3:24, 96:11 74^[1] - 61:8 74-feet-11-inches^[1] -	

25:24 76-foot-1-inches [1] - 25:25 77 [3] - 93:9, 93:11, 93:17 78 [1] - 116:20 7:07p.m [1] - 1:2	AA [5] - 22:4, 26:5, 67:16, 84:6, 126:23 AARON [1] - 1:23 ability [4] - 7:15, 8:2, 8:15, 128:8 able [3] - 77:5, 91:14, 115:24 ABSENT [2] - 1:21, 1:22 absolutely [1] - 100:1 abstain [20] - 10:13, 10:14, 12:18, 12:20, 12:22, 13:20, 13:22, 13:23, 13:25, 14:4, 14:6, 15:9, 15:12, 16:14, 16:18, 16:20, 18:7, 80:24, 131:13, 131:21 Abstain [1] - 15:10 abuts [1] - 24:2 abutting [1] - 27:5 AC [2] - 28:14, 31:12 accent [1] - 102:19 accept [1] - 23:11 accepted [5] - 65:21, 85:13, 85:20, 85:24, 86:17 access [14] - 24:3, 32:9, 38:21, 39:14, 102:20, 102:23, 102:24, 103:1, 111:20, 114:24, 116:1, 119:11, 126:15 accommodate [2] - 89:23, 113:1 accomplish [1] - 89:1 accordance [1] - 9:13 according [3] - 7:15, 8:2, 8:15 acknowledge [3] - 41:21, 105:23, 129:2 acknowledged [1] - 125:12 acquire [1] - 128:9 act [2] - 27:20, 78:2 Act [1] - 9:14 action [3] - 95:1, 133:8, 133:9 actual [1] - 33:9 add [2] - 41:18, 44:3 addition [4] - 31:7, 41:3, 48:23, 49:1 additional [3] - 99:11, 116:21, 128:9 address [5] - 23:6, 65:14, 84:20, 124:5, 124:7 addressed [2] - 45:1, 55:21	adds [1] - 36:23 adequate [1] - 22:12 adjacent [8] - 28:18, 70:5, 72:8, 103:11, 104:14, 113:9, 126:15, 129:9 adjourn [1] - 132:16 adjust [2] - 53:15, 58:11 adjusted [2] - 34:24, 77:2 Adjustment [4] - 2:4, 7:14, 8:1, 8:14 adjustment [1] - 85:12 ADJUSTMENT [2] - 1:1, 1:19 Administrative [1] - 133:10 aesthetic [1] - 33:19 aesthetics [1] - 54:4 affect [1] - 106:24 affecting [1] - 77:24 affects [1] - 74:20 affidavit [3] - 21:17, 83:22, 84:1 affirm [6] - 7:5, 7:11, 7:17, 7:23, 8:4, 8:11 affirmatively [1] - 76:20 agencies [1] - 120:8 agent [1] - 133:8 ago [6] - 66:23, 83:21, 89:6, 94:21, 110:23, 124:12 agree [3] - 59:3, 95:1, 116:14 ahead [3] - 44:24, 59:24, 121:17 AIA [2] - 3:15, 23:1 AICP [3] - 2:14, 3:22, 4:10 air [2] - 28:9, 72:11 Alaaeldin [4] - 1:16, 4:3, 5:10, 83:4 albeit [1] - 83:21 alcove [1] - 41:2 Allan [1] - 57:2 Allegiance [2] - 6:2, 6:4 allegiance [3] - 7:8, 7:20, 8:7 allowed [1] - 11:4 allowing [1] - 60:3 almost [2] - 53:5, 92:19 ALTERNATE [3] - 1:23, 1:24, 1:24 Alternate [3] - 7:13, 7:25, 8:13 alternates [1] - 10:23	altogether [1] - 49:3 amended [1] - 77:16 amending [1] - 95:2 amount [2] - 72:10, 72:22 ample [4] - 77:15, 90:21, 98:2 Anderson [1] - 2:6 answered [1] - 54:20 anyway [1] - 116:13 apartment [2] - 110:3 apologize [2] - 28:8, 74:12 appear [1] - 85:11 appeared [3] - 44:6, 76:16, 76:18 Applause [1] - 8:18 Applicant [1] - 2:8 applicant [18] - 15:20, 20:12, 21:25, 25:10, 25:14, 27:23, 31:25, 60:2, 76:16, 77:1, 77:6, 83:4, 83:19, 86:19, 94:6, 94:10, 94:25, 106:5 applicant's [2] - 17:3, 41:25 application [25] - 17:18, 22:2, 22:21, 24:25, 25:4, 27:21, 42:16, 42:18, 65:4, 75:22, 76:14, 76:17, 76:19, 76:22, 77:2, 78:10, 83:7, 83:10, 84:3, 84:13, 115:10, 116:16, 123:21, 124:20, 131:3 application's [1] - 77:16 appointed [1] - 6:6 approaches [1] - 64:23 appropriate [3] - 68:24, 73:3, 130:8 approval [4] - 107:4, 110:22, 120:7, 120:8 approve [6] - 9:20, 78:8, 80:12, 80:14, 80:18, 131:3 approved [3] - 55:16, 63:13, 63:17 April [1] - 88:13 architect [6] - 22:8, 23:12, 62:3, 83:17, 85:4, 123:9 Architectural [2] - 5:12, 87:12 architectural [4] - 45:15, 50:25, 87:17, 90:12	architecturally [1] - 50:11 architecture [2] - 85:14, 86:17 area [23] - 26:4, 32:4, 38:20, 39:3, 40:5, 40:12, 54:21, 59:17, 60:22, 70:18, 71:23, 73:19, 78:1, 90:5, 91:18, 91:21, 102:25, 113:22, 115:15, 117:12, 118:9, 118:11, 129:1 areas [1] - 99:4 arranged [1] - 114:16 artificially [1] - 47:11 asphalt [1] - 102:14 assessments [1] - 126:1 Associates [4] - 3:8, 15:15, 88:12, 88:15 Assoct [1] - 1:4 assuming [1] - 74:13 attending [1] - 83:2 Attorney [1] - 10:18 attorney [1] - 17:3 Audio [1] - 115:16 August [4] - 17:5, 17:19, 20:13 authority [3] - 7:10, 7:22, 8:9 available [2] - 72:22, 115:17 Ave [3] - 1:6, 1:13, 3:11 Avenue [14] - 2:3, 2:6, 15:16, 17:1, 18:14, 18:20, 18:23, 20:11, 23:2, 23:9, 24:2, 60:24, 84:17, 84:23 average [2] - 53:14, 103:17 avoid [1] - 79:22 aware [1] - 53:16	
8	8 [7] - 30:17, 47:18, 47:23, 48:3, 54:16, 54:17, 57:20 8-foot-9 [2] - 48:4, 48:21 8-inch [2] - 48:21, 48:22 80 [2] - 33:8 82 [1] - 4:4 84 [1] - 4:5 85 [1] - 4:6 86 [1] - 4:6 865 [1] - 2:3 87 [1] - 5:13 88 [1] - 5:14 8:09 [1] - 81:24 8:25 [1] - 81:24	9	9 [2] - 45:8, 48:5 9-and-a-half [1] - 47:16 9-foot [2] - 46:1, 57:20 9.5 [1] - 48:6 95 [1] - 5:15 9:13 [1] - 132:20 9th [3] - 1:8, 3:4, 13:5	9	9 [2] - 45:8, 48:5 9-and-a-half [1] - 47:16 9-foot [2] - 46:1, 57:20 9.5 [1] - 48:6 95 [1] - 5:15 9:13 [1] - 132:20 9th [3] - 1:8, 3:4, 13:5
A	A-1 [14] - 5:6, 5:12, 24:10, 24:15, 24:22, 25:21, 29:14, 32:12, 33:12, 87:8, 87:13, 88:2, 88:25, 95:9 A-2 [11] - 5:7, 5:14, 34:2, 34:3, 34:6, 34:16, 37:6, 37:7, 88:10, 88:16, 95:9 A-3 [9] - 5:8, 5:15, 37:4, 37:20, 37:24, 38:2, 95:14, 95:18, 95:24 A-4 [8] - 5:9, 5:16, 64:24, 65:17, 66:13, 101:12, 101:15, 101:19 A-5 [3] - 5:17, 125:17, 125:20	A	A	A	A
	B	B	B	B	B
	backing [2] - 90:8, 128:6 backyard [1] - 38:22 backyards [1] - 127:19 balance [2] - 72:24, 130:5 balcony [1] - 38:14 ball [1] - 46:12 bar [1] - 76:22 bare [1] - 105:3 barely [1] - 92:21 barricade [2] - 60:3,	B	B	B	B

77:24 barrier [7] - 59:5, 60:12, 60:16, 60:18, 60:20, 67:12 based [5] - 70:7, 74:14, 88:19, 114:25, 121:20 basement [10] - 35:7, 36:17, 36:22, 47:19, 96:17, 98:15, 104:4, 105:2, 106:23, 129:25 basic [1] - 98:25 bathroom [7] - 37:2, 39:7, 40:18, 40:21, 40:25, 41:8, 105:17 bathrooms [1] - 41:11 bay [2] - 32:19, 102:16 bear [3] - 7:7, 7:19, 8:7 beautiful [1] - 81:15 beautifully [1] - 77:23 becomes [1] - 97:20 bedroom [10] - 39:7, 39:12, 40:16, 40:17, 40:20, 99:16, 100:8, 100:9, 102:9, 116:3 bedrooms [3] - 40:19, 100:3, 101:1 behalf [2] - 21:3, 83:3 behind [12] - 24:3, 38:20, 51:23, 52:2, 69:23, 72:2, 79:20, 91:8, 115:25, 127:18, 127:23, 129:18 BEING [1] - 1:19 belabor [1] - 106:2 below [8] - 30:20, 41:16, 96:17, 97:2, 104:22, 106:23, 109:8, 114:23 benefit [4] - 66:3, 71:12, 71:15, 111:18 Bergen [22] - 1:9, 1:12, 1:17, 3:11, 4:4, 5:11, 17:1, 18:13, 18:20, 20:10, 82:23, 83:8, 90:1, 108:5, 108:22, 109:4, 111:10, 126:4, 126:16, 127:24, 127:25, 128:5 berm [1] - 94:3 best [4] - 7:15, 8:2, 8:15, 60:8 better [3] - 49:24, 111:20, 119:7 between [12] - 30:2, 50:18, 54:1, 62:1,	91:22, 97:17, 103:25, 108:4, 110:17, 110:19, 111:22, 112:21 beyond [3] - 67:14, 126:19, 126:20 bickering [1] - 116:8 big [6] - 44:10, 47:9, 89:24, 121:3, 121:7, 122:8 bigger [4] - 26:4, 70:22, 105:7, 127:19 bill [5] - 28:7, 49:9, 50:4, 79:4, 79:6 Bill [11] - 23:19, 24:24, 31:17, 33:22, 37:6, 38:5, 41:21, 45:23, 60:9, 64:15, 79:21 bills [1] - 11:17 billy [1] - 34:9 Billy [4] - 23:11, 24:18, 34:3, 79:2 bit [21] - 29:10, 32:24, 34:21, 36:7, 38:23, 38:25, 45:4, 45:11, 48:8, 53:4, 60:14, 60:18, 60:19, 68:6, 70:14, 72:19, 72:20, 74:6, 92:11, 98:10, 119:7 black [1] - 87:21 black-and-white [1] - 87:21 Block [19] - 1:5, 1:7, 1:9, 1:11, 1:13, 1:15, 1:17, 3:4, 3:7, 3:9, 3:12, 3:14, 4:4, 5:5, 5:11, 17:1, 20:11, 82:24, 83:9 block [4] - 56:23, 57:2, 77:23, 83:9 blocks [1] - 60:21 Blvd [1] - 1:11 Board [48] - 2:4, 7:13, 7:25, 8:13, 17:7, 21:2, 21:18, 21:23, 22:12, 24:25, 25:4, 27:20, 30:19, 31:2, 53:16, 54:19, 55:17, 57:19, 64:23, 65:23, 70:7, 75:25, 76:20, 77:1, 78:2, 81:13, 83:1, 83:13, 83:23, 84:2, 85:16, 85:25, 87:18, 87:22, 88:24, 94:7, 95:1, 104:13, 106:2, 106:15, 114:7, 120:3, 120:9, 132:2 board [6] - 9:15,	10:20, 105:21, 106:14, 120:10, 133:6 BOARD [78] - 1:1, 1:19, 2:12, 2:13, 2:14, 8:20, 8:22, 8:24, 9:1, 9:3, 9:5, 9:7, 9:9, 9:11, 10:2, 10:4, 10:6, 10:8, 10:10, 10:12, 10:17, 12:9, 12:11, 12:13, 12:15, 12:17, 12:19, 12:21, 13:14, 13:16, 13:18, 13:24, 14:1, 14:3, 14:5, 14:22, 14:24, 15:1, 15:3, 15:5, 15:7, 15:11, 16:7, 16:9, 16:11, 16:13, 16:15, 16:17, 16:19, 17:23, 17:25, 18:2, 18:4, 18:6, 18:8, 18:10, 80:23, 80:25, 81:2, 81:4, 81:6, 81:8, 81:10, 82:3, 82:8, 82:10, 82:12, 82:14, 82:16, 82:18, 82:20, 131:12, 131:14, 131:16, 131:18, 131:20, 131:22, 131:24 Board's [4] - 31:22, 37:23, 63:13, 95:2 Board/Professional [1] - 3:16 Board/Professionals [2] - 3:23, 4:7 boards [3] - 85:12, 104:12 body [1] - 133:6 border [1] - 26:11 Borough [5] - 7:14, 8:1, 8:14, 67:15, 125:1 BOROUGH [2] - 1:1, 1:19 borough [3] - 9:15, 9:17, 9:18 boroughs [1] - 27:6 bottom [10] - 67:7, 67:10, 72:19, 90:4, 103:6, 105:15, 113:21, 113:23, 126:17, 126:20 boulevard [1] - 90:9 Boulevard [25] - 1:9, 1:12, 1:17, 3:6, 3:11, 4:4, 5:11, 14:10, 17:2, 18:13, 18:20, 20:11, 26:15, 82:23,	83:8, 90:1, 108:5, 108:22, 109:4, 111:10, 126:5, 126:16, 127:24, 127:25, 128:5 boundary [1] - 27:5 break [3] - 33:1, 33:18, 81:21 breakup [2] - 50:12 brick [1] - 32:17 brick-and-stucco [1] - 32:17 brief [2] - 76:1, 81:23 briefly [1] - 76:11 bring [15] - 6:20, 44:14, 44:15, 46:5, 46:7, 48:8, 48:9, 48:12, 48:20, 49:6, 53:4, 53:19, 55:5, 77:8, 102:19 bringing [1] - 48:19 brings [2] - 35:13, 45:15 Broad [1] - 2:3 Brogna [1] - 8:24 BROGNA [1] - 1:22 Bryan [3] - 1:10, 3:6, 14:8 bucket [1] - 59:13 build [1] - 61:2 building [109] - 15:18, 26:21, 26:25, 27:3, 27:12, 28:17, 28:23, 32:14, 32:18, 33:2, 33:4, 33:7, 33:14, 35:11, 35:22, 35:25, 40:2, 43:11, 51:1, 53:23, 54:6, 59:11, 61:2, 61:3, 61:4, 61:14, 61:16, 61:19, 61:21, 61:23, 62:21, 62:23, 67:24, 68:2, 68:10, 68:21, 69:13, 69:15, 70:3, 70:4, 70:13, 70:16, 70:19, 70:25, 71:1, 71:6, 71:10, 71:25, 72:7, 73:16, 73:18, 74:4, 74:11, 74:18, 75:1, 77:21, 77:23, 77:25, 78:15, 81:15, 89:5, 90:4, 90:5, 91:15, 92:7, 92:15, 92:17, 92:18, 92:20, 92:22, 92:25, 93:1, 93:22, 93:23, 96:10, 96:25, 100:18, 102:1, 102:3, 102:12, 102:19, 103:3, 103:5, 104:2, 105:9,	106:23, 106:25, 108:2, 108:20, 109:8, 110:3, 110:4, 110:6, 110:10, 113:24, 114:15, 116:12, 126:15, 127:24, 128:2, 128:12, 128:23, 129:1, 129:5, 129:20, 129:22, 129:24 buildings [3] - 62:1, 73:18, 103:11 built [1] - 103:19 bulk [2] - 116:11, 127:5 bulkhead [1] - 74:2 bulletin [1] - 9:15 bump [4] - 35:24, 36:2, 36:4, 38:24 business [6] - 23:6, 65:11, 65:14, 84:20, 124:5, 124:7 but.. [1] - 78:18 BY [16] - 2:2, 2:6, 23:18, 24:17, 34:8, 38:4, 65:19, 66:2, 85:2, 86:15, 87:15, 88:17, 96:1, 101:13, 124:11, 125:22
C				
C-1 [2] - 127:6, 130:6 C-2 [3] - 74:14, 127:7, 130:6 C.C.R [2] - 133:3, 133:14 cabinetry [1] - 40:21 calculate [1] - 58:1 calculation [6] - 42:9, 43:9, 68:12, 94:19, 106:17, 118:17 calculations [4] - 56:2, 56:20, 57:6, 77:12 callout [1] - 117:23 cannot [4] - 10:21, 97:4, 103:12, 116:23 capacity [1] - 95:4 car [12] - 31:5, 31:7, 35:8, 71:9, 97:10, 97:14, 97:22, 97:24, 113:7, 115:16, 115:20, 127:23 cards [1] - 21:8 care [1] - 119:18 careful [1] - 132:6 carried [4] - 17:4, 19:11, 19:13, 20:12				

carry [1] - 17:18 cars [12] - 31:10, 33:6, 71:14, 90:5, 90:8, 90:21, 91:14, 96:5, 96:6, 97:18, 99:19, 128:3 cartway [1] - 98:5 CARUCCI [2] - 133:3, 133:14 case [9] - 14:8, 20:23, 40:8, 40:11, 43:6, 73:17, 82:23, 94:13, 100:17 Case [19] - 1:3, 1:5, 1:7, 1:10, 1:12, 1:14, 1:16, 3:3, 3:5, 3:8, 3:10, 3:13, 4:3, 5:3, 5:10, 13:3, 18:19, 19:8, 20:10 caselaw [1] - 69:16 caused [1] - 46:12 ceiling [3] - 45:23, 46:1, 47:17 ceilings [2] - 57:20, 57:21 center [2] - 35:21, 102:17 Central [2] - 84:17, 84:23 centrally [1] - 31:13 certain [2] - 71:10, 74:19 certainly [11] - 65:12, 66:5, 66:17, 66:19, 68:11, 68:22, 69:2, 69:13, 71:15, 126:2, 129:8 Certified [1] - 133:4 certified [1] - 21:8 certify [1] - 133:5 Chair [1] - 22:13 chair [1] - 130:10 CHAIRMAN [139] - 1:20, 6:8, 6:11, 6:16, 6:20, 7:1, 8:21, 9:21, 9:24, 10:3, 10:25, 11:3, 11:15, 11:20, 11:22, 12:3, 12:6, 12:8, 12:10, 13:1, 13:6, 13:8, 13:15, 14:13, 14:16, 14:19, 14:23, 16:1, 16:4, 16:8, 16:21, 17:9, 17:12, 17:15, 17:20, 17:24, 19:1, 20:17, 20:20, 20:20, 21:20, 22:14, 22:16, 44:20, 44:24, 45:5, 45:5, 47:15, 47:24, 48:6, 48:6, 48:16, 48:18, 49:16, 49:16, 50:4, 50:14,	51:2, 51:8, 51:17, 51:20, 51:24, 52:4, 52:7, 52:11, 52:14, 52:18, 55:19, 55:22, 57:10, 62:8, 62:18, 64:16, 64:21, 73:7, 73:11, 75:6, 75:10, 75:14, 75:18, 75:20, 75:24, 76:3, 76:6, 76:9, 76:12, 78:3, 78:9, 78:11, 78:14, 78:22, 78:24, 79:6, 80:5, 80:13, 80:19, 80:24, 81:17, 81:22, 81:25, 82:2, 82:6, 82:9, 84:25, 86:12, 107:21, 107:24, 108:4, 108:7, 108:11, 108:17, 108:22, 108:25, 109:3, 109:10, 109:19, 109:21, 109:24, 110:2, 112:10, 112:14, 117:18, 120:22, 120:25, 121:3, 121:11, 121:17, 123:5, 123:11, 123:13, 123:16, 124:9, 130:12, 130:15, 130:17, 130:20, 130:23, 131:1, 131:5, 131:9, 131:13, 132:6, 132:15 chairman [10] - 9:19, 20:16, 21:2, 21:17, 44:18, 75:16, 80:2, 81:12, 83:1, 86:9 Chairman [21] - 3:17, 4:7, 6:5, 11:17, 12:24, 16:23, 21:21, 22:15, 23:15, 50:1, 64:22, 73:6, 76:11, 78:7, 78:20, 79:8, 81:20, 107:19, 109:18, 130:10, 132:1 Chairperson [1] - 18:15 CHAIRWOMAN [1] - 1:21 challenge [1] - 89:22 challenges [1] - 69:6 challenging [1] - 128:13 chambers [1] - 27:19 chance [1] - 104:10 change [5] - 49:17, 69:7, 119:20,	119:21, 120:11 changed [2] - 121:13, 123:3 changes [3] - 68:11, 96:18, 120:2 characterize [1] - 86:24 CHARLIE [1] - 1:20 cheating [1] - 99:17 Chiesa [13] - 9:1, 10:4, 12:11, 13:10, 13:12, 13:16, 14:24, 16:9, 17:25, 80:21, 80:25, 82:10, 131:14 CHIESA [20] - 1:23, 9:2, 10:1, 10:5, 12:7, 12:12, 13:13, 13:17, 14:18, 14:25, 16:6, 16:10, 17:14, 18:1, 80:17, 81:1, 82:11, 131:8, 131:15, 132:18 Chris [1] - 1:6 CHUNG [139] - 1:20, 6:8, 6:11, 6:16, 6:20, 7:1, 8:21, 9:21, 9:24, 10:3, 10:25, 11:3, 11:15, 11:20, 11:22, 12:3, 12:6, 12:8, 12:10, 13:1, 13:6, 13:8, 13:15, 14:13, 14:16, 14:19, 14:23, 16:1, 16:4, 16:8, 16:21, 17:9, 17:12, 17:15, 17:20, 17:24, 19:1, 20:17, 20:20, 21:20, 22:14, 22:16, 44:20, 44:24, 45:5, 47:15, 47:24, 48:6, 48:16, 48:18, 49:16, 50:4, 50:14, 51:2, 51:8, 51:17, 51:20, 51:24, 52:4, 52:7, 52:11, 52:14, 52:18, 55:19, 55:22, 57:10, 62:8, 62:18, 64:16, 64:21, 73:7, 73:11, 75:6, 75:10, 75:14, 75:18, 75:20, 75:24, 76:3, 76:6, 76:9, 76:12, 78:3, 78:9, 78:11, 78:14, 78:22, 79:6, 80:5, 80:13, 80:19, 80:24, 81:17, 81:22, 81:25, 82:2, 82:6, 82:9, 84:25, 86:12, 107:21, 107:24, 108:4, 108:7, 108:11, 108:17,	108:22, 108:25, 109:3, 109:10, 109:19, 109:21, 109:24, 110:2, 112:10, 112:14, 117:18, 120:22, 120:25, 121:3, 121:11, 121:17, 123:5, 123:11, 123:13, 123:16, 124:9, 130:12, 130:15, 130:17, 130:20, 130:23, 131:1, 131:5, 131:9, 131:13, 132:6, 132:15 Chung [12] - 3:17, 4:7, 8:20, 10:2, 12:9, 13:14, 14:22, 16:7, 17:23, 80:23, 82:8, 131:12 circumstance [1] - 128:10 clarification [4] - 73:14, 74:10, 117:21, 117:22 clean [1] - 93:20 clear [2] - 43:13, 91:17 clearly [2] - 87:23, 102:4 clerk's [1] - 9:18 client [2] - 21:5, 83:5 Cliffs [2] - 23:2, 23:9 clockwise [1] - 66:18 close [4] - 64:11, 104:18, 106:22, 127:24 closer [2] - 39:22, 77:8 closet [2] - 36:15, 41:8 closets [1] - 41:4 closing [1] - 76:1 COCOROS [9] - 3:15, 22:23, 23:7, 23:8, 79:5, 79:9, 79:14, 79:18, 79:24 Cocoros [6] - 22:7, 23:8, 44:19, 69:5, 70:4, 70:23 Code [1] - 133:11 codes [2] - 68:21 Collazuol [2] - 88:11, 88:15 Colliers [6] - 27:22, 41:22, 42:18, 94:22, 105:24, 125:13 Colliers' [1] - 27:15 colorization [1] - 87:22 Colorized [2] - 5:12,	87:12 colorized [2] - 87:18, 90:11 colors [1] - 88:25 combined [2] - 93:8, 128:21 comfortable [1] - 54:14 coming [7] - 98:23, 102:16, 109:10, 111:6, 112:8, 119:4, 119:5 comment [2] - 52:20, 54:20 comments [4] - 42:10, 76:5, 76:7, 80:9 commission [1] - 133:6 common [3] - 113:21, 114:17, 114:18 commonly [1] - 35:25 comparison [1] - 103:25 compliance [2] - 43:20, 106:19 compliant [1] - 26:3 complied [3] - 27:23, 42:4, 120:13 complies [2] - 26:23, 133:10 comply [15] - 31:9, 42:1, 43:11, 53:22, 58:11, 58:12, 77:7, 95:2, 106:5, 106:6, 107:5, 107:12, 107:17, 114:2, 116:13 complying [1] - 108:13 components [1] - 58:8 compute [1] - 59:4 concept [1] - 88:24 concern [2] - 59:6, 59:8 concerned [3] - 27:14, 83:15, 119:4 conclude [1] - 83:17 concluded [1] - 132:19 concludes [1] - 75:21 concrete [4] - 56:23, 60:20, 92:2, 117:23 condensers [1] - 28:14 condition [2] - 59:19, 94:25 conditioners [1] - 28:9 conditions [7] - 24:23, 25:22, 28:2, 28:5,
---	---	---	---	--

68:4, 70:10, 74:3 configuration [14] - 25:6, 27:8, 29:19, 32:21, 34:25, 39:1, 39:12, 40:17, 41:7, 41:12, 63:6, 63:7, 119:21 configurations [1] - 55:16 confirm [2] - 56:5, 118:18 confirmed [2] - 42:8, 66:24 conform [1] - 43:22 conforming [10] - 63:21, 63:22, 63:25, 67:21, 72:15, 72:22, 129:5, 129:6, 129:25, 130:3 conforms [1] - 128:21 confused [1] - 47:5 confusion [1] - 46:12 congratulations [2] - 8:16, 8:17 connect [1] - 107:10 consider [1] - 54:19 considerably [1] - 43:16 consideration [2] - 78:1, 81:15 considered [1] - 73:2 consistency [1] - 69:17 consistent [9] - 33:15, 52:21, 71:22, 73:18, 73:19, 74:8, 122:22, 128:24, 129:17 consists [1] - 40:24 Constitution [6] - 7:5, 7:6, 7:17, 7:18, 8:5, 8:6 construct [1] - 26:17 constructed [2] - 68:20, 69:12 construction [3] - 13:4, 50:20, 76:17 contain [1] - 114:15 contemplating [1] - 60:8 continue [5] - 28:7, 37:12, 91:21, 98:12, 118:2 contour [1] - 103:19 copies [1] - 122:16 copy [1] - 87:16 core [1] - 90:4 corner [13] - 25:21, 29:15, 32:12, 33:12, 52:23, 56:15, 56:21, 60:21, 96:3, 101:19,	103:22, 105:15 corners [2] - 34:17, 68:10 Corp [5] - 1:12, 3:11, 17:2, 18:13, 18:20 correct [75] - 10:24, 19:14, 19:16, 19:17, 19:24, 20:3, 24:5, 25:13, 25:18, 25:19, 27:17, 27:23, 30:9, 30:24, 30:25, 34:12, 37:17, 40:6, 42:12, 43:4, 44:1, 47:3, 56:23, 59:19, 59:20, 65:22, 74:15, 83:24, 85:5, 86:8, 87:19, 87:20, 87:24, 87:25, 88:20, 88:21, 89:8, 90:17, 90:24, 91:19, 91:22, 92:3, 92:5, 92:6, 92:8, 93:15, 94:5, 94:11, 94:23, 94:24, 95:5, 96:3, 96:4, 98:7, 98:8, 98:11, 99:11, 99:12, 99:25, 100:16, 100:23, 100:24, 101:4, 103:20, 103:21, 104:16, 104:24, 115:22, 117:13, 117:14, 118:14, 120:17, 125:6 correctly [1] - 47:4 correspondence [1] - 119:16 Council [1] - 6:6 Council's [1] - 60:7 Counsel [5] - 2:4, 2:8, 21:1, 21:22, 83:2 couple [6] - 12:25, 52:16, 57:16, 67:5, 117:19 course [2] - 71:5, 99:21 Court [1] - 133:4 COURT [4] - 62:11, 62:14, 62:17, 115:19 court [3] - 12:1, 93:25, 133:6 coverage [22] - 42:22, 42:23, 42:24, 42:25, 43:9, 58:9, 58:10, 58:17, 59:1, 68:2, 70:14, 70:16, 71:1, 74:12, 74:25, 77:6, 89:15, 89:17, 89:19, 89:21, 129:5, 130:4 cozier [1] - 38:25 create [4] - 70:22,	105:7, 105:13, 128:1 created [2] - 90:2, 133:6 creative [2] - 132:3, 132:4 credentials [4] - 65:20, 85:20, 85:23, 86:16 Crespo [12] - 6:10, 8:3, 9:9, 10:12, 12:19, 14:3, 15:7, 16:17, 18:8, 81:8, 82:18, 131:22 CRESPO [13] - 1:24, 8:3, 9:10, 10:13, 12:20, 14:4, 15:8, 15:10, 16:18, 18:9, 81:9, 82:19, 131:23 criteria [6] - 71:19, 72:25, 129:11, 129:14, 130:6, 130:7 critical [2] - 28:19, 97:21 cross [5] - 26:9, 44:10, 54:17, 56:12, 69:7 curb [6] - 30:13, 54:7, 54:9, 108:23, 109:7, 111:16 curbing [1] - 126:16 curious [1] - 113:10 cut [2] - 108:23, 109:7 cutoff [1] - 122:25	dead [7] - 23:24, 53:6, 59:19, 60:10, 67:11, 72:6, 72:21 dead-end [2] - 59:19, 60:10 deal [3] - 113:11, 121:3, 121:7 dealing [1] - 79:2 DeCarlo [2] - 2:2, 12:2 decided [2] - 32:20, 118:10 deck [7] - 38:21, 39:13, 39:15, 39:21, 40:8, 74:1, 107:20 decks [3] - 28:10, 28:11, 101:7 deep [4] - 26:2, 26:22, 127:13, 127:15 defined [1] - 114:10 definition [2] - 113:25, 114:14 demolish [1] - 26:17 denied [1] - 76:20 densities [1] - 68:24 density [2] - 71:23, 76:23 deny [3] - 78:10, 80:12, 80:14 department [1] - 61:3 depicts [5] - 91:18, 101:2, 101:3, 101:25, 105:17 depth [2] - 98:22 describe [4] - 87:23, 92:16, 96:8, 101:21 described [5] - 67:17, 68:4, 127:10, 128:12, 129:24 describing [1] - 103:7 Description [1] - 5:2 description [1] - 98:14 design [14] - 23:22, 30:23, 56:18, 63:7, 69:5, 70:3, 70:9, 86:2, 86:21, 97:14, 99:1, 102:10, 117:21, 118:8 designation [1] - 83:9 designed [11] - 69:13, 71:7, 72:8, 73:23, 77:23, 77:25, 114:15, 128:13, 129:2, 129:4, 129:7 designer [1] - 51:7 desirable [1] - 69:4 detail [1] - 57:5 details [4] - 27:18, 56:18, 86:11, 87:21 determination [2] - 60:7, 114:7	developed [1] - 128:8 development [4] - 71:22, 72:4, 128:25, 129:19 DIANE [1] - 2:2 Diane [9] - 21:9, 24:7, 33:25, 47:4, 82:25, 83:21, 87:9, 88:9, 125:17 difference [13] - 26:13, 26:14, 47:8, 47:10, 48:22, 50:18, 52:24, 54:1, 54:8, 54:15, 79:19, 96:20, 115:7 different [11] - 32:20, 32:21, 34:21, 37:15, 39:1, 39:4, 41:7, 41:12, 59:18, 94:10, 100:25 dimension [1] - 71:10 dimensions [2] - 128:13, 129:12 dining [4] - 38:18, 39:4, 98:25, 99:5 Dire [2] - 3:22, 4:6 DIRE [2] - 65:18, 85:1 direct [1] - 88:3 DIRECT [4] - 23:17, 66:1, 86:14, 124:10 Direct [4] - 3:16, 3:23, 4:6, 4:11 directly [3] - 67:7, 102:21, 126:20 disclose [1] - 28:3 discuss [1] - 83:18 discussed [1] - 127:4 discussions [1] - 70:8 distance [4] - 105:8, 105:14, 111:15, 119:24 distinguish [1] - 90:15 Distortion [1] - 115:16 distributed [2] - 66:13, 125:15 district [1] - 84:6 disturb [1] - 89:2 doable [1] - 79:10 dog [1] - 21:13 done [5] - 51:16, 63:12, 86:6, 87:22, 107:4 door [21] - 27:9, 29:9, 30:6, 30:11, 30:23, 35:11, 36:7, 36:12, 37:9, 37:14, 37:16, 39:20, 48:2, 48:4, 53:12, 61:4, 61:14, 61:16, 61:17, 61:20, 102:5
---	--	--	--	--

doors [3] - 29:20, 34:25, 37:16 doorway [1] - 102:25 DOT [2] - 119:9, 119:11 dotted [2] - 90:14, 91:22 double [4] - 41:2, 47:11, 55:9, 91:11 down [32] - 30:7, 30:17, 30:20, 33:6, 35:12, 36:17, 36:22, 38:15, 41:15, 44:14, 44:16, 45:15, 46:6, 46:7, 48:8, 48:9, 48:12, 48:19, 48:20, 49:6, 50:9, 53:5, 54:11, 56:12, 58:24, 77:8, 79:11, 109:11, 111:9, 112:8, 118:2, 128:10 downhill [1] - 26:15 downstairs [2] - 98:23, 105:18 drain [1] - 118:19 drainage [11] - 27:16, 42:8, 56:1, 70:23, 74:25, 106:12, 106:17, 107:8, 107:9, 118:17, 119:4 Drainage [1] - 130:2 drains [1] - 119:7 drastic [1] - 109:22 drastically [1] - 96:18 drawing [1] - 35:5 dress [1] - 102:18 drive [3] - 74:4, 90:7, 91:14 driven [2] - 70:9, 75:2 driver [1] - 97:24 drives [1] - 90:16 driveway [29] - 30:4, 30:5, 30:17, 31:5, 60:12, 67:13, 90:2, 91:18, 91:23, 96:9, 97:17, 100:21, 102:3, 102:17, 103:9, 106:22, 107:2, 108:1, 109:7, 111:7, 112:17, 112:24, 113:6, 113:7, 119:12, 119:21, 126:16, 128:3, 132:7 driveways [3] - 30:20, 59:11, 59:16 driving [2] - 60:24, 109:6 drop [5] - 26:6, 30:14, 36:16, 44:10, 108:7	drop-off [1] - 26:6 drops [2] - 45:4, 108:5 duly [4] - 23:3, 65:9, 84:18, 124:3 duplex [24] - 14:10, 19:20, 19:21, 19:25, 20:1, 23:22, 49:9, 50:5, 54:22, 63:1, 63:18, 64:1, 100:14, 112:20, 113:13, 113:15, 113:24, 114:2, 114:4, 114:13, 114:14, 115:1, 116:10 during [2] - 77:4, 125:7 duties [3] - 7:13, 7:25, 8:13 dwelling [19] - 13:4, 22:3, 25:18, 26:16, 26:18, 29:1, 29:5, 67:17, 68:19, 68:20, 69:4, 69:11, 69:20, 83:11, 104:23, 114:16, 114:22, 114:23, 126:24 dwelling [5] - 69:8, 86:3, 105:2, 126:6, 126:22	81:2, 82:12, 131:16 ELEFTERIOU [20] - 1:21, 9:4, 9:23, 10:7, 12:5, 12:14, 13:19, 13:22, 14:15, 15:2, 16:3, 16:12, 17:11, 18:3, 80:18, 81:3, 82:13, 131:2, 131:17, 132:17 elevated [2] - 30:24, 91:1 Elevation [2] - 101:25, 103:7 elevation [20] - 32:13, 33:11, 33:12, 35:3, 36:10, 69:23, 91:14, 96:22, 101:18, 102:1, 103:9, 103:23, 103:24, 105:16, 107:11, 121:5, 121:6, 126:8, 127:18, 129:22 elevations [4] - 24:19, 33:23, 34:15, 34:17 Elevations [4] - 5:6, 5:16, 24:14, 101:11 eligible [1] - 11:3 embankment [1] - 67:9 employed [1] - 133:8 enable [1] - 128:3 enclosed [1] - 115:13 encroaching [1] - 97:2 end [11] - 23:24, 23:25, 26:11, 59:19, 60:10, 67:11, 72:6, 72:21 engaged [5] - 27:22, 83:17, 85:4, 94:7, 106:11 Engaged [2] - 21:23, 83:2 engagement [4] - 23:20, 66:4, 86:20, 124:19 ENGINEER [1] - 2:13 engineer [11] - 31:22, 56:19, 62:5, 95:2, 106:11, 106:13, 106:14, 106:15, 107:11, 119:17, 119:18 Engineering [2] - 88:12, 88:15 engineering [4] - 53:25, 94:13, 94:16, 94:17 Englewood [2] - 23:2, 23:9 ensuite [3] - 39:7,	40:20, 40:24 enter [1] - 97:18 entering [1] - 89:23 entitled [3] - 15:21, 34:1, 37:20 entrance [3] - 90:2, 103:4, 121:9 entry [11] - 27:9, 29:6, 29:9, 29:11, 35:10, 35:15, 38:13, 99:10, 120:16 environment [1] - 69:4 environmental [1] - 28:5 error [2] - 118:1, 118:8 especially [1] - 104:12 ESQUIRE [2] - 2:2, 2:6 essentially [1] - 90:16 established [3] - 7:9, 7:21, 8:8 establishing [1] - 91:13 establishment [1] - 68:24 et [1] - 32:7 evened [1] - 70:7 evening [11] - 6:5, 10:16, 10:21, 20:8, 66:10, 67:25, 74:7, 83:6, 83:15, 84:9, 124:24 evening's [1] - 22:6 Examination [6] - 3:16, 3:22, 3:23, 4:6, 4:6, 4:11 EXAMINATION [6] - 23:17, 65:18, 66:1, 85:1, 86:14, 124:10 example [1] - 96:21 exceed [2] - 63:2, 77:10 exceeding [1] - 64:8 excuse [3] - 46:19, 64:24, 67:2 Exhibit [9] - 24:15, 34:6, 38:2, 65:17, 87:13, 88:16, 95:24, 101:12, 125:20 exhibit [2] - 98:17, 105:16 exhibits [2] - 34:10, 124:22 exist [1] - 91:21 existing [14] - 23:23, 24:23, 25:22, 26:16, 28:2, 28:25, 89:2, 89:6, 91:3, 91:12, 103:19, 103:25, 111:12, 111:16 exists [2] - 71:24, 84:6	exiting [2] - 89:23, 90:6 expense [1] - 51:4 experience [1] - 85:22 expert [6] - 65:21, 85:13, 85:14, 85:24, 86:10, 86:17 Expiration [1] - 133:16 explain [2] - 42:22, 88:24 expressly [1] - 22:4 extension [2] - 15:15, 15:22 extensions [1] - 15:22 exterior [3] - 31:4, 102:12, 103:2 extra [3] - 51:4, 115:15, 128:16
F				
face [5] - 28:23, 52:1, 52:2, 90:21, 100:17 facility [1] - 99:7 facing [1] - 90:7 fact [4] - 31:25, 72:2, 86:6, 98:4 faith [3] - 7:7, 7:19, 8:7 familiar [2] - 64:7, 124:25 family [41] - 14:10, 19:20, 19:21, 20:2, 22:2, 23:22, 25:5, 25:6, 25:17, 26:18, 29:1, 29:2, 29:5, 41:17, 49:14, 67:3, 67:5, 67:6, 67:17, 67:20, 67:21, 67:22, 68:25, 69:1, 69:11, 73:22, 76:18, 76:19, 83:10, 83:14, 86:3, 86:21, 89:18, 99:13, 113:18, 114:9, 114:10, 126:21, 126:24, 129:3, 129:19 far [20] - 27:14, 27:15, 31:23, 36:8, 36:18, 40:5, 44:5, 47:13, 50:20, 56:18, 73:1, 77:6, 83:15, 87:7, 92:24, 93:1, 109:14, 110:9, 111:2, 120:16 favor [2] - 17:7, 62:11 favorably [2] - 27:20, 78:2 feature [1] - 45:15 feet [91] - 27:3, 27:6,				

33:8, 43:1, 43:14, 43:16, 44:14, 44:15, 45:2, 45:8, 46:6, 46:8, 46:16, 46:17, 46:20, 46:25, 47:16, 47:18, 47:20, 47:23, 48:3, 49:6, 49:7, 49:23, 50:1, 55:3, 56:15, 57:25, 58:5, 58:19, 58:25, 60:13, 61:4, 61:5, 61:9, 61:13, 61:21, 61:24, 62:1, 63:2, 63:9, 63:18, 63:22, 70:20, 74:7, 77:5, 77:9, 79:11, 79:17, 79:18, 80:2, 87:4, 87:6, 91:2, 91:8, 92:16, 92:19, 92:21, 93:4, 93:9, 93:11, 93:17, 96:11, 96:13, 96:15, 97:22, 98:7, 98:10, 99:3, 103:16, 108:7, 108:15, 108:19, 108:24, 109:2, 109:13, 109:16, 109:17, 109:19, 110:21, 111:13, 111:24, 111:25, 112:25, 113:1, 116:20, 127:15 felt [2] - 71:12, 71:16 few [1] - 86:6 field [3] - 65:21, 85:14, 86:17 fifth [1] - 115:17 filed [1] - 9:17 fill [1] - 47:11 finally [1] - 77:2 financial [2] - 133:8, 133:9 fine [4] - 46:18, 46:20, 86:12, 130:21 finishes [1] - 35:3 fire [1] - 68:21 fireplace [1] - 38:21 firewall [3] - 51:13, 51:15 first [29] - 9:23, 13:2, 13:12, 15:22, 20:21, 35:16, 35:19, 37:5, 39:9, 45:5, 64:25, 66:20, 68:3, 70:13, 87:8, 90:11, 92:12, 97:12, 97:15, 98:17, 102:10, 103:1, 104:5, 104:7, 108:15, 114:20, 114:21, 117:22, 128:5	fit [1] - 129:8 Five [1] - 81:21 Five-minute [1] - 81:21 fix [1] - 56:9 flash [2] - 51:5, 51:14 flashing [2] - 51:22, 52:2 flat [6] - 30:14, 32:23, 53:6, 53:14, 74:1, 79:9 flexible [1] - 127:7 floor [40] - 27:9, 33:20, 33:23, 35:6, 35:16, 35:19, 36:11, 37:2, 37:5, 38:12, 38:16, 39:10, 39:11, 41:9, 41:16, 46:1, 47:23, 70:18, 92:17, 95:15, 95:17, 96:17, 97:12, 97:15, 98:15, 98:18, 99:9, 100:3, 100:20, 100:22, 102:8, 102:10, 102:11, 103:1, 103:12, 104:5, 104:7, 114:20 Floor [8] - 5:7, 5:8, 5:15, 34:1, 34:5, 37:21, 38:1, 95:23 foam [1] - 51:18 focus [1] - 28:9 focusing [2] - 24:22, 25:20 follow [1] - 52:16 follows [4] - 23:4, 65:9, 84:18, 124:3 foot [10] - 46:2, 46:3, 46:4, 50:17, 52:24, 57:20, 97:17, 109:9, 109:18, 109:21 foot-and-a-half [5] - 46:4, 50:17, 109:9, 109:18, 109:21 footage [2] - 43:23, 75:2 footprint [5] - 27:12, 35:23, 58:8, 58:17, 74:12 foregoing [1] - 133:5 forgot [1] - 49:17 form [1] - 36:10 formally [1] - 25:8 Fort [6] - 2:7, 26:11, 33:5, 67:15, 84:17, 84:23 forth [3] - 42:2, 79:22, 95:4 foundation [3] - 106:25, 107:1, 107:2 four [7] - 39:12, 40:17,	54:21, 66:14, 68:9, 100:15, 125:16 Four [4] - 5:9, 5:17, 65:16, 125:19 four-bedroom [2] - 39:12, 40:17 foyer [3] - 27:10, 99:10, 99:23 Friend [4] - 65:8, 65:14, 124:2, 124:7 front [36] - 25:25, 26:7, 26:14, 26:22, 27:7, 27:12, 29:16, 30:6, 30:11, 30:23, 32:13, 32:19, 36:6, 37:14, 37:16, 39:6, 40:19, 41:13, 48:2, 52:22, 60:21, 63:15, 68:6, 72:12, 91:4, 91:11, 96:19, 96:22, 101:25, 108:19, 113:7, 114:24, 127:2, 127:13, 127:21 Front [3] - 5:16, 101:11, 101:25 frontage [1] - 87:2 frowns [1] - 30:20	103:17, 111:19 grades [1] - 120:14 grant [2] - 73:3, 130:8 gray [3] - 90:16, 91:17, 91:21 great [5] - 46:10, 62:7, 101:23, 117:11 greater [3] - 55:3, 68:8, 71:6 green [3] - 21:8, 92:1, 92:4 ground [20] - 27:9, 33:23, 35:6, 36:3, 36:5, 36:11, 37:2, 38:12, 47:23, 66:22, 91:14, 96:3, 96:17, 96:25, 97:2, 98:14, 99:8, 100:20, 103:8, 103:12 Group [1] - 23:8 grown [1] - 121:24 guess [11] - 23:25, 42:6, 42:15, 48:7, 53:24, 74:11, 75:25, 113:2, 116:25, 117:4, 117:5 guest [2] - 36:14, 39:7 guests [1] - 39:8 guideline [1] - 45:11 guys [1] - 122:17	129:12 Harrington [4] - 65:8, 65:15, 124:2, 124:8 head [1] - 128:5 health [1] - 68:18 hear [2] - 21:18, 132:8 heard [2] - 76:10, 77:1 hearing [2] - 21:3, 77:4 heavy [1] - 91:10 height [35] - 32:15, 36:23, 42:20, 44:16, 44:25, 45:16, 50:15, 53:22, 56:5, 57:18, 67:24, 68:3, 68:9, 68:12, 69:9, 69:15, 69:19, 69:21, 69:24, 70:2, 70:6, 71:25, 72:1, 73:15, 74:4, 77:5, 79:13, 79:14, 101:22, 103:13, 103:15, 111:13, 116:12, 129:5, 129:24 Heights [1] - 73:17 heights [2] - 45:23, 104:15 held [1] - 81:23 help [7] - 7:10, 7:15, 7:22, 8:2, 8:10, 8:15, 35:22 helps [1] - 91:13 hereby [1] - 133:5 high [5] - 45:19, 47:17, 62:21, 78:15, 109:3 higher [9] - 43:16, 45:2, 45:12, 50:7, 109:6, 119:2, 126:8, 127:18, 129:22 highest [2] - 45:10, 103:17 highway [2] - 70:2, 90:23 hill [1] - 54:11 hired [2] - 86:20, 86:21 hit [1] - 109:23 hitting [1] - 109:11 hmm [1] - 123:2 home [4] - 39:6, 67:3, 67:6, 73:23 homes [4] - 20:2, 67:6, 67:20, 69:19 Homestead [3] - 1:6, 19:8, 19:23 HONG [13] - 1:24, 6:13, 7:16, 9:12, 11:14, 12:22, 14:6, 15:12, 16:20, 18:11,
G				
gabel [1] - 32:22 garage [21] - 27:9, 30:18, 31:7, 35:9, 36:12, 36:13, 37:8, 47:15, 47:23, 48:4, 54:13, 71:15, 74:18, 97:10, 97:14, 100:21, 102:24, 103:9, 112:23, 113:9, 115:25 garages [7] - 71:9, 90:3, 90:6, 90:20, 97:17, 97:18, 99:9 gas [1] - 48:1 gate [2] - 32:5, 60:23 general [1] - 68:18 generally [1] - 95:6 Geogrid [1] - 57:5 glass [1] - 39:20 globally [1] - 88:23 God [6] - 7:10, 7:15, 7:22, 8:2, 8:10, 8:15 goodness [1] - 90:13 got-foot [1] - 57:20 governments [3] - 7:8, 7:20, 8:8 grade [9] - 36:18, 53:1, 96:18, 96:19, 96:21, 96:23,				
H				
half [10] - 42:20, 46:4, 50:17, 69:9, 69:19, 73:25, 109:9, 109:18, 109:21, 124:15 halfway [1] - 104:7 hall [4] - 35:10, 35:15, 38:13, 40:18 hallway [1] - 37:10 hand [36] - 7:3, 22:19, 25:21, 27:4, 29:15, 30:5, 32:12, 32:22, 32:23, 33:4, 33:12, 35:5, 36:20, 39:19, 40:25, 41:5, 41:6, 45:17, 48:15, 48:16, 50:16, 53:23, 54:6, 56:21, 65:2, 66:25, 72:20, 80:17, 84:11, 96:2, 101:19, 103:22, 118:19, 123:19, 126:3, 126:9 handle [1] - 31:11 happy [3] - 21:7, 78:20, 79:8 hard [2] - 83:12, 96:16 hardship [2] - 127:6,				

81:11, 82:21, 131:25 Hong [13] - 6:9, 6:12, 7:16, 9:11, 10:15, 12:21, 14:5, 15:11, 16:19, 18:10, 81:10, 82:20, 131:24 hopeful [1] - 83:22 hour [3] - 94:21, 124:12, 124:15 house [17] - 29:25, 30:7, 57:21, 59:11, 61:9, 81:16, 86:22, 89:7, 89:9, 89:11, 89:14, 89:18, 97:4, 108:2, 110:3, 119:5, 132:3 housekeeping [1] - 83:20 hundred [4] - 61:8, 64:10, 89:6, 110:21 HYE [1] - 1:21	50:23, 54:16, 54:17 inclined [1] - 79:1 including [1] - 88:2 incorporated [1] - 42:11 incorrect [1] - 18:24 increase [3] - 55:3, 116:17, 116:19 indicate [1] - 69:18 indicated [1] - 70:23 indicates [2] - 69:16, 73:21 ingress [1] - 29:11 ingress/egress [1] - 40:7 initial [2] - 24:12, 117:1 initialled [1] - 125:24 initiate [1] - 120:7 inside [3] - 39:18, 41:1, 102:24 insides [1] - 34:23 instead [1] - 105:11 intend [1] - 83:16 intended [1] - 114:15 intent [1] - 117:4 intention [1] - 60:2 intentions [2] - 77:24, 93:16 interest [3] - 30:23, 133:8, 133:9 interesting [1] - 101:16 interior [3] - 31:4, 40:8, 74:18 interpretation [1] - 114:25 interrupt [2] - 39:13, 40:15 interrupted [1] - 28:1 intrusions [1] - 35:25 inverts [1] - 107:7 invite [1] - 6:7 involved [1] - 133:8 irregular [1] - 87:1 irregular-sized [1] - 87:1 is-by-9 [1] - 99:6 island [1] - 31:18 issue [1] - 53:25 issues [1] - 118:25 it's.. [1] - 108:6 item [1] - 19:8 iterations [1] - 66:21 itself [5] - 26:21, 96:10, 96:25, 128:14, 129:13	J January [3] - 95:21, 95:24, 101:20 Jeong [5] - 1:14, 3:13, 5:4, 21:5, 22:1 Jersey [20] - 2:3, 2:7, 7:7, 7:19, 8:6, 23:2, 23:9, 60:20, 65:8, 65:15, 84:17, 84:24, 85:4, 98:5, 124:2, 124:8, 124:17, 133:4, 133:7, 133:10 John [7] - 3:19, 57:13, 57:14, 59:23, 62:6, 62:8, 62:9 journey [1] - 76:15 judicata [1] - 76:21 JULY [1] - 1:2 July [4] - 24:13, 34:4, 34:5, 37:25 June [2] - 9:20, 11:12 jurisdiction [3] - 21:18, 83:23, 84:2 justification [1] - 74:14 justified [1] - 127:6 JUSTIN [1] - 1:23 justly [3] - 7:12, 7:24, 8:12	KIM [80] - 2:12, 6:24, 8:17, 8:20, 8:22, 8:24, 9:1, 9:3, 9:5, 9:7, 9:9, 9:11, 10:2, 10:4, 10:6, 10:8, 10:10, 10:12, 10:17, 10:18, 10:20, 11:4, 11:7, 12:9, 12:11, 12:13, 12:15, 12:17, 12:19, 12:21, 13:14, 13:16, 13:18, 13:24, 14:1, 14:3, 14:5, 14:22, 14:24, 15:1, 15:3, 15:5, 15:7, 15:11, 16:7, 16:9, 16:11, 16:13, 16:15, 16:17, 16:19, 17:23, 17:25, 18:2, 18:4, 18:6, 18:8, 18:10, 80:23, 80:25, 81:2, 81:4, 81:6, 81:8, 81:10, 82:3, 82:8, 82:10, 82:12, 82:14, 82:16, 82:18, 82:20, 131:12, 131:14, 131:16, 131:18, 131:20, 131:22, 131:24 Kim [1] - 1:6 kind [16] - 26:20, 30:19, 33:18, 35:21, 35:22, 36:7, 38:24, 41:16, 51:1, 51:20, 52:25, 53:17, 56:9, 56:12, 60:21, 60:23 kitchen [12] - 36:2, 38:19, 38:25, 39:3, 39:16, 39:20, 40:4, 40:12, 98:25, 99:6, 100:23 known [1] - 83:8 knows [1] - 23:15	landing [1] - 53:9 landscaped [1] - 128:19 landscaping [8] - 31:16, 31:18, 31:19, 31:23, 92:5, 94:6, 94:11, 117:3 Lane [2] - 126:7, 129:18 large [4] - 41:9, 100:14, 117:12, 126:12 larger [7] - 41:7, 70:25, 71:14, 72:16, 75:1, 98:20 last [16] - 24:19, 32:6, 37:21, 46:11, 46:24, 47:5, 54:24, 59:8, 62:12, 62:14, 95:18, 95:21, 101:20, 116:16, 121:1, 124:15 Last [6] - 5:6, 5:8, 5:15, 24:14, 38:1, 95:23 lastly [1] - 69:3 late [1] - 86:7 laundry [1] - 99:7 LAURA [2] - 133:3, 133:14 law [1] - 15:21 Law [1] - 68:14 lawn [1] - 92:5 layout [11] - 34:22, 41:12, 51:7, 88:24, 95:7, 98:17, 99:4, 101:16, 101:21, 119:7, 120:12 leaders [1] - 107:9 leading [1] - 102:25 leads [2] - 97:12, 97:15 learning [1] - 21:13 least [4] - 9:16, 70:19, 98:9, 115:16 Lee [14] - 1:8, 1:14, 2:7, 3:3, 3:13, 5:4, 13:3, 21:5, 22:1, 26:12, 33:5, 67:15, 84:17, 84:23 left [49] - 25:21, 26:14, 27:2, 28:7, 28:24, 28:25, 30:4, 31:16, 32:12, 32:22, 33:3, 33:12, 34:16, 36:20, 40:9, 40:25, 41:5, 45:17, 50:16, 50:21, 52:22, 52:23, 53:4, 53:23, 56:15, 56:21, 67:2, 67:4, 67:7,
I ID [2] - 133:4, 133:15 idea [2] - 51:9, 104:13 Ident/Evid [1] - 5:2 identification [9] - 24:16, 34:7, 38:3, 65:17, 87:14, 88:16, 95:25, 101:12, 125:21 identified [4] - 19:25, 21:4, 24:18, 125:16 identify [2] - 66:15, 125:25 image [3] - 29:18, 34:22, 38:9 impact [6] - 36:19, 68:8, 72:7, 104:14, 127:21, 129:23 impacted [4] - 69:24, 70:2, 71:8, 74:24 impacting [1] - 47:13 impacts [3] - 68:12, 71:11, 129:25 impartially [3] - 7:12, 7:24, 8:12 important [2] - 72:18, 104:12 impossible [1] - 127:13 improvement [1] - 93:19 improvements [4] - 70:24, 74:25, 93:17, 130:2 inch [2] - 30:14, 43:20 inches [9] - 30:17, 43:11, 50:19, 50:22,		K K-turn [2] - 90:22, 97:19 KAUKER [37] - 2:14, 19:2, 49:11, 52:15, 52:19, 53:7, 53:13, 53:24, 54:18, 55:2, 55:8, 55:18, 55:20, 73:13, 74:9, 74:16, 75:5, 112:16, 112:19, 113:14, 113:19, 113:23, 114:3, 114:5, 114:9, 114:13, 114:21, 115:11, 115:20, 115:23, 116:9, 116:15, 116:24, 117:7, 117:16, 123:9, 130:19 Kauker [6] - 3:18, 3:24, 4:9, 11:18, 11:25 keep [2] - 36:17, 46:17 keeping [1] - 77:19 kept [2] - 39:21, 128:19 keystone [2] - 56:25, 57:1	L L-A-C-H-A-N-A-R-I-S [1] - 84:22 L-shaped [1] - 35:15 labeled [1] - 99:24 LACHANARIS [3] - 84:9, 84:15, 84:21 Lachanaris [7] - 4:5, 83:16, 84:8, 84:21, 86:10, 107:19, 127:10 Lachanaris' [1] - 125:7 laid [1] - 95:6 Lake [1] - 73:17 Land [1] - 68:14	

69:10, 70:5, 90:3, 96:2, 96:7, 97:13, 101:2, 101:17, 101:19, 101:24, 118:4, 118:6, 121:5, 121:6, 121:9, 121:12, 126:3, 126:17, 126:18 left-hand [14] - 25:21, 32:12, 32:22, 33:12, 36:20, 40:25, 41:5, 45:17, 50:16, 53:23, 56:21, 96:2, 101:19, 126:3 lefty [1] - 16:4 Lefty [1] - 14:16 legitimate [1] - 116:6 length [3] - 96:11, 98:20, 99:3 Leonia [1] - 26:11 less [5] - 52:23, 71:13, 94:11, 95:3, 103:16 letter [4] - 27:15, 94:17, 119:10, 125:13 level [26] - 26:20, 27:8, 30:9, 36:3, 36:5, 37:8, 37:15, 38:5, 38:12, 40:17, 44:11, 53:1, 53:3, 80:1, 91:3, 96:3, 96:13, 96:17, 97:1, 97:3, 97:9, 101:1, 103:10, 105:2, 106:24, 130:1 levels [1] - 101:5 license [3] - 85:9, 85:23, 124:13 License [1] - 133:15 licensed [4] - 22:8, 42:9, 85:7, 85:8 light [1] - 72:11 limitation [2] - 75:4, 77:9 limited [2] - 72:7, 127:21 line [26] - 27:3, 29:8, 35:12, 40:2, 61:7, 61:9, 61:20, 61:24, 87:6, 91:10, 91:11, 92:14, 92:25, 93:1, 93:2, 93:5, 96:23, 105:8, 108:18, 108:24, 110:10, 111:6, 111:10, 128:24 line-of-sight [2] - 111:6, 111:10 lines [3] - 90:14, 91:22, 118:13 listening [1] - 57:18	literally [1] - 94:21 litigation [2] - 15:19, 15:20 lived [1] - 59:8 living [11] - 35:17, 38:20, 39:9, 40:3, 40:4, 40:9, 98:24, 99:5, 99:11, 100:22, 102:7 LLC [1] - 23:9 loader [1] - 59:13 locate [1] - 89:11 located [10] - 14:9, 15:16, 22:3, 22:4, 23:24, 28:16, 29:15, 31:13, 103:2, 126:23 location [3] - 28:9, 106:20, 107:2 longest [1] - 105:13 look [16] - 29:22, 32:19, 34:21, 36:8, 41:11, 41:15, 41:24, 52:22, 53:2, 53:22, 69:16, 104:3, 112:23, 113:24, 119:6 looked [2] - 68:13, 90:11 looking [15] - 15:21, 36:10, 49:24, 52:21, 61:3, 67:4, 67:7, 68:3, 70:12, 71:19, 74:13, 111:10, 126:10, 126:17, 127:5 looks [5] - 50:11, 84:1, 112:25, 122:1, 122:12 Lorenzo [3] - 3:20, 18:16, 62:19 LORENZO [19] - 18:15, 18:19, 18:22, 19:7, 19:13, 19:16, 19:19, 19:24, 20:4, 20:7, 62:19, 62:25, 63:4, 63:8, 63:20, 64:4, 64:7, 64:10, 64:14 LOULLOUDIS [19] - 2:13, 55:25, 56:22, 56:25, 57:3, 57:8, 75:7, 117:19, 118:5, 118:12, 118:15, 118:21, 118:24, 119:15, 119:19, 119:24, 120:20, 123:12, 130:21 Louloudis [2] - 3:18, 4:9 lower [11] - 33:4,	33:12, 34:16, 45:21, 50:22, 50:23, 69:23, 70:6, 72:3, 72:8, 105:5 lowest [1] - 38:5 Luis [1] - 8:3 LUIS [1] - 1:24	M M-A-N-T-O-N-E [1] - 62:16 MACRI [1] - 2:5 madam [1] - 18:15 mail [2] - 21:8, 58:23 main [5] - 27:3, 35:11, 35:16, 54:4, 103:4 maintain [1] - 117:4 maintenance [1] - 33:19 management [1] - 42:7 manipulations [1] - 90:23 Mantone [2] - 3:19, 57:14 MANTONE [19] - 57:14, 57:24, 58:4, 58:12, 58:18, 58:22, 59:2, 59:21, 59:24, 61:1, 61:7, 61:13, 61:17, 61:22, 62:2, 62:5, 62:10, 62:13, 62:16 March [4] - 24:15, 24:20, 37:21, 38:2 Marios [18] - 4:5, 83:16, 84:21, 85:3, 86:16, 87:8, 88:18, 95:14, 95:19, 98:12, 101:14, 101:22, 103:14, 104:10, 111:21, 120:13, 122:20 Mark [3] - 21:2, 21:25, 83:3 MARK [1] - 2:6 mark [11] - 24:6, 24:20, 33:22, 34:1, 37:24, 87:8, 88:7, 88:9, 95:13, 95:14, 101:15 marked [16] - 24:15, 25:21, 34:6, 37:19, 38:2, 64:24, 65:17, 66:13, 87:13, 88:2, 88:16, 95:18, 95:24, 101:11, 125:17, 125:20 masonry [3] - 30:11,	89:5, 91:4 mass [1] - 33:1 master [3] - 40:23, 66:7, 124:22 match [4] - 34:19, 48:8, 48:11, 70:6 material [4] - 51:20, 51:23, 102:15, 120:11 materially [1] - 120:2 materials [3] - 32:15, 33:14, 101:21 math [5] - 10:24, 58:1, 59:4, 63:23, 64:13 matter [9] - 15:19, 17:4, 21:19, 63:24, 83:7, 84:2, 86:6, 98:4, 115:6 mature [1] - 117:12 maximum [14] - 43:1, 43:13, 43:18, 56:8, 56:14, 58:8, 63:2, 63:10, 77:8, 79:3, 98:22, 111:13, 116:11 Mayor [4] - 6:6, 6:23, 11:9, 60:6 MAYOR [6] - 6:24, 8:17, 10:18, 10:20, 11:4, 11:7 mean [20] - 45:2, 51:3, 51:11, 52:25, 53:19, 53:24, 55:13, 59:14, 59:15, 79:7, 81:19, 112:25, 113:3, 113:6, 115:5, 115:25, 116:10, 121:7, 132:5, 132:11 mean.. [1] - 79:5 measure [2] - 96:12, 96:14 measured [2] - 45:9, 68:9 measurement [1] - 74:5 measures [1] - 99:5 meet [15] - 63:14, 63:15, 68:16, 68:17, 68:20, 68:22, 69:6, 71:4, 72:11, 72:12, 74:21, 75:3, 75:4, 128:13, 128:14 Meeting [1] - 9:14 meeting [8] - 9:14, 9:20, 11:12, 15:24, 17:4, 17:19, 20:13, 132:19 meets [2] - 51:15, 69:14 member [1] - 10:15	Member [3] - 7:13, 7:25, 8:13 MEMBER [7] - 1:21, 1:22, 1:22, 1:23, 1:23, 1:24, 1:24 members [10] - 6:7, 10:20, 14:11, 15:24, 44:21, 52:9, 78:16, 83:2, 130:13 Members [7] - 21:2, 21:23, 73:9, 81:12, 83:1, 107:22, 132:1 memorialization [1] - 19:12 memorialized [3] - 12:25, 19:9, 20:6 mention [1] - 105:1 mentioned [4] - 92:15, 96:9, 97:16, 102:2 met [5] - 69:2, 70:17, 72:25, 129:11, 130:7 metal [1] - 102:18 Mi [5] - 1:14, 3:13, 5:4, 21:5, 22:1 MICHAEL [1] - 2:14 middle [13] - 28:16, 39:5, 40:20, 41:13, 90:4, 90:16, 90:19, 91:20, 96:5, 96:10, 102:3, 108:2, 122:9 midpoint [1] - 79:15 might [5] - 36:19, 51:9, 73:2, 119:20 mike [3] - 112:15, 123:7, 130:18 Mike [2] - 73:12, 117:9 mind [2] - 77:19, 123:3 minimize [2] - 35:22, 51:1 minimizes [1] - 27:12 minimum [2] - 30:16, 55:5 minute [3] - 27:15, 81:21, 112:17 minutes [2] - 9:20, 11:11 mirror [3] - 29:18, 34:22, 38:9 miscounted [1] - 11:2 missed [1] - 74:13 mitigate [1] - 75:1 mitigates [1] - 70:25 modification [1] - 116:11 MONDAY [1] - 1:2 morals [1] - 68:18 Morningside [2] - 126:7, 129:18 most [1] - 26:7
--	---	---	--	--	--

motion [23] - 9:19, 9:22, 12:4, 13:7, 13:8, 14:12, 14:13, 14:15, 15:23, 16:2, 16:3, 17:8, 17:10, 17:11, 17:12, 78:8, 80:11, 80:13, 80:15, 131:2, 132:15, 132:17 move [4] - 12:5, 60:18, 80:18, 116:23 moved [2] - 40:1, 59:6 MR [278] - 9:2, 9:4, 9:6, 9:8, 9:23, 10:1, 10:5, 10:7, 10:9, 10:11, 11:8, 12:5, 12:7, 12:12, 12:14, 12:16, 12:18, 13:13, 13:17, 13:19, 13:22, 13:25, 14:2, 14:15, 14:18, 14:25, 15:2, 15:4, 15:6, 16:3, 16:6, 16:10, 16:12, 16:14, 16:16, 17:11, 17:14, 18:1, 18:3, 18:5, 18:7, 18:15, 18:19, 18:22, 19:2, 19:7, 19:13, 19:16, 19:19, 19:24, 20:4, 20:7, 20:24, 21:1, 21:12, 21:21, 22:15, 22:23, 23:7, 23:11, 23:16, 23:18, 24:7, 24:9, 24:12, 24:17, 33:25, 34:8, 37:23, 38:4, 44:18, 44:23, 44:25, 45:7, 45:18, 45:23, 46:7, 46:10, 46:11, 46:14, 46:16, 46:18, 46:23, 47:3, 47:20, 48:9, 48:23, 49:1, 49:3, 49:8, 49:11, 49:12, 49:19, 49:24, 49:25, 50:3, 51:11, 52:15, 52:19, 53:7, 53:13, 53:24, 54:18, 55:2, 55:8, 55:18, 55:20, 57:14, 57:23, 57:24, 58:4, 58:12, 58:18, 58:22, 59:2, 59:18, 59:21, 59:22, 59:24, 59:25, 60:5, 60:25, 61:1, 61:7, 61:13, 61:17, 61:22, 62:2, 62:4, 62:5, 62:6, 62:10, 62:13, 62:16, 62:19, 62:25, 63:4, 63:8, 63:20, 64:4, 64:7, 64:10, 64:14, 64:19, 64:22, 65:6, 65:12,	65:19, 66:2, 73:5, 73:13, 74:9, 74:16, 75:5, 75:16, 75:19, 75:21, 75:25, 76:10, 76:13, 78:19, 78:23, 78:25, 79:5, 79:7, 79:9, 79:14, 79:16, 79:18, 79:20, 79:24, 80:2, 80:17, 80:18, 81:1, 81:3, 81:5, 81:7, 81:12, 81:18, 82:1, 82:11, 82:13, 82:15, 82:17, 82:25, 84:4, 84:9, 84:15, 84:21, 85:2, 86:9, 86:15, 87:9, 87:15, 88:9, 88:17, 96:1, 101:13, 107:18, 109:14, 109:17, 109:20, 109:22, 109:25, 110:5, 110:8, 110:9, 110:14, 110:18, 110:24, 111:1, 111:4, 111:14, 111:21, 111:25, 112:5, 112:12, 112:16, 112:19, 113:14, 113:17, 113:19, 113:23, 114:3, 114:5, 114:9, 114:13, 114:21, 115:5, 115:11, 115:20, 115:23, 116:5, 116:8, 116:9, 116:15, 116:24, 117:7, 117:9, 117:15, 117:16, 118:22, 119:13, 119:22, 120:1, 120:16, 120:19, 121:15, 121:18, 121:23, 121:25, 122:4, 122:7, 122:11, 122:15, 122:24, 123:3, 123:9, 123:15, 123:23, 124:4, 124:6, 124:11, 125:15, 125:22, 130:9, 130:19, 131:2, 131:8, 131:15, 131:17, 131:19, 131:21, 132:1, 132:8, 132:17, 132:18 MS [116] - 6:1, 6:5, 6:9, 6:12, 6:13, 6:14, 6:18, 6:22, 6:25, 7:2, 7:16, 8:16, 8:19, 9:12, 9:13, 10:14,	10:19, 10:22, 11:1, 11:6, 11:10, 11:14, 11:16, 11:21, 11:24, 12:22, 12:23, 13:2, 13:7, 13:10, 13:20, 13:23, 14:6, 14:7, 15:9, 15:12, 15:13, 16:20, 16:22, 17:17, 17:22, 18:11, 18:12, 18:18, 18:21, 18:25, 19:4, 19:10, 19:15, 19:17, 19:23, 20:3, 20:5, 20:8, 20:18, 20:22, 20:25, 21:11, 21:14, 22:18, 23:5, 23:13, 24:8, 24:11, 46:13, 46:15, 47:1, 47:6, 48:13, 48:17, 49:21, 50:2, 55:25, 56:22, 56:25, 57:3, 57:8, 65:1, 65:10, 65:25, 75:7, 75:15, 76:4, 78:7, 78:10, 78:12, 79:12, 80:8, 80:11, 80:20, 81:11, 81:21, 82:5, 82:21, 82:22, 83:24, 84:10, 84:19, 87:11, 117:19, 118:5, 118:12, 118:15, 118:21, 118:24, 119:15, 119:19, 119:24, 120:20, 123:2, 123:12, 123:18, 130:21, 131:11, 131:25, 132:14 multifamily [7] - 13:4, 15:17, 110:15, 126:14, 127:22, 128:23, 129:19 municipal [1] - 60:6 Municipal [1] - 68:14	necessity [1] - 17:6 need [28] - 9:19, 10:23, 11:18, 13:7, 14:12, 15:23, 17:8, 28:3, 55:6, 55:10, 55:12, 55:13, 56:19, 57:6, 64:14, 69:16, 78:7, 80:11, 107:10, 107:13, 113:3, 115:8, 116:20, 119:6, 119:11, 126:25, 127:2, 132:15 needs [1] - 78:18 negative [11] - 25:9, 30:21, 71:19, 71:20, 73:2, 79:22, 127:8, 129:14, 129:16, 130:7 neighbor [4] - 33:3, 45:16, 50:16, 105:14 neighborhood [2] - 69:17, 129:17 neighboring [1] - 28:21 neighbors [3] - 36:20, 47:13, 78:1 neighbors' [1] - 97:5 New [19] - 2:3, 2:7, 7:7, 7:19, 8:6, 23:2, 23:9, 65:8, 65:15, 84:17, 84:24, 85:4, 98:5, 124:2, 124:8, 124:17, 133:4, 133:7, 133:10 new [7] - 6:6, 10:20, 21:13, 26:17, 56:1, 68:20, 119:11 newer [5] - 67:6, 69:11, 69:20, 71:22, 73:22 newspaper [1] - 21:16 newspapers [1] - 9:17 next [24] - 12:24, 14:8, 15:14, 17:4, 21:3, 33:21, 37:19, 41:9, 61:4, 61:14, 61:16, 61:17, 61:20, 72:8, 82:23, 83:4, 95:10, 95:12, 100:2, 100:22, 101:1, 110:3, 110:10, 128:22 nice [2] - 35:10, 38:21 nicer [3] - 36:8, 38:24, 50:11 Nicki [3] - 55:24, 75:6, 130:20 Nikki [1] - 123:11 NIKKI [1] - 2:13	none [2] - 60:5, 99:16 normal [1] - 128:16 north [21] - 23:25, 26:11, 68:5, 69:25, 71:7, 72:4, 74:23, 77:20, 87:3, 92:20, 96:14, 99:2, 100:9, 102:23, 103:3, 103:4, 104:23, 117:24, 121:10, 126:18, 128:7 northerly [2] - 92:10, 92:13 northern [1] - 128:18 Notary [5] - 133:4, 133:15, 133:15 note [2] - 69:22, 90:25 noted [4] - 72:17, 93:7, 119:10, 132:20 nothing [10] - 22:22, 65:5, 84:14, 93:25, 94:1, 101:9, 101:10, 117:8, 123:22 notice [6] - 9:14, 9:16, 18:24, 20:14, 20:15, 22:12 noticeable [2] - 97:3, 99:8 number [5] - 68:16, 78:18, 78:25, 120:3, 120:5 numbers [1] - 63:24 numeric [1] - 77:9 numerically [1] - 43:14 numerous [4] - 23:14, 23:16, 85:18
N				
name [8] - 7:4, 23:5, 62:12, 62:15, 65:10, 83:3, 84:19, 124:4 named [1] - 101:25 namely [1] - 42:20 narrow [5] - 92:22, 105:7, 105:9, 127:11, 128:10 narrows [1] - 93:14 natural [1] - 36:18 nature [5] - 74:19, 75:3, 77:11, 92:23, 129:12 near [1] - 128:23				
O				
Oakdene [5] - 24:2, 28:19, 60:21, 60:24, 67:12 oath [1] - 133:6 obstruction [1] - 104:8 obviously [5] - 42:10, 63:21, 113:5, 124:25, 128:20 occupies [1] - 89:14 oddly [3] - 83:11, 86:4, 86:24 oddly-shaped [3] - 83:11, 86:4, 86:24 OF [5] - 1:1, 1:1, 1:5, 1:19 offer [5] - 44:18, 73:5, 86:9, 107:19, 130:11 office [3] - 9:18, 39:6, 99:15				

official [1] - 9:17 old [3] - 21:13, 56:9, 89:5 older [3] - 29:4, 69:8, 69:18 on-site [1] - 128:4 once [1] - 90:19 oncoming [1] - 111:11 One [1] - 125:19 one [59] - 10:23, 11:21, 11:22, 13:2, 14:11, 15:22, 15:25, 16:24, 19:7, 19:11, 19:12, 25:8, 25:10, 28:12, 29:1, 30:8, 36:23, 41:7, 41:17, 45:3, 45:5, 45:10, 48:8, 48:12, 50:7, 53:5, 54:24, 55:4, 56:9, 56:10, 64:5, 66:21, 67:23, 70:13, 73:13, 89:7, 94:21, 102:24, 105:4, 106:3, 114:10, 116:3, 118:18, 119:9, 120:4, 121:6, 121:8, 121:15, 121:23, 121:24, 122:1, 122:8, 122:16, 122:21, 125:16 one-family [2] - 29:1, 41:17 one-page [1] - 125:16 One-Page [1] - 125:19 one-third [4] - 55:4, 64:5 one-year [1] - 15:22 ones [1] - 88:2 Online [1] - 133:4 Open [1] - 9:13 open [14] - 38:14, 57:12, 72:11, 75:11, 90:5, 92:4, 92:11, 94:2, 94:6, 94:10, 117:11, 118:22, 130:23, 132:9 opinion [2] - 73:16, 114:8 opportunity [5] - 83:25, 85:11, 86:2, 88:6, 106:10 options [1] - 78:21 order [7] - 18:16, 21:18, 71:9, 74:5, 83:23, 84:1, 102:18 ordinance [9] - 42:25, 54:23, 62:25, 63:9, 66:8, 71:4, 77:10, 124:23, 125:1	original [3] - 67:25, 70:8, 79:17 originally [2] - 70:4, 72:7 ourselves [2] - 86:7, 98:24 outcome [4] - 25:4, 25:10, 25:11, 133:9 outs [3] - 35:24, 36:2, 36:4 outside [2] - 102:22, 114:24 outweighed [1] - 71:16 outweighs [2] - 73:1, 127:8 overage [1] - 55:4 overall [6] - 35:23, 45:16, 70:18, 79:13, 79:14, 103:15 overdo [1] - 54:13 overgrown [1] - 93:21 oversized [10] - 43:7, 43:15, 63:1, 63:11, 64:1, 70:19, 75:3, 77:11, 129:3 overwhelm [1] - 129:8 own [1] - 114:24 owner [4] - 18:16, 51:4, 62:20, 83:6	park [5] - 97:18, 113:4, 113:7, 115:24, 128:4 PARK [2] - 1:1, 1:19 parked [2] - 115:17, 115:21 parking [16] - 31:3, 31:5, 31:10, 54:21, 72:17, 72:21, 72:23, 112:21, 115:9, 115:13, 115:14, 115:17, 116:4, 118:9, 118:11 part [12] - 42:16, 44:9, 46:4, 48:22, 79:10, 87:17, 89:12, 96:16, 97:4, 117:1, 126:12, 128:18 particular [10] - 43:6, 78:17, 86:19, 86:22, 86:23, 89:15, 89:17, 100:17, 104:12, 106:8 particularly [1] - 129:11 parties [1] - 133:7 parting [2] - 114:17, 114:18 pass [2] - 122:15, 122:18 past [1] - 86:4 path [1] - 92:2 pedestrians [1] - 112:4 people [8] - 7:10, 7:22, 8:9, 29:12, 39:9, 60:23, 113:6, 122:22 per [1] - 31:9 perc [2] - 42:8, 56:2 percent [23] - 43:2, 43:7, 43:10, 43:12, 43:15, 47:12, 58:2, 58:6, 58:13, 58:15, 58:16, 58:19, 59:1, 64:10, 70:16, 75:4, 76:23, 77:7, 89:14, 89:16, 89:18, 95:1, 108:14 percentage [6] - 43:18, 43:19, 58:9, 58:10, 70:14, 70:21 perform [3] - 7:12, 7:24, 8:12 perhaps [1] - 70:7 perimeter [1] - 31:20 permission [6] - 22:13, 24:9, 34:1, 37:24, 87:10, 88:10 permit [2] - 67:17, 119:11	permits [1] - 126:24 permitted [8] - 22:5, 26:4, 69:1, 70:15, 71:21, 73:25, 116:17, 129:16 person [1] - 97:25 perspective [1] - 116:10 pertains [1] - 125:4 Photoboard [2] - 5:9, 65:16 photograph [7] - 66:25, 69:10, 72:20, 73:21, 126:3, 126:9, 127:23 Photograph [2] - 5:9, 65:16 photographs [5] - 64:24, 66:12, 66:14, 69:18, 125:16 Photographs [2] - 5:17, 125:20 photos [2] - 66:20, 125:25 picture [5] - 98:16, 101:24, 102:4, 103:6, 105:15 pit [2] - 26:18, 107:6 pitch [13] - 26:9, 30:15, 30:16, 30:21, 32:25, 44:10, 44:14, 48:1, 50:9, 54:13, 54:14, 54:17, 79:22 pits [1] - 95:3 place [1] - 71:23 placed [1] - 106:21 Plan [5] - 5:8, 5:13, 37:21, 38:1, 87:13 plan [25] - 24:6, 24:18, 24:21, 27:18, 35:6, 37:5, 37:19, 37:20, 42:12, 52:21, 66:7, 81:15, 87:8, 87:17, 90:12, 95:3, 95:11, 104:11, 106:12, 107:8, 117:3, 117:13, 121:25, 124:22, 125:4 planner [6] - 22:10, 44:6, 47:8, 53:25, 124:12, 124:17 PLANNER [1] - 2:14 planning [6] - 22:9, 31:21, 54:1, 65:21, 85:12, 126:1 Plans [5] - 5:7, 5:15, 34:2, 34:5, 95:23 plans [12] - 23:20, 33:20, 66:6, 66:21, 88:1, 88:19, 92:17, 94:18, 95:15, 95:17, 124:21, 125:10	planted [1] - 60:22 planting [2] - 30:1, 32:4 platform [2] - 30:11, 54:8 play [1] - 79:24 Pledge [2] - 6:1, 6:4 plenty [1] - 57:22 plus [2] - 63:18, 99:19 point [12] - 18:16, 24:3, 29:11, 42:3, 56:14, 62:7, 89:7, 103:17, 106:9, 117:11, 127:12 pointing [1] - 117:24 points [2] - 42:19, 99:10 pool [1] - 93:24 pop [1] - 46:1 pop-ups [1] - 46:1 population [1] - 68:24 portion [7] - 26:8, 26:20, 39:20, 41:13, 47:21, 51:15, 56:20 position [1] - 41:25 positive [5] - 72:25, 74:17, 127:8, 129:11, 130:5 possible [3] - 53:14, 89:2, 127:16 possibly [1] - 36:20 posted [1] - 9:15 postponement [1] - 16:25 powder [5] - 37:1, 37:2, 39:8, 98:24, 99:6 PP [5] - 2:14, 3:22, 4:10, 65:7, 124:1 predominant [1] - 120:10 preliminarily [1] - 23:19 premises [2] - 22:3, 31:20 prepare [3] - 88:18, 106:12, 124:22 prepared [6] - 34:9, 34:10, 88:3, 88:11, 88:14, 94:22 prescribed [2] - 98:6, 120:14 present [5] - 22:7, 83:5, 83:13, 83:16, 125:7 PRESENT [1] - 1:19 presentation [2] -
---	--	---	---	--

87:19, 132:10 presented [7] - 22:11, 25:9, 64:23, 83:21, 94:20, 97:8, 106:13 presenting [1] - 21:7 preservation [2] - 123:4, 131:4 presume [2] - 104:18, 124:13 previous [2] - 66:21, 118:8 previously [1] - 24:25 primarily [2] - 70:9, 129:18 primary [3] - 40:24, 41:4, 41:8 principle [1] - 76:21 problem [7] - 30:18, 44:9, 51:9, 53:21, 89:25, 107:12, 108:12 proceed [2] - 15:21, 37:9 PROCEEDINGS [2] - 1:3, 1:5 process [2] - 77:4, 120:7 professional [5] - 22:10, 27:22, 94:7, 97:23, 124:17 Professional [1] - 133:5 professionals [1] - 52:14 Professionals [2] - 21:24, 83:2 progress [1] - 77:22 promoting [1] - 68:17 promotion [1] - 69:3 proper [1] - 75:22 properties [12] - 26:7, 28:18, 69:22, 69:25, 72:2, 86:4, 127:17, 128:7, 128:9, 129:9, 129:21 property [96] - 14:9, 15:16, 18:16, 21:6, 23:23, 23:24, 25:7, 25:24, 26:6, 26:20, 27:2, 28:17, 31:11, 33:9, 36:16, 36:17, 47:10, 53:9, 55:2, 61:7, 61:9, 61:20, 61:23, 62:19, 66:7, 67:1, 67:3, 67:5, 68:5, 68:7, 68:25, 69:7, 69:9, 69:11, 70:5, 70:24, 71:7, 71:24, 72:9, 74:23, 83:6, 83:12, 84:6,	86:22, 86:23, 86:25, 87:1, 87:5, 87:23, 89:13, 89:15, 91:1, 91:5, 91:7, 91:10, 92:14, 92:16, 92:23, 92:25, 93:2, 93:5, 93:13, 96:23, 104:1, 105:8, 105:9, 105:21, 107:8, 108:5, 108:15, 108:18, 108:24, 109:4, 110:9, 110:13, 110:16, 110:18, 111:2, 115:18, 116:16, 119:1, 124:22, 126:4, 126:7, 126:11, 126:18, 127:10, 127:15, 128:4, 128:6, 128:14, 128:18, 128:22, 128:24, 129:12 proposal [2] - 79:17, 104:14 propose [1] - 22:6 proposed [15] - 28:23, 30:22, 31:18, 32:13, 55:16, 57:25, 69:5, 70:4, 73:17, 93:18, 101:18, 104:2, 105:8, 118:19, 119:5 proposing [4] - 26:16, 61:2, 74:24, 94:9 proud [1] - 132:10 provide [12] - 22:21, 32:15, 34:17, 65:4, 68:15, 74:18, 77:12, 84:13, 123:21, 124:23, 127:13, 127:16 provided [17] - 9:16, 20:15, 31:25, 54:22, 66:9, 70:24, 72:11, 77:14, 105:10, 105:12, 115:1, 115:12, 115:13, 121:21, 130:3, 133:6 provides [1] - 67:13 providing [3] - 56:1, 68:19, 72:17 Public [4] - 3:19, 9:14, 133:4, 133:15 public [11] - 20:15, 21:3, 57:12, 68:18, 71:12, 71:15, 75:11, 76:2, 76:7, 83:3, 130:24 pull [3] - 96:6, 97:18, 98:1	purple [1] - 91:24 Purpose [1] - 68:17 purpose [5] - 68:23, 69:2, 69:14, 98:7, 105:13 purposes [7] - 22:6, 30:8, 33:19, 36:13, 68:14, 87:19 pursuant [3] - 54:22, 73:16 push [1] - 60:15 put [3] - 29:20, 45:25, 52:2 putting [2] - 30:20, 119:3	105:11, 105:12, 114:24, 115:18, 126:7, 127:3, 127:14, 127:17, 127:20, 129:21 Rear [1] - 103:7 reason [4] - 31:25, 45:14, 63:4, 103:18 reasons [3] - 36:23, 50:10, 68:15 REBEKAH [1] - 2:12 rebuilding [1] - 56:7 receipt [3] - 41:21, 105:23, 125:12 received [1] - 118:17 recent [1] - 30:19 recently [1] - 69:12 recess [1] - 81:23 recessed [3] - 29:9, 35:11, 36:6 recitation [1] - 6:3 recognizes [1] - 31:8 recommend [1] - 94:7 recommendations [2] - 27:21, 42:1 recommended [1] - 52:20 record [12] - 22:11, 23:6, 42:3, 49:9, 66:4, 66:16, 83:5, 83:6, 84:5, 94:20, 120:6, 133:5 recreation [1] - 36:14 reduce [2] - 70:15, 77:5 reduced [8] - 25:14, 46:24, 67:20, 67:24, 71:25, 74:6, 76:22, 78:18 reducing [2] - 69:1, 71:23 reduction [3] - 48:24, 49:2, 78:12 refer [1] - 88:25 referee [1] - 133:6 referring [1] - 86:18 regard [4] - 28:2, 34:18, 77:15, 94:16 regarding [2] - 16:25, 54:21 regards [3] - 31:10, 35:3, 65:4 Registered [1] - 133:5 regular [1] - 97:25 regulation [1] - 133:10 reinforced [1] - 117:23 related [2] - 133:7, 133:8 relief [1] - 83:18 rely [1] - 77:18	remainder [1] - 113:24 remained [1] - 85:23 remember [1] - 79:2 Remote [1] - 133:3 remove [2] - 59:12, 111:18 removed [2] - 122:1, 122:12 removing [3] - 60:3, 117:13, 121:19 renoticing [1] - 17:6 repeat [1] - 7:3 report [2] - 21:8, 105:24 Reporter [2] - 133:4, 133:5 REPORTER [4] - 62:11, 62:14, 62:17, 115:19 represent [1] - 120:3 request [4] - 15:14, 16:25, 20:12, 25:3 requested [2] - 17:3, 42:11 requesting [1] - 60:7 require [1] - 127:14 required [5] - 29:8, 71:6, 112:19, 112:20, 127:1 requirement [10] - 26:24, 43:12, 55:5, 58:17, 59:1, 71:16, 72:16, 108:14, 108:16, 113:12 requirements [3] - 54:23, 106:7, 107:5 requires [3] - 63:1, 71:14, 116:4 res [1] - 76:21 residence [3] - 32:13, 77:19, 90:20 residential [7] - 25:17, 68:19, 77:21, 83:11, 86:3, 104:22 residents [1] - 39:25 resolution [2] - 19:22, 19:24 resolutions [1] - 12:25 respect [2] - 54:24, 73:15 respectfully [2] - 77:15, 78:2 Response [13] - 8:23, 8:25, 52:10, 52:13, 64:18, 73:10, 75:13, 76:8, 80:10, 107:23, 120:24, 130:14, 130:16 rest [1] - 132:12 retaining [19] - 26:19,
Q				
quantity [1] - 31:10 questions [15] - 44:22, 52:12, 52:16, 57:16, 64:20, 73:9, 75:7, 75:10, 107:22, 112:13, 113:2, 117:20, 123:7, 130:13, 130:19 Questions [4] - 3:16, 3:19, 3:23, 4:7 quick [2] - 81:20, 117:20 quite [3] - 45:4, 86:6, 92:10				
R				
R.P.R [2] - 133:3, 133:14 RA [2] - 4:5, 84:16 race [1] - 97:24 railing [1] - 41:15 raise [6] - 7:2, 22:18, 53:4, 65:1, 84:10, 123:18 raises [1] - 80:17 raising [1] - 36:18 rational [1] - 79:20 rationale [1] - 79:21 read [1] - 11:18 reading [1] - 19:6 ready [1] - 81:25 realize [1] - 111:8 really [6] - 29:18, 33:6, 36:18, 74:3, 112:10, 115:7 rear [28] - 26:18, 26:23, 31:13, 35:2, 36:21, 39:14, 39:15, 56:15, 56:21, 63:15, 68:7, 72:12, 92:2, 96:23, 97:2, 103:8,				

36:19, 47:11, 47:14, 56:4, 56:13, 56:18, 77:13, 91:3, 91:4, 91:12, 97:1, 111:12, 111:16, 111:17, 111:19, 111:22, 112:9, 117:24 review [6] - 27:15, 83:25, 106:15, 124:21, 124:22, 125:13 reviewed [4] - 66:6, 66:7, 94:21, 125:10 Revised [6] - 5:6, 5:8, 5:15, 24:14, 38:1, 95:23 revised [5] - 24:20, 37:21, 95:18, 95:22, 101:20 revisions [1] - 42:11 Ridgefield [1] - 2:3 right-hand [16] - 27:4, 29:15, 30:5, 32:23, 33:4, 35:5, 39:19, 41:6, 48:15, 48:16, 54:6, 66:25, 72:20, 103:22, 118:19, 126:9 right-of-way [2] - 70:1, 91:6 rise [1] - 6:3 road [2] - 59:5, 108:5 Robert [3] - 1:8, 3:3, 13:2 robust [1] - 94:11 Roff [7] - 1:13, 3:11, 17:1, 18:13, 18:20, 18:23, 20:11 roll [8] - 8:19, 14:21, 17:16, 80:22, 82:4, 82:5, 82:6, 131:11 RON [1] - 133:15 roof [14] - 32:21, 32:23, 44:15, 45:10, 46:4, 50:5, 52:5, 52:20, 74:1, 79:25, 102:14, 102:18, 107:9 roofing [1] - 102:15 roofline [5] - 52:17, 53:17, 53:20, 104:2, 104:6 roofs [1] - 79:10 room [35] - 36:12, 36:14, 36:25, 37:1, 37:2, 38:18, 38:20, 39:4, 39:8, 40:3, 40:4, 40:9, 60:9, 60:14, 60:19, 90:21, 97:11, 97:14, 98:24,	98:25, 99:5, 99:6, 99:10, 99:13, 99:20, 99:23, 99:24, 100:22, 102:7, 111:22, 112:24, 113:8 RSIS [2] - 31:8, 116:4 run [1] - 51:8 running [2] - 78:21, 91:4 Ryu [3] - 1:10, 3:6, 14:9	18:2, 18:4, 18:6, 18:8, 18:10, 80:23, 80:25, 81:2, 81:4, 81:6, 81:8, 81:10, 82:3, 82:8, 82:10, 82:12, 82:14, 82:16, 82:18, 82:20, 131:12, 131:14, 131:16, 131:18, 131:20, 131:22, 131:24 section [5] - 90:16, 90:20, 91:20, 92:10, 96:6 sections [1] - 99:9 see [22] - 21:11, 21:15, 35:8, 38:15, 41:14, 97:4, 97:8, 102:5, 103:12, 104:6, 107:3, 107:7, 108:18, 111:1, 112:8, 112:22, 116:24, 118:24, 119:1, 120:11, 126:6, 127:22 seek [2] - 43:23, 77:17 seeking [2] - 43:19, 126:24 seem [1] - 54:2 seepage [7] - 26:18, 95:3, 106:16, 106:20, 106:21, 107:6, 107:10 SEONG [1] - 1:21 separate [1] - 40:7 separated [1] - 113:20 series [2] - 64:23, 66:13 Serom [1] - 7:16 SEROM [1] - 1:24 serve [1] - 76:22 service [5] - 21:17, 36:13, 83:22, 84:1, 106:11 set [11] - 27:2, 34:3, 37:24, 38:8, 38:23, 39:11, 42:1, 59:15, 97:12, 97:15, 125:16 Set [2] - 5:17, 125:19 setback [20] - 26:22, 26:23, 29:6, 54:25, 55:4, 55:9, 55:14, 72:12, 72:13, 74:11, 116:18, 127:3, 127:4, 127:21, 128:2, 128:15, 128:20, 130:8 setbacks [7] - 29:7, 63:16, 74:5, 127:14, 127:16, 128:14,	128:22 settled [1] - 15:20 setup [1] - 38:10 seven [2] - 10:23, 110:23 shaped [7] - 35:15, 38:11, 41:15, 83:11, 86:4, 86:24, 129:4 share [3] - 40:19, 76:25, 122:17 sheet [2] - 95:15, 117:22 Sheet [1] - 37:4 shingle [1] - 102:15 shingles [1] - 52:6 show [2] - 116:12, 121:21 showed [1] - 39:14 shower [3] - 40:22, 41:1, 41:9 shown [3] - 91:9, 117:3, 122:3 shows [10] - 27:18, 61:4, 72:20, 96:6, 98:17, 102:4, 103:7, 103:25, 105:16, 107:8 shrubs [1] - 122:5 sic [3] - 6:9, 18:15, 52:23 side [140] - 23:22, 24:4, 26:17, 27:2, 27:4, 27:11, 28:20, 29:20, 29:25, 30:5, 31:6, 31:9, 32:22, 32:23, 33:4, 33:11, 33:17, 34:19, 34:25, 35:3, 35:5, 35:14, 35:21, 35:24, 36:20, 37:3, 37:10, 37:16, 39:2, 39:19, 39:25, 40:9, 40:11, 41:1, 41:5, 41:6, 45:4, 45:17, 48:5, 48:15, 48:16, 50:16, 53:4, 53:9, 53:23, 54:6, 54:25, 55:3, 55:5, 55:8, 55:14, 56:10, 61:6, 63:16, 63:25, 68:2, 71:3, 71:4, 71:6, 71:8, 71:11, 71:13, 71:16, 72:14, 74:10, 74:20, 74:21, 77:16, 87:3, 87:5, 87:6, 89:11, 90:2, 90:3, 90:15, 91:8, 92:13, 92:14, 92:18, 92:21, 93:4, 93:6, 93:8, 96:12, 96:14, 97:8, 97:10, 97:11,	97:13, 98:16, 98:20, 99:2, 100:4, 100:7, 100:9, 101:2, 101:18, 101:24, 102:5, 102:6, 102:21, 102:24, 103:3, 103:5, 103:23, 103:24, 104:1, 105:16, 110:7, 113:19, 114:17, 114:24, 116:18, 116:19, 117:24, 118:4, 118:19, 121:4, 121:5, 121:9, 121:10, 121:12, 126:4, 126:18, 127:3, 128:14, 128:15, 128:20, 128:22 side-by [1] - 113:19 side-by-side [3] - 23:22, 26:17, 114:17 side-yard [1] - 55:5 sides [2] - 38:10, 51:13 sidewalk [3] - 29:23, 53:6, 54:15 sideways [1] - 110:4 siding [1] - 52:2 sight [3] - 111:6, 111:10, 119:24 signed [1] - 42:16 significantly [4] - 68:6, 126:8, 127:18, 129:22 similar [8] - 26:10, 34:23, 35:3, 55:16, 73:23, 100:6, 116:15, 128:10 simply [1] - 98:1 single [2] - 67:5, 126:21 single-family [2] - 67:5, 126:21 sink [1] - 41:2 sit [1] - 6:18 site [22] - 27:18, 52:21, 68:11, 72:23, 83:14, 87:17, 89:3, 89:4, 89:23, 90:12, 95:11, 106:12, 107:8, 111:19, 117:5, 117:25, 121:10, 125:4, 128:4, 129:8, 130:3 Site [2] - 5:12, 87:13 situated [2] - 29:16, 92:7 six [1] - 49:14
--	---	---	--	---

sixes [1] - 49:15 size [8] - 35:10, 38:24, 51:1, 95:4, 100:6, 105:20, 106:19, 123:1 sized [1] - 87:1 sizes [1] - 100:25 sky [1] - 101:7 sliding [1] - 39:20 slightly [11] - 34:24, 39:3, 41:7, 41:11, 43:12, 58:21, 70:16, 70:25, 75:1, 128:21 slope [3] - 56:12, 103:20, 108:15 slopes [1] - 68:5 small [7] - 26:19, 38:20, 40:21, 59:16, 98:24, 102:16, 102:18 smaller [2] - 99:3, 99:4 snow [3] - 59:13, 60:10, 66:22 snowplows [1] - 59:10 so.. [1] - 122:13 soil [1] - 107:4 Sokolich [11] - 3:16, 3:22, 3:23, 4:6, 4:6, 4:11, 21:3, 21:25, 55:25, 78:4, 83:3 SOKOLICH [103] - 2:5, 2:6, 11:8, 20:24, 21:1, 21:12, 21:21, 22:15, 23:11, 23:16, 23:18, 24:7, 24:9, 24:12, 24:17, 33:25, 34:8, 37:23, 38:4, 44:18, 45:23, 46:11, 46:14, 46:16, 46:18, 46:23, 47:3, 47:20, 48:23, 49:1, 49:25, 51:11, 57:23, 59:18, 59:22, 59:25, 60:5, 60:25, 62:4, 62:6, 64:19, 64:22, 65:19, 66:2, 73:5, 75:16, 75:19, 75:21, 75:25, 76:10, 76:13, 78:19, 78:23, 78:25, 79:7, 79:16, 79:20, 80:2, 81:12, 81:18, 82:1, 82:25, 84:4, 85:2, 86:9, 86:15, 87:9, 87:15, 88:9, 88:17, 96:1, 101:13, 107:18, 109:14, 109:17, 109:20, 109:22, 109:25, 110:5, 110:8,	111:21, 113:17, 115:5, 116:5, 116:8, 117:9, 117:15, 118:22, 119:13, 119:22, 120:1, 120:16, 120:19, 122:15, 122:24, 123:15, 124:4, 124:11, 125:15, 125:22, 130:9, 132:1, 132:8 solemnly [6] - 7:4, 7:11, 7:16, 7:23, 8:4, 8:11 solution [1] - 132:4 solve [1] - 89:25 sometimes [5] - 21:10, 21:12, 100:15, 122:20 somewhat [1] - 50:25 sorry [18] - 6:12, 10:18, 11:1, 16:24, 31:17, 40:15, 49:18, 50:17, 51:19, 62:13, 75:17, 98:12, 98:22, 117:10, 120:1, 121:9, 122:19, 123:5 sort [1] - 126:16 sought [4] - 42:18, 83:19, 89:20, 105:19 sound [2] - 30:23, 64:7 south [21] - 68:5, 73:22, 87:6, 89:11, 92:8, 92:18, 93:4, 93:6, 96:12, 97:11, 98:20, 100:7, 102:6, 102:21, 105:16, 110:7, 110:11, 126:10, 127:22, 128:15, 129:20 southerly [1] - 92:14 spa [1] - 40:25 space [14] - 35:17, 35:23, 39:9, 57:22, 72:11, 92:4, 92:11, 94:2, 98:2, 99:11, 115:17, 115:21, 132:9 spaces [7] - 31:9, 54:22, 74:19, 112:21, 112:23, 115:14, 116:4 span [1] - 109:14 sparse [1] - 117:5 Spatz [14] - 22:10, 64:19, 65:13, 65:20, 73:5, 75:8, 77:14, 83:18, 105:21, 106:10, 107:20,	123:15, 124:6, 130:11 SPATZ [6] - 3:22, 4:10, 65:6, 65:12, 123:23, 124:6 special [1] - 68:15 species [1] - 94:10 spell [3] - 62:12, 62:14, 84:20 spot [1] - 79:10 Spring [1] - 73:17 spy [1] - 41:1 spy-style [1] - 41:1 square [11] - 43:1, 43:14, 43:16, 43:23, 58:25, 63:2, 63:9, 63:22, 70:20, 75:2, 77:9 stair [1] - 89:5 staircase [5] - 35:16, 38:11, 38:12, 41:15, 103:2 staircases [1] - 27:11 stairs [6] - 37:12, 38:15, 40:13, 63:19, 97:12, 97:15 stairway [3] - 99:21, 102:25, 105:17 stamped [1] - 21:9 stand [1] - 6:1 standard [5] - 68:22, 71:4, 74:21, 102:14, 127:7 standards [2] - 98:5, 130:6 standing [3] - 85:9, 85:24, 124:16 standpoint [1] - 54:1 start [5] - 22:13, 22:16, 95:11, 101:17, 109:10 started [1] - 125:25 starting [2] - 38:5, 96:2 state [10] - 7:4, 7:9, 7:21, 8:9, 23:5, 65:10, 84:19, 85:4, 90:23, 124:4 State [8] - 7:6, 7:19, 8:6, 108:14, 108:16, 120:14, 133:4, 133:7 State-prescribed [1] - 120:14 statement [1] - 76:1 States [6] - 7:6, 7:9, 7:18, 7:21, 8:5, 8:8 status [1] - 85:22 statute [1] - 133:6 stay [4] - 29:14, 32:5, 37:6, 93:19	staying [2] - 42:19, 112:16 stays [1] - 59:7 stenographer [1] - 12:1 step [8] - 30:8, 30:11, 35:12, 47:22, 53:11, 53:12, 54:8, 56:13 stepped [2] - 29:19, 45:14 steps [5] - 35:20, 35:21, 36:17, 36:22, 56:11 STEVEN [1] - 1:22 stick [1] - 35:22 still [6] - 31:9, 45:18, 53:22, 72:21, 78:14, 124:16 stipulates [1] - 77:7 stop [2] - 88:22, 90:10 stopping [1] - 60:23 stops [1] - 118:12 storage [1] - 36:25 stories [8] - 42:21, 45:7, 62:22, 62:24, 69:9, 69:19, 69:21, 73:24 storms [1] - 30:19 stormwater [3] - 27:16, 42:7, 94:19 story [2] - 28:25, 73:25 straight [1] - 91:10 Street [13] - 1:4, 1:8, 1:15, 3:4, 3:9, 3:14, 3:20, 5:4, 13:5, 21:6, 23:25, 26:10, 57:15 street [27] - 27:5, 28:20, 29:24, 30:13, 33:1, 33:5, 35:13, 39:22, 44:11, 48:1, 54:15, 59:19, 60:10, 67:8, 69:20, 72:5, 72:21, 73:25, 90:1, 90:7, 91:1, 91:3, 97:19, 108:9, 126:21, 128:2 streets [1] - 26:10 stressed [1] - 76:13 strips [1] - 30:1 structure [8] - 91:24, 91:25, 103:13, 103:15, 104:1, 104:3, 104:8, 105:6 structures [1] - 126:19 stucco [8] - 32:17, 33:17, 33:18, 34:20, 52:1, 52:3, 102:13 stuff [2] - 6:20, 99:20 style [2] - 40:25, 41:1	subdivision [4] - 20:1, 25:15, 67:19, 76:17 subject [5] - 22:3, 67:1, 67:3, 83:7, 126:4 submission [1] - 67:25 submit [2] - 56:17, 77:22 submitted [6] - 27:17, 88:7, 94:18, 94:23, 106:18, 117:3 substantial [1] - 54:2 substantially [2] - 71:20, 129:15 suffice [1] - 80:3 sufficient [2] - 72:10, 112:24 suite [2] - 40:24, 41:4 summer [1] - 132:13 sung [1] - 12:17 Sung [10] - 9:7, 10:10, 13:11, 14:1, 15:5, 16:15, 18:6, 81:6, 82:16, 131:20 SUNG [11] - 1:23, 9:8, 10:11, 12:18, 14:2, 15:6, 16:16, 18:7, 81:7, 82:17, 131:21 supermarket [2] - 24:3, 67:13 supermarkets [1] - 33:8 supervision [1] - 88:4 supplement [1] - 117:5 support [4] - 7:5, 7:17, 8:4, 68:13 supported [3] - 70:11, 71:2, 71:18 supposed [1] - 47:22 Survey [2] - 5:14, 88:14 survey [11] - 42:16, 88:7, 88:11, 88:19, 88:20, 91:9, 121:21, 122:3, 122:13, 122:17, 122:21 Surveying [2] - 88:12, 88:15 surveys [1] - 122:21 swear [10] - 7:4, 7:11, 7:17, 7:23, 8:4, 8:11, 22:20, 65:3, 84:12, 123:20 SWORN [2] - 3:2, 4:2 sworn [7] - 6:14, 23:3, 64:25, 65:9, 84:8, 84:18, 124:3 Sylvan [2] - 23:2, 23:9
--	---	---	---	---

symmetrical [2] - 53:18, 113:17 system [4] - 27:16, 32:18, 34:20, 42:7	18:21, 18:25, 19:4, 19:10, 19:15, 19:17, 19:23, 20:3, 20:5, 20:8, 20:18, 20:22, 20:25, 21:11, 21:14, 22:18, 23:5, 23:13, 24:8, 24:11, 46:13, 46:15, 47:1, 47:6, 48:13, 48:17, 49:21, 50:2, 65:1, 65:10, 65:25, 75:15, 76:4, 78:7, 78:10, 78:12, 79:12, 80:8, 80:11, 80:20, 81:21, 82:5, 82:22, 83:24, 84:10, 84:19, 87:11, 123:2, 123:18, 131:11, 132:14	110:6, 110:12, 110:16, 110:20, 110:25, 111:3, 111:12, 111:15, 111:24, 112:3, 112:18, 113:12, 113:16, 113:21, 114:1, 114:4, 114:6, 114:12, 114:19, 115:3, 115:9, 115:12, 115:19, 115:22, 116:2, 116:7, 116:14, 116:22, 117:6, 117:14, 118:4, 118:7, 118:14, 118:20, 119:14, 119:17, 120:15, 120:18, 121:2, 121:8, 121:13, 121:20, 121:24, 122:2, 122:5, 122:10, 122:14, 122:23, 123:1, 125:18, 130:25	44:10, 47:9 topographic [3] - 68:4, 69:6, 74:3 topographical [3] - 68:11, 69:7, 70:9 topography [2] - 103:20, 104:9 total [5] - 26:25, 55:8, 79:16, 100:3, 112:20 totally [1] - 112:5 towards [3] - 26:15, 119:5, 126:17 town [5] - 24:1, 26:8, 26:11, 59:12, 59:14 townhouse [2] - 25:5, 29:22 traffic [2] - 111:11, 112:8 TRANSCRIPT [1] - 1:4 transcript [1] - 133:10 traveled [1] - 90:1 tree [9] - 121:24, 122:1, 122:8, 122:11, 122:21, 122:22, 123:4, 126:12, 131:3 trees [5] - 94:3, 116:25, 117:4, 117:12, 121:18 tricks [1] - 21:13 tried [3] - 36:17, 89:1, 128:1 triggered [1] - 105:20 trouble [1] - 124:14 true [3] - 7:7, 7:19, 8:7 trust [1] - 92:4 truth [12] - 22:21, 22:22, 65:5, 84:13, 84:14, 123:21, 123:22 try [6] - 33:1, 47:10, 53:10, 54:12, 79:2, 104:13 trying [1] - 80:4 tub [2] - 41:1, 41:9 turn [9] - 33:20, 90:6, 90:22, 95:10, 97:19, 101:14, 111:23, 128:4 two [87] - 6:6, 9:17, 14:10, 19:20, 19:21, 20:1, 20:2, 22:2, 23:22, 25:6, 25:17, 26:18, 27:5, 28:14, 28:25, 29:2, 29:5, 30:14, 31:5, 31:7, 35:8, 40:18, 41:3, 42:20, 43:11, 45:7, 46:17, 49:14, 50:10, 50:12, 50:19, 58:7,	67:6, 67:17, 67:19, 67:20, 67:22, 68:1, 69:1, 69:9, 69:11, 69:19, 70:13, 71:9, 71:14, 71:17, 73:22, 74:18, 76:18, 76:24, 83:10, 83:14, 86:3, 86:21, 89:18, 90:2, 91:22, 97:10, 97:14, 97:17, 98:19, 100:6, 100:9, 100:11, 100:18, 101:2, 102:24, 110:23, 112:23, 113:2, 113:5, 113:18, 114:9, 114:10, 114:16, 115:13, 116:3, 116:4, 118:25, 120:5, 126:24, 129:3, 129:19 two-and-a-half [3] - 42:20, 69:9, 69:19 two-bedroom [2] - 100:9, 116:3 two-car [6] - 31:5, 31:7, 35:8, 71:9, 97:10, 97:14 two-family [30] - 14:10, 19:20, 19:21, 20:2, 22:2, 23:22, 25:6, 25:17, 26:18, 29:2, 29:5, 67:6, 67:17, 67:20, 67:22, 69:1, 69:11, 73:22, 76:18, 83:10, 83:14, 86:3, 86:21, 89:18, 113:18, 114:9, 114:10, 126:24, 129:3, 129:19 two-inch [1] - 30:14 two-story [1] - 28:25 two-way [1] - 90:2 twofold [1] - 50:24 type [2] - 94:6, 99:20 typical [4] - 34:22, 35:13, 63:18, 71:4 typically [1] - 100:14 typo [2] - 19:1, 19:2	
T	table [1] - 116:11 taller [1] - 53:23 tanks [4] - 106:17, 106:20, 106:21, 107:10 teach [1] - 21:13 tennis [1] - 93:25 terms [12] - 69:15, 70:18, 71:3, 74:25, 116:10, 127:9, 127:20, 127:21, 128:14, 129:7, 129:14, 130:4 Terrace [4] - 65:8, 65:15, 124:2, 124:8 TERRANOVA [42] - 1:22, 9:6, 10:9, 12:16, 13:25, 15:4, 16:14, 18:5, 44:23, 44:25, 45:7, 45:18, 46:7, 46:10, 48:9, 49:3, 49:8, 49:12, 49:19, 49:24, 50:3, 81:5, 82:15, 110:9, 110:14, 110:18, 110:24, 111:1, 111:4, 111:14, 111:25, 112:5, 112:12, 121:15, 121:18, 121:23, 121:25, 122:4, 122:7, 122:11, 123:3, 131:19 Terranova [12] - 3:17, 4:8, 9:5, 10:8, 12:15, 13:24, 15:3, 16:13, 18:4, 81:4, 82:14, 131:18 test [3] - 42:8, 56:2, 107:4 Testa [1] - 12:2 TESTA [88] - 2:2, 2:2, 6:1, 6:5, 6:9, 6:12, 6:14, 6:18, 6:22, 6:25, 7:2, 8:16, 8:19, 9:13, 10:14, 10:19, 10:22, 11:1, 11:6, 11:10, 11:16, 11:21, 11:24, 12:23, 13:2, 13:7, 13:10, 13:20, 13:23, 14:7, 15:9, 15:13, 16:22, 17:17, 17:22, 18:12, 18:18,	testified [1] - 38:6 testifies [4] - 23:3, 65:9, 84:18, 124:3 testify [1] - 44:7 testifying [1] - 34:10 TESTIMONY [2] - 3:2, 4:2 testimony [17] - 22:7, 22:9, 22:20, 32:1, 32:16, 34:18, 65:3, 66:10, 77:15, 77:18, 83:16, 84:12, 117:1, 123:20, 124:23, 125:8, 133:5 THE [130] - 45:3, 45:9, 45:22, 45:25, 46:9, 46:17, 46:22, 46:24, 47:2, 47:7, 47:18, 47:21, 47:25, 48:7, 48:11, 48:14, 48:20, 48:25, 49:5, 49:13, 49:17, 49:22, 50:8, 50:15, 51:3, 51:12, 51:18, 51:22, 51:25, 52:5, 53:3, 53:8, 53:19, 54:3, 55:1, 55:7, 55:15, 56:7, 56:24, 57:1, 57:4, 58:3, 58:7, 58:14, 58:20, 58:24, 59:15, 59:20, 60:4, 60:11, 61:5, 61:10, 61:15, 61:19, 61:25, 62:11, 62:14, 62:17, 62:23, 63:3, 63:6, 63:11, 64:2, 64:6, 64:9, 64:12, 73:20, 74:15, 74:17, 108:3, 108:6, 108:9, 108:13, 108:21, 108:23, 109:1, 109:5, 109:12, 109:16,	THERE [1] - 1:19 therefore [1] - 11:13 they've [1] - 110:22 thinking [1] - 78:14 third [10] - 45:6, 55:4, 64:4, 64:5, 114:19, 114:22 three [24] - 13:4, 15:21, 25:5, 25:15, 27:8, 31:8, 42:20, 49:14, 62:23, 67:3, 67:21, 68:25, 69:20, 73:22, 73:24, 76:19, 76:24, 90:13, 99:4, 100:8, 100:11, 100:15, 100:18, 101:3 three-bedroom [1] - 100:8 three-family [6] - 25:5, 49:14, 67:3, 67:21, 68:25, 76:19 three-level [1] - 27:8 three-unit [1] - 13:4 title [2] - 95:15, 95:16 today [4] - 24:13, 34:4, 37:25, 125:24 toilet [2] - 40:21, 41:2 tonight [1] - 6:19 top [12] - 51:14, 66:25, 67:2, 67:4, 67:8, 69:10, 73:21, 101:7, 102:8, 121:8, 126:3, 126:9 topo [3] - 42:15,	traveled [1] - 90:1 tree [9] - 121:24, 122:1, 122:8, 122:11, 122:21, 122:22, 123:4, 126:12, 131:3 trees [5] - 94:3, 116:25, 117:4, 117:12, 121:18 tricks [1] - 21:13 tried [3] - 36:17, 89:1, 128:1 triggered [1] - 105:20 trouble [1] - 124:14 true [3] - 7:7, 7:19, 8:7 trust [1] - 92:4 truth [12] - 22:21, 22:22, 65:5, 84:13, 84:14, 123:21, 123:22 try [6] - 33:1, 47:10, 53:10, 54:12, 79:2, 104:13 trying [1] - 80:4 tub [2] - 41:1, 41:9 turn [9] - 33:20, 90:6, 90:22, 95:10, 97:19, 101:14, 111:23, 128:4 two [87] - 6:6, 9:17, 14:10, 19:20, 19:21, 20:1, 20:2, 22:2, 23:22, 25:6, 25:17, 26:18, 27:5, 28:14, 28:25, 29:2, 29:5, 30:14, 31:5, 31:7, 35:8, 40:18, 41:3, 42:20, 43:11, 45:7, 46:17, 49:14, 50:10, 50:12, 50:19, 58:7,	two-and-a-half [3] - 42:20, 69:9, 69:19 two-bedroom [2] - 100:9, 116:3 two-car [6] - 31:5, 31:7, 35:8, 71:9, 97:10, 97:14 two-family [30] - 14:10, 19:20, 19:21, 20:2, 22:2, 23:22, 25:6, 25:17, 26:18, 29:2, 29:5, 67:6, 67:17, 67:20, 67:22, 69:1, 69:11, 73:22, 76:18, 83:10, 83:14, 86:3, 86:21, 89:18, 113:18, 114:9, 114:10, 126:24, 129:3, 129:19 two-inch [1] - 30:14 two-story [1] - 28:25 two-way [1] - 90:2 twofold [1] - 50:24 type [2] - 94:6, 99:20 typical [4] - 34:22, 35:13, 63:18, 71:4 typically [1] - 100:14 typo [2] - 19:1, 19:2
	U			U-shaped [2] - 38:11, 41:15 U-turn [1] - 90:6 um-hmm [1] - 123:2 unable [1] - 77:10 uncommon [1] - 100:12 under [14] - 7:10, 7:22,	

8:9, 42:25, 43:12, 52:5, 59:1, 62:25, 88:3, 90:16, 90:19, 91:15, 98:4, 133:6 underground [1] - 97:6 understood [17] - 28:22, 32:11, 33:24, 36:9, 39:23, 44:8, 44:17, 91:16, 105:4, 110:8, 112:6, 116:5, 122:7 uneven [1] - 74:4 uniform [1] - 98:4 Union [6] - 1:4, 1:4, 3:8, 3:9, 15:15, 15:16 Unit [2] - 48:15, 48:17 unit [30] - 13:4, 30:4, 31:3, 35:1, 35:9, 39:2, 40:9, 40:11, 48:13, 50:21, 50:23, 54:22, 71:10, 76:23, 97:10, 97:13, 98:19, 98:22, 99:2, 100:4, 100:7, 100:8, 100:10, 102:6, 102:21, 102:23, 103:1, 114:23, 115:14, 116:3 United [6] - 7:6, 7:9, 7:18, 7:21, 8:5, 8:8 units [15] - 25:16, 31:12, 50:13, 50:19, 90:13, 90:15, 98:19, 100:6, 100:18, 110:23, 112:21, 114:16, 114:22 unless [3] - 75:25, 76:2, 86:10 unusually [1] - 129:4 up [45] - 6:7, 6:8, 6:11, 6:14, 6:22, 20:23, 30:8, 30:11, 30:15, 33:1, 33:18, 35:16, 35:18, 36:18, 37:12, 38:8, 38:12, 38:15, 38:17, 38:23, 39:11, 43:13, 47:11, 51:6, 51:13, 51:14, 52:16, 53:9, 53:12, 53:20, 55:5, 56:9, 57:13, 59:10, 60:15, 78:15, 98:23, 102:18, 109:6, 110:14, 118:5, 125:23, 132:4 upper [8] - 25:20, 29:14, 31:16, 32:12, 34:16, 96:2, 101:19, 103:22	ups [1] - 46:1 upstairs [2] - 40:16, 105:18 utilities [1] - 27:14 utility [8] - 36:12, 94:18, 95:3, 97:11, 97:14, 99:10, 99:20 utility-type [1] - 99:20 V vacant [8] - 70:1, 71:7, 89:4, 110:13, 126:13, 126:19, 128:19, 128:23 variance [26] - 36:24, 43:19, 43:24, 55:6, 55:10, 55:14, 55:21, 63:16, 67:23, 68:4, 68:13, 68:16, 70:10, 70:12, 74:12, 77:16, 83:18, 89:19, 89:21, 105:10, 113:3, 115:8, 116:21, 116:22, 127:2, 129:10 variances [15] - 42:17, 44:7, 68:1, 70:13, 71:17, 71:18, 73:1, 73:3, 74:11, 105:19, 126:25, 127:1, 127:5, 127:9, 130:8 variety [2] - 32:24, 50:25 varying [1] - 104:9 Vassilios [2] - 22:7, 23:7 VASSILIOS [2] - 3:15, 23:8 VCA [1] - 23:8 vehicle [4] - 37:8, 89:24, 97:25, 113:8 vehicles [3] - 99:19, 113:4, 115:25 verbatim [1] - 133:5 version [1] - 90:12 versus [1] - 92:13 vesting [1] - 83:23 viable [1] - 83:14 VICE [1] - 1:21 viewed [1] - 115:2 visibility [1] - 89:3 visit [2] - 113:6, 124:21 visited [1] - 66:6 visual [1] - 69:4 VOIR [2] - 65:18, 85:1 Voir [2] - 3:22, 4:6 vote [12] - 10:16, 10:21, 10:25, 11:5,	11:13, 11:21, 11:22, 15:24, 17:17, 17:20, 17:21, 131:1 voted [2] - 13:21, 14:11 W walk [4] - 30:7, 36:15, 41:4, 41:8 walk-in [3] - 36:15, 41:4, 41:8 walking [3] - 30:6, 54:5, 54:11 walkway [7] - 29:24, 30:2, 35:12, 53:11, 54:5, 112:3, 112:4 wall [30] - 26:19, 56:4, 56:13, 56:18, 56:23, 61:2, 77:13, 91:4, 91:6, 91:8, 91:12, 97:1, 110:1, 111:8, 111:13, 111:16, 111:17, 111:19, 111:22, 112:9, 113:20, 114:17, 114:18, 117:24, 118:1, 118:12, 119:3, 119:4 walls [3] - 36:19, 47:11, 47:14 water [2] - 30:17, 48:2 ways [1] - 44:13 weather [2] - 30:8, 30:24 welfare [1] - 68:18 well-traveled [1] - 90:1 West [2] - 19:8, 19:23 wetlands [1] - 28:3 white [2] - 87:21, 127:23 whole [5] - 22:21, 65:5, 84:14, 105:13, 123:21 wide [5] - 27:1, 28:12, 28:13, 92:12, 92:13 wideness [1] - 128:17 widens [1] - 25:25 wider [3] - 71:5, 74:18, 116:17 widest [2] - 89:12, 127:12 width [6] - 26:25, 74:19, 92:21, 97:20, 98:6, 98:21 window [2] - 102:7, 102:9 windows [7] - 32:19, 35:4, 102:10,	102:11, 105:3, 105:17, 130:1 withdrawn [1] - 25:10 WITNESS [127] - 4:2, 45:3, 45:9, 45:22, 45:25, 46:9, 46:17, 46:22, 46:24, 47:2, 47:7, 47:18, 47:21, 47:25, 48:7, 48:11, 48:14, 48:20, 48:25, 49:5, 49:13, 49:17, 49:22, 50:8, 50:15, 51:3, 51:12, 51:18, 51:22, 51:25, 52:5, 53:3, 53:8, 53:19, 54:3, 55:1, 55:7, 55:15, 56:7, 56:24, 57:1, 57:4, 58:3, 58:7, 58:14, 58:20, 58:24, 59:15, 59:20, 60:4, 60:11, 61:5, 61:10, 61:15, 61:19, 61:25, 62:23, 63:3, 63:6, 63:11, 64:2, 64:6, 64:9, 64:12, 73:20, 74:15, 74:17, 108:3, 108:6, 108:9, 108:13, 108:21, 108:23, 109:1, 109:5, 109:12, 109:16, 110:6, 110:12, 110:16, 110:20, 110:25, 111:3, 111:12, 111:15, 111:24, 112:3, 112:18, 113:12, 113:16, 113:21, 114:1, 114:4, 114:6, 114:12, 114:19, 115:3, 115:9, 115:12, 115:22, 116:2, 116:7, 116:14, 116:22, 117:6, 117:14, 118:4, 118:7, 118:14, 118:20, 119:14, 119:17, 120:15, 120:18, 121:2, 121:8, 121:13, 121:20, 121:24, 122:2, 122:5, 122:10, 122:14, 122:23, 123:1, 125:18, 130:25 witnesses [2] - 75:23, 77:19 wonderful [2] - 132:12 wood [3] - 39:13,	39:15, 60:23 works [1] - 77:25 worry [1] - 107:3 written [2] - 19:16, 19:17 X Xs [1] - 124:13 Y yard [41] - 26:22, 26:23, 54:25, 55:4, 55:5, 55:9, 55:14, 56:12, 61:6, 63:15, 63:16, 64:1, 68:2, 71:3, 71:4, 71:6, 71:8, 71:11, 71:16, 72:12, 74:21, 77:16, 87:3, 87:5, 93:8, 97:2, 105:12, 105:13, 116:18, 116:19, 118:18, 127:2, 127:3, 127:20, 127:21, 128:14, 128:15, 128:20, 128:22 yards [6] - 35:21, 71:13, 72:14, 74:20, 97:8, 127:14 year [2] - 15:22, 110:23 years [1] - 89:6 yeses [1] - 11:8 YOON [1] - 1:21 Yoon [1] - 8:22 Z zone [7] - 22:4, 26:5, 67:16, 68:20, 71:21, 89:16, 126:23 ZONING [1] - 1:1 zoning [5] - 66:7, 68:15, 84:6, 124:23, 125:1 Zoning [5] - 2:4, 7:13, 7:25, 8:13, 85:16
--	--	--	--	---