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BOROUGH OF PALISADES PARK  
 BOARD OF ADJUSTMENT  
 MONDAY, APRIL 15, 2019  
 COMMENCING AT 7:00 P.M.

.....  
**APPLICATION NO. 19-04** : TRANSCRIPT  
 STEVEN HUANG : OF  
 24 W. EDSALL BLVD. : PROCEEDINGS  
 BLOCK 212; LOT 8 :  
**APPLICATION NO. 19-03** :  
 ARDESHIR MOHTARAM :  
 201 FIFTH STREET :  
 BLOCK 701; LOTS 12 & 12.01 :  
**APPLICATION NO. 19-05** :  
 NEW VISION DEVELOPERS :  
 40-48 GRAND AVENUE :  
 BLOCK 617; LOTS 1 & 32 :  
**APPLICATION NO. 19-07** :  
 GSR DEVELOPERS, LLC :  
 75 BRINKERHOFF TERRACE :  
 BLOCK 209; LOT 19 :

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

JOSEPH FERGUSON, CHAIRMAN  
 PAUL ALBANESE, VICE CHAIRMAN  
 ANDY NAM, MEMBER  
 VINCENT CARNOVALE, MEMBER  
 DAVID TERRANOVA, MEMBER (7:01 p.m. ARRIVAL)  
 SEUNG YOON, MEMBER  
 PAUL KIM, MEMBER  
 LEFTEERI LEFTERIOU, MEMBER  
 SUK JUN MIN, ALTERNATE MEMBER

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

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I N D E X

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 4 **NEW VISION DEVELOPERS, LLC**  
 4 **40-48 GRAND AVENUE**  
 5 **BLOCK 617**  
 5 **LOTS 1 AND 32** 8

6 **APPLICATION NO. 19-07**  
 6 **GSR DEVELOPERS, LLC**  
 7 **75 BRINKERHOFF TERRACE**  
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 18 **ARDESHIR MOHTARAM**  
 18 **201 FIFTH STREET**  
 19 **BLOCK 701; LOTS 12 & 12.01** 77

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LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.  
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1 **A P P E A R A N C E S :**

2

3 DIANE TESTA, ESQ.  
 Counsel for the Board

4 MARK J. SOKOLICH, ESQUIRE  
 1223 Anderson Avenue  
 5 Fort Lee, New Jersey 07024  
 Counsel for Applicant

6

7 ROTOLO BOZANIAN & YI, LLC  
 BY: ELTON JOHN BOZANIAN, ESQ.  
 115 Broad Avenue  
 8 Palisades Park, New Jersey 07650  
 Counsel for Applicant

9

10

11

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

13

14 ELENI LAMBRINIDES, BOARD SECRETARY  
 15 MICHAEL KAUKER, BOARD PLANNER  
 JUDD ROCCIOLA, BOARD TRAFFIC ENGINEER  
 16 STEVE COLLAZUOL, BOARD ENGINEER

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

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I N D E X

E X H I B I T S

No.	Description	Ident/Evid
6	<b>APPLICATION NO. 19-07</b>	
7	<b>GSR DEVELOPERS, LLC</b>	
8	<b>75 BRINKERHOFF TERRACE</b>	
8	<b>BLOCK 209; LOT 19</b>	
9	A-1 "Elevations and Site Plan" dated 1/20/19, Last Revised 3/29/19	14
10	A-2 "Floor Plan and Elevation" dated 1/20/19, Last Revised 3/29/19	14
11	A-3 "Floor Plans" dated 1/20/19, Last Revised 3/29/19	15
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14	<b>APPLICATION NO. 19-03</b>	
15	<b>ARDESHIR MOHTARAM</b>	
15	<b>201 FIFTH STREET</b>	
16	<b>BLOCK 701; LOTS 12 &amp; 12.01</b>	
17	A-1 Site Plan	80
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LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.  
 201-641-1812

06:59PM **1** CHAIRMAN FERGUSON: I'll call the  
 06:59PM **2** meeting to order. Paul, you want to leave us all in  
 06:59PM **3** the Flag salute?  
 06:59PM **4** VICE CHAIRMAN ALBANESE: Yes, sir.  
 06:59PM **5** (Whereupon, all stand for a Recitation  
 06:59PM **6** of the Pledge of Allegiance.)  
 06:59PM **7** CHAIRMAN FERGUSON: Roll call.  
 06:59PM **8** MS. LAMBRINIDES: Mr. Ferguson?  
 06:59PM **9** CHAIRMAN FERGUSON: Here.  
 06:59PM **10** MS. LAMBRINIDES: Mr. Albanese?  
 06:59PM **11** VICE CHAIRMAN ALBANESE: Here.  
 06:59PM **12** MS. LAMBRINIDES: Mr. Terranova?  
 06:59PM **13** (No response.)  
 06:59PM **14** MS. LAMBRINIDES: Mr. Min?  
 06:59PM **15** MR. MIN: Here.  
 06:59PM **16** MS. LAMBRINIDES: Mr. Nam?  
 06:59PM **17** MR. NAM: Here.  
 06:59PM **18** MS. LAMBRINIDES: Ms. Yoon?  
 06:59PM **19** MS. YOON: Here.  
 06:59PM **20** MS. LAMBRINIDES: Mr. Carnovale?  
 06:59PM **21** MR. CARNOVALE: Here.  
**22** MS. LAMBRINIDES: Ms. Tarabocchia?  
**23** (No response.)  
**24** MS. LAMBRINIDES: Mr. Lefteriou?  
**25** MR. LEFTERIOU: Here.

**Laura A. Carucci, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

07:02PM **1** MS. LAMBRINIDES: Ms. Yoon?  
 07:02PM **2** MS. YOON: Yes.  
 07:02PM **3** MS. LAMBRINIDES: Mr. Carnovale?  
 07:02PM **4** MR. CARNOVALE: Yes.  
 07:02PM **5** MS. LAMBRINIDES: Mr. Lefteriou?  
 07:02PM **6** MR. LEFTERIOU: Yes.  
 07:02PM **7** CHAIRMAN FERGUSON: Okay.  
 07:02PM **8** Next we're going to pay some bills. We  
 07:02PM **9** got Kauker and Kauker for 2310. We have The Record  
 07:02PM **10** for 4260. We got Diane Testa, the board attorney,  
 07:02PM **11** for 900. And we have the Court Reporter for 937.50.  
 07:02PM **12** Can I get a motion to pay the bills?  
 07:02PM **13** VICE CHAIRMAN ALBANESE: Make a motion  
 07:02PM **14** we pay the bills.  
 07:02PM **15** MR. CARNOVALE: Second.  
 07:02PM **16** CHAIRMAN FERGUSON: Roll call vote?  
 07:02PM **17** MS. LAMBRINIDES: Mr. Ferguson?  
 07:02PM **18** CHAIRMAN FERGUSON: Yes.  
 07:02PM **19** MS. LAMBRINIDES: Mr. Albanese?  
 07:02PM **20** VICE CHAIRMAN ALBANESE: Yes.  
 07:02PM **21** MS. LAMBRINIDES: Mr. Terranova?  
 07:02PM **22** MR. TERRANOVA: Yes.  
 07:02PM **23** MS. LAMBRINIDES: Mr. Min?  
 07:02PM **24** MR. MIN: Yes.  
 07:02PM **25** MS. LAMBRINIDES: Mr. Nam?

**Laura A. Carucci, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

**1** MS. LAMBRINIDES: Mr. Terranova's here?  
**2** MR. TERRANOVA: Yes, I'm here.  
 06:59PM **3** MS. LAMBRINIDES: Hi.  
 06:59PM **4** CHAIRMAN FERGUSON: Okay.  
 07:01PM **5** So first up tonight we're going to get  
 07:01PM **6** approval of the previous month's meeting. We have  
 07:01PM **7** all had an opportunity to review them. Are there any  
 07:01PM **8** corrections to the minutes?  
 07:01PM **9** (No response.)  
 07:01PM **10** CHAIRMAN FERGUSON: If not, can I get a  
 07:01PM **11** motion.  
 07:01PM **12** VICE CHAIRMAN ALBANESE: I'll make a  
 07:01PM **13** motion to accept the minutes.  
 07:01PM **14** MR. CARNOVALE: Second.  
 07:01PM **15** CHAIRMAN FERGUSON: Roll call?  
 07:02PM **16** MS. LAMBRINIDES: Mr. Ferguson?  
 07:02PM **17** CHAIRMAN FERGUSON: Yes.  
 07:02PM **18** MS. LAMBRINIDES: Mr. Albanese?  
 07:02PM **19** VICE CHAIRMAN ALBANESE: Yes.  
 07:02PM **20** MS. LAMBRINIDES: Mr. Terranova?  
 07:02PM **21** MR. TERRANOVA: Yes.  
 07:02PM **22** MS. LAMBRINIDES: Mr. Min?  
 07:02PM **23** MR. MIN: Yes.  
 07:02PM **24** MS. LAMBRINIDES: Mr. Nam?  
 07:02PM **25** MR. NAM: Yes.

**Laura A. Carucci, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

07:02PM **1** MR. NAM: Yes.  
 07:02PM **2** MS. LAMBRINIDES: Ms. Yoon?  
 07:02PM **3** MS. YOON: Yes.  
 07:02PM **4** MS. LAMBRINIDES: Mr. Carnovale?  
 07:02PM **5** MR. CARNOVALE: Yes.  
 07:02PM **6** MS. LAMBRINIDES: Mr. Lefteriou?  
 07:02PM **7** MR. LEFTERIOU: Yes.  
 07:02PM **8** CHAIRMAN FERGUSON: Okay. So let me  
 07:02PM **9** just sign these. Okay.  
 07:04PM **10** We have one request for adjournment.  
 07:04PM **11** Which case was that?  
 07:04PM **12** MS. TESTA: That was Case No. 19-05.  
 07:04PM **13** CHAIRMAN FERGUSON: Okay.  
 07:04PM **14** Case No. 19-05 has put in for an  
 07:04PM **15** adjournment for next month.  
 07:04PM **16** MS. TESTA: Yes.  
 07:04PM **17** CHAIRMAN FERGUSON: No further notice  
 07:04PM **18** will be required. It's New Vision Developers, LLC,  
 07:04PM **19** 40-48 Grand Avenue.  
 07:04PM **20** So I'll make a motion to pass the  
 07:04PM **21** adjournment.  
 07:04PM **22** VICE CHAIRMAN ALBANESE: I'll second.  
 07:04PM **23** CHAIRMAN FERGUSON: Second?  
 07:04PM **24** Oh, second? Okay.  
 07:04PM **25** Roll call?

**Laura A. Carucci, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

07:04PM 1 MS. LAMBRINIDES: Mr. Ferguson?  
 07:04PM 2 CHAIRMAN FERGUSON: Yes.  
 07:04PM 3 MS. LAMBRINIDES: Mr. Albanese?  
 07:04PM 4 VICE CHAIRMAN ALBANESE: Yes.  
 07:04PM 5 MS. LAMBRINIDES: Mr. Terranova?  
 07:04PM 6 MR. TERRANOVA: Yes.  
 07:04PM 7 MS. LAMBRINIDES: Mr. Min?  
 07:04PM 8 MR. MIN: Yes.  
 07:04PM 9 MS. LAMBRINIDES: Mr. Nam?  
 07:04PM 10 MR. NAM: Yes.  
 07:04PM 11 MS. LAMBRINIDES: Ms. Yoon?  
 07:04PM 12 MS. YOON: Yes.  
 07:04PM 13 MS. LAMBRINIDES: Mr. Carnovale?  
 07:04PM 14 MR. CARNOVALE: Yes.  
 07:04PM 15 MS. LAMBRINIDES: Mr. Lefteriou?  
 07:04PM 16 MR. LEFTERIOU: Yes.  
 07:04PM 17 MS. TESTA: So Case No. 19-05, New  
 07:05PM 18 Vision Developers, LLC, 40-48 Grand Avenue, Block  
 07:05PM 19 617, Lots 1 and 32, being adjourned from tonight's  
 07:05PM 20 meeting till the next scheduled meeting, which is May  
 07:05PM 21 20th, 2019, 7:00 p.m.  
 07:05PM 22 There will be no further notice, and  
 07:05PM 23 the applicant waives all time periods.  
 07:05PM 24 CHAIRMAN FERGUSON: Okay.  
 07:05PM 25 Now, next we have Case No. 19-04,  
**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

07:05PM 1 CHAIRMAN FERGUSON: Okay.  
 07:06PM 2 So that leaves us two cases for  
 07:06PM 3 tonight. I'm going to go out of order. The Mayor of  
 07:06PM 4 Fort Lee is here, has another meeting and I want to  
 07:06PM 5 extend the courtesy to him, so we're going to call  
 07:06PM 6 first Case No. 19-07, GSR Developers, LLC, 75  
 07:06PM 7 Brinkerhoff Terrace.  
 07:06PM 8 It's good to see you.  
 07:06PM 9 MR. SOKOLICH: Chairman, it's great to  
 07:06PM 10 see you, too. Thank you for the courtesy. It  
 07:06PM 11 doesn't happen often, so I will not.  
 07:06PM 12 CHAIRMAN FERGUSON: Okay.  
 07:06PM 13 MR. SOKOLICH: -- I will accept the --  
 07:06PM 14 got it.  
 07:06PM 15 Chairman, thank you, Members of the  
 07:06PM 16 Board, engaged professionals, for the record, Mark  
 07:06PM 17 Sokolich on behalf of the first application before  
 07:07PM 18 you this evening, GSR Developers, relating to 75  
 07:07PM 19 Brinkerhoff Terrace.  
 07:07PM 20 Just by way of very brief background  
 07:07PM 21 and as we are accustomed to doing here in Palisades  
 07:07PM 22 Park, part of the application package consists of  
 07:07PM 23 several exhibits, not the least of which includes the  
 07:07PM 24 proposed notice, listing of variances and explanation  
 07:07PM 25 of the relief sought, and, of course, an owner's  
**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

07:05PM 1 Steven Huang, 24 West Edsall Boulevard. It's a  
 07:05PM 2 memorialization, we're going to make a request --  
 07:05PM 3 we're going to make a motion to table?  
 07:05PM 4 MS. TESTA: Yes.  
 07:05PM 5 CHAIRMAN FERGUSON: Table the request  
 07:05PM 6 to next meeting.  
 07:05PM 7 VICE CHAIRMAN ALBANESE: I'll second  
 07:05PM 8 that.  
 07:05PM 9 CHAIRMAN FERGUSON: Roll call.  
 07:05PM 10 MS. LAMBRINIDES: Mr. Ferguson?  
 07:05PM 11 CHAIRMAN FERGUSON: Yes.  
 07:05PM 12 MS. LAMBRINIDES: Mr. Albanese?  
 07:05PM 13 VICE CHAIRMAN ALBANESE: Yes.  
 07:05PM 14 MS. LAMBRINIDES: Mr. Terranova?  
 07:05PM 15 MR. TERRANOVA: Yes.  
 07:05PM 16 MS. LAMBRINIDES: Mr. Min?  
 07:05PM 17 MR. MIN: Yes.  
 07:05PM 18 MS. LAMBRINIDES: Mr. Nam?  
 07:05PM 19 MR. NAM: Yes.  
 07:05PM 20 MS. LAMBRINIDES: Ms. Yoon?  
 07:05PM 21 MS. YOON: Yes.  
 07:05PM 22 MS. LAMBRINIDES: Mr. Carnovale?  
 07:05PM 23 MR. CARNOVALE: Yes.  
 07:05PM 24 MS. LAMBRINIDES: Mr. Lefteriou?  
 07:05PM 25 MR. LEFTERIOU: Yes.  
**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

07:07PM 1 consent authorizing my client, as a contract  
 07:07PM 2 purchaser, to appear before this board and seek  
 07:07PM 3 variance relief.  
 07:07PM 4 The application, as the Chair pointed  
 07:07PM 5 out, relates to premises known as 75 Brinkerhoff,  
 07:07PM 6 designated as Lot 19, Block 209. And it is in your  
 07:07PM 7 AA zoning district.  
 07:07PM 8 The -- here, Chairman, is there are  
 07:07PM 9 some variances which are being sought and will be  
 07:07PM 10 presented before the board this evening. It is a  
 07:07PM 11 request to construct a three-unit attached townhome  
 07:07PM 12 dwelling development.  
 07:07PM 13 For this evening's purposes we intend  
 07:08PM 14 to present the testimony on an expedited basis, that  
 07:08PM 15 of Vassilios Cocoros, a licensed architect, and on  
 07:08PM 16 deck, Mia Petrou, a licensed planner.  
 07:08PM 17 Also by way of housekeeping, we  
 07:08PM 18 presented counsel with a copy of the affidavit of  
 07:08PM 19 service which I'm hopeful is in order.  
 07:08PM 20 MS. TESTA: It is in order.  
 07:08PM 21 MR. SOKOLICH: Thank you, counsel.  
 07:08PM 22 MS. TESTA: We did that.  
 07:08PM 23 MR. SOKOLICH: Thank you.  
 07:08PM 24 With that, Chairman, unless you direct  
 07:08PM 25 otherwise or if any board member has any question of  
**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

07:08PM 1 I, we would ask Mr. Cocoros to be --

07:08PM 2 CHAIRMAN FERGUSON: Fire away.

07:08PM 3 MS. TESTA: Please raise your right

07:08PM 4 hand.

07:08PM 5 Do you swear that the testimony you

07:08PM 6 will give in this application will be the truth, the

07:08PM 7 whole truth and nothing but the truth, so help you

07:08PM 8 God?

07:08PM 9 MR. COCOROS: I do.

07:08PM 10 MS. TESTA: State your name for the

07:08PM 11 record and spell it.

07:08PM 12 MR. COCOROS: Vassilios,

07:08PM 13 V-A-S-S-I-L-I-O-S, Cocoros, C-O-C-O-R-O-S, 467 Sylvan

07:08PM 14 Avenue, Englewood Cliffs, New Jersey, 07632.

07:08PM 15 V A S S I L O S C O C O R O S,

07:08PM 16 467 Sylvan Avenue, Englewood Cliffs, New Jersey,

07:08PM 17 having been duly sworn, testifies as follows:

07:08PM 18 MS. TESTA: Okay. Do you want to mark

07:08PM 19 your items?

07:08PM 20 MR. SOKOLICH: We have, Counsel, with

07:08PM 21 your permission -- Billy, your plans that are on the

07:08PM 22 board you have already premarked in the lower right

07:08PM 23 hand-corner as A-1, A-2, A-3 and A-4, correct? And

07:09PM 24 A-5?

07:09PM 25 MR. COCOROS: It's A-1, A-2, A-3, S-1  
**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

07:09PM 1 marked as Exhibit A-3 for identification.)

07:09PM 2 MR. SOKOLICH: We'll get to the others

07:09PM 3 when we get there.

07:09PM 4 THE WITNESS: Correct.

07:09PM 5 DIRECT EXAMINATION

07:09PM 6 BY MR. SOKOLICH:

07:09PM 7 Q. A-1, -2, -3 were prepared by you?

07:09PM 8 A. Yes.

07:09PM 9 Q. Or under your direct supervision?

07:09PM 10 A. Yes.

07:09PM 11 Q. You inspected the property?

07:09PM 12 A. Yes, sir.

07:09PM 13 Q. You've familiarized yourself with the

07:10PM 14 site plan and zoning ordinances here in Palisades

07:10PM 15 Park?

07:10PM 16 A. Yes.

07:10PM 17 Q. So wherever you deem most appropriate

07:10PM 18 on A-1, preferably in the lower left-hand corner and

07:10PM 19 also the architectural site plans, if you could just

07:10PM 20 describe the existing conditions.

07:10PM 21 A. Sure.

07:10PM 22 **The existing property which is located**

07:10PM 23 **on the northeast corner of Brinkerhoff Terrace and**

07:10PM 24 **Hillside Avenue has 45 feet of frontage on**

07:10PM 25 **Brinkerhoff Terrace and 120.58 or 120 -- 120 feet 7**  
**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

07:09PM 1 and S-2.

07:09PM 2 MR. SOKOLICH: Okay. We're going to

07:09PM 3 mark them A-1, A-2, and we're going to identify them.

07:09PM 4 So A-1 I premarked as your A-1, which

07:09PM 5 is entitled, "Elevations and Site Plan" initially

07:09PM 6 dated January 20, 2019, with a last revised date of

07:09PM 7 March 29, 2019.

07:09PM 8 (Whereupon, "Elevations and Site Plan"

07:09PM 9 dated 1/20/19, Last Revised 3/29/19 is

07:09PM 10 received and marked as Exhibit A-1 for

07:09PM 11 identification.)

07:09PM 12 MR. SOKOLICH: I premarked A-2 your

07:09PM 13 plan entitled "A-2" which is the Floor Plan and

07:09PM 14 Elevation with the same dates, January 20, 2019, and

07:09PM 15 last revised March 29, 2019.

07:09PM 16 (Whereupon, "Floor Plan and Elevation"

07:09PM 17 dated 1/20/19, Last Revised 3/29/19 is

07:09PM 18 received and marked as Exhibit A-2 for

07:09PM 19 identification.)

07:09PM 20 MR. SOKOLICH: I have premarked your

07:09PM 21 A-3 as A-3, same dates, January 29th -- January 20,

07:09PM 22 2019, and March 29, 2019. And these plans are

07:09PM 23 entitled "Floor Plans".

07:09PM 24 (Whereupon, "Floor Plans" dated

07:09PM 25 1/20/19, Last Revised 3/29/19 is received and  
**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

07:10PM 1 **inches along Hillside Avenue.**

07:10PM 2 Q. And that creates a lot size of what

07:10PM 3 precisely, Bill?

07:10PM 4 A. **It is 5,422.85 square feet.**

07:10PM 5 Q. Which far exceeds the minimum lot size

07:10PM 6 requirement in this zone of 5,000 square feet?

07:10PM 7 A. **Correct.**

07:10PM 8 Q. Are there any conditions on the site,

07:10PM 9 other than existing improvements, that we need to

07:10PM 10 disclose to the board? For example, are there any

07:10PM 11 unusual rock outcroppings?

07:10PM 12 A. **No.**

07:10PM 13 Q. Is there an exceptional topographic

07:10PM 14 condition we need to discuss?

07:10PM 15 A. **No.**

07:10PM 16 **It's basically a-foot difference going**

07:11PM 17 **from west to east as you go towards Broad Avenue.**

07:11PM 18 **It's a little bit higher along the right side as**

07:11PM 19 **you're facing it from Brinkerhoff Terrace.**

07:11PM 20 Q. But that's not a condition we would put

07:11PM 21 in the extraordinary file folder, right? I mean,

07:11PM 22 that's something we can deal with?

07:11PM 23 A. **Right. It's manageable.**

07:11PM 24 Q. Okay. It's manageable.

07:11PM 25 There are no -- only if you know, are  
**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

07:11PM 1 there any adverse environmental conditions, wetlands,  
 07:11PM 2 things of that nature that we need to bring to the  
 07:11PM 3 board's attention?  
 07:11PM 4 **A. No.**  
 07:11PM 5 **Q.** So on this property there exist  
 07:11PM 6 improvements now?  
 07:11PM 7 **A. Yes.**  
 07:11PM 8 **Q.** And those improvements are? And what  
 07:11PM 9 are the intentions of the applicant?  
 07:11PM 10 **A. To demolish the existing improvements**  
 07:11PM 11 **and construct a new three-unit dwelling that is**  
 07:11PM 12 **facing Hillside Avenue.**  
 07:11PM 13 **Q.** Do any of these improvements on the  
 07:11PM 14 site now, are they nonconforming?  
 07:11PM 15 **A. There's a detached garage approximately**  
 07:11PM 16 **3 feet from the back property line. That's a**  
 07:11PM 17 **previously nonconforming condition.**  
 07:11PM 18 **The building, itself, is close to where**  
 07:11PM 19 **we're proposing our setback on the right-hand side**  
 07:11PM 20 **and close to our front setback which does comply.**  
 07:11PM 21 **Q.** And on the property now are there any  
 07:11PM 22 stormwater management systems or any utilities that  
 07:12PM 23 we need to disclose or are there -- is the property  
 07:12PM 24 void of any of such utilities?  
 07:12PM 25 **A. There is no stormwater facility on the**  
**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

07:12PM 1 **existing property.**  
 07:12PM 2 **Q.** But that's not the case of the proposal  
 07:12PM 3 now before the board?  
 07:12PM 4 **A. No.**  
 07:12PM 5 **The proposed dwelling will have full**  
 07:12PM 6 **seepage pits, all the rainwater will be directed from**  
 07:12PM 7 **the roof gutters to the leaders to seepage pits in**  
 07:12PM 8 **the yard on the Hillside Avenue portion.**  
 07:12PM 9 **Q.** And you acknowledge on behalf of the  
 07:12PM 10 Applicant, do you not, and I know I'm rushing, but  
 07:12PM 11 you do acknowledge that any action this board takes  
 07:12PM 12 will be subject to Mr. Collazuol's final review, so  
 07:12PM 13 if the applicant is directed to make the catch basin  
 07:12PM 14 bigger or put them somewhere else or do a different  
 07:12PM 15 type of system, whatever those requests are, in fact,  
 07:12PM 16 the applicant agrees to comply, correct?  
 07:12PM 17 **A. Correct.**  
 07:12PM 18 **Q.** Okay.  
 07:12PM 19 So in the upper right-hand corner of  
 07:12PM 20 what we've premarked as -- or lower right-hand corner  
 07:12PM 21 of what we premarked as A-1, if you could describe  
 07:12PM 22 the project on what, I believe, we call the  
 07:13PM 23 architectural site plan?  
 07:13PM 24 **A. Sure.**  
 07:13PM 25 **The property which -- the proposed**  
**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

07:13PM 1 **development will be oriented off Hillside Avenue. If**  
 07:13PM 2 **you're looking at it from Hillside Avenue there's**  
 07:13PM 3 **three units that are 29-foot wide each.**  
 07:13PM 4 **As you're looking at it from**  
 07:13PM 5 **Brinkerhoff Avenue those units are 30-foot deep, but**  
 07:13PM 6 **the front of the lot from a zoning point of view are**  
 07:13PM 7 **considered Brinkerhoff Terrace, which the narrow**  
 07:13PM 8 **portion is on Brinkerhoff Terrace.**  
 07:13PM 9 **It's a three-level configuration. At**  
 07:13PM 10 **the front of each proposed dwelling unit there is a**  
 07:13PM 11 **two-car driveway that accesses into a two-car garage.**  
 07:13PM 12 **It provides three -- I'm sorry -- four parking spaces**  
 07:13PM 13 **per unit. However, it's recognized as three parking**  
 07:13PM 14 **spaces for RSIS because there's a two-car parking in**  
 07:13PM 15 **the driveway and two-car parking in the garage with a**  
 07:13PM 16 **single door.**  
 07:13PM 17 **Q.** And, in your opinion, that satisfies  
 07:13PM 18 RSIS for each unit?  
 07:13PM 19 **A. Yes.**  
 07:13PM 20 **The basement or ground floor is limited**  
 07:14PM 21 **-- I'll go to sheet A-2 --**  
 07:14PM 22 **Q.** We're going to just stay here one  
 07:14PM 23 second --  
 07:14PM 24 **A. Sure.**  
 07:14PM 25 **Q.** -- and then we're going to turn the  
**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

07:14PM 1 page, I'm sorry, Bill.  
 07:14PM 2 So your layout that is on A-1, you're  
 07:14PM 3 depicting a two-car paver driveway and a garage for  
 07:14PM 4 each proposed unit?  
 07:14PM 5 **A. Correct.**  
 07:14PM 6 **Part of that driveway is under the**  
 07:14PM 7 **building, so we can provide, from the property line,**  
 07:14PM 8 **18 feet clearance to the garage wall. At the garage**  
 07:14PM 9 **door itself it's 19 feet. So we do have enough room**  
 07:14PM 10 **to park two cars completely on the property. In**  
 07:14PM 11 **addition, from the property line to the proposed new**  
 07:14PM 12 **sidewalk that will be installed on Hillside Avenue at**  
 07:14PM 13 **approximately a foot-and-a-half to 2 feet of**  
 07:14PM 14 **clearance from the right-of-way.**  
 07:14PM 15 **Q.** So then in theory, vehicles can park  
 07:14PM 16 on-site without the rear of those vehicles  
 07:14PM 17 obstructing any pedestrian traffic?  
 07:14PM 18 **A. Correct. That was the idea.**  
 07:14PM 19 **Q.** They're all paver driveways?  
 07:14PM 20 **A. Yes.**  
 07:14PM 21 **Q.** As we've been customarily requested by  
 07:14PM 22 other board, and I don't know this one, I am pretty  
 07:14PM 23 sure this one also, there will be a differentiation  
 07:14PM 24 in the material between the paver driveway and the  
 07:14PM 25 sidewalk so that pedestrians can readily know where  
**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

07:15PM 1 the sidewalk is versus the driveway?

07:15PM 2 **A. Correct.**

07:15PM 3 **Q.** The sidewalk will be level, correct?

07:15PM 4 **A. Yes. There is no pitch going up from**

07:15PM 5 **the sidewalk level. It's basically your standard**

07:15PM 6 **flat drive -- sidewalk along Hillside Avenue.**

07:15PM 7 **Q.** So the sidewalk is not going to follow

07:15PM 8 the contour of the driveway in any manner, shape or

07:15PM 9 form, it's going to be level for pedestrians?

07:15PM 10 **A. Correct.**

07:15PM 11 **Q.** The site plan also, you do know the

07:15PM 12 couple wood decks, if you could just talk to them for

07:15PM 13 a moment.

07:15PM 14 **A. Yes. The two, the units, let's say the**

07:15PM 15 **rear portion if you're looking at it from Brinkerhoff**

07:15PM 16 **Terrace, the back rear yard which is the side yard of**

07:15PM 17 **Unit A has a side yard setback of eight feet,**

07:15PM 18 **six-and-a-half inches, which aligns with the side**

07:15PM 19 **yard setback of the dwelling that is to the north of**

07:15PM 20 **us which has a setback of approximately 3-and-a-half**

07:15PM 21 **feet from the staircase and six feet to their main**

07:15PM 22 **building line. Six-and-a-half feet to their main**

07:15PM 23 **building line.**

07:15PM 24 **There is a deck off the back that's**

07:15PM 25 **five feet, and it's 3 feet, five-and-a-half inches**

*LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.*  
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07:15PM 1 **off of the property line. The other deck at Unit C,**

07:16PM 2 **which is in the front of the yard area, from a zoning**

07:16PM 3 **point of view, however it's the right-hand side of**

07:16PM 4 **Unit C, there's a deck that's 7'5" off the property**

07:16PM 5 **line, and it's -- I'm sorry, off the building and 16**

07:16PM 6 **feet off the property line by 11'4".**

07:16PM 7 **Q.** To be clear, Bill, as I face this

07:16PM 8 proposed dwelling from Hillside Avenue, I'm -- from

07:16PM 9 left to right it's Unit A, it's Unit B is the middle

07:16PM 10 unit, and Unit C is closest to Brinkerhoff Terrace?

07:16PM 11 **A. Correct.**

07:16PM 12 **Q.** Okay. That brings us to the upper

07:16PM 13 right-hand corner of A-1. Your elevation, if you

07:16PM 14 could just discuss your contemplated exterior

07:16PM 15 material, but confirm at the outset, I'm sorry, Bill,

07:16PM 16 that the rear and the side of this dwelling will

07:16PM 17 likewise consist of the same materials.

07:16PM 18 **A. Right. It's an all brick structure;**

07:16PM 19 **however, we do have bay windows that come out on the**

07:16PM 20 **front and part of the side where we have what would**

07:16PM 21 **be either cement stucco or lightweight precast**

07:16PM 22 **material, brick up the facade.**

07:17PM 23 **At the front we have entry doors that**

07:17PM 24 **are at ground level with a platform that's one step**

07:17PM 25 **above the sidewalk. That will be a 36-inch door**

*LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.*  
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07:17PM 1 **width on either side. If you look at the left**

07:17PM 2 **elevation which is Hillside Avenue you can see on the**

07:17PM 3 **right-hand side the deck that goes out onto Unit C.**

07:17PM 4 **Q.** That's the deck that's effectively

07:17PM 5 facing Brinkerhoff Terrace?

07:17PM 6 **A. Correct. It's also front elevation on**

07:17PM 7 **Brinkerhoff Terrace, that deck that comes off the**

07:17PM 8 **building and the bay itself. And then the rear**

07:17PM 9 **elevation shows the deck that comes off of Unit A**

07:17PM 10 **which is the unit at the back which is the northern**

07:17PM 11 **part of the property.**

07:17PM 12 **Q.** Bill, there is a zoning schedule or a

07:17PM 13 zoning table that's in the middle of A-1, but we'll

07:17PM 14 dispense with that because we have a planner on deck,

07:17PM 15 unless the board directs otherwise. Okay?

07:17PM 16 I'm going to turn you to what we've

07:17PM 17 marked as A-2. It interestingly depicts the vehicles

07:17PM 18 parked within the garage and in the driveway. If you

07:17PM 19 could provide testimony as to A-2 lower portion.

07:17PM 20 **A. The units have toward the bottom we**

07:18PM 21 **have the entry platform. We have front entry doors**

07:18PM 22 **which faces the entrance hall, the staircase up to**

07:18PM 23 **the first floor which is the main living space. At**

07:18PM 24 **the back we have a utility room. That's**

07:18PM 25 **approximately 5'8" by 7'9. Full closet, a door into**

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

07:18PM 1 **the garage. The garage itself is 20'3" deep by 19'7"**

07:18PM 2 **wide, and we do have seven-foot wide garage doors, so**

07:18PM 3 **it can provide interior access into that garage.**

07:18PM 4 **There is no living space in the**

07:18PM 5 **basement. There is no bathroom. It's basically an**

07:18PM 6 **entry level with a utility room, coat closet and a**

07:18PM 7 **hallway.**

07:18PM 8 **Q.** Bill, in this ground floor, just so

07:18PM 9 that I'm clear, the only access that vehicles have

07:18PM 10 into this site, it sounds like a silly question, but

07:18PM 11 for the record, is through the garage doors, correct?

07:18PM 12 **A. Correct.**

07:18PM 13 **Q.** The only way pedestrians get into this

07:18PM 14 property is either through the front door or, of

07:18PM 15 course, if they have a combination to the garage

07:18PM 16 door, they could walk into the garage.

07:18PM 17 And from this garage you do depict

07:18PM 18 stairs that then go to the main entry level, correct?

07:18PM 19 **A. Correct.**

07:19PM 20 **Q.** Also in the basement there's a utility

07:19PM 21 room, there is a storage closet, and there is a --

07:19PM 22 you gave it a space, it's entry hall, but you had

07:19PM 23 some room, not enough for a room, but enough for a

07:19PM 24 spacious entry, right?

07:19PM 25 **A. Plus get furniture in and out easier.**

*LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.*  
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07:19PM 1 Q. Great. And then I'm glad you have this  
 07:19PM 2 elevation. This isn't technically the rear, this is  
 07:19PM 3 technically the right elevation.  
 07:19PM 4 A. Correct.  
 07:19PM 5 Q. But this is the rear of the house as  
 07:19PM 6 you face it from, what is the name --  
 07:19PM 7 A. Hillside Avenue.  
 07:19PM 8 Q. From Hillside. I'm sorry.  
 07:19PM 9 So if I'm on Hillside Avenue looking at  
 07:19PM 10 the front, the back of that house from that point is  
 07:19PM 11 this, and it's the same building materials?  
 07:19PM 12 A. Yes. All brick; however, we do have  
 07:19PM 13 small bay off of each unit that will be stucco or  
 07:19PM 14 lightweight precast.  
 07:19PM 15 Q. But those bays are on the top floor and  
 07:19PM 16 they wouldn't, for example, block access for anybody  
 07:19PM 17 in the rear because they'd be well above head height,  
 07:19PM 18 correct?  
 07:19PM 19 A. Correct.  
 07:19PM 20 In addition, we'll also have --  
 07:19PM 21 permitted to have over 3-and-a-half -- 3-and-a-half  
 07:19PM 22 feet of clearance from the property line, and those  
 07:19PM 23 will be a fire-rated material in accordance with the  
 07:19PM 24 building code.  
 07:19PM 25 Q. Bill, one thing I didn't ask you  
 LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.  
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07:20PM 1 glass door.  
 07:20PM 2 Q. Got it.  
 07:20PM 3 A. So the first floor is the main living  
 07:20PM 4 space. From the staircase you enter into a little  
 07:21PM 5 sort of entry hall or hall area with a coat closet.  
 07:21PM 6 Behind you is the eating area, a powder room. And  
 07:21PM 7 then in the rear right of each unit is the kitchen.  
 07:21PM 8 The kitchen has, you know, typical stove, kitchen  
 07:21PM 9 sink, refrigerator.  
 07:21PM 10 At the front we have a living room, and  
 07:21PM 11 then a staircase that brings you up to the second  
 07:21PM 12 floor which is the bedroom level. Every single unit  
 07:21PM 13 is basically the same, except the end units have a  
 07:21PM 14 slight difference in the thickness because of the  
 07:21PM 15 exterior wall assembly is approximately six inches.  
 07:21PM 16 Q. The end units have the decks?  
 07:21PM 17 A. Yes. And the unit on Unit A which is  
 07:21PM 18 the right-hand has a smaller deck. It only comes out  
 07:21PM 19 five feet because the side yard, the neighbor.  
 07:21PM 20 Q. When you say Unit A on the right-hand  
 07:21PM 21 side you mean left-hand side?  
 07:21PM 22 A. I'm sorry. Left-hand side.  
 07:21PM 23 Q. That's okay. That's all right.  
 07:21PM 24 But there's no deck for the middle  
 07:21PM 25 unit?  
 LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.  
 201-641-1812

07:20PM 1 before, but there's depicted on A-2 air conditioning  
 07:20PM 2 condensers?  
 07:20PM 3 A. Yes.  
 07:20PM 4 There's air conditioning units, we'll  
 07:20PM 5 have one in the front yard which is on the right-hand  
 07:20PM 6 side of the units which will be screened.  
 07:20PM 7 There's also one on the rear which is  
 07:20PM 8 the left-hand of Unit A.  
 07:20PM 9 And the middle unit will have one in  
 07:20PM 10 the back, that can also be accessed from the back  
 07:20PM 11 portion of the front providing a condenser for the  
 07:20PM 12 air conditioning.  
 07:20PM 13 Q. Thank you. I am going to turn to you  
 07:20PM 14 to what we've premarked as A-3, Bill. And again,  
 07:20PM 15 these are additional floor plans, starting on the  
 07:20PM 16 first floor, which is on the top of your drawing, and  
 07:20PM 17 proceeding to the second floor if you would.  
 07:20PM 18 Now, the only way to the first floor,  
 07:20PM 19 to be clear, I am sorry, is from the interior stair  
 07:20PM 20 through the front door through the garage?  
 07:20PM 21 A. Correct.  
 07:20PM 22 Q. There is no stairs that go to either of  
 07:20PM 23 the proposed decks?  
 07:20PM 24 A. No. This is a deck that's facing off  
 07:20PM 25 the eating area in the kitchen through the sliding  
 LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.  
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07:21PM 1 A. Correct.  
 07:21PM 2 Q. Okay. So now the only way to get to  
 07:21PM 3 what you're calling the second floor is through the  
 07:21PM 4 interior stairs within the first floor?  
 07:21PM 5 A. Correct.  
 07:21PM 6 Q. Could you describe what's on the second  
 07:21PM 7 floor?  
 07:21PM 8 A. The bedroom level. Three bedroom  
 07:22PM 9 configuration. We have a master at the front with  
 07:22PM 10 its own on suite master bathroom. It has a shower, a  
 07:22PM 11 sink and a toilet. We also have a walk-in closet.  
 07:22PM 12 Secondary closet that's about six-and-a-half feet by  
 07:22PM 13 2 feet deep. In the hallway you have a stackable  
 07:22PM 14 laundry and a hall bathroom that the two secondary  
 07:22PM 15 bedrooms share, though each unit -- each unit the  
 07:22PM 16 three-bedroom configuration and two bath, one being a  
 07:22PM 17 master bathroom. And all units have the same  
 07:22PM 18 configuration.  
 07:22PM 19 Q. Bill, I'm sorry. I'm flipping you back  
 07:22PM 20 to A-2 for a second because I neglected to ask you,  
 07:22PM 21 could you just talk about the height of the building  
 07:22PM 22 that is clearly depicted on the top of A-2?  
 07:22PM 23 A. Sure. The building itself, the height  
 07:22PM 24 is measured from the average grade. We have a  
 07:22PM 25 building that is three stories and 29 feet, so we are  
 LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.  
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07:22PM **1** requesting a variance for the height.

07:22PM **2** **As you go towards the back, the height**

07:22PM **3 becomes a little bit less in the front. That's a**

07:22PM **4 function of the elevation of the property. We're not**

07:22PM **5 filling the grade, we're basically keeping...**

07:22PM **6 Q.** Go ahead. I'm sorry, Bill.

07:23PM **7 A.** **We're filling in -- we're not filling**

07:23PM **8 in any of the grade, we're not raising -- we're**

07:23PM **9 basically working everything to an existing grade, so**

07:23PM **10 our height is an actual on-site based on average**

07:23PM **11 grade.**

07:23PM **12 Q.** I'm going to now flip you to what I

07:23PM **13 haven't marked yet, we're going to call this A-4.**

07:23PM **14 You call it S-1, an initial date of January 20 and a**

07:23PM **15 last revised date of March 29, 2019. This is your**

07:23PM **16 schematic drainage plan.**

07:23PM **17** Now, again, this, we've acknowledged,

07:23PM **18 is subject to the board engineer, correct?**

07:23PM **19 A. Right.**

07:23PM **20 Q.** In summary fashion, Bill, confirm for

07:23PM **21 me that a stormwater management plan will, in fact,**

07:23PM **22 be adopted and that will be incorporated on to this**

07:23PM **23 site?**

07:23PM **24 A. Yes.**

07:23PM **25 Q.** And it will be subject to the approval  
**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

07:23PM **1** and review of the board engineer, Mr. Collazuol?

07:23PM **2 A. Yes. And a perk test.**

07:23PM **3 Q.** And a perk test.

07:23PM **4** Is there anything, however, now that

07:23PM **5 we've marked it, that you would like to discuss?**

07:23PM **6 A. One of the items that the board's been**

07:23PM **7 concerned about before is the lighting. We are**

07:23PM **8 providing residential type fixtures. At the front**

07:24PM **9 we'll have a light fixture above each entry door and**

07:24PM **10 the entry canopy. There will also be a light fixture**

07:24PM **11 above each garage door, and a recessed light fixture**

07:24PM **12 in the covered parking area.**

07:24PM **13** **At the sides, as you're looking at the**

07:24PM **14 Hillside, there will be a light fixture above the**

07:24PM **15 sliding glass door and the wood deck into Brinkerhoff**

07:24PM **16 Terrace, and it will be a light residential type**

07:24PM **17 fixture above the sliding glass door above deck at**

07:24PM **18 Unit A which is on the left side of Hillside Avenue**

07:24PM **19 orientation. And those would be no more than 100**

07:24PM **20 watts, incandescent fixtures.**

07:24PM **21 Q.** Bill, we have gone through the

07:24PM **22 interior, we've gone through the exterior. I know we**

07:24PM **23 have glossed over some of the variances; however, we**

07:24PM **24 do have a planner on deck.**

07:24PM **25** Is there anything else that you would  
**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

07:24PM **1** like to add from an architectural perspective on this

07:24PM **2** property?

07:24PM **3 A. No. Like I said, what we tried to do,**

07:24PM **4 you know, is we did maintain -- most of the houses in**

07:24PM **5 that area have a 24-foot setback. Even though the**

07:24PM **6 typical setback on the rear is 25 feet. However, I**

07:24PM **7 think it can be accommodated with 8-and-a-half that**

07:25PM **8 we have since we are aligned with a side yard of the**

07:25PM **9 dwelling that's on Hillside to the north of us.**

07:25PM **10** **The footprint itself is in line with**

07:25PM **11 the maximum size duplex that would be built, two and**

07:25PM **12 two-and-a-half thousand square feet. They're putting**

07:25PM **13 bigger ones on, but we try to keep the size of it no**

07:25PM **14 bigger than a larger type duplex.**

07:25PM **15** **What we've also done is we've minimized**

07:25PM **16 the impact of not having the side doors or any doors**

07:25PM **17 in the basement other than the entry door. And there**

07:25PM **18 is no living space or bathrooms on the ground floor.**

07:25PM **19** MR. SOKOLICH: Thank you, Bill.

07:25PM **20** Anything else you'd like to add?

07:25PM **21** THE WITNESS: Not at this time.

07:25PM **22** MR. SOKOLICH: Mr. Chairman, I offer

07:25PM **23** Mr. Cocoros.

07:25PM **24** CHAIRMAN FERGUSON: Okay. I've got a

07:25PM **25** few.  
**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

07:25PM **1** As I'm driving my car into the garages,

07:25PM **2** either A, B or C, there is no -- as I approach the

07:25PM **3** back wall, there is no room behind it, right?

07:25PM **4** THE WITNESS: No.

07:26PM **5** CHAIRMAN FERGUSON: So as I pull in,

07:26PM **6** we're in the garage, correct.

07:26PM **7** THE WITNESS: Correct.

07:26PM **8** CHAIRMAN FERGUSON: Yes?

07:26PM **9** THE WITNESS: Yes. Your basically your

07:26PM **10** back wall of the unit is the back wall of the garage.

07:26PM **11** There is no room behind that.

07:26PM **12** CHAIRMAN FERGUSON: That's because the

07:26PM **13** units are so small. There's no rooms.

07:26PM **14** THE WITNESS: Right.

07:26PM **15** CHAIRMAN FERGUSON: Okay.

07:26PM **16** And, of course, there's no bathroom,

07:26PM **17** there's no --

07:26PM **18** THE WITNESS: No bathroom.

07:26PM **19** CHAIRMAN FERGUSON: I mean, there's no

07:26PM **20** bathtubs or showers.

07:26PM **21** THE WITNESS: Correct. We've done

07:26PM **22** similar units like this where we actually created a

07:26PM **23** two-car garage and a one-car garage with a recreation

07:26PM **24** room and a bathroom, but we figured since, you know,

07:26PM **25** where we are, try to minimize that impact without  
**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**



07:26PM 1 having that.

07:26PM 2 CHAIRMAN FERGUSON: Okay.

07:26PM 3 Now, the next question is the sewer

07:26PM 4 lines coming out, there's -- I assume there's three

07:26PM 5 sewer lines. Are you going to dig three pits to the

07:26PM 6 street?

07:26PM 7 THE WITNESS: Well, we have -- my plan,

07:26PM 8 based on previous applications that we've done, we

07:26PM 9 have one lateral that takes care of all the units

07:26PM 10 that goes into one main lateral to the existing

07:26PM 11 sewer. So there's like a manifold across the front

07:26PM 12 of the property on Hillside, all the units tie into

07:27PM 13 that, there's a clean-out, and then there's a main

07:27PM 14 lateral line six inches, we'll confirm the size, that

07:27PM 15 goes into the existing sewer on Hillside to the new

07:27PM 16 connection.

07:27PM 17 CHAIRMAN FERGUSON: Okay. Steve, you

07:27PM 18 got anything?

07:27PM 19 MR. COLLAZUOL: I'll comment on that?

07:27PM 20 CHAIRMAN FERGUSON: You're going to

07:27PM 21 comment. All right.

07:27PM 22 MR. COLLAZUOL: Yes.

07:27PM 23 THE WITNESS: Also I forgot to mention,

07:27PM 24 on Brinkerhoff Terrace in regard to the sidewalk,

07:27PM 25 we're providing a new sidewalk along Hillside;

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

07:27PM 1 however, we are trying to -- we're keeping the trees

07:27PM 2 along the -- between the sidewalk and the curb on

07:27PM 3 Brinkerhoff Terrace, but those tree trunks are kind

07:27PM 4 of curbing, growing over the curbing, so we don't

07:27PM 5 show in those where the curbs are bad. I know the

07:27PM 6 board usually likes us to replace the curbs on all

07:27PM 7 parts of the property.

07:27PM 8 CHAIRMAN FERGUSON: Yes.

07:27PM 9 THE WITNESS: But I'm not sure how to

07:27PM 10 handle that with a big tree that has roots that kind

07:27PM 11 of overlap on the existing curb on that corner.

07:27PM 12 CHAIRMAN FERGUSON: Okay. Well, I

07:27PM 13 guess you'll work that out with Steve. Right, Steve?

07:27PM 14 MR. COLLAZUOL: Yes.

07:27PM 15 CHAIRMAN FERGUSON: Okay.

07:27PM 16 Now, lastly, I -- you know, I have a

07:28PM 17 little problem with the decks. First of all, what is

07:28PM 18 the difference between a deck and a balcony?

07:28PM 19 MR. SOKOLICH: I would offer to you,

07:28PM 20 Chairman, that a balcony is not something --

07:28PM 21 THE WITNESS: Without posts that come

07:28PM 22 down.

07:28PM 23 MR. SOKOLICH: Yes. But there's not

07:28PM 24 enough room for a table and chairs and a barbecue

07:28PM 25 certainly. But large balconies there are.

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07:28PM 1 But typically balconies are smaller

07:28PM 2 than decks, I think. I think.

07:28PM 3 CHAIRMAN FERGUSON: Okay.

07:28PM 4 So let's go --

07:28PM 5 MR. SOKOLICH: They're probably a

07:28PM 6 little more romantic, too. I think balconies are

07:28PM 7 more romantic.

07:28PM 8 CHAIRMAN FERGUSON: Okay.

07:28PM 9 Now let's go to the back of the house.

07:28PM 10 This is the house as I'm looking at the house, the

07:28PM 11 towards the left --

07:28PM 12 THE WITNESS: Unit A.

07:28PM 13 CHAIRMAN FERGUSON: Unit A. How much

07:28PM 14 is the back yard.

07:28PM 15 THE WITNESS: I have 8-and-a-half feet.

07:28PM 16 CHAIRMAN FERGUSON: Okay.

07:28PM 17 Now, the 8-and-a-half feet, does that

07:28PM 18 include the deck that you have there?

07:28PM 19 THE WITNESS: No. The deck is 3 feet,

07:29PM 20 five-and-a-half inches.

07:29PM 21 CHAIRMAN FERGUSON: How much.

07:29PM 22 THE WITNESS: 3 feet, five-and-a-half

07:29PM 23 inches.

07:29PM 24 CHAIRMAN FERGUSON: Okay.

07:29PM 25 So your -- from the back property line

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07:29PM 1 it's 3 feet?

07:29PM 2 THE WITNESS: 3-and-a-half. Three and

07:29PM 3 five-and-a-half, yes.

07:29PM 4 CHAIRMAN FERGUSON: Okay.

07:29PM 5 So I asked you this same question last

07:29PM 6 month. Do you think it's fair that a backyard gets

07:29PM 7 to be 3-and-a-half feet from the property line?

07:29PM 8 About.

07:29PM 9 THE WITNESS: The only reason I did

07:29PM 10 that number is if you -- I took both the staircases

07:29PM 11 3-and-a-half feet. And if you look in here, you can

07:29PM 12 see this house here --

07:29PM 13 CHAIRMAN FERGUSON: Right.

07:29PM 14 THE WITNESS: -- I think we did it

07:29PM 15 almost 10, 15 -- 10, 12 year ago, that part of the

07:29PM 16 house is set back a little bit further, so if you

07:29PM 17 look at the depth here, it's kind of in line with

07:29PM 18 their front entry porch. So it's not directly where

07:29PM 19 their house is so, you know, I tried to use some,

07:29PM 20 like some judgment as far as keeping a certain

07:29PM 21 boundary lining up with like the staircase. I would

07:29PM 22 say no less than 3 feet. I mean, if we're doing it

07:29PM 23 as a balcony I would also make it, say, four feet and

07:30PM 24 give ourselves a little bit more room on that side if

07:30PM 25 we have to.

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07:30PM 1 CHAIRMAN FERGUSON: Right. How about  
 07:30PM 2 this, how about just doing away with the whole deck?  
 07:30PM 3 THE WITNESS: Okay.  
 07:30PM 4 CHAIRMAN FERGUSON: This way you get  
 07:30PM 5 the -- a lot more --  
 07:30PM 6 THE WITNESS: Clearance.  
 07:30PM 7 CHAIRMAN FERGUSON: Whatever it is,  
 07:30PM 8 right?  
 07:30PM 9 MR. SOKOLICH: And then it's neither a  
 07:30PM 10 balcony or a deck.  
 07:30PM 11 CHAIRMAN FERGUSON: It's neither a  
 07:30PM 12 balcony nor a deck. Okay.  
 07:30PM 13 MR. SOKOLICH: The option would be  
 07:30PM 14 nothing.  
 07:30PM 15 CHAIRMAN FERGUSON: So you're okay with  
 07:30PM 16 that.  
 07:30PM 17 MR. SOKOLICH: We are.  
 07:30PM 18 CHAIRMAN FERGUSON: Now let's go to the  
 07:30PM 19 other side. The deck in the front which would be on  
 07:30PM 20 the Brinkerhoff side of the zoning, right.  
 07:30PM 21 THE WITNESS: Yes.  
 07:30PM 22 CHAIRMAN FERGUSON: Again, I think we  
 07:30PM 23 had this conversation last meeting. I don't -- you  
 07:30PM 24 know, I don't -- you say you did them before. I  
 07:30PM 25 don't remember this board putting decks, you know, on

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07:31PM 1 the garage floor to the street?  
 07:31PM 2 THE WITNESS: Okay. At the garage I  
 07:31PM 3 have -- let's say the garage, right in front of the  
 07:32PM 4 garage is 99. At the sidewalk I have 98.7. At the  
 07:32PM 5 worse case scenario which is --  
 07:32PM 6 VICE CHAIRMAN ALBANESE: Is that  
 07:32PM 7 positive pitch?  
 07:32PM 8 THE WITNESS: Yes. About three-inch  
 07:32PM 9 difference on the Unit A. On Unit C I have about a  
 07:32PM 10 foot, 15 inches difference.  
 07:32PM 11 VICE CHAIRMAN ALBANESE: 15?  
 07:32PM 12 THE WITNESS: 15, yes. It pitches up  
 07:32PM 13 about -- yes, at the most extreme point, at the -- at  
 07:32PM 14 the Unit A --  
 07:32PM 15 VICE CHAIRMAN ALBANESE: That's  
 07:32PM 16 positive pitch.  
 07:32PM 17 THE WITNESS: Yes. There's no water  
 07:32PM 18 going towards the garage.  
 07:32PM 19 VICE CHAIRMAN ALBANESE: Okay. That's  
 07:32PM 20 all I wanted to know.  
 07:32PM 21 CHAIRMAN FERGUSON: Okay. Anybody  
 07:32PM 22 else? Okay. We'll work for our experts.  
 07:32PM 23 Before we start maybe we should swear  
 07:32PM 24 in, because we missed him last time around, Judd.  
 07:32PM 25 You want to swear him in?

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07:30PM 1 the street side of a building. And I am trying to  
 07:30PM 2 avoid what they have up in Paterson or Harlem where  
 07:31PM 3 you have decks, everybody's out on the front looking  
 07:31PM 4 -- right? I'd like to see it straight. You know,  
 07:31PM 5 nice row of houses in line. No decks. You know...  
 07:31PM 6 (Whereupon, a discussion is held off  
 07:31PM 7 the record.)  
 07:31PM 8 MR. SOKOLICH: Chairman, I will tell  
 07:31PM 9 you, when you raised decks before I thought you were  
 07:31PM 10 referring to both. So when we said eliminate, we  
 07:31PM 11 agreed to eliminate both.  
 07:31PM 12 CHAIRMAN FERGUSON: Oh, okay. Because  
 07:31PM 13 that's what I'm asking.  
 07:31PM 14 MR. SOKOLICH: That was my  
 07:31PM 15 misunderstanding. So both decks are and will be  
 07:31PM 16 submitted to the board with the plan that has no  
 07:31PM 17 reference to those.  
 07:31PM 18 CHAIRMAN FERGUSON: Okay.  
 07:31PM 19 MR. SOKOLICH: To both. Correct.  
 07:31PM 20 CHAIRMAN FERGUSON: Right.  
 07:31PM 21 Anybody have any -- any board Members  
 07:31PM 22 have anything?  
 07:31PM 23 VICE CHAIRMAN ALBANESE: Yeah. I got  
 07:31PM 24 some.  
 07:31PM 25 What is the -- what is the pitch from

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07:32PM 1 MS. TESTA: Yes. Okay. Please raise  
 07:32PM 2 your right hand. Do you swear that the comments and  
 07:32PM 3 opinions that you will give as an expert for the  
 07:32PM 4 board in traffic engineering for 2019 will be the  
 07:32PM 5 truth, the whole truth and nothing but the truth, so  
 07:32PM 6 help you God?  
 07:33PM 7 MR. ROCCIOLA: I do.  
 07:33PM 8 CHAIRMAN FERGUSON: Okay. Judd, do you  
 07:33PM 9 have anything on this?  
 07:33PM 10 MR. ROCCIOLA: The only comment I had  
 07:33PM 11 was that the parking satisfies the RSIS standards.  
 07:33PM 12 CHAIRMAN FERGUSON: Okay. Steve, you  
 07:33PM 13 want to take it away?  
 07:33PM 14 MR. COLLAZUOL: Sure.  
 07:33PM 15 Bill, with respect to the building  
 07:33PM 16 height, could you provide the average grade  
 07:33PM 17 connotation on the plan so that if this board were to  
 07:33PM 18 approve this, the contractor knows what the corner  
 07:33PM 19 grades of the buildings are?  
 07:33PM 20 THE WITNESS: You want like a little  
 07:33PM 21 diagram?  
 07:33PM 22 MR. COLLAZUOL: Yes. Either a diagram  
 07:33PM 23 or a chart that shows that so when the building -- if  
 07:33PM 24 the board approves it, the contractor can follow that  
 07:33PM 25 and there won't be any issues with building height

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07:33PM 1 through construction.

07:33PM 2 THE WITNESS: Okay.

07:33PM 3 MR. COLLAZUOL: There typically is a

07:33PM 4 sight triangle. Could you add a sight triangle? It

07:33PM 5 appears that the sight triangle is clear of any

07:33PM 6 obstructions. But with respect to that, can you make

07:33PM 7 a note that no landscaping will be placed in the

07:34PM 8 sight triangle that's greater than the maximum height

07:34PM 9 allowed, which I think is 30 inches.

07:34PM 10 Then your note regarding sidewalks, it

07:34PM 11 doesn't appear to me that you were indicating a new

07:34PM 12 sidewalk in Brinkerhoff Terrace, so I realize what

07:34PM 13 the reason was with respect to those trees.

07:34PM 14 THE WITNESS: Yes. Because you see

07:34PM 15 that root going over the curb and the sidewalk; how

07:34PM 16 does that get done?

07:34PM 17 MR. COLLAZUOL: Right. The Borough has

07:34PM 18 had a lot of problems with those type of things when

07:34PM 19 sidewalks are getting improved. So I think that

07:34PM 20 perhaps a site visit would be smart. But I think it

07:34PM 21 should be the obligation of the applicant to replace

07:34PM 22 the sidewalk if possible. Is that all right?

07:34PM 23 CHAIRMAN FERGUSON: All right by me if

07:34PM 24 it's all right by the owner.

07:34PM 25 MR. SOKOLICH: Absolutely. Depending

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07:36PM 1 inverts along the line that goes in the front yard?

07:36PM 2 MR. COLLAZUOL: At the main, all the

07:36PM 3 connections in the course in the building.

07:36PM 4 THE WITNESS: You want a minimum

07:36PM 5 quarter-inch?

07:36PM 6 MR. COLLAZUOL: Yes. I have nothing

07:36PM 7 further, thank you.

07:36PM 8 CHAIRMAN FERGUSON: All right.

07:36PM 9 Mr. Kauker, I guess you'll wait for the

07:36PM 10 planner, unless you have something for --

07:36PM 11 MR. KAUKER: No. The only question I

07:36PM 12 actually had is with regard to the decks so that

07:36PM 13 issue's solved, so I have no questions.

07:36PM 14 CHAIRMAN FERGUSON: Okay. Good.

07:36PM 15 Okay. Anybody in the audience have any

07:36PM 16 questions? Susan?

07:36PM 17 MS. BRAUER: Susan Brauer.

07:36PM 18 You said the property is 45 -- 5422

07:36PM 19 square feet?

07:36PM 20 THE WITNESS: Yes.

07:36PM 21 MS. BRAUER: So by our Ordinance and

07:36PM 22 code, that's the size for one duplex?

07:36PM 23 THE WITNESS: 5,000 square feet.

07:36PM 24 MS. BRAUER: 5,000 square feet.

07:36PM 25 THE WITNESS: Correct.

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07:35PM 1 on what that site visit result is.

07:35PM 2 MR. COLLAZUOL: Because the survey that

07:35PM 3 shows doesn't show the trees now the sidewalk or

07:35PM 4 where their locations are, so either submit a plan

07:35PM 5 that shows the trees and --

07:35PM 6 THE WITNESS: Yes. The sidewalk's

07:35PM 7 about a foot off the line and about to be a 4-foot,

07:35PM 8 5-foot planting strip up there now, but, you know,

07:35PM 9 probably maintain the same spot, try to move it over

07:35PM 10 a little bit closer to the right-of-way then we can

07:35PM 11 do that also.

07:35PM 12 MR. COLLAZUOL: Yes. It appears that

07:35PM 13 it veers from west to east and it's going away from

07:35PM 14 the lot line.

07:35PM 15 THE WITNESS: Yes.

07:35PM 16 MR. COLLAZUOL: So that would be good.

07:35PM 17 That would be appropriate.

07:35PM 18 And last, on the S-1 drawing, can you

07:35PM 19 place the -- I realize the sanitary sewer isn't shown

07:35PM 20 on Hillside Avenue and there's only a manhole shown,

07:35PM 21 but if you can provide that further information if

07:35PM 22 the board were to approve this plan with respect to

07:35PM 23 all the inverts for the sewer laterals that are

07:35PM 24 shown, and at the connection points.

07:35PM 25 THE WITNESS: Oh, so you want the

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07:36PM 1 MS. BRAUER: Okay. And you're -- so

07:36PM 2 nobody had a question on density here, which is

07:36PM 3 unusual.

07:36PM 4 CHAIRMAN FERGUSON: Right.

07:36PM 5 MS. BRAUER: There's no catch basins.

07:37PM 6 THE WITNESS: Well, the property itself

07:37PM 7 can be -- can accommodate, in my opinion, three units

07:37PM 8 because of the corner, and the way it's presented is

07:37PM 9 the frontage --

07:37PM 10 MS. BRAUER: In your mind it can, but

07:37PM 11 not by our Borough code. That's why you're before

07:37PM 12 the board. So your density, that's a variance.

07:37PM 13 There's no catch basins on Grand and Brinkerhoff and

07:37PM 14 there has been flooding occasionally on there, so I

07:37PM 15 don't know what's on Hillside, if there's any catch

07:37PM 16 basins there. Do you have --

07:37PM 17 THE WITNESS: We're proposing all rain

07:37PM 18 water to stay on the property. We're not trying to

07:37PM 19 any catch basins.

07:37PM 20 MS. BRAUER: Is there a fire hydrant on

07:37PM 21 Brinkerhoff near there? There's one up here on

07:37PM 22 Highland, but I don't know if there's one back there.

07:37PM 23 THE WITNESS: I do not see anything on

07:37PM 24 the survey.

07:37PM 25 MS. BRAUER: Okay. Now, you said each

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07:37PM 1 one is 29 inches wide. What is the depth on those?  
 07:37PM 2 THE WITNESS: They're 29 by 30.  
 07:38PM 3 MS. BRAUER: By 30. Okay.  
 07:38PM 4 Okay. Now, you have bay windows. You  
 07:38PM 5 have bay windows, if you're looking at it from  
 07:38PM 6 Hillside, you have bay windows on the left side yard.  
 07:38PM 7 Where are the bay windows?  
 07:38PM 8 THE WITNESS: Which way are you looking  
 07:38PM 9 at it? From Hillside?  
 07:38PM 10 MS. BRAUER: If you're standing on  
 07:38PM 11 Hillside looking at the front of the building.  
 07:38PM 12 THE WITNESS: There's a bay window in  
 07:38PM 13 the middle.  
 07:38PM 14 MS. BRAUER: There on the front?  
 07:38PM 15 THE WITNESS: Yes. And there's a bay  
 07:38PM 16 window on the right-hand side which is facing  
 07:38PM 17 Brinkerhoff. There was a deck there. That's gone.  
 07:38PM 18 We're doing a bay window on that side to address the  
 07:38PM 19 street so it's not a blank elevation.  
 07:38PM 20 MS. BRAUER: And anything on the other  
 07:38PM 21 side?  
 07:38PM 22 THE WITNESS: Yes. On the side which  
 07:38PM 23 is the back which is considered from a zoning point  
 07:38PM 24 of view the right side what is the east lot line has  
 07:38PM 25 three bay windows that are off the top floor. Those

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07:40PM 1 MS. BRAUER: So those trees are going  
 07:40PM 2 to remain. Okay. Thank you.  
 07:40PM 3 CHAIRMAN FERGUSON: Name and address,  
 07:40PM 4 please.  
 07:40PM 5 MS. SCHOR: Marsha Schor.  
 07:40PM 6 Are you going to have any attics on  
 07:40PM 7 that building at all?  
 07:40PM 8 THE WITNESS: Your typical, let's say,  
 07:40PM 9 attic like, let's say, with like access for the air  
 07:40PM 10 conditioning. That's it. It's not going to be a  
 07:40PM 11 livable attic.  
 07:40PM 12 MS. SCHOR: Is it going to have a  
 07:40PM 13 pull-down staircase?  
 07:40PM 14 THE WITNESS: There will be an access.  
 07:40PM 15 You can get up there to service the AC.  
 07:40PM 16 MS. SCHOR: So the air conditioning on  
 07:40PM 17 the outside also?  
 07:40PM 18 THE WITNESS: There's -- the middle  
 07:40PM 19 unit has one that's facing the side yard and the one  
 07:40PM 20 on Unit C which is facing Brinkerhoff will have one  
 07:40PM 21 in the Brinkerhoff yard which will be screened. And  
 07:40PM 22 then there's one on the Unit a which is in the back  
 07:40PM 23 of the building; however, it's considered the  
 07:40PM 24 left-hand side of Unit A which will be there. That  
 07:40PM 25 will also be screened.

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07:38PM 1 come out from the building face 1'8". So there's a  
 07:39PM 2 1'8" bay window off each unit at the top floor.  
 07:39PM 3 MS. BRAUER: At the top floor. Okay.  
 07:39PM 4 Why -- can you tell me what your  
 07:39PM 5 average height is? You said something before, but I  
 07:39PM 6 didn't hear.  
 07:39PM 7 THE WITNESS: The height, which is  
 07:39PM 8 measured from the mid point of the roof for a grade  
 07:39PM 9 point of the corner of the building, we have 29'1"  
 07:39PM 10 and three stories. So we are requesting a variance  
 07:39PM 11 for the height. The height itself, if it was a  
 07:39PM 12 duplex, which is measured from the same way but it's  
 07:39PM 13 a 28-foot requirement where we're basically one foot  
 07:39PM 14 over the height, 1'1" over the height of a typical  
 07:39PM 15 duplex.  
 07:39PM 16 MS. BRAUER: And, I am sorry, you said  
 07:39PM 17 something about trees. Are you removing the trees  
 07:39PM 18 you're going --  
 07:39PM 19 THE WITNESS: No. We're preserving the  
 07:39PM 20 trees along Brinkerhoff. That's another reason why  
 07:39PM 21 we oriented them along Hillside because of the  
 07:39PM 22 configuration, and also that's the reason why we  
 07:40PM 23 didn't pull anything off of the sidewalk and the  
 07:40PM 24 curbs until we conferred with the engineer with the  
 07:40PM 25 Borough.

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07:40PM 1 MS. SCHOR: Is there -- I'm sorry.  
 07:40PM 2 CHAIRMAN FERGUSON: Go ahead.  
 07:40PM 3 MS. SCHOR: Hillside at some point goes  
 07:40PM 4 one way. It's not at Brinkerhoff, is it at Central?  
 07:40PM 5 FEMALE AUDIENCE MEMBER: One way  
 07:41PM 6 towards Brinkerhoff?  
 07:41PM 7 MS. SCHOR: One way toward Brinkerhoff.  
 07:41PM 8 So you could really only approach that by going  
 07:41PM 9 around and coming -- okay. Thank you.  
 07:41PM 10 CHAIRMAN FERGUSON: Okay. Anybody else  
 07:41PM 11 have any questions? Go ahead, name and address.  
 07:41PM 12 MS. CHOI: Julie Choi, 254 Hillside  
 07:41PM 13 Avenue. C-H-O-I.  
 07:41PM 14 So I live in the building that would be  
 07:41PM 15 right next to this proposed building. How far close  
 07:41PM 16 to the property will this building be to that, to the  
 07:41PM 17 property I live on?  
 07:41PM 18 THE WITNESS: 8-and-a-half feet. But  
 07:41PM 19 it's not going to be -- it's basically going to be in  
 07:41PM 20 front of your -- where your front door is, and it's  
 07:41PM 21 8-and-a-half feet from the, let's say the rear corner  
 07:41PM 22 to the property line.  
 07:41PM 23 MS. CHOI: From the left? Because it  
 07:41PM 24 would be to the right of that building. So  
 07:41PM 25 8-and-a-half feet --

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07:41PM 1 THE WITNESS: To the right of you.  
 07:41PM 2 Let's say from going to the left as you're facing it  
 07:42PM 3 from Hillside, it's 8-and-a-half feet. Before we had  
 07:42PM 4 a deck there. That's gone.  
 07:42PM 5 MS. CHOI: It's 8-and-a-half feet of  
 07:42PM 6 pavement.  
 07:42PM 7 THE WITNESS: Correct. A typical side  
 07:42PM 8 yard is six feet with a three-foot setback with  
 07:42PM 9 stairs.  
 07:42PM 10 MS. CHOI: Do you have a copy of that?  
 07:42PM 11 THE WITNESS: It's not here. There's  
 07:42PM 12 a --  
 07:42PM 13 MR. SOKOLICH: I'll get a copy.  
 07:42PM 14 CHAIRMAN FERGUSON: Okay. So what's  
 07:42PM 15 the back yard look like now, just for --  
 07:42PM 16 THE WITNESS: There's detached garages  
 07:42PM 17 back there now, and there's --  
 07:42PM 18 CHAIRMAN FERGUSON: That's going to go?  
 07:42PM 19 THE WITNESS: That's going to go.  
 07:42PM 20 CHAIRMAN FERGUSON: Okay.  
 07:42PM 21 THE WITNESS: And that's about  
 07:42PM 22 3-and-a-half, four -- that's almost 3-and-a-half feet  
 07:42PM 23 from the property line, too.  
 07:42PM 24 CHAIRMAN FERGUSON: Okay.  
 07:42PM 25 Yes. You have something?

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07:43PM 1 VICE CHAIRMAN ALBANESE: Okay.  
 07:43PM 2 CHAIRMAN FERGUSON: Okay.  
 07:43PM 3 Counselor, you want to put your next  
 07:43PM 4 witness on?  
 07:43PM 5 MR. SOKOLICH: Thank you, Chairman. We  
 07:43PM 6 call Mia Petrou.  
 07:43PM 7 CHAIRMAN FERGUSON: Court Reporter, you  
 07:43PM 8 need a break? Okay. We'll take a five-minute break.  
 07:43PM 9 (Whereupon, a brief recess is taken.)  
 07:43PM 10 CHAIRMAN FERGUSON: Paulie, we're  
 07:43PM 11 ready. Roll call, please.  
 07:43PM 12 MS. LAMBRINIDES: Mr. Ferguson?  
 07:43PM 13 CHAIRMAN FERGUSON: Here.  
 07:43PM 14 MS. LAMBRINIDES: Mr. Albanese?  
 07:43PM 15 VICE CHAIRMAN ALBANESE: Here.  
 07:43PM 16 MS. LAMBRINIDES: Mr. Terranova?  
 07:43PM 17 MR. TERRANOVA: Here.  
 07:43PM 18 MS. LAMBRINIDES: Mr. Min?  
 07:43PM 19 MR. MIN: Here.  
 07:43PM 20 MS. LAMBRINIDES: Mr. Nam?  
 07:43PM 21 MR. NAM: Here.  
 07:43PM 22 MS. LAMBRINIDES: Ms. Yoon?  
 07:43PM 23 MS. YOON: Here.  
 07:43PM 24 MS. LAMBRINIDES: Mr. Carnovale?  
 07:43PM 25 MR. CARNOVALE: Here.

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07:42PM 1 MR. CARNOVALE: Just a quick question.  
 07:42PM 2 Are you going to be planting any shrubberies on the  
 07:42PM 3 site at all?  
 07:42PM 4 THE WITNESS: Perhaps there will be  
 07:42PM 5 landscaping along the backyard. I know in the front  
 07:42PM 6 yard we don't do stuff that is low to the ground.  
 07:42PM 7 MR. CARNOVALE: But there's not going  
 07:42PM 8 to be any shrubbery blocking her --  
 07:42PM 9 THE WITNESS: No.  
 07:43PM 10 FEMALE AUDIENCE MEMBER: She's going to  
 07:43PM 11 have a three-story wall.  
 07:43PM 12 CHAIRMAN FERGUSON: Yes, go ahead.  
 07:43PM 13 VICE CHAIRMAN ALBANESE: Bill, with  
 07:43PM 14 respect to the bay windows and the projections for  
 07:43PM 15 the building, how far do they project into the front  
 07:43PM 16 yard?  
 07:43PM 17 THE WITNESS: In the front yard they  
 07:43PM 18 come out -- actually on both yards they come out 20  
 07:43PM 19 inches. 1'8".  
 07:43PM 20 VICE CHAIRMAN ALBANESE: Okay. So less  
 07:43PM 21 than 2 feet?  
 07:43PM 22 THE WITNESS: Correct.  
 07:43PM 23 VICE CHAIRMAN ALBANESE: They're all  
 07:43PM 24 less than 2 feet?  
 07:43PM 25 THE WITNESS: Yes.

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1 MS. LAMBRINIDES: Mr. Lefteriou?  
 2 MR. LEFTERIOU: Here.  
 3 CHAIRMAN FERGUSON: Okay, counselor.  
 4 MR. SOKOLICH: Thank you, Chairman.  
 5 MS. TESTA: Raise your right hand.  
 6 Do you swear that the testimony you  
 7 will give in this application will be the truth, the  
 8 whole truth and nothing but the truth, so help you  
 9 God?  
 10 MS. PETROU: Yes, I do.  
 11 M I A P E T R O U,  
 12 Having been duly sworn, testifies as follows:  
 13 MS. TESTA: State your name for the  
 14 record, please.  
 15 MS. PETROU: Mia Petrou, P-E-T-R-O-U,  
 16 on behalf of Kenneth Ochab Associates.  
 07:54PM 17 CHAIRMAN FERGUSON: Have you appeared  
 07:54PM 18 before this board before.  
 07:54PM 19 MS. PETROU: I have.  
 07:54PM 20 CHAIRMAN FERGUSON: You have?  
 07:54PM 21 MS. PETROU: Yes.  
 07:54PM 22 CHAIRMAN FERGUSON: Okay. Take it  
 07:55PM 23 away.  
 07:55PM 24 MR. SOKOLICH: Thank you.  
 07:55PM 25

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07:55PM 1 DIRECT EXAMINATION

07:55PM 2 BY MR. SOKOLICH:

07:55PM 3 Q. You are a licensed planner?

07:55PM 4 A. I am.

07:55PM 5 Q. Your credentials have been accepted

07:55PM 6 here and before other boards in Bergen County without

07:55PM 7 glitch, hitch or delay, correct? And you've

07:55PM 8 testified probably at this point at least in

07:55PM 9 connection with applications I've engaged you for

07:55PM 10 over 100 duplex applications?

07:55PM 11 A. Yes.

07:55PM 12 Q. You were engaged by GSR Developers for

07:55PM 13 purposes of doing what?

07:55PM 14 A. Evaluating the plans that are before

07:55PM 15 the board this evening in the context of the Zoning

07:55PM 16 Ordinance and the Master Plan and the neighborhood in

07:55PM 17 which it's located.

07:55PM 18 Q. In conjunction with your preparation of

07:55PM 19 that planning assessment means, you've done a review,

07:55PM 20 have you not, of the zoning ordinance here in the

07:55PM 21 Borough of Palisades Park?

07:55PM 22 A. Yes, I have.

07:55PM 23 Q. You have done a review of the site plan

07:55PM 24 ordinance and a physical inspection of the property?

07:55PM 25 A. Yes. And the neighborhood.

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07:55PM 1 Q. You have taken note of the zone plan

07:55PM 2 and the size of the lot and other uses in the

07:55PM 3 vicinity of the lot?

07:55PM 4 A. Yes.

07:55PM 5 Q. You have --

07:55PM 6 A. As well as the Master Plan.

07:55PM 7 Q. Thank you.

07:55PM 8 I've premarked so I don't have to

07:56PM 9 interrupt you during the course of your testimony as

07:56PM 10 A-5 a cluster of four photographs that I have

07:56PM 11 identified clockwise starting in upper left-hand

07:56PM 12 corner as A, B, lower right C, lower left D. These

07:56PM 13 are photographs, in fact, taken by you?

07:56PM 14 A. They were taken by Mr. Ochab, but I can

07:56PM 15 confirm that they represent a clear depiction of what

07:56PM 16 exists there today.

07:56PM 17 Q. Based on your own personal observation?

07:56PM 18 A. Yes.

07:56PM 19 Q. A-6 is yet another cluster of four

07:56PM 20 photographs that I've likewise identified clockwise;

07:56PM 21 upper left is A, upper right is B, lower right is C,

07:56PM 22 lower left is D. Again, same questions?

07:56PM 23 A. Yes.

07:56PM 24 Q. In fact, they're accurate depictions?

07:56PM 25 A. Yes.

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07:56PM 1 Q. Thank you, Mia.

07:56PM 2 So wherever you deem appropriate, if

07:56PM 3 you can just talk about the scope, the extent of your

07:56PM 4 assessment, the variances that are required and, of

07:56PM 5 course, your findings.

07:56PM 6 A. Sure. We can get right into the photos

07:56PM 7 since they've been marked.

07:56PM 8 The subject property is depicted in

07:56PM 9 Photo A or Photo 1, which is an existing corner lot

07:56PM 10 located at the northeast corner of Brinkerhoff

07:57PM 11 Terrace, not Brinkerhoff Avenue. That's a correction

07:57PM 12 on the title of the exhibit. So it's Brinkerhoff

07:57PM 13 Terrace and Hillside Ave.

07:57PM 14 Hillside itself is one-way southbound

07:57PM 15 in this direction, so this is at the terminus of the

07:57PM 16 one-way direction along Hillside.

07:57PM 17 The lot size itself is 45 feet in width

07:57PM 18 along Brinkerhoff, and then when you're looking at

07:57PM 19 Photo B, Photo 2 is a view of the existing house from

07:57PM 20 its Hillside frontage which is 120 feet.

07:57PM 21 The site as you can see is currently

07:57PM 22 improved. It's an existing single family home

07:57PM 23 constructed about 1936 according to tax records. So

07:57PM 24 it is almost 85 years of age.

07:57PM 25 The uses in the vicinity of the subject

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07:57PM 1 property are depicted on the remainder of the

07:57PM 2 photographs for the most part. Photo C shows a view

07:57PM 3 of the opposite corner property to the west across

07:57PM 4 Hillside, and Photo D shows a view of the existing

07:58PM 5 neighbor to the left or to the north. I believe this

07:58PM 6 might be Ms. Choi's house in Photo D. It's an

07:58PM 7 existing two-family house located at our left

07:58PM 8 neighborhood -- left neighbor.

07:58PM 9 Photo Exhibit B, so the second page of

07:58PM 10 the exhibit shows some of the other uses in the

07:58PM 11 vicinity. This is the view again, close-up view of

07:58PM 12 the adjacent homes on Hillside Avenue.

07:58PM 13 Q. A-6A?

07:58PM 14 A. A-6A.

07:58PM 15 A-6B shows views of, again, the same

07:58PM 16 side of Hillside Avenue, so the easterly side of

07:58PM 17 Hillside Avenue. We can see there really is a mix of

07:58PM 18 one- and two-family even an apartment building mid

07:58PM 19 block, which is a very unique condition within the

07:58PM 20 Borough at this location. And that's Photo A-6B.

07:58PM 21 Photo A-6C shows the existing garage on

07:58PM 22 the subject property which is non-conforming in its

07:58PM 23 location as was just testified by Mr. Cocoros. And

07:59PM 24 Photo D shows a view of the westerly side of Hillside

07:59PM 25 Avenue which is really transforming and transitioning

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07:59PM 1 into duplex development.

07:59PM 2 So this gives us this little feel for

07:59PM 3 the character of the neighborhood. And you've heard

07:59PM 4 significant detail about the proposal here for a

07:59PM 5 three-family triplex development at this location

07:59PM 6 which is in the AA zone of the Borough of Palisades

07:59PM 7 Park which does not permit three-family dwellings.

07:59PM 8 It's a two-family duplexes are permitted, and

07:59PM 9 therefore, a (d)(1) use variance is required pursuant

07:59PM 10 to the Municipal Land Use Law.

07:59PM 11 Other variances requested by this

07:59PM 12 application which I, in my opinion, are subsumed by

07:59PM 13 the use as it is proposed include a lot area per unit

07:59PM 14 variance whereas in the two-family zone, 2500 square

07:59PM 15 feet of lot area per unit is required. 1807 is being

07:59PM 16 provided on this lot of 5,422 square feet. A left

07:59PM 17 side yard variance is requested for ten feet whereas

07:59PM 18 15 feet is required, as well as a combined side yard

08:00PM 19 of 20 feet whereas 15 feet is required. I'm sorry,

08:00PM 20 15 feet whereas 20 feet is required.

08:00PM 21 Additionally, the minimum rear yard, as

08:00PM 22 Mr. Cocoros pointed to, is 8.45 feet whereas 25 feet

08:00PM 23 is required. And the maximum height of three stories

08:00PM 24 29.08 feet proposed whereas two-and-a-half stories,

08:00PM 25 25 feet is required. That's a lot of the details, so

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08:00PM 1 I'm going to get -- that was just an overview. I'm

08:00PM 2 going to get into the reasons for each of them, but

08:00PM 3 again, keeping in mind that these requirements do

08:00PM 4 relate to a duplex, two-family use, otherwise

08:00PM 5 consistent with the triplex type of development that

08:00PM 6 is being requested at this location.

08:00PM 7 The standards for reviewing the use

08:00PM 8 variance in this case being a (d)(1) use variance was

08:00PM 9 established by the Medici case, which requires a

08:00PM 10 showing that the site is particularly suited to

08:00PM 11 accommodate the proposed use and that this proposal

08:01PM 12 promotes the planning purposes as envisioned within

08:01PM 13 the Borough's Master Plan.

08:01PM 14 And I believe there are several special

08:01PM 15 reasons that support the granting of the requested

08:01PM 16 use variance and associated variances in this

08:01PM 17 application.

08:01PM 18 In the first case, we are dealing with

08:01PM 19 a corner lot property. And this corner lot is

08:01PM 20 located really along an arterial roadway with

08:01PM 21 Brinkerhoff Terrace. An arterial roadway is

08:01PM 22 basically a major roadway that connects really more

08:01PM 23 than what -- it's really more of a heavily traveled

08:01PM 24 roadway that connects one town to another and you can

08:01PM 25 traverse it, it's more of a regional perspective and

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08:01PM 1 that does happen with Brinkerhoff as it connects over

08:01PM 2 to the east.

08:01PM 3 In this case, current planning concepts

08:01PM 4 do advocate having your more intense uses located

08:01PM 5 along major arterial roadways, but not only the

08:01PM 6 context of this roadway, in the context of the

08:01PM 7 neighborhood in which we're located. There is a

08:01PM 8 multi-family presence within this particular block in

08:02PM 9 the borough. And this three-unit concept in the

08:02PM 10 context of this neighborhood really is appropriate

08:02PM 11 given the lot configuration and the vicinity of the

08:02PM 12 subject property.

08:02PM 13 You have a preponderance of lots that

08:02PM 14 are 40 feet in width. And in this case -- which are

08:02PM 15 interior lots. In this case when we're looking at

08:02PM 16 that 40 feet and looking at it from the Hillside

08:02PM 17 Avenue perspective of 120 feet, 120 divided by 40 is

08:02PM 18 three units that you would normally see across the

08:02PM 19 frontage on a 40-foot-wide lot neighborhood.

08:02PM 20 So in this particular instance, being

08:02PM 21 it's a corner lot location and then again, being that

08:02PM 22 it's in a neighborhood that not only contains

08:02PM 23 multifamily uses, but also has single-family and

08:02PM 24 two-family homes on 40-foot lots, this, in my

08:02PM 25 opinion, would be a consistent, particularly suitable

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08:02PM 1 site to accommodate a three-family dwelling.

08:02PM 2 And notably, it is the only 120-foot

08:02PM 3 lot frontage along Hillside Avenue. So this really

08:03PM 4 is a unique application in the context of what we're

08:03PM 5 seeking here.

08:03PM 6 And looking at the Master Plan, the

08:03PM 7 2000 re-examination has several goals and objectives

08:03PM 8 for development, and they include developing a

08:03PM 9 balanced housing supply and providing for a variety

08:03PM 10 of housing types and densities. And it also talks

08:03PM 11 about maintaining and enhancing existing areas of

08:03PM 12 stability, promoting a spacial distribution of uses.

08:03PM 13 And that certainly is promoted here in the context of

08:03PM 14 removing an older style home over 80 years in age

08:03PM 15 with a new development that is consistent with the,

08:03PM 16 as you can see from the photos, the transition of

08:03PM 17 this neighborhood to more of a duplex development at

08:03PM 18 this location in the context of that form and

08:03PM 19 configuration.

08:03PM 20 The associated variances include a

08:04PM 21 (d)(5) density variance because of the virtue of

08:04PM 22 having three families on this lot size, so in my

08:04PM 23 opinion that is subsumed by a (d)(1) use variance,

08:04PM 24 that's really more of a numbers issue, and a (d)(6)

08:04PM 25 height variance because the proposed height is

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08:04PM **1 exceeded -- exceeds the requirement by more than ten**  
 08:04PM **2 percent. And the standard for granting such (d)**  
 08:04PM **3 variances is not as stringent a standard as the**  
 08:04PM **4 (d)(1) use variance. It requires more of a showing**  
 08:04PM **5 that the site can accommodate any issues or any**  
 08:04PM **6 problems associated with the deviation from the**  
 08:04PM **7 zoning requirements.**

08:04PM **8 In this case, we have 29 feet is**  
 08:04PM **9 proposed, but in the context of a duplex development**  
 08:04PM **10 where 28 feet is permitted, it is not a significant**  
 08:04PM **11 variation, combined with the fact that there is about**  
 08:04PM **12 a two-foot grade difference at this location. So the**  
 08:04PM **13 homes to the east do sit a little bit higher. So**  
 08:04PM **14 that grade difference does affect the way that the**  
 08:05PM **15 average height is calculated.**

08:05PM **16 So in my opinion, the site currently**  
 08:05PM **17 can accommodate a 29-foot height, consistent, again,**  
 08:05PM **18 with other adjoining development, the duplex**  
 08:05PM **19 development in this neighborhood, as well as a**  
 08:05PM **20 five-story apartment building that is located mid**  
 08:05PM **21 block. So this is not something that's going to**  
 08:05PM **22 stick out or be out of the ordinary at this location.**

08:05PM **23 In looking at the setbacks that are**  
 08:05PM **24 proposed at this location, I do believe they're**  
 08:05PM **25 appropriate in the context of the site. We are**

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08:05PM **1 proposing to maintain the front setback along**  
 08:05PM **2 Brinkerhoff which will provide for appropriate line**  
 08:05PM **3 of sight along that location. The rear yard, itself,**  
 08:05PM **4 functionally serves as a side yard. Were this**  
 08:05PM **5 considered a side yard, this side yard setback would,**  
 08:05PM **6 in fact, be less than the 8 to 8-and-a-half feet that**  
 08:05PM **7 is being provided with 8.45.**

08:05PM **8 So the way that the setback aligns with**  
 08:06PM **9 this configuration is appropriate, will not impinge**  
 08:06PM **10 on any purpose of the zoning to provide for adequate**  
 08:06PM **11 light and air to adjoining properties.**

08:06PM **12 The building coverage itself also is**  
 08:06PM **13 eight percent over what's permitted by the zoning,**  
 08:06PM **14 and in the intent of looking at building coverage**  
 08:06PM **15 requirements really are rooted in adequate drainage**  
 08:06PM **16 of the site, and as Mr. Cocoros attests to, all of**  
 08:06PM **17 those issues will be addressed in the context of his**  
 08:06PM **18 engineering review.**

08:06PM **19 Ultimately, I believe this application**  
 08:06PM **20 does further the intent and purposes of the Municipal**  
 08:06PM **21 Land Use Law and provide for sufficient space in an**  
 08:06PM **22 appropriate location for a variety of uses and to**  
 08:06PM **23 provide for appropriate population density, again,**  
 08:06PM **24 given the context of the neighborhood.**

08:06PM **25 The negative criteria which requires a**  
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08:06PM **1 showing that the site, the proposal would not result**  
 08:06PM **2 in a significant detriment to the neighborhood or to**  
 08:06PM **3 the zone plan I believe are also satisfied by this**  
 08:06PM **4 application. The pictures do tell a thousand words**  
 08:07PM **5 in this case. You can see that the proposal is**  
 08:07PM **6 consistent with what is existing in the neighborhood**  
 08:07PM **7 in terms of the form of development.**

08:07PM **8 Notably, when we're looking at a past**  
 08:07PM **9 neighborhood what we want to see is that there's**  
 08:07PM **10 enough parking, and this does comply with the parking**  
 08:07PM **11 requirements for development in the Borough of**  
 08:07PM **12 Palisades Park as well as with RSIS requirements.**  
 08:07PM **13 And what this also shows is new investment in the**  
 08:07PM **14 neighborhood which is a community benefit that**  
 08:07PM **15 everyone can reap.**

08:07PM **16 Finally, there's no substantial**  
 08:07PM **17 impairment to the zone plan. As I indicated**  
 08:07PM **18 previously, the 120-foot depth is able to accommodate**  
 08:07PM **19 the proposed triplex in a manner that is consistent**  
 08:07PM **20 with the neighborhood, is also, again, the only lot**  
 08:07PM **21 with 120 feet of frontage that could do so.**

08:07PM **22 So, again, given the fact that we're a**  
 08:08PM **23 corner lot as well, I believe this would not result**  
 08:08PM **24 in a significant deviation from the zoning**  
 08:08PM **25 requirements for impairment and should therefore be**

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08:08PM **1 approved.**

08:08PM **2 MR. SOKOLICH: Thank you, Mia.**

08:08PM **3 Mr. Chairman, I offer Ms. Petrou.**

08:08PM **4 CHAIRMAN FERGUSON: Okay.**

08:08PM **5 Well, I think you covered just about**

08:08PM **6 everything that I had, so I will kick it over to,**

08:08PM **7 Steve, you have anything?**

08:08PM **8 MR. COLLAZUOL: No.**

08:08PM **9 CHAIRMAN FERGUSON: Judd.**

08:08PM **10 MR. ROCCIOLA: No, I don't.**

08:08PM **11 CHAIRMAN FERGUSON: Mr. Kauker?**

08:08PM **12 MR. KAUKER: Just a couple of**

08:08PM **13 questions, if I may.**

08:08PM **14 CHAIRMAN FERGUSON: Go ahead, sure.**

08:08PM **15 MR. KAUKER: Just while you're talking**

08:08PM **16 about the height, with respect to the height you**

08:08PM **17 talked about, I guess, the Coventry case and whether**

08:08PM **18 the site can accommodate the proposed use. What**

08:08PM **19 about in terms of the other justification to the**

08:08PM **20 board would be the Spring Lake Heights case which I**

08:08PM **21 think would be appropriate.**

08:08PM **22 Did you take a look at the other**

08:08PM **23 buildings in the area and the heights of those**

08:08PM **24 structures and whether or not this proposed building**

08:08PM **25 is consistent with those.**

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08:08PM 1 THE WITNESS: Yes.  
 08:08PM 2 So because they are duplexes, we can  
 08:08PM 3 make an assumption that the height of 28 feet which  
 08:08PM 4 is permitted is the permitted duplex height in the  
 08:09PM 5 zone has been either complied with or close to it.  
 08:09PM 6 But in looking particularly at photo  
 08:09PM 7 A-6B, which is also labeled as Photo 2, looking at  
 08:09PM 8 the east side of Hillside Avenue, this property, you  
 08:09PM 9 can see mid block there is a five-story apartment  
 08:09PM 10 building that is quite higher than many of the other  
 08:09PM 11 structures in the neighborhood. So this certainly  
 08:09PM 12 will not be, again, a building height that would seem  
 08:09PM 13 out of character with the rest of the neighborhood.  
 08:09PM 14 MR. KAUKER: Okay.  
 08:09PM 15 And then similarly in terms of the  
 08:09PM 16 setbacks that are being proposed, how do those  
 08:09PM 17 compare to other setbacks in the area, specifically  
 08:09PM 18 the neighboring properties?  
 08:09PM 19 THE WITNESS: Well, with the side yard  
 08:09PM 20 setbacks in looking again at the location of this  
 08:09PM 21 being a corner lot and the way that this is  
 08:09PM 22 configured where we have the frontage along Hillside  
 08:10PM 23 Avenue, whereas the front yard as defined by the  
 08:10PM 24 ordinance is the Brinkerhoff Terrace frontage where  
 08:10PM 25 we have that 25 feet of setback, in looking at the  
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08:11PM 1 know, for ease of use, just tend to park on the  
 08:11PM 2 street. This is not the type of development that is  
 08:11PM 3 going to generate on-street parking demand. This is  
 08:11PM 4 really something that will be accommodated on site.  
 08:11PM 5 And one parking space is also being maintained on  
 08:11PM 6 street, even given the amount of curb cuts.  
 08:11PM 7 MR. KAUKER: Okay.  
 08:11PM 8 And then last question with respect --  
 08:11PM 9 I don't know if you address or not, I may have missed  
 08:11PM 10 it, but with respect to the enhanced quality of  
 08:11PM 11 proof, did you address that?  
 08:11PM 12 THE WITNESS: Yes. In the context of  
 08:12PM 13 the enhanced quality of proof, you know, again, given  
 08:12PM 14 the context of this site being so unique where the  
 08:12PM 15 ordinance itself doesn't necessarily provide for a  
 08:12PM 16 three-family use in the zone, because the ordinance  
 08:12PM 17 doesn't really provide for a lot of this type of  
 08:12PM 18 configuration in this zone having, again, this  
 08:12PM 19 120 feet of frontage that could accommodate the three  
 08:12PM 20 units given they're consistent with the rest of the  
 08:12PM 21 neighborhood.  
 08:12PM 22 MR. KAUKER: I have no other questions.  
 08:12PM 23 CHAIRMAN FERGUSON: Okay. Anybody in  
 08:12PM 24 the audience have anything? Susan?  
 08:12PM 25 MS. BRAUER: Susan Brauer.  
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08:10PM 1 setbacks to alike structures, we do have five feet in  
 08:10PM 2 the easterly side yard and eight feet, five and three  
 08:10PM 3 inches in the westerly rear yard. I'm sorry,  
 08:10PM 4 northerly rear yard. And then 10 feet. And 10 feet  
 08:10PM 5 is typical of corner -- other duplexes on corner  
 08:10PM 6 lots.  
 08:10PM 7 MR. KAUKER: Okay.  
 08:10PM 8 Then just moving on to the negative  
 08:10PM 9 criteria, obviously you're requesting a variance or  
 08:10PM 10 use variance because you're proposing a multiple  
 08:10PM 11 family dwelling with three units where only two units  
 08:10PM 12 are permitted. Did you analyze or what are your  
 08:10PM 13 thoughts with respect to the additional curb cut that  
 08:10PM 14 is being proposed, because obviously if it were being  
 08:10PM 15 developed in accordance with the ordinance, you'd  
 08:11PM 16 have two curb cuts and you're adding a third. So did  
 08:11PM 17 you consider the impact that that may have on the  
 08:11PM 18 neighborhood?  
 08:11PM 19 THE WITNESS: Yes. But given the  
 08:11PM 20 context that this is at the terminus of a one-way  
 08:11PM 21 southbound street, I think that, combined with the  
 08:11PM 22 fact that there is adequate on-site parking being  
 08:11PM 23 provided, what we normally see in a lot of some of  
 08:11PM 24 these other older uses that are two-family, we have,  
 08:11PM 25 you know, a single load driveway that people, you  
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08:12PM 1 I disagree that the site is not unique.  
 08:12PM 2 5400 square feet, we could put a duplex on. You're  
 08:12PM 3 increasing the density. I have a real problem with  
 08:12PM 4 that. And quite frankly, I think it should go before  
 08:12PM 5 the Planning board rather than this board.  
 08:12PM 6 But you talk about single and  
 08:12PM 7 two-family residences on smaller lots. Those houses,  
 08:13PM 8 a lot of them were probably pre building code. So  
 08:13PM 9 they're older. The apartment building, how old is  
 08:13PM 10 that building? 60, 70 years old? So we really can't  
 08:13PM 11 talk about that. That's one of the reasons they're  
 08:13PM 12 on smaller lots, you know. We're not talking about a  
 08:13PM 13 redevelopment area here.  
 08:13PM 14 The other thing is I think, you know, I  
 08:13PM 15 don't know what side your drainage is going to be.  
 08:13PM 16 Nobody covered that. But the negative criteria,  
 08:13PM 17 you've got three houses, three bedrooms each. You  
 08:13PM 18 can have anywhere from four to eight pupils in our  
 08:13PM 19 schools which now we're going to have a referendum  
 08:13PM 20 because our schools are jammed. You're going to use  
 08:13PM 21 our fire department, our ambulance, our police.  
 08:13PM 22 I really think it's going to overburden  
 08:13PM 23 us, and I don't think three families are adequate on  
 08:13PM 24 there. I think they should go somewhere where you've  
 08:13PM 25 got an acre of land at this point. It's way over  
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08:14PM 1 what that piece of property is.  
 08:14PM 2 MR. SOKOLICH: Is there a question,  
 08:14PM 3 Chairman?  
 08:14PM 4 MS. BRAUER: Yes. My question is why  
 08:14PM 5 are you going for three when it's only big enough for  
 08:14PM 6 maybe a duplex, and that's it. I don't think it  
 08:14PM 7 should be bigger. I just think somebody is grabbing  
 08:14PM 8 on this and you're going to stuff ten pounds of you  
 08:14PM 9 know what into a five-pound bag. And the people who  
 08:14PM 10 live on that street are going to suffer for it. I  
 08:14PM 11 live around the corner from it and I know the block  
 08:14PM 12 well.  
 08:14PM 13 THE WITNESS: Yes. I have to fall back  
 08:14PM 14 on my prior testimony why I believe the site is  
 08:14PM 15 particularly suitable for a three-family because it  
 08:14PM 16 is not typical of what is in the neighborhood. It  
 08:14PM 17 really is a unique site that requires a unique look,  
 08:14PM 18 and that's why zoning boards of adjustment exist to  
 08:14PM 19 deviate from those requirements in particular cases  
 08:14PM 20 for special reasons.  
 08:14PM 21 MS. BRAUER: But to deviate within  
 08:14PM 22 reason. I don't believe that this is within reason.  
 08:14PM 23 Would you want -- my question is would you want to  
 08:14PM 24 live next door to that? I don't care if she answers  
 08:14PM 25 or not.

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08:15PM 1 THE WITNESS: Well, the variance that's  
 08:16PM 2 being requested is from the rear yard requirement.  
 08:16PM 3 MS. CHOI: So the rear is only required  
 08:16PM 4 to have 8-and-a-half feet?  
 08:16PM 5 THE WITNESS: No. We're proposing to  
 08:16PM 6 have 8.45 feet and the requirement is 25 feet.  
 08:16PM 7 MS. CHOI: That's a third of what is  
 08:16PM 8 required and that's a little bit severe.  
 08:16PM 9 THE WITNESS: That's because it's a  
 08:16PM 10 corner lot and the frontage -- you know, so what are  
 08:16PM 11 the options here? Do you shift it more to the east?  
 08:16PM 12 But if you shift it more -- to the south, excuse me,  
 08:16PM 13 you're getting into the line of sight for being able  
 08:16PM 14 to make turns safely in and out. So it really is  
 08:16PM 15 looking at the --  
 08:16PM 16 MS. CHOI: Is that an option to shift  
 08:16PM 17 the house right versus just making it smaller and  
 08:16PM 18 making it comply? I don't know why that...  
 08:16PM 19 THE WITNESS: Well, again, because I  
 08:16PM 20 think that the frontage, the 120 feet, that the  
 08:16PM 21 proposal is reasonable in the context of the  
 08:16PM 22 neighborhood and how that --  
 08:16PM 23 MS. CHOI: No other house is blocking  
 08:16PM 24 that forward.  
 08:16PM 25 MR. SOKOLICH: No. And there is no

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08:15PM 1 MR. SOKOLICH: Objection. We're not  
 08:15PM 2 going to, and are there any other questions?  
 08:15PM 3 CHAIRMAN FERGUSON: Yes. Can we get to  
 08:15PM 4 the --  
 08:15PM 5 MS. SCHOR: Marsha Schor.  
 08:15PM 6 I have a --  
 08:15PM 7 CHAIRMAN FERGUSON: Can you get the  
 08:15PM 8 girl to move on, because she's adjacent, so let's  
 08:15PM 9 give her a chance to --  
 08:15PM 10 MS. CHOI: Yes, right. Because even  
 08:15PM 11 the building different lot, there's a lot more space  
 08:15PM 12 in front. Some of that side yard because is the side  
 08:15PM 13 yard to the left or behind the property that you're  
 08:15PM 14 proposing.  
 08:15PM 15 THE WITNESS: So it's the way that the  
 08:15PM 16 ordinance is written, the yard adjoining your side  
 08:15PM 17 yard, your side is actually classified as the rear  
 08:15PM 18 yard.  
 08:15PM 19 MS. CHOI: Okay.  
 08:15PM 20 THE WITNESS: But functionally it  
 08:15PM 21 serves as a side yard because you have the side of  
 08:15PM 22 the building adjoining your side.  
 08:15PM 23 MS. CHOI: So which regulates -- how  
 08:15PM 24 would that operate? Like which, is it going to, I  
 08:15PM 25 guess, apply to functioning rule or to technical?

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08:16PM 1 other -- is there any other lot on that block, Mia,  
 08:17PM 2 that is comparable by way of size to the corner on  
 08:17PM 3 that strip?  
 08:17PM 4 THE WITNESS: No, no. And those other  
 08:17PM 5 lots are interior lots which -- so the front yard on  
 08:17PM 6 those and on yours would be required to be 25 feet  
 08:17PM 7 from Hillside because it's -- that's the way that the  
 08:17PM 8 ordinance defines it and measures it. And our front  
 08:17PM 9 yard in this case is Brinkerhoff.  
 08:17PM 10 MS. CHOI: But if you're putting the  
 08:17PM 11 front door that way, don't you have to comply with  
 08:17PM 12 the functions of a front door?  
 08:17PM 13 CHAIRMAN FERGUSON: Okay. You got  
 08:17PM 14 something?  
 08:17PM 15 MS. SCHOR: I do.  
 08:17PM 16 CHAIRMAN FERGUSON: Let's go.  
 08:17PM 17 MS. SCHOR: I don't know if you're  
 08:17PM 18 aware or the builder's even aware. This past winter,  
 08:17PM 19 because of the snow we had, most of Hillside turned  
 08:17PM 20 into a complete sheet of ice and I mean like 3 feet  
 08:17PM 21 thick at that particular corner. It goes across the  
 08:17PM 22 whole street there. There's no basins. They're not  
 08:17PM 23 providing a basin. They're going to be putting in  
 08:18PM 24 sewerage that our sewers basically can't really  
 08:18PM 25 handle anymore. And with the snow removal, where are

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08:18PM 1 they supposed to put their snow?  
 08:18PM 2 MR. SOKOLICH: Well, that we can't  
 08:18PM 3 answer. But we've already testified --  
 08:18PM 4 MS. SCHOR: They could explain why.  
 08:18PM 5 MR. SOKOLICH: We've already testified  
 08:18PM 6 that any requirements imposed upon this Applicant  
 08:18PM 7 will be complied with to the fullest extent which  
 08:18PM 8 will include and I can assure you, if there is 3 feet  
 08:18PM 9 of ice at this corner --  
 08:18PM 10 MS. SCHOR: There is.  
 08:18PM 11 MR. SOKOLICH: -- then part of that  
 08:18PM 12 problem is probably a stormwater management issue in  
 08:18PM 13 the neighborhood and in particular, at this lot. We  
 08:18PM 14 will eliminate that problem once we install our  
 08:18PM 15 system. So if anything, we're going to take away  
 08:18PM 16 from that problem, not add to it.  
 08:18PM 17 MS. SCHOR: What about the snow  
 08:18PM 18 removal? If you're having two cars outside, where  
 08:18PM 19 are we going to put the snow?  
 08:18PM 20 CHAIRMAN FERGUSON: But he's not --  
 08:18PM 21 he's not here to address the snow removal or --  
 08:18PM 22 MS. SCHOR: No, I'm asking her. She's  
 08:18PM 23 saying how wonderful -- she's the planner, how  
 08:18PM 24 wonderful it is.  
 08:18PM 25 MR. SOKOLICH: She's not --  
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08:19PM 1 This is a particular lot. It's oversized. It is a  
 08:19PM 2 corner so it's constrained in many respects to the  
 08:19PM 3 bulk requirements that are in the zone.  
 08:19PM 4 The decks have been removed. The  
 08:20PM 5 architect, we believe, has done a very good job from  
 08:20PM 6 an aesthetic standpoint to improve the condition that  
 08:20PM 7 exists there now and remove some other pre-existing  
 08:20PM 8 non-conformities.  
 08:20PM 9 It's critical to note that there is  
 08:20PM 10 more than ample parking for each of these units. I  
 08:20PM 11 believe the RSIS standard is three and four are being  
 08:20PM 12 provided for each unit. Correct, Bill?  
 08:20PM 13 MR. COCOROS: Yes.  
 08:20PM 14 MR. SOKOLICH: And all the other  
 08:20PM 15 mitigating factors that were raised by not only Mr.  
 08:20PM 16 Cocoros, but also Ms. Petrou.  
 08:20PM 17 For those reasons, Chairman, and for  
 08:20PM 18 the reasons that this is not a story about a lot  
 08:20PM 19 where you're going to get 50 other people with  
 08:20PM 20 similarly situated lots coming in and making these  
 08:20PM 21 same requests. This lot is by itself. It's on the  
 08:20PM 22 corner. It's oversized. Everything else is interior  
 08:20PM 23 and could not possibly provide this type of  
 08:20PM 24 improvement.  
 08:20PM 25 For those reasons, we would ask the  
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08:18PM 1 CHAIRMAN FERGUSON: If they put a  
 08:19PM 2 duplex there the water problem is still there.  
 08:19PM 3 MS. SCHOR: No. Put more space on the  
 08:19PM 4 place.  
 08:19PM 5 CHAIRMAN FERGUSON: But the water  
 08:19PM 6 problem's still there.  
 08:19PM 7 MS. SCHOR: No, but the snow removal is  
 08:19PM 8 one thing on a duplex that's full of snow.  
 08:19PM 9 CHAIRMAN FERGUSON: Okay. Anybody  
 08:19PM 10 else?  
 08:19PM 11 MR. SOKOLICH: Mr. Chairman, I have no  
 08:19PM 12 further witnesses.  
 08:19PM 13 CHAIRMAN FERGUSON: All right. You  
 08:19PM 14 want to sum up then.  
 08:19PM 15 MR. SOKOLICH: Would -- other than -- I  
 08:19PM 16 know the evening is getting late, you have another  
 08:19PM 17 application.  
 08:19PM 18 CHAIRMAN FERGUSON: Yes.  
 08:19PM 19 MR. SOKOLICH: We would re-offer to the  
 08:19PM 20 board the testimony and the highlights that have been  
 08:19PM 21 presented by Ms. Petrou. We would offer to the board  
 08:19PM 22 that this is a peculiar lot in the sense that it is  
 08:19PM 23 oversized and it is a corner. This is not a  
 08:19PM 24 condition that exists or the predominant condition on  
 08:19PM 25 Brinkerhoff Terrace or for that matter, on Hillside.  
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08:20PM 1 board to act favorably on the application.  
 08:20PM 2 CHAIRMAN FERGUSON: Okay.  
 08:20PM 3 Offer to make a motion to approve the  
 08:20PM 4 application with the following conditions: That you  
 08:20PM 5 meet any recommendations that the Borough Engineer  
 08:21PM 6 has, that you're going to remove the two decks or  
 08:21PM 7 balcony, depending on what you want to call it, how  
 08:21PM 8 you want to do it.  
 08:21PM 9 Also, I want to make a donation to the  
 08:21PM 10 -- \$2,000 to the Tree Preservation Fund. And I think  
 08:21PM 11 that will be it.  
 08:21PM 12 VICE CHAIRMAN ALBANESE: I'll second  
 08:21PM 13 the motion.  
 08:21PM 14 CHAIRMAN FERGUSON: Second?  
 08:21PM 15 VICE CHAIRMAN ALBANESE: Second right  
 08:21PM 16 here.  
 08:21PM 17 CHAIRMAN FERGUSON: Okay. Roll call.  
 08:21PM 18 MS. TESTA: Mr. Min wouldn't need to  
 08:21PM 19 vote.  
 08:21PM 20 MS. LAMBRINIDES: Mr. Ferguson?  
 08:21PM 21 CHAIRMAN FERGUSON: Yes.  
 08:21PM 22 MS. LAMBRINIDES: Mr. Albanese?  
 08:21PM 23 VICE CHAIRMAN ALBANESE: Yes.  
 08:21PM 24 MS. LAMBRINIDES: Mr. Terranova?  
 08:21PM 25 MR. TERRANOVA: No.  
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08:21PM 1 MS. LAMBRINIDES: Mr. Min?  
 08:21PM 2 MR. MIN: Abstain.  
 08:21PM 3 MS. LAMBRINIDES: Mr. Nam?  
 08:21PM 4 MR. NAM: Yes.  
 08:21PM 5 MS. LAMBRINIDES: Ms. Yoon?  
 08:21PM 6 MS. YOON: Yes.  
 08:21PM 7 MS. LAMBRINIDES: Mr. Carnovale?  
 08:21PM 8 MR. CARNOVALE: Yes.  
 08:21PM 9 MS. LAMBRINIDES: Mr. Lefteriou?  
 08:21PM 10 MR. LEFTERIOU: Yes.  
 08:21PM 11 MR. SOKOLICH: Chairman, members of the  
 08:21PM 12 board, thank you very much for your consideration.  
 08:21PM 13 Thank you. Thank you.  
 14 CHAIRMAN FERGUSON: Okay. You need a  
 15 break.  
 16 THE COURT REPORTER: I'm okay.  
 17 CHAIRMAN FERGUSON: Okay. Counselor,  
 18 you want to come up.  
 19 MS. TESTA: Just state your name for  
 20 the record.  
 21 MR. BOZANIAN: Elton Bozanian,  
 08:22PM 22 B-O-Z-A-N-I-A-N, Rotolo Bozanian, on behalf of the  
 08:22PM 23 applicant. So the applicant is Ardeshir Mohtaram.  
 08:22PM 24 MS. TESTA: Do you have your mailing?  
 08:22PM 25 MR. BOZANIAN: Yes, I do.

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08:24PM 1 MR. BOZANIAN: I believe he has been  
 08:24PM 2 qualified many times.  
 08:24PM 3 CHAIRMAN FERGUSON: Yes, we accept him.  
 08:24PM 4 MS. TESTA: Please raise your right  
 08:24PM 5 hand, please. Do you swear that the testimony you'll  
 08:24PM 6 give in this application will be the truth, the whole  
 08:24PM 7 truth and nothing but the truth, so help you God?  
 08:24PM 8 MR. MARTINS: I do.  
 08:24PM 9 M A R K M A R T I N S,  
 08:24PM 10 55 Walnut Street, Norwood, New Jersey, having  
 08:24PM 11 been duly sworn, testifies as follows:  
 08:24PM 12 MS. TESTA: Please state your name for  
 08:24PM 13 the record.  
 08:24PM 14 MR. MARTINS: Mark Martins,  
 08:24PM 15 M-A-R-T-I-N-S, 55 Walnut Street, Norwood, New Jersey.  
 08:24PM 16 For the record, I'm a professional engineer and land  
 08:24PM 17 surveyor licensed in the state of New Jersey.  
 08:24PM 18 DIRECT EXAMINATION  
 08:24PM 19 BY MR. BOZANIAN:  
 08:24PM 20 Q. Mr. Martins, you prepared a proposed  
 08:24PM 21 site plan for this particular application?  
 08:24PM 22 A. Yes. It consists of three sheets  
 08:24PM 23 originally dated November 12, 2018, and revised April  
 08:24PM 24 2nd, 2019.  
 08:24PM 25 Q. Okay.

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08:22PM 1 MS. TESTA: Mailings of service?  
 08:23PM 2 MR. BOZANIAN: I do. I'll hand up the  
 08:23PM 3 proof of service. The location is 201 Fifth Street  
 08:23PM 4 in Palisades Park, Lots 12 and 12.01 and Block 701.  
 08:23PM 5 It's a zone AA which permits one- and  
 08:23PM 6 two-family dwellings. It's an irregularly-shaped  
 08:23PM 7 property, and the applicant is proposing to construct  
 08:23PM 8 a 4-family attached townhome dwelling.  
 08:23PM 9 We have three expert witnesses who we  
 08:23PM 10 plan to present, two of which are here today. We're  
 08:23PM 11 going to present first Mark Martins --  
 08:23PM 12 CHAIRMAN FERGUSON: Which one are we  
 08:23PM 13 going to miss.  
 08:23PM 14 MR. BOZANIAN: We're going to miss the  
 08:23PM 15 architect.  
 08:23PM 16 CHAIRMAN FERGUSON: Okay.  
 08:23PM 17 MR. BOZANIAN: We suspect that there  
 08:23PM 18 will be some comments on this application anyway, so  
 08:23PM 19 perhaps it will be useful to get some of those -- the  
 08:24PM 20 feedback to bring to Mr. Sam before the next meeting.  
 08:24PM 21 CHAIRMAN FERGUSON: All right.  
 08:24PM 22 MR. BOZANIAN: Mark Martins is here.  
 08:24PM 23 He's going to testify as to the proposed site plan.  
 08:24PM 24 He has been before the board before.  
 08:24PM 25 CHAIRMAN FERGUSON: Yes.

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08:24PM 1 MS. TESTA: You want to mark that as  
 08:24PM 2 A-1?  
 08:24PM 3 MR. BOZANIAN: I'll offer it as A-1.  
 08:24PM 4 (Whereupon, Site Plan is received and  
 08:24PM 5 marked as Exhibit A-1 for identification.)  
 08:25PM 6 THE WITNESS: Now, this is the same set  
 08:25PM 7 of plans that was submitted to the board with one  
 08:25PM 8 exception; Sheet 2, which is the site plan sheet, has  
 08:25PM 9 been colorized for tonight's presentation.  
 08:25PM 10 BY MR. BOZANIAN:  
 08:25PM 11 Q. Okay. I'm going to ask you to testify  
 08:25PM 12 as to the proposed site plan and the particular  
 08:25PM 13 variances that are required for this application.  
 08:25PM 14 A. Sure. First, if you don't mind, I'd  
 08:25PM 15 like to kind of just discuss some of the existing  
 08:25PM 16 conditions of the property. As you mentioned, it's  
 08:25PM 17 201 Fifth Street, Lots 12 and 12.01 in Block 701 in  
 08:25PM 18 the Borough tax map.  
 08:25PM 19 It's kind of an unusually shaped piece  
 08:25PM 20 of property and an unusually located piece of  
 08:25PM 21 property. It's located on the westerly side of 201  
 08:25PM 22 -- on Fifth Street, rather. This is a key map, Sheet  
 08:25PM 23 1, which is basically the tax map, and this hatched  
 08:25PM 24 here is the subject property. And you can see it's,  
 08:25PM 25 as I mentioned before, it's on the westerly side of

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08:25PM **1 Fifth Street. It's also kind of at the easterly**  
 08:26PM **2 terminus of East Homestead Avenue and Abbott Avenue**  
 08:26PM **3 where they make that intersection, and Fifth Street**  
 08:26PM **4 going to the south is basically the ramp that takes**  
 08:26PM **5 you on to Route 46 going west. So that's kind of a**  
 08:26PM **6 crazy kind of a corner.**

08:26PM **7 Currently on the property there is an**  
 08:26PM **8 existing one-and-a-half story brick and frame**  
 08:26PM **9 dwelling. It has a driveway which accesses Fifth**  
 08:26PM **10 Street. And what's unusual about this piece of**  
 08:26PM **11 property is that it includes a vacated portion of**  
 08:26PM **12 East Homestead Avenue.**

08:26PM **13 The property was originally**  
 08:26PM **14 50-by-100 feet in depth, but a section of East**  
 08:26PM **15 Homestead Avenue being 35 feet in width and 88 feet**  
 08:26PM **16 in depth was vacated and has become part of this**  
 08:26PM **17 parcel. So the total area of this lot is 8,080**  
 08:26PM **18 square feet including that vacated section.**

08:26PM **19 Now, currently even though the property**  
 08:26PM **20 or that roadway was vacated, the pavement and the**  
 08:26PM **21 curbs still exist in that area; however, it is part**  
 08:26PM **22 and parcel of our property which is the subject of**  
 08:27PM **23 tonight's presentation.**

08:27PM **24 So we are proposing to remove all of**  
 08:27PM **25 the existing improvements including those existing**  
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08:28PM **1 adjacent to that. This entrance now kind of shared**  
 08:28PM **2 between Unit B and Unit C, they share it, it's in the**  
 08:28PM **3 same location, centrally located on those units.**  
 08:28PM **4 Unit C driveway would be just to the**  
 08:28PM **5 right of that. And then finally Unit D, their**  
 08:28PM **6 entrance, main entrance would be towards the right**  
 08:28PM **7 side, again, facing the south, and their carport**  
 08:28PM **8 would be directly to the west or to the left of that**  
 08:28PM **9 unit.**

08:28PM **10 So each unit will have their own**  
 08:28PM **11 separate entrance and each unit will have their own**  
 08:28PM **12 separate car parking area, all serviced by this**  
 08:29PM **13 common driveway onto East Homestead Avenue.**

08:29PM **14 So in regards to the zoning, this**  
 08:29PM **15 property is located in Zone AA, which is a single**  
 08:29PM **16 family and two-family zone, and of course, we're**  
 08:29PM **17 proposing to construct a four-unit townhouse**  
 08:29PM **18 structure. So just going through some of the zoning**  
 08:29PM **19 requirements then, we do seek a variance, of course,**  
 08:29PM **20 for the use being a four-unit as opposed to a one-**  
 08:29PM **21 and two-family residential structure.**

08:29PM **22 In terms of the lot area requirements,**  
 08:29PM **23 5,000 square feet being the minimum, as I mentioned**  
 08:29PM **24 before, we have 8,080 square feet, so we are more,**  
 08:29PM **25 much more than the 5,000 square feet that is**  
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08:27PM **1 macadam areas and curbing from the old right-of-way,**  
 08:27PM **2 remove the existing one-and-a-half story building and**  
 08:27PM **3 construct a new four-unit townhouse type of**  
 08:27PM **4 structure. So that would be on Sheet 2. As I noted**  
 08:27PM **5 before, this has been colorized for tonight's**  
 08:27PM **6 presentation, and this brown-hatched area represents**  
 08:27PM **7 the footprint of the proposed structure.**

08:27PM **8 So as you can see, we kind of changed**  
 08:27PM **9 the orientation of the proposed structure from the**  
 08:27PM **10 existing, which the existing has access out to Fifth**  
 08:27PM **11 Street which is a more congested area with the ramp**  
 08:27PM **12 accessing Route 46, and we have now provided a**  
 08:27PM **13 driveway access coming off of the terminus, the**  
 08:27PM **14 easterly terminus of East Homestead Avenue to access**  
 08:27PM **15 our site.**

08:27PM **16 So we'll have a driveway going from the**  
 08:27PM **17 end of that roadway across in an easterly direction.**  
 08:28PM **18 The units themselves then will be facing in a**  
 08:28PM **19 southerly direction, and we will have garage bays**  
 08:28PM **20 facing that driveway access aisle as well.**

08:28PM **21 So as I said, we have four units.**  
 08:28PM **22 We've designated them Unit A, Unit B, Unit C and Unit**  
 08:28PM **23 D. So Unit A will have entrance, pedestrian**  
 08:28PM **24 entrance, if you will, on the westerly side and a one**  
 08:28PM **25 car carport to the east of that. A driveway, carport**  
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08:29PM **1 required. The lot width requirement is 50 feet.**

08:29PM **2 Now, we have some, again, unusually**  
 08:29PM **3 shaped property here. We have a frontage of 85 feet**  
 08:29PM **4 along Fifth Street, but then it kind of cuts back**  
 08:29PM **5 along East Homestead Avenue and we have actually a**  
 08:29PM **6 little bit of a frontage along East Homestead Avenue**  
 08:29PM **7 of 35 feet, and then it continues and jogs for**  
 08:30PM **8 another 12 feet to the west, and then it has a more**  
 08:30PM **9 normal 50-foot width along the rear of the westerly**  
 08:30PM **10 side of the property.**

08:30PM **11 In terms of the setbacks of the**  
 08:30PM **12 structure, we're deeming the front yard to be Fifth**  
 08:30PM **13 Street which would require a 25-foot front yard**  
 08:30PM **14 setback. We're proposing a setback of 10 feet to the**  
 08:30PM **15 structure itself and 8.4 feet to an open end which**  
 08:30PM **16 projects above, which requires a variance, of course.**

08:30PM **17 The front yard on Homestead, because,**  
 08:30PM **18 of course, it is a public street, therefore it does**  
 08:30PM **19 have a front yard requirement as well, which again**  
 08:30PM **20 would be 25 feet. And this is a little bit odd**  
 08:30PM **21 because of just the way this lot is shaped, there's a**  
 08:30PM **22 section of the building here which is 3.3 feet to the**  
 08:30PM **23 northerly line of East Homestead Avenue which is a**  
 08:30PM **24 variance. And then there's an overhang which**  
 08:30PM **25 projects past that which would be one inch from the**  
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08:30PM **1** property line, so that would need a front yard  
 08:30PM **2** variance off of East Homestead Avenue.  
 08:30PM **3** The rear yard would be the westerly  
 08:30PM **4** side of the property which would require 25 feet.  
 08:31PM **5** And we're proposing five feet along that side as  
 08:31PM **6** well, which is really kind of more of a side yard  
 08:31PM **7** when you look at it from the neighbor's perspective  
 08:31PM **8** on East Homestead Avenue, but it still is a rear yard  
 08:31PM **9** from our zoning perspective and does require a  
 08:31PM **10** variance.  
 08:31PM **11** The side yard setback requirements  
 08:31PM **12** would be five feet, and that would be on the  
 08:31PM **13** northerly side. We're proposing five feet as well,  
 08:31PM **14** so there are no variances for the side yard setback  
 08:31PM **15** in that regard.  
 08:31PM **16** The total side yard requirement is 14  
 08:31PM **17** feet, so the right side and the left side we have a  
 08:31PM **18** total of 35 feet which would be the 5-foot setback on  
 08:31PM **19** the right side, and then we have 30 feet from the  
 08:31PM **20** face of the building to the southerly side of the  
 08:31PM **21** property. So we conform with the total side yard  
 08:31PM **22** setback requirement.  
 08:31PM **23** The maximum lot coverage requirement in  
 08:31PM **24** your ordinance is 40% and we are proposing 53.1%  
 08:31PM **25** which, again, is a variance.

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08:33PM **1** BY MR. BOZANIAN:  
 08:33PM **2** Q. Now, in terms of -- let me just ask you  
 08:33PM **3** in terms of the existing structure that is there  
 08:33PM **4** now --  
 08:33PM **5** A. Yes.  
 08:33PM **6** Q. -- which you've testified about, what  
 08:33PM **7** exactly is the type of construction that's there?  
 08:33PM **8** A. It's a one-and-a-half story brick and  
 08:33PM **9** framed, really not in that great of shape. You know,  
 08:33PM **10** typical built in the '50s or '40s. It's an older  
 08:33PM **11** structure. It doesn't have an attached garage. It  
 08:33PM **12** just has a driveway attaching to Fifth Street, and  
 08:33PM **13** it's an undersized building for an oversized lot.  
 08:33PM **14** Q. Is there any non-conformities currently  
 08:33PM **15** in the structure right now?  
 08:33PM **16** A. No.  
 08:33PM **17** Q. Other than the lot configuration, the  
 08:33PM **18** peculiar lot configuration, are there any other  
 08:33PM **19** specific peculiarities with respect to the site?  
 08:33PM **20** A. Well, it's unusual that, again, you  
 08:33PM **21** have a portion of the road that was vacated, so some  
 08:34PM **22** of the peculiarities or some of the issues here that  
 08:34PM **23** kind of constrain what we can do with this property  
 08:34PM **24** are the location of existing utilities in that former  
 08:34PM **25** right-of-way.

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08:31PM **1** And then finally moving on as far as  
 08:31PM **2** the building is concerned, moving on to the building  
 08:32PM **3** height requirements which, because we are not a  
 08:32PM **4** single-family or two-family house, we would be  
 08:32PM **5** required to be no more than two-and-a-half stories  
 08:32PM **6** high and 25 feet in height. And we are proposing a  
 08:32PM **7** building that would be four stories in height and 40  
 08:32PM **8** feet as a vertical dimension.  
 08:32PM **9** Now I would like to add, though, this  
 08:32PM **10** building is also unusually configured, so it's a  
 08:32PM **11** four-story building, but it's a flat roof. So the  
 08:32PM **12** upper level, that fourth level is really a rooftop  
 08:32PM **13** deck. So the height of that 40 feet is measured to  
 08:32PM **14** the highest point of that deck as opposed to a  
 08:32PM **15** typical shaped roof where you would average of the  
 08:32PM **16** mean. So it seems a little bit high, but normally  
 08:32PM **17** is, but it still is in need of a height variance with  
 08:32PM **18** those number of stories and for the actual vertical  
 08:32PM **19** measurements.  
 08:32PM **20** And then in terms of parking, based on  
 08:32PM **21** the RSIS requirements we would need nine total  
 08:32PM **22** parking spaces. And as I mentioned before, we have  
 08:32PM **23** four spaces. We have carports for each unit totaling  
 08:33PM **24** four spaces, so we do seek a variance for parking as  
 08:33PM **25** well.

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08:34PM **1** So there are existing water lines.  
 08:34PM **2** There are existing gas lines. There is an existing  
 08:34PM **3** storm sewer. There is also an existing sanitary  
 08:34PM **4** sewer. And all of these utilities currently run and  
 08:34PM **5** are active to the dedicated portion of East Homestead  
 08:34PM **6** Avenue. So that restricts how and where we can  
 08:34PM **7** develop the property.  
 08:34PM **8** As a matter of fact, I think we  
 08:34PM **9** initially started with the concept of going out to  
 08:34PM **10** Fifth Street, but we realized because of the  
 08:34PM **11** congestion in that area that it would be preferable  
 08:34PM **12** to kind of access the side from East Homestead Avenue  
 08:34PM **13** and push the building to the northerly side in order  
 08:34PM **14** to do that.  
 08:34PM **15** So in other words, to push it to the  
 08:34PM **16** southerly side of the property would require us to  
 08:34PM **17** relocate all the utilities, sewers and et cetera that  
 08:34PM **18** are in that vacated portion of the road and may not  
 08:35PM **19** be feasible at all.  
 08:35PM **20** Q. That design as you have it there  
 08:35PM **21** provides sufficient area for all the cars to be able  
 08:35PM **22** to -- for ingress and egress?  
 08:35PM **23** A. Yes. So we have a driveway that will  
 08:35PM **24** be 24 feet in width. We have a 4-foot kind of a  
 08:35PM **25** landing area outside each unit. And we have, again,

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08:35PM **1 a 30-foot dimension from the building to the property**  
08:35PM **2 line. So there's more than sufficient space to be**  
08:35PM **3 able to turn around, pull out, maneuver and exit the**  
08:35PM **4 site.**

08:35PM **5 Q.** At this point -- and you've inspected  
08:35PM **6 the property yourself?**

08:35PM **7 A. Yes, I have been to the site.**

08:35PM **8 MR. BOZANIAN:** Okay. Chairman, I'd  
08:35PM **9 offer the testimony of Mr. Martins.**

08:35PM **10 CHAIRMAN FERGUSON:** Well, first let me  
08:35PM **11 give you the good news. I appreciate the fact that**  
08:35PM **12 you moved it facing Fifth Street and you put it on**  
08:35PM **13 Homestead because of the traffic.**

08:35PM **14 The bad news, though, and it seems to**  
08:35PM **15 be a lot, is that -- and I'm sure our expert is going**  
08:35PM **16 to get into it, but it's very concerning to me as far**  
08:36PM **17 as the parking. You need nine spaces. You only have**  
08:36PM **18 four.**

08:36PM **19 Now, I've been on the board a very,**  
08:36PM **20 very long time, and I don't remember ever giving five**  
08:36PM **21 variances for, you know, parking. Because the --**  
08:36PM **22 what's going to happen is the cars that are going to**  
08:36PM **23 go are now going to go to the streets, either above**  
08:36PM **24 it or, you know, on Abbott or somewhere, and I**  
08:36PM **25 really think you have to accommodate a lot more of**

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08:38PM **1 just start cutting feet off that room in back of the**  
08:38PM **2 garage. In other words, push the garages this way**  
08:38PM **3 and this way even if you have to shrink the room.**

08:38PM **4 Now, you wouldn't have to do anything**  
08:38PM **5 with the floors on top because you put, in my humble**  
08:38PM **6 opinion, you'll have to do something with the**  
08:38PM **7 parking. It isn't going to fly the way it is.**

08:38PM **8 The other thing is, and now we can get**  
08:39PM **9 on to your testimony, the roadway that's left, not to**  
08:39PM **10 your property, the one that's to the immediate, I**  
08:39PM **11 guess, west of it, you know, how much is there?**

08:39PM **12 THE WITNESS:** So 35 feet of Homestead  
08:39PM **13 is vacated, so that leaves a 15-foot strip abutting**  
08:39PM **14 our property to the south.**

08:39PM **15 CHAIRMAN FERGUSON:** Right. So 15 feet.

08:39PM **16 THE WITNESS:** 15 feet.

08:39PM **17 CHAIRMAN FERGUSON:** So obviously that  
08:39PM **18 is not going to be open to traffic. It's going to be**  
08:39PM **19 --**

08:39PM **20 THE WITNESS:** No. Correct.

08:39PM **21 MR. BOZANIAN:** Pedestrian.

08:39PM **22 CHAIRMAN FERGUSON:** It's going to be a  
08:39PM **23 dead end there.**

08:39PM **24 THE WITNESS:** There's an existing walk  
08:39PM **25 that runs through there. What we have proposed was**

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08:36PM **1 the parking. Now, so that would be comment number**  
08:36PM **2 one.**

08:36PM **3 Comment number two would be 40 feet**  
08:36PM **4 seems to be very high compared to what on a level,**  
08:36PM **5 you know, usually the board does 33, 34. If it's a**  
08:37PM **6 hill maybe, you know, 35, 36. But, you know, 40 feet**  
08:37PM **7 on basically a flat piece of property seems to be a**  
08:37PM **8 lot.**

08:37PM **9 Now, your architect isn't going to be**  
08:37PM **10 here tonight, but let me just throw this out so maybe**  
08:37PM **11 you could convey this to your architect. And this is**  
08:37PM **12 not -- but just so you can get him thinking in these**  
08:37PM **13 terms. I don't know why you need a basement. You**  
08:37PM **14 have a big room. On your first floor you have**  
08:37PM **15 bathrooms with a tub which, in this town we don't**  
08:37PM **16 allow that. And it's almost, if I had a suspicion**  
08:37PM **17 mind and I don't, but it would almost seem like**  
08:37PM **18 you're looking to put an apartment in the basement.**

08:37PM **19 So my plan will be to eliminate the**  
08:38PM **20 whole basement. Take it out. Completely out. On**  
08:38PM **21 the ground floor I think you guys should go to more**  
08:38PM **22 like a typical duplex where you have a two-car**  
08:38PM **23 garage. If you have to eliminate part of the doorway**  
08:38PM **24 to the side of it, you know, to give you enough room,**  
08:38PM **25 if you need more room for the length of it I would**

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08:39PM **1 to leave that walk, remove the curbing, remove the**  
08:39PM **2 pavement in there, and, you know, basically plant it**  
08:39PM **3 with grass so you have basically a vegetated buffer.**  
08:39PM **4 It would almost be like a pedestrian walkway or, you**  
08:39PM **5 know, basically it wouldn't -- it wouldn't be paved**  
08:39PM **6 anymore, so it would just be a walkway area.**

08:39PM **7 CHAIRMAN FERGUSON:** Right, right. I  
08:39PM **8 think Mr. Collazuol has some comments on that, so**  
08:39PM **9 I'll leave that to him.**

08:40PM **10 How is a car going to get into this --**  
08:40PM **11 this location the way it is now?**

08:40PM **12 THE WITNESS:** From East Homestead  
08:40PM **13 Avenue.**

08:40PM **14 CHAIRMAN FERGUSON:** Okay. Now, is East  
08:40PM **15 Homestead -- isn't East Homestead a one-way?**

08:40PM **16 THE WITNESS:** I don't believe so. I  
08:40PM **17 don't think it's here. Maybe further to the west.**

08:40PM **18 MR. BOZANIAN:** Above. In that end  
08:40PM **19 where we are it's two ways.**

08:40PM **20 CHAIRMAN FERGUSON:** You have Abbott and  
08:40PM **21 you have Homestead, right?**

08:40PM **22 MR. BOZANIAN:** Right.

08:40PM **23 CHAIRMAN FERGUSON:** But on top of  
08:40PM **24 Homestead towards --**

08:40PM **25 MR. BOZANIAN:** West.

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08:40PM **1** CHAIRMAN FERGUSON: -- it's not a dead  
 08:40PM **2** end all the way down?  
 08:40PM **3** MR. BOZANIAN: Not all the way down.  
 08:40PM **4** CHAIRMAN FERGUSON: No. But there is  
 08:40PM **5** -- in other words, you can't come from Roth and go  
 08:40PM **6** down Homestead, correct?  
 08:40PM **7** MR. BOZANIAN: I think you can.  
 08:40PM **8** VICE CHAIRMAN ALBANESE: You could go  
 08:40PM **9** down. You could make a left on Fourth Street.  
 08:40PM **10** THE WITNESS: You can only come and  
 08:40PM **11** make a left --  
 08:40PM **12** VICE CHAIRMAN ALBANESE: If you come up  
 08:40PM **13** Fourth Street.  
 08:40PM **14** THE WITNESS: -- if you're coming from  
 08:40PM **15** the west.  
 08:40PM **16** CHAIRMAN FERGUSON: Or out.  
 08:40PM **17** THE WITNESS: Yes. Right.  
 08:41PM **18** CHAIRMAN FERGUSON: You can come from  
 08:41PM **19** Abbott or you come down Fourth Street and down.  
 08:41PM **20** MR. CARNOVALE: When you go east on  
 08:41PM **21** Homestead you're going to be confronted with the  
 08:41PM **22** driveway, with the -- with basically the entry of the  
 08:41PM **23** driveway to the house.  
 08:41PM **24** CHAIRMAN FERGUSON: Right. But isn't  
 08:41PM **25** up above --

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08:42PM **1** MR. BOZANIAN: I think at some point  
 08:42PM **2** that's something we can consider. I obviously have  
 08:42PM **3** to talk to the owner.  
 08:42PM **4** CHAIRMAN FERGUSON: Absolutely.  
 08:42PM **5** MR. BOZANIAN: But it's something we  
 08:42PM **6** could consider. Obviously, that would help with the  
 08:42PM **7** parking as well.  
 08:42PM **8** CHAIRMAN FERGUSON: Right.  
 08:42PM **9** Now, on this, as I'm looking at the  
 08:42PM **10** building straight on towards -- up the hill, up  
 08:42PM **11** Homestead, how much space is there between your  
 08:42PM **12** building and your property line?  
 08:42PM **13** THE WITNESS: So that would be on the  
 08:42PM **14** westerly side of the --  
 08:42PM **15** CHAIRMAN FERGUSON: Yes, exactly.  
 08:42PM **16** THE WITNESS: We have five feet on the  
 08:42PM **17** westerly side.  
 08:42PM **18** CHAIRMAN FERGUSON: Five feet.  
 08:42PM **19** THE WITNESS: Correct.  
 08:42PM **20** CHAIRMAN FERGUSON: Now, you have no --  
 08:42PM **21** you have any protrusions like decks or anything?  
 08:42PM **22** THE WITNESS: No, there's no decks on  
 08:42PM **23** any side of the building. We have the roof deck on  
 08:42PM **24** the top.  
 08:42PM **25** CHAIRMAN FERGUSON: Right.

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08:41PM **1** THE WITNESS: Yes, okay. It's a  
 08:41PM **2** one-way.  
 08:41PM **3** CHAIRMAN FERGUSON: It's a one-way.  
 08:41PM **4** THE WITNESS: Yes. Going down.  
 08:41PM **5** CHAIRMAN FERGUSON: Is it one-way  
 08:41PM **6** coming down.  
 08:41PM **7** VICE CHAIRMAN ALBANESE: Coming down.  
 08:41PM **8** CHAIRMAN FERGUSON: You can go down  
 08:41PM **9** Homestead, but you can't go up.  
 08:41PM **10** THE WITNESS: Right.  
 08:41PM **11** VICE CHAIRMAN ALBANESE: You can go up  
 08:41PM **12** to Fourth Street.  
 08:41PM **13** CHAIRMAN FERGUSON: You can go up to  
 08:41PM **14** Fourth Street, make the turn, and go out that way.  
 08:41PM **15** THE WITNESS: Right.  
 08:41PM **16** CHAIRMAN FERGUSON: Okay.  
 08:41PM **17** Now, the other thing is the layout --  
 08:41PM **18** the layout of the property. I noticed in your  
 08:41PM **19** testimony you said something about coverage of over  
 08:41PM **20** 50, whatever it was.  
 08:41PM **21** THE WITNESS: 54.1.  
 08:41PM **22** CHAIRMAN FERGUSON: What was -- I mean,  
 08:41PM **23** what would be the harm if you reduced one of the  
 08:41PM **24** units to -- I mean, eliminate one of the units? I  
 08:42PM **25** mean, is that feasible or, I mean --

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08:42PM **1** THE WITNESS: No other exterior decks.  
 08:42PM **2** CHAIRMAN FERGUSON: Okay.  
 08:42PM **3** Now, you said something about the roof  
 08:42PM **4** deck is, you know, what would be -- I mean is it --  
 08:43PM **5** from a height standpoint, is it better to have that  
 08:43PM **6** type of deck where you have people up there, you  
 08:43PM **7** know, 40 feet now. If you went to the conventional  
 08:43PM **8** duplex, you know, you would increase it to 40 feet.  
 08:43PM **9** MR. BOZANIAN: If you have the same  
 08:43PM **10** living space, right?  
 08:43PM **11** THE WITNESS: Well --  
 08:43PM **12** MR. BOZANIAN: The height would be  
 08:43PM **13** greater if you maintain the same amount of living  
 08:43PM **14** space but have a pitched roof.  
 08:43PM **15** THE WITNESS: Well, it's a whole  
 08:43PM **16** totally different concept. I wish I had the  
 08:43PM **17** architect's plan to show you. But, you know, you  
 08:43PM **18** have your ground floor where you have your car parked  
 08:43PM **19** and you kind of basically are behind it. Next floor  
 08:43PM **20** above you have your typical living area. You have  
 08:43PM **21** the third floor, which is your, you know, bedrooms.  
 08:43PM **22** So then instead of having an attic, the ceiling of  
 08:44PM **23** that floor is basically the roof deck.  
 08:44PM **24** So if you're going to have a pitched  
 08:44PM **25** roof and your roof measures from this point, now

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08:44PM 1 since we have to basically access the roof we have,  
 08:44PM 2 you know, a story on top of it. So it's a little bit  
 08:44PM 3 of depth of the measurement. So basically to reduce  
 08:44PM 4 the height we'd eliminate the roof deck would be the  
 08:44PM 5 only other option.  
 08:44PM 6 CHAIRMAN FERGUSON: Right. So if you  
 08:44PM 7 eliminated the roof deck you would bring the height  
 08:44PM 8 down.  
 08:44PM 9 THE WITNESS: You would bring the  
 08:44PM 10 height down not because the top of the roof would be  
 08:44PM 11 any lower than it would be based on what we have  
 08:44PM 12 right now, but you'd be measuring it to the average  
 08:44PM 13 rough as opposed to the highest point.  
 08:44PM 14 CHAIRMAN FERGUSON: Okay. I don't get  
 08:44PM 15 that, but -- any other board Members have any  
 08:44PM 16 questions.  
 08:44PM 17 MR. CARNOVALE: I have a question.  
 08:44PM 18 It's technical and legal.  
 08:44PM 19 CHAIRMAN FERGUSON: Okay.  
 08:44PM 20 MR. CARNOVALE: Being that we have you  
 08:44PM 21 running down that vacated section, would the town or  
 08:44PM 22 somebody have to have an easement on the property so  
 08:44PM 23 the utility companies could access it? And also,  
 08:44PM 24 there's an extreme flooding problem right there.  
 08:44PM 25 There's --

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08:46PM 1 whether if, in fact, easements provided -- certainly  
 08:46PM 2 there are prescriptive easements that are in that  
 08:46PM 3 place.  
 08:46PM 4 MR. BOZANIAN: Right. So I am not  
 08:46PM 5 aware of any other easements.  
 08:46PM 6 MR. COLLAZUOL: Well --  
 08:46PM 7 MR. BOZANIAN: I don't have a copy of it  
 08:46PM 8 either, Steve, but typically when they do vacate  
 08:46PM 9 roadways they do reserve the rights of easements of  
 08:46PM 10 any existing utilities, sewers and whatnot.  
 08:46PM 11 So I would say even if it's not  
 08:46PM 12 something that is specifically written, it's there by  
 08:46PM 13 prescription certainly, and I'm certain there's  
 08:46PM 14 probably verbiage in that vacation that mentions  
 08:46PM 15 existing utilities.  
 08:46PM 16 MR. COLLAZUOL: Well, I would agree  
 08:46PM 17 with you, too, but only to a certain extent because  
 08:46PM 18 this is Palisades Park. They may not have gotten an  
 08:46PM 19 easement, but it may certainly be a prescriptive  
 08:46PM 20 easement.  
 08:46PM 21 MR. BOZANIAN: Yes, I would agree.  
 08:47PM 22 MR. COLLAZUOL: So that's my first  
 08:47PM 23 point, one of my first points.  
 08:47PM 24 Now, the applicant is providing a  
 08:47PM 25 proposed 5-foot grass strip that is going to be

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08:45PM 1 MS. TESTA: Do you know if there's any  
 08:45PM 2 easements --  
 08:45PM 3 MR. CARNOVALE: Would Steve like to  
 08:45PM 4 address that or yourself or --  
 08:45PM 5 MR. COLLAZUOL: My question was going  
 08:45PM 6 to start off with the attorney, if you could explain  
 08:45PM 7 the history of the vacation and if there is any  
 08:45PM 8 easements that would provide in part of the  
 08:45PM 9 conveyance of the vacated portion of East Homestead  
 08:45PM 10 Avenue?  
 08:45PM 11 MR. BOZANIAN: I am not aware of the  
 08:45PM 12 full history of the vacation. I do believe that  
 08:45PM 13 there's an easement in terms of the pedestrian, you  
 08:45PM 14 know, pass-through in this area by the current -- I  
 08:45PM 15 think there's a concrete walk that is beyond the  
 08:45PM 16 property line. But there may be an easement on the  
 08:45PM 17 Homestead Avenue area that is currently on this --  
 08:46PM 18 currently on this part of the property. Part of the  
 08:46PM 19 site.  
 08:46PM 20 MR. COLLAZUOL: Yes, I am not referring  
 08:46PM 21 to that, though. I am aware of that sidewalk being  
 08:46PM 22 in the Borough's right-of-way and what's left of it.  
 08:46PM 23 MR. BOZANIAN: Right.  
 08:46PM 24 MR. COLLAZUOL: I'm referring to the  
 08:46PM 25 portion that was vacated; you have no history on that

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08:47PM 1 outside of this property which is still within the  
 08:47PM 2 Borough's right-of-way. So it appears that the  
 08:47PM 3 maintenance of that strip would be one item that we'd  
 08:47PM 4 have to consider, because the Borough would then  
 08:47PM 5 still own that, but the maintenance of that would be  
 08:47PM 6 a consideration the Borough would take over other  
 08:47PM 7 grass areas to take care of. Plus the fact that  
 08:47PM 8 that's still a drainage pathway for the drainage that  
 08:47PM 9 comes off of Abbott and Homestead Avenue, so drainage  
 08:47PM 10 in that area would be considered as well.  
 08:47PM 11 I'd like to ask a question why the wall  
 08:47PM 12 is being proposed in that area along the frontage of  
 08:47PM 13 Fifth and the vacated portion. It appears there is a  
 08:47PM 14 three-foot wall being proposed there --  
 08:48PM 15 THE WITNESS: Right.  
 08:48PM 16 MR. COLLAZUOL: -- and that's certainly  
 08:48PM 17 a wall that would be an obstruction with respect to  
 08:48PM 18 Fifth Street. So could you explain why that wall is  
 08:48PM 19 proposed there?  
 08:48PM 20 THE WITNESS: Sure. So we do have a  
 08:48PM 21 bit of a topographical change, from the west side  
 08:48PM 22 down to the east side we drop down by about 3 feet in  
 08:48PM 23 elevation from 97 on the higher side down to about 94  
 08:48PM 24 along Fifth Street. And because of the nature of  
 08:48PM 25 this type of design with these attached units,

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08:48PM 1 basically the floor levels that were designed by the  
 08:48PM 2 architect are all the same.  
 08:48PM 3 So what we did was in order to  
 08:48PM 4 basically level out the driveway, the area and  
 08:48PM 5 whatnot, we created a small wall that runs along  
 08:48PM 6 Fifth Street predominantly which won't be any more  
 08:48PM 7 than 3 feet in height and then returns and meets the  
 08:48PM 8 grade and goes down the side line of the property.  
 08:48PM 9 So the purpose was basically to level out the site in  
 08:48PM 10 order to accommodate the driveways accessing off of  
 08:49PM 11 East Homestead Avenue which is the higher elevation.  
 08:49PM 12 MR. COLLAZUOL: Not having the  
 08:49PM 13 architect here, you could instruct him to lower the  
 08:49PM 14 levels such that the change in elevations with the  
 08:49PM 15 garages would be a split so that each garage would be  
 08:49PM 16 a different elevation to meet the grades that are  
 08:49PM 17 currently out there and you could certainly make that  
 08:49PM 18 change.  
 08:49PM 19 THE WITNESS: That would be an option  
 08:49PM 20 and we will certainly consider that. That would have  
 08:49PM 21 the net effect, though, Mr. Collazuol, of lowering  
 08:49PM 22 the grades along that easterly side of the building  
 08:49PM 23 and then increasing the building height. But that is  
 08:49PM 24 something we could look at.  
 08:49PM 25 MR. COLLAZUOL: Another thing is that  
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08:49PM 1 if there is four units here there certainly would be  
 08:49PM 2 residents needing to access certain walkways. You  
 08:49PM 3 ever limited front paver entrances. But if you were  
 08:49PM 4 a student at the high school and you had to leave  
 08:50PM 5 either, say Unit D, you would then have to traverse  
 08:50PM 6 over to Abbott Avenue to get onto that sidewalk, loop  
 08:50PM 7 back to that sidewalk to cross the frontage to cross  
 08:50PM 8 Fifth Street. So if I was a student I'd be pretty  
 08:50PM 9 aggravated that I'd have to make that walkway.  
 08:50PM 10 So could you possibly think of some  
 08:50PM 11 safe means of access for residents to access the  
 08:50PM 12 sidewalk? Typically with a duplex you have a front  
 08:50PM 13 walk that reaches the sidewalk.  
 08:50PM 14 THE WITNESS: Right. I would typically  
 08:50PM 15 grade, and this, again, is unusually located and  
 08:50PM 16 unusually shaped piece of property. We were trying  
 08:50PM 17 to remove the access from Fifth Street which is a  
 08:50PM 18 congested, busy area, but we could look at putting  
 08:50PM 19 some stairs where we had the wall, if we eliminate  
 08:50PM 20 the wall, provide some kind of direct pedestrian  
 08:50PM 21 access from the driveway area directly to Fifth  
 08:50PM 22 Street.  
 08:50PM 23 My only concern would be perhaps the  
 08:50PM 24 security. You know, we would want to keep any of the  
 08:51PM 25 public off of that area so perhaps we would have to  
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08:51PM 1 put a fence in that location with a gate and restrict  
 08:51PM 2 it to the use of the private residents only.  
 08:51PM 3 MR. COLLAZUOL: Well, returning --  
 08:51PM 4 well, one more question. The garage floors and the  
 08:51PM 5 elevations of those garage floors, are they intended  
 08:51PM 6 to be outdoor parking? I didn't see doors. I know  
 08:51PM 7 the garage elevation is equal to the first floor.  
 08:51PM 8 THE WITNESS: No, they're eight inches  
 08:51PM 9 below the first floor, but if I'm not mistaken, 97.17  
 08:51PM 10 is the ground level first floor, we're at 96.5.  
 08:51PM 11 Okay. So to answer your question,  
 08:51PM 12 there is no door on them right now so it's kind of a  
 08:51PM 13 carport area. I believe it's about 15 feet in depth  
 08:51PM 14 on the interior. So a portion of the vehicle would  
 08:51PM 15 be outside, a portion would be inside. So it's not a  
 08:51PM 16 true garage in that sense.  
 08:51PM 17 MR. COLLAZUOL: So if you were to  
 08:51PM 18 revise the plan would you put that level on the plan  
 08:52PM 19 so where the cars are parked --  
 08:52PM 20 THE WITNESS: Yes, sure. We do have  
 08:52PM 21 the elevation there, but we'll clarify that. 96.5 is  
 08:52PM 22 currently what we have.  
 08:52PM 23 MR. COLLAZUOL: And if this were to  
 08:52PM 24 continue as you indicated, we requested a separate  
 08:52PM 25 utilities plan to be prepared. There is an awful lot  
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08:52PM 1 going on, and it may be in the best interest for the  
 08:52PM 2 board to review this plan, the utility plan,  
 08:52PM 3 separated.  
 08:52PM 4 THE WITNESS: Certainly.  
 08:52PM 5 MR. COLLAZUOL: And then if the board  
 08:52PM 6 were to approve this, there would certainly need to  
 08:52PM 7 be either an easement to each one of the utilities,  
 08:52PM 8 gas, water, sanitary, storm, and electric, or a  
 08:52PM 9 blanket easement that's commonly used to cover the  
 08:52PM 10 access for the Borough for maintenance, repair and  
 08:52PM 11 further replacement.  
 08:52PM 12 But I'd like to ask a question, Mark.  
 08:52PM 13 You make an indication that the pole along the Fifth  
 08:52PM 14 Street side would be relocated. This appears to be a  
 08:53PM 15 rather high powered line, it provided power between  
 08:53PM 16 several streets. Right now where that is, certainly  
 08:53PM 17 to have one pole would be very costly. Two poles  
 08:53PM 18 would be even costlier. But it wouldn't be in the  
 08:53PM 19 best interest of this application if PSE&G said no,  
 08:53PM 20 we can't move the pole. What are you going to do?  
 08:53PM 21 So I think you need to investigate that  
 08:53PM 22 or at least suggest how the power would be run if the  
 08:53PM 23 power was relocated, because having poles at either  
 08:53PM 24 end of it, you may have to go beyond, it's like your  
 08:53PM 25 scope, your site, to relocate that power.  
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08:53PM 1 THE WITNESS: Yes. That's correct.

08:53PM 2 That might very well be. We do recognize that we do

08:53PM 3 have to relocate not only the pole but the overhead

08:53PM 4 power lines, the communication lines, et cetera. We

08:53PM 5 will address that.

08:54PM 6 MR. COLLAZUOL: Perhaps a willingness

08:54PM 7 to serve by PSEG to do so.

08:54PM 8 THE WITNESS: Certainly.

08:54PM 9 MR. COLLAZUOL: At this point --

08:54PM 10 CHAIRMAN FERGUSON: It's hard without

08:54PM 11 the architect here. Paulie, you got something?

08:54PM 12 VICE CHAIRMAN ALBANESE: Yes.

08:54PM 13 CHAIRMAN FERGUSON: Go ahead.

08:54PM 14 VICE CHAIRMAN ALBANESE: You know, the

08:54PM 15 traffic that's coming down Homestead in the morning,

08:54PM 16 you turn on 42, what kind of protection are you going

08:54PM 17 to put in the back there?

08:54PM 18 THE WITNESS: Well, Homestead currently

08:54PM 19 dead ends, so it doesn't go all the way through to --

08:54PM 20 VICE CHAIRMAN ALBANESE: No, but the

08:54PM 21 traffic coming down, when they come down on 46 --

08:54PM 22 westbound.

23 THE WITNESS: From the east coming

24 down.

25 VICE CHAIRMAN ALBANESE: Coming down,  
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1 going to the overpass, you make a left --

2 THE WITNESS: Well, there's currently a

3 guide rail --

4 VICE CHAIRMAN ALBANESE: I know there's

5 a guide rail --

6 THE WITNESS: There is a guide, so

08:54PM 7 we're not really impacting that area. As a matter of

08:54PM 8 fact, we're actually improving it.

08:54PM 9 VICE CHAIRMAN ALBANESE: You're not

08:54PM 10 going to put protection back there?

08:54PM 11 THE WITNESS: It's going to remain.

08:55PM 12 We're not going to remove that.

08:55PM 13 VICE CHAIRMAN ALBANESE: I don't know

08:55PM 14 how that's going to protect people. You know, those

08:55PM 15 cars come down, somebody goes through that, you know,

08:55PM 16 it's going to kill a few people.

08:55PM 17 THE WITNESS: Well --

08:55PM 18 VICE CHAIRMAN ALBANESE: Something

08:55PM 19 should be put up there. It's on your property.

20 THE WITNESS: Yes. I mean --

21 VICE CHAIRMAN ALBANESE: You know?

22 THE WITNESS: -- we had actually the

23 wall, which would effectively serve as a buffer

24 barrier as well, but we can -- either that, but I --

25 VICE CHAIRMAN ALBANESE: They fly down  
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1 there. You going to put anything else?

2 MR. BOZANIAN: As the site plan is

08:55PM 3 right now, it's a three-foot wall.

08:55PM 4 VICE CHAIRMAN ALBANESE: Okay.

08:55PM 5 MR. CARNOVALE: Joe, I got one more.

08:55PM 6 CHAIRMAN FERGUSON: All right.

08:55PM 7 MR. CARNOVALE: Steve?

08:55PM 8 MR. COLLAZUOL: Yes, sir.

08:55PM 9 MR. CARNOVALE: If there's any increase

08:55PM 10 in the elevation of the garage towards the vacated

08:55PM 11 part of Homestead Avenue will increase the water flow

08:56PM 12 because you got water coming down from upper homes to

08:56PM 13 there from Roth Avenue down and there's catch basins

08:56PM 14 there, they overflow every time there's a heavy rain.

08:56PM 15 So if these people would build a wall or the

08:56PM 16 elevation of the garage floors were to be higher than

08:56PM 17 the vacated portion, it will be a disaster, could you

08:56PM 18 look into that or --

08:56PM 19 MR. COLLAZUOL: Yes.

08:56PM 20 MR. BOZANIAN: I'm not that technical,

08:56PM 21 so --

08:56PM 22 MR. COLLAZUOL: They are also

08:56PM 23 indicating that they're going to place a catch basin,

08:56PM 24 two catch basins and a pipe between them, between the

08:56PM 25 point on Abbott and the bottom of the hill on East  
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08:56PM 1 Homestead, so they're adding a basin and putting that

08:56PM 2 water that comes down the hill into that pipe that

08:56PM 3 crosses through the property.

08:56PM 4 MR. CARNOVALE: Where does the existing

08:56PM 5 four catch basins go, Steve? I'm not familiar.

08:56PM 6 MR. COLLAZUOL: They go to the east.

08:56PM 7 MR. CARNOVALE: They go to the east.

08:56PM 8 Because there's extreme flooding there. It floods

08:57PM 9 all the way back under Route 46 up past Sixth Street.

08:57PM 10 THE WITNESS: When we did the

08:57PM 11 improvement plan in that area we took that into

08:57PM 12 consideration and we were aware of that.

08:57PM 13 MR. CARNOVALE: It still floods

08:57PM 14 presently. So they're going to put more catch basins

08:57PM 15 or the wall or the height of their garage floor

08:57PM 16 pitched towards the vacated portion, it's going to be

08:57PM 17 worse than it is. It just flooded maybe a month ago.

08:57PM 18 MR. COLLAZUOL: Well, in our report we

08:57PM 19 made a comment that they should address the reduction

08:57PM 20 in runoff to that paved area. We've shown an inlet

08:57PM 21 in the turn-around area, so they have to address it.

08:57PM 22 THE WITNESS: And we will. We're

08:57PM 23 actually also eliminating some of the existing

08:57PM 24 pavement there in effect of reducing as well.

08:57PM 25 MR. CARNOVALE: Okay.  
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08:57PM 1 CHAIRMAN FERGUSON: Judd? I know  
 08:57PM 2 you're waiting patiently. Go get 'em.  
 08:57PM 3 MR. ROCCIOLA: Well, hearing some of  
 08:57PM 4 your comments that there's going to be revisions to  
 08:58PM 5 the plan, obviously, maybe a unit disappears.  
 08:58PM 6 MR. BOZANIAN: Yes.  
 08:58PM 7 MR. ROCCIOLA: You're going to address  
 08:58PM 8 the parking. I wouldn't recommend to the board to  
 08:58PM 9 accept the parking and the variance as it is now. If  
 08:58PM 10 you can accommodate it along the site that is  
 08:58PM 11 typically the board requires, we'd like to see that.  
 08:58PM 12 If there's any variance, I would like to see a  
 08:58PM 13 parking study done to show that there are available  
 08:58PM 14 spaces on the street at various times, including the  
 08:58PM 15 evenings, recognizing what restrictions are out on  
 08:58PM 16 the streets and such.  
 08:58PM 17 I made a few comments with respect to  
 08:58PM 18 the site plan, so take -- I assume you took a look at  
 08:58PM 19 my report.  
 08:58PM 20 THE WITNESS: I did read your report,  
 08:58PM 21 yes.  
 08:58PM 22 MR. ROCCIOLA: So, you know, just make  
 08:58PM 23 sure that you accommodate those. And I just have to  
 08:58PM 24 say, it's pretty confusing to me that a vacation of  
 08:58PM 25 the street is like three-quarters and the other --

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09:00PM 1 the driveway. However, you couldn't do that here  
 09:00PM 2 because of the requirements of RSIS and 18-foot  
 09:00PM 3 maneuvering space wall.  
 09:00PM 4 THE WITNESS: Right.  
 09:00PM 5 MR. ROCCIOLA: So it gets to be very  
 09:00PM 6 restrictive and you have to look at this plan pretty  
 09:00PM 7 seriously to meet the parking standards.  
 09:00PM 8 MR. BOZANIAN: Yes. We did understand  
 09:00PM 9 that. We will take that under consideration. But  
 09:00PM 10 you're right, no, we don't -- because of some of the  
 09:00PM 11 limitations with the size of the lot, the utilities,  
 09:00PM 12 et cetera, we're kind of limited to what we can do in  
 09:00PM 13 terms of the parking, in terms of physical  
 09:00PM 14 configurations of the garage. But we'll do our best  
 09:00PM 15 to come back and provide some additional parking to  
 09:00PM 16 address the comments of the board and the comments of  
 09:00PM 17 the professionals.  
 09:00PM 18 MR. ROCCIOLA: Okay. Thank you.  
 09:00PM 19 CHAIRMAN FERGUSON: Let me ask, as long  
 09:00PM 20 as we're on the parking, if you moved the doorway  
 09:00PM 21 over and extended, you know, eliminate some of those  
 09:00PM 22 rooms, each of those units accommodate a two-car  
 09:00PM 23 garage.  
 09:01PM 24 MR. ROCCIOLA: I'd really have to look  
 09:01PM 25 at the architectural plans to see if you could do it.

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08:59PM 1 there's a little piece left. Usually it's a 50/50  
 08:59PM 2 vacation, so I don't know what happened here.  
 08:59PM 3 THE WITNESS: Right. That's before the  
 08:59PM 4 meeting. And the only thing I can think of is that  
 08:59PM 5 the Borough wanted to maintain that walkway there  
 08:59PM 6 because I do believe it's used by the high school  
 08:59PM 7 quite often.  
 08:59PM 8 MR. ROCCIOLA: That's what I was  
 08:59PM 9 wondering, but I just felt, just for the record, the  
 08:59PM 10 plan should reflect a little clearer what it's going  
 08:59PM 11 to become and how it will operate and everything.  
 08:59PM 12 THE WITNESS: Right. It's a little bit  
 08:59PM 13 odd. I mean, I think you can probably say it's still  
 08:59PM 14 technically part of Homestead Avenue, because --  
 08:59PM 15 MR. ROCCIOLA: Yes, that would be  
 08:59PM 16 Homestead Avenue right there, yes.  
 08:59PM 17 THE WITNESS: I mean, it's not  
 08:59PM 18 effectively a street anymore, it's really just a  
 08:59PM 19 public walkway area.  
 08:59PM 20 MR. ROCCIOLA: Correct.  
 08:59PM 21 THE WITNESS: So I don't, you know...  
 08:59PM 22 MR. ROCCIOLA: Also, I just want to  
 08:59PM 23 make note on my one comment, typically when you see  
 08:59PM 24 housing developments on the streets you'll have cars  
 09:00PM 25 parked in the garage and you can park your cars in

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09:01PM 1 But I would assume they're going to try to do that to  
 09:01PM 2 get at least two --  
 09:01PM 3 CHAIRMAN FERGUSON: Right.  
 09:01PM 4 MR. ROCCIOLA: -- spaces per unit.  
 09:01PM 5 CHAIRMAN FERGUSON: Per unit, right.  
 09:01PM 6 Have two, you know.  
 09:01PM 7 THE WITNESS: I think that we'll modify  
 09:01PM 8 the footprints so that we can have at least two  
 09:01PM 9 spaces, interior spaces for the unit.  
 09:01PM 10 CHAIRMAN FERGUSON: Right.  
 09:01PM 11 MR. BOZANIAN: And I think we can  
 09:01PM 12 accommodate it as you mentioned before by taking some  
 09:01PM 13 of the area out of that family room, making it a  
 09:01PM 14 little bit wider, and certainly, obviously, if we  
 09:01PM 15 reduce the one unit and we go down to three, we can  
 09:01PM 16 have a larger width to work with.  
 09:01PM 17 CHAIRMAN FERGUSON: You couldn't have  
 09:01PM 18 any units outside, but you could put two -- but you  
 09:01PM 19 could put two in the unit, right.  
 09:01PM 20 THE WITNESS: Right. Or, I mean, I  
 09:01PM 21 don't want to get --  
 09:01PM 22 CHAIRMAN FERGUSON: I'm just throwing  
 09:01PM 23 them out.  
 09:01PM 24 THE WITNESS: Maybe we could get a  
 09:01PM 25 tandem space inside so you'd get like three spaces,

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09:01PM 1 but I don't know, so we'll have to take a look at  
 09:02PM 2 that.  
 09:02PM 3 CHAIRMAN FERGUSON: Okay.  
 09:02PM 4 MR. ROCCIOLA: I just wanted to ask the  
 09:02PM 5 board was there a review by the fire marshal?  
 09:02PM 6 CHAIRMAN FERGUSON: Not yet.  
 09:02PM 7 MR. ROCCIOLA: I think the fire marshal  
 09:02PM 8 should comment on the accessibility, because this is  
 09:02PM 9 a narrow dead-end on private property and their  
 09:02PM 10 firefighting capability, are they comfortable with it  
 09:02PM 11 and put it on the record.  
 09:02PM 12 CHAIRMAN FERGUSON: Right. Okay.  
 09:02PM 13 MR. BOZANIAN: Well, we made a comment  
 09:02PM 14 that this might be sprinklered because of that  
 09:02PM 15 reason, because the fire department won't serve it,  
 09:02PM 16 so ---  
 09:02PM 17 CHAIRMAN FERGUSON: Obviously we're not  
 09:02PM 18 going to wrap this up next month or whatever. But  
 09:02PM 19 maybe it would be helpful if you could list all your  
 09:02PM 20 concerns that you have, that you went over tonight,  
 09:02PM 21 if you could just give me a list of all your concerns  
 09:02PM 22 about this; unless you want to wait until the  
 09:02PM 23 architect -- maybe it would be better to wait for the  
 09:03PM 24 architect.  
 09:03PM 25 MR. BOZANIAN: I think it would be a  
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09:03PM 1 good idea, because if we're going to review it we  
 09:03PM 2 have a --  
 09:03PM 3 CHAIRMAN FERGUSON: Yes.  
 09:03PM 4 MR. BOZANIAN: -- incorporate your  
 09:03PM 5 comments today, this way, in fairness to the planner,  
 09:03PM 6 see, you know, really what we can come back with.  
 09:03PM 7 CHAIRMAN FERGUSON: Okay. You want to  
 09:03PM 8 wait for -- you're going to put a planner on?  
 09:03PM 9 MR. BOZANIAN: Yes. Not tonight. Not  
 09:03PM 10 tonight. I think for tonight we're going to stick  
 09:03PM 11 with where we are.  
 09:03PM 12 MR. KAUKER: Just to your point, I  
 09:03PM 13 think the parking, but I think you'll be able to  
 09:03PM 14 provide a two-car garage in the three units. But the  
 09:03PM 15 other thing, the architect -- and I wish the  
 09:03PM 16 architect was here because probably more of the  
 09:03PM 17 questions are geared toward him, but since he's not  
 09:03PM 18 we'll go back and -- the architectural plans are a  
 09:03PM 19 little bit difficult to read, but it's interesting  
 09:03PM 20 kind of in looking at them, it's basically a  
 09:03PM 21 three-story building. So to the top of the third  
 09:03PM 22 floor you really only have 39 feet, so there's nine  
 09:03PM 23 feet above that that I don't know if it's a bulkhead  
 09:04PM 24 or it's an architectural feature or whatever it might  
 09:04PM 25 be, but I think if you eliminated that you could go  
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09:04PM 1 to the pitched roof as you were talking about and it  
 09:04PM 2 wouldn't really increase the height significantly and  
 09:04PM 3 that would actually probably lower the height. And I  
 09:04PM 4 think that that would be something that would be less  
 09:04PM 5 impactful on the surrounding area.  
 09:04PM 6 Just the only other thing that struck  
 09:04PM 7 me from an architectural standpoint is if you look at  
 09:04PM 8 the building, I mean, there is not a lot of detail --  
 09:04PM 9 I mean, well, not detail, but the -- pretty much  
 09:04PM 10 every other building on the side, they're kind of  
 09:04PM 11 blank walls, so if something's there to kind of  
 09:04PM 12 alleviate that I think that would be helpful as well.  
 09:04PM 13 But again, I think it would reduce the height, reduce  
 09:04PM 14 the numbers before you add in and require the  
 09:04PM 15 numbers.  
 09:04PM 16 THE WITNESS: Yes.  
 09:04PM 17 MR. KAUKER: Just looking at it, I  
 09:04PM 18 don't know a 40-foot, so I think that would be.  
 09:04PM 19 THE WITNESS: Again, that 40 foot is  
 09:04PM 20 measured to the top of the bulkhead, so the roof deck  
 09:04PM 21 itself would be lower than that. So it's going to be  
 09:05PM 22 at least eight or nine feet lower than that bulkhead.  
 09:05PM 23 You walk out the door and out the door itself.  
 09:05PM 24 MR. KAUKER: That's all I have.  
 09:05PM 25 CHAIRMAN FERGUSON: Okay. Thank you.  
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09:05PM 1 Anybody in the audience? No.  
 09:05PM 2 Okay, counselor, are you going to --  
 09:05PM 3 are you going -- you're not going to put your planner  
 09:05PM 4 on?  
 09:05PM 5 MR. BOZANIAN: Not tonight.  
 09:05PM 6 CHAIRMAN FERGUSON: Okay, good.  
 09:05PM 7 MR. CARNOVALE: I'm all for it.  
 09:05PM 8 CHAIRMAN FERGUSON: That makes two of  
 09:05PM 9 us.  
 09:05PM 10 MS. TESTA: Can somebody make a motion  
 09:05PM 11 to continue it? Is that what we have to do?  
 09:05PM 12 CHAIRMAN FERGUSON: Yes. I'll make a  
 09:05PM 13 motion to continue -- yes. I'm going to make a  
 09:05PM 14 motion to continue it. And also, Counselor, I'd like  
 09:05PM 15 to see an additional \$3,000 into the escrow.  
 09:05PM 16 MR. BOZANIAN: Yes. 3,000?  
 09:05PM 17 CHAIRMAN FERGUSON: Yes. You don't  
 09:05PM 18 usually get back, you know, so... but obviously we're  
 09:05PM 19 going to be --  
 09:05PM 20 MR. CARNOVALE: I second the motion you  
 09:05PM 21 made.  
 09:05PM 22 CHAIRMAN FERGUSON: Second the motion?  
 09:06PM 23 MS. TESTA: Yes.  
 09:06PM 24 MR. CARNOVALE: I second.  
 09:06PM 25 CHAIRMAN FERGUSON: You're second.  
**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

09:06PM 1 MS. LAMBRINIDES: Mr. Ferguson?  
 09:06PM 2 CHAIRMAN FERGUSON: Yes.  
 09:06PM 3 MS. LAMBRINIDES: Mr. Albanese?  
 09:06PM 4 VICE CHAIRMAN ALBANESE: Yes.  
 09:06PM 5 MS. LAMBRINIDES: Mr. Terranova?  
 09:06PM 6 MR. TERRANOVA: Yes.  
 09:06PM 7 MS. LAMBRINIDES: Mr. Min?  
 09:06PM 8 MR. MIN: Yes.  
 09:06PM 9 MS. LAMBRINIDES: Mr. Nam?  
 09:06PM 10 MR. NAM: Yes.  
 09:06PM 11 MS. LAMBRINIDES: Ms. Yoon?  
 09:06PM 12 MS. YOON: Yes.  
 09:06PM 13 MS. LAMBRINIDES: Mr. Carnovale?  
 09:06PM 14 MR. CARNOVALE: Yes.  
 09:06PM 15 MS. LAMBRINIDES: Mr. Lefteriou?  
 09:06PM 16 MR. LEFTERIOU: Yes.  
 09:06PM 17 CHAIRMAN FERGUSON: Motion to adjourn.  
 09:06PM 18 VICE CHAIRMAN ALBANESE: Second and  
 09:06PM 19 third.  
 09:06PM 20 CHAIRMAN FERGUSON: All in favor?  
 09:06PM 21 (Whereupon, all board Members respond  
 09:06PM 22 in the affirmative.)  
 09:06PM 23 MS. TESTA: Let me just, before you do  
 09:06PM 24 it, right, this case will be carried to May 20th,  
 09:06PM 25 2019, at 7:00 p.m. No further notice is required of  
**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

CERTIFICATE

1  
 2  
 3  
 4 I, LAURA A. CARUCCI, C.C.R., R.P.R., a Notary  
 Public of the State of New Jersey, Notary ID.  
 #50094914, Certified Court Reporter of the State of  
 5 New Jersey, and a Registered Professional Reporter,  
 hereby certify that the foregoing is a verbatim  
 6 record of the testimony provided under oath before  
 any court, referee, board, commission or other body  
 7 created by statute of the State of New Jersey.  
 I am not related to the parties  
 8 involved in this action; I have no financial  
 interest, nor am I related to an agent of or employed  
 9 by anyone with a financial interest in the outcome of  
 this action.  
 10 This transcript complies with  
 regulation 13:43-5.9 of the New Jersey Administrative  
 11 Code.  
 12  
 13  
 14 \_\_\_\_\_  
 LAURA A. CARUCCI, C.C.R., R.P.R.  
 License #XIO2050, and Notary Public  
 of New Jersey #50094914, Notary  
 Expiration Date December 3, 2023  
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 16 Dated: \_\_\_\_\_  
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**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

09:06PM 1 the applicant. There will be no mailing, no  
 09:06PM 2 newspapers, and the applicant will waive any time  
 09:06PM 3 constraints.  
 09:06PM 4 MR. BOZANIAN: Thank you.  
 09:06PM 5 CHAIRMAN FERGUSON: Okay. Now we can  
 6 go.  
 7 (Hearing concluded; time noted, 9:05  
 8 p.m.)  
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**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
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