

1 CHAIRMAN FERGUSON: Okay. Call the
 2 meeting to order.
 3 (Whereupon, All Rise for the Recitation
 4 of the Pledge of Allegiance.)
 5 CHAIRMAN FERGUSON: Roll call.
 6 MS. LAMBRINIDES: Mr. Ferguson?
 7 CHAIRMAN FERGUSON: Here.
 8 MS. LAMBRINIDES: Mr. Albanese?
 9 VICE CHAIRMAN ALBANESE: Here.
 10 MS. LAMBRINIDES: Mr. Terranova?
 11 MR. TERRANOVA: Here.
 12 MS. LAMBRINIDES: Mr. Min?
 13 MR. MIN: (Absent.)
 14 MS. LAMBRINIDES: Mr. Nam?
 15 MR. NAM: (Absent.)
 16 MS. LAMBRINIDES: Ms. Yoon?
 17 MS. YOON: Here.
 18 MS. LAMBRINIDES: Mr. Carnovale?
 19 MR. CARNOVALE: Here.
 20 MS. LAMBRINIDES: Ms. Tarabocchia?
 21 MS. TARABOCCHIA: Here.
 22 MS. LAMBRINIDES: Mr. Lefteriou?
 23 MR. LEFTERIOU: Here.
 24 CHAIRMAN FERGUSON: Okay.
 25 First up we'd like to pay some bills.

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1 Next we have all received a copy of the
 2 previous minutes. Can I get a motion to approve the
 3 minutes?
 4 VICE CHAIRMAN ALBANESE: Make a motion
 5 we accept the minutes.
 6 CHAIRMAN FERGUSON: Second?
 7 MR. TERRANOVA: Second.
 8 CHAIRMAN FERGUSON: Second.
 9 Roll call?
 10 MS. LAMBRINIDES: Mr. Ferguson.
 11 CHAIRMAN FERGUSON: Yes.
 12 MS. LAMBRINIDES: Mr. Albanese?
 13 VICE CHAIRMAN ALBANESE: Yes.
 14 MS. LAMBRINIDES: Mr. Terranova?
 15 MR. TERRANOVA: Yes.
 16 MS. LAMBRINIDES: Ms. Yoon?
 17 MS. YOON: Yes.
 18 MS. LAMBRINIDES: Mr. Carnovale?
 19 MR. CARNOVALE: Yes.
 20 MS. LAMBRINIDES: Ms. Tarabocchia?
 21 MS. TARABOCCHIA: Abstain.
 22 MS. LAMBRINIDES: Mr. Lefteriou?
 23 MR. LEFTERIOU: Yes.
 24 CHAIRMAN FERGUSON: Okay. Next.
 25 MS. TESTA: The resolutions.

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1 We have Kauker and Kauker, \$2,590.00; we have the
 2 Court Reporter for \$3,564.50; we got Judd Rocciola,
 3 \$1,037.50; and we got Diane Testa, board attorney,
 4 \$2,200.00.
 5 VICE CHAIRMAN ALBANESE: I make a
 6 motion we pay the bills.
 7 MR. CARNOVALE: I second the motion.
 8 CHAIRMAN FERGUSON: The motion, there's
 9 a second.
 10 Roll call?
 11 MS. LAMBRINIDES: Mr. Ferguson.
 12 CHAIRMAN FERGUSON: Yes.
 13 MS. LAMBRINIDES: Mr. Albanese.
 14 VICE CHAIRMAN ALBANESE: Yes.
 15 MS. LAMBRINIDES: Mr. Terranova.
 16 MR. TERRANOVA: Yes.
 17 MS. LAMBRINIDES: Ms. Yoon.
 18 MS. YOON: Yes.
 19 MS. LAMBRINIDES: Mr. Carnovale?
 20 MR. CARNOVALE: Yes.
 21 MS. LAMBRINIDES: Ms. Tarabocchia.
 22 MS. TARABOCCHIA: Yes.
 23 MS. LAMBRINIDES: Mr. Lefteriou.
 24 MR. LEFTERIOU: Yes.
 25 CHAIRMAN FERGUSON: Okay.

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1 CHAIRMAN FERGUSON: Okay. We're going
 2 to do some resolutions.
 3 19-10 Cornerstone Capital Investment,
 4 LLC, 300 7th Street.
 5 Can I get a motion to approve?
 6 VICE CHAIRMAN ALBANESE: I make a
 7 motion for memorialization.
 8 CHAIRMAN FERGUSON: Second?
 9 MR. LEFTERIOU: Second.
 10 CHAIRMAN FERGUSON: Thank you.
 11 Roll call?
 12 MS. LAMBRINIDES: Mr. Ferguson?
 13 CHAIRMAN FERGUSON: Yes.
 14 MS. LAMBRINIDES: Mr. Albanese?
 15 VICE CHAIRMAN ALBANESE: Yes.
 16 MS. LAMBRINIDES: Mr. Terranova?
 17 MR. TERRANOVA: Yes.
 18 MS. LAMBRINIDES: Ms. Yoon.
 19 MS. YOON: Yes.
 20 MS. LAMBRINIDES: Mr. Carnovale?
 21 MR. CARNOVALE: Abstain.
 22 MS. LAMBRINIDES: Ms. Tarabocchia.
 23 MS. TARABOCCHIA: Abstain.
 24 MS. LAMBRINIDES: And Mr. Lefteriou.
 25 MR. LEFTERIOU: Yes.

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1 CHAIRMAN FERGUSON: All right.
 2 Next we have Alliotts Construction,
 3 19-11, 312 East Edsall Boulevard, for
 4 memorialization.
 5 Can I get a motion?
 6 VICE CHAIRMAN ALBANESE: Make a motion.
 7 CHAIRMAN FERGUSON: There's a motion.
 8 Second?
 9 MR. LEFTERIOU: I second.
 10 CHAIRMAN FERGUSON: There's a second.
 11 Roll call?
 12 MS. LAMBRINIDES: Mr. Ferguson.
 13 CHAIRMAN FERGUSON: Yes.
 14 MS. LAMBRINIDES: Mr. Albanese?
 15 VICE CHAIRMAN ALBANESE: Yes.
 16 MS. LAMBRINIDES: Mr. Terranova?
 17 MR. TERRANOVA: Yes.
 18 MS. LAMBRINIDES: Ms. Yoon.
 19 MS. YOON: Yes.
 20 MS. LAMBRINIDES: Mr. Carnovale.
 21 MR. CARNOVALE: Abstain.
 22 MS. LAMBRINIDES: Ms. Tarabocchia.
 23 MS. TARABOCCHIA: Abstain.
 24 MS. LAMBRINIDES: And Mr. Lefteriou.
 25 MR. LEFTERIOU: Yes.

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1 CHAIRMAN FERGUSON: Okay. Let me just
 2 catch up.
 3 You want to make an announcement?
 4 MS. TESTA: Yes.
 5 CHAIRMAN FERGUSON: 19-12, 435 Highland
 6 Avenue.
 7 The attorney?
 8 MALE AUDIENCE MEMBER: I'll get him.
 9 (Brief pause.)
 10 MR. RAMUNDO: Yes, Mr. Chairman. How
 11 are you doing today? How is everybody.
 12 THE COURT REPORTER: Sir, could you
 13 place your appearance on the record.
 14 MR. RAMUNDO: Yes.
 15 And good evening. Marc Ramundo from
 16 the Law Office of Marc Ramundo right here, 416 East
 17 Central Boulevard, Palisades Park, on behalf of the
 18 Applicant who was Hosu and Jeong Lee. 435 Highland
 19 Avenue was the property address for the subject
 20 application.
 21 Mr. Chairman, I had an opportunity to
 22 speak with the Board of Adjustment counsel as well as
 23 the architect. I received input from the board
 24 engineer, Mr. Collazuol, and, Judd, I believe you
 25 sent something as well.

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1 MR. ROCCIOLA: Yes.
 2 MR. RAMUNDO: And in light of what the
 3 feedback from the town and from the borough's
 4 professionals, the Applicant has decided to scale
 5 back the application from a three-unit only to a
 6 two-unit duplex which would alleviate a lot of the
 7 variances that were coming before this board.
 8 CHAIRMAN FERGUSON: Correct.
 9 MR. RAMUNDO: We didn't have enough
 10 time to submit new plans, so we would like to carry
 11 this application to get the new plans to the board --
 12 CHAIRMAN FERGUSON: All right.
 13 MR. RAMUNDO: -- and to the
 14 professionals so that everyone can have an
 15 opportunity to review it prior to next month's
 16 hearing.
 17 CHAIRMAN FERGUSON: Seems reasonable to
 18 me, because obviously we're not going to vote on
 19 plans we haven't seen yet.
 20 MR. RAMUNDO: Right.
 21 CHAIRMAN FERGUSON: So that would be
 22 good.
 23 I would just caution you, without
 24 getting into any great detail, the board is very
 25 concerned about the slanting down of the property.

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1 MR. RAMUNDO: Right.
 2 CHAIRMAN FERGUSON: So in your new
 3 plans you should look to address that significantly.
 4 MR. RAMUNDO: I do.
 5 I will speak to our architect. I know
 6 Mr. Collazuol's feedback as well was to address that
 7 issue.
 8 CHAIRMAN FERGUSON: Okay.
 9 VICE CHAIRMAN ALBANESE: Also, the
 10 drainage, too.
 11 MR. RAMUNDO: Yes.
 12 VICE CHAIRMAN ALBANESE: The water
 13 drainage.
 14 MR. RAMUNDO: Yeah.
 15 The good news is we do have 50 feet
 16 buffer. It's a 220-foot lot, so we're going to have
 17 50 feet there.
 18 CHAIRMAN FERGUSON: I don't want to get
 19 into too much of it, but just so you're aware the
 20 board is concerned with that.
 21 MR. RAMUNDO: Absolutely, yes.
 22 And I appreciate that.
 23 CHAIRMAN FERGUSON: So I will make a
 24 motion that we ask for an adjournment --
 25 MS. TESTA: Yes. Carry it.

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1 CHAIRMAN FERGUSON: -- carry it to next
 2 month. I don't believe we need notification.
 3 MR. RAMUNDO: That would be great.
 4 CHAIRMAN FERGUSON: So we won't require
 5 that.
 6 So you'll be back on, what's the next
 7 date?
 8 MS. TESTA: September 16th.
 9 CHAIRMAN FERGUSON: September 16, 7:00.
 10 So all those people here that are here
 11 for Highland, that's when we're going to hear it.
 12 MR. RAMUNDO: Thank you.
 13 Enjoy the rest of the summer.
 14 CHAIRMAN FERGUSON: We're going to need
 15 a vote.
 16 MR. RAMUNDO: Yes.
 17 MS. TESTA: Who made the motion.
 18 CHAIRMAN FERGUSON: I made the motion.
 19 Can I get a second?
 20 VICE CHAIRMAN ALBANESE: Second.
 21 MR. CARNOVALE: Pauly, seconded.
 22 VICE CHAIRMAN ALBANESE: Second.
 23 CHAIRMAN FERGUSON: Okay. Roll call?
 24 MS. LAMBRINIDES: Mr. Ferguson.
 25 CHAIRMAN FERGUSON: Yes.

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1 MS. LAMBRINIDES: Mr. Albanese.
 2 VICE CHAIRMAN ALBANESE: Yes.
 3 MS. LAMBRINIDES: Mr. Terranova.
 4 MR. TERRANOVA: Yes.
 5 MS. LAMBRINIDES: Ms. Yoon.
 6 MS. YOON: Yes.
 7 MS. LAMBRINIDES: Mr. Carnovale.
 8 MR. CARNOVALE: Yes.
 9 MS. LAMBRINIDES: Ms. Tarabocchia.
 10 MS. TARABOCCHIA: Yes.
 11 MS. LAMBRINIDES: Mr. Lefteriou.
 12 MR. LEFTERIOU: Abstain.
 13 MS. TESTA: So Case Number 19-12, Hosu
 14 Lee and Jeong N. Lee, 435 Highland Avenue, Block 211,
 15 Lot 19, is being carried to the September meeting,
 16 which is September 16, 2019, 7:00 p.m.
 17 There will be no further notice either
 18 by newspaper or by mailing. Your client also waives
 19 any time restraints?
 20 MR. RAMUNDO: Yes.
 21 CHAIRMAN FERGUSON: Yes.
 22 MS. TESTA: Yes?
 23 Thank you.
 24 CHAIRMAN FERGUSON: Get that on the
 25 record.

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1 MS. TESTA: In order to hear the matter
 2 you need to submit the amended plans at least ten
 3 days prior to the meeting.
 4 MR. RAMUNDO: Absolutely.
 5 CHAIRMAN FERGUSON: Okay. Thank you,
 6 counsel.
 7 MR. RAMUNDO: Thank you very much.
 8 Our architect has been notified.
 9 MS. TESTA: Yes.
 10 CHAIRMAN FERGUSON: Okay.
 11 Next is a continuation of last month's
 12 meeting which was 19-09, which was 529 Fifth Street.
 13 So --
 14 MR. CARNOVALE: Diane?
 15 MS. TESTA: Yes.
 16 MR. CARNOVALE: I read the minutes, so
 17 I am allowed to --
 18 MS. TESTA: Okay. You read through the
 19 transcript?
 20 MR. CARNOVALE: Yes.
 21 MS. TESTA: Okay.
 22 And MaryAnn also?
 23 MS. TARABOCCHIA: Yes.
 24 MS. TESTA: Okay.
 25 CHAIRMAN FERGUSON: Okay. Your

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1 appearance, counsel.
 2 MR. MACRI: Good evening, Mr. Chairman,
 3 members of the board. My name is Marc Macri. I
 4 represent the Applicant, Rock Solid Built, LLC, in
 5 connection with the property located at 529 Fifth
 6 Street.
 7 Mr. Chairman, as you recall, we were
 8 here last week -- excuse me -- last month.
 9 Mr. Cocoros testified, as well as my professional
 10 planner, Mr. Spatz.
 11 After listening to the comments from
 12 the board members we came back and we submitted as
 13 new plan. The new plan reduced the height, overall
 14 height by 3 feet 9 inches.
 15 CHAIRMAN FERGUSON: Right.
 16 MR. MACRI: We have one more
 17 additional, what we'd like to do is increase our
 18 retaining wall on the left-hand side which will give
 19 an additional 9 inches, the overall height will be
 20 reduced by 4 feet.
 21 CHAIRMAN FERGUSON: Four feet?
 22 MR. MACRI: Four feet. So we have 31
 23 feet 9 inches.
 24 CHAIRMAN FERGUSON: Okay.
 25 MR. MACRI: It's 3 feet 9 inches higher

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1 than what is permitted under the ordinance.
 2 CHAIRMAN FERGUSON: All right.
 3 MR. MACRI: So if I could have
 4 Mr. Cocoros sworn in, I'll have him show the changes.
 5 MS. TESTA: Please raise your right
 6 hand.

7 Do you swear that the testimony you
 8 will give in this application will be the truth, the
 9 whole truth and nothing but the truth, so help you
 10 God?

11 MR. COCOROS: I do.
 12 VASSILIOS COCOROS,
 13 467 Sylvan Avenue, Englewood Cliffs, New Jersey,
 14 having been duly sworn, testifies as follows:

15 MS. TESTA: Please state your name for
 16 the record.

17 MR. COCOROS: Vassilios,
 18 V-A-S-S-I-L-I-O-S, Cocoros, C-O-C-O-R-O-S, 467 Sylvan
 19 Avenue, Englewood Cliffs, New Jersey.

20 CHAIRMAN FERGUSON: Okay. Mr. Cocoros
 21 has been here many times.

22 MR. MACRI: Thank you, Mr. Chairman.

23 DIRECT EXAMINATION

24 BY MR. MACRI:

25 **Q.** Mr. Cocoros, on your right on the easel
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1 **So we would have our proposed height at**
 2 **31.75 feet. So we would be a full 4 feet lower than**
 3 **originally proposed.**

4 **Q.** Thank you.

5 **A.** **In addition, we -- there was some**
 6 **comments from the engineer, and we did revise our**
 7 **stormwater management plan. We located the pitch in**
 8 **the rear and the front to break up the overall**
 9 **drainage scheme where the front leaders will tie into**
 10 **the pitch proposed in the driveway, and then we have**
 11 **a rear leaders will be tied into the pitch proposed**
 12 **in the backyard.**

13 **However, that will be confirmed through**
 14 **a perc test that will be submitted and approved to**
 15 **the board engineer for his review and comments.**

16 MR. MACRI: Thank you.

17 CHAIRMAN FERGUSON: That's it?

18 MR. MACRI: That's it.

19 CHAIRMAN FERGUSON: Okay.

20 So the last meeting you were bringing
 21 something, you went back and you reduced it by
 22 another foot or so, so now we're at 32 feet, correct?

23 MR. MACRI: Well, after -- after his
 24 testimony we're now at 31 feet 9 inches.

25 CHAIRMAN FERGUSON: So 31 feet 9
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1 are the plans that you submitted to this board,
 2 revised plans submitted to this board in anticipation
 3 of this evening's application.

4 Is that correct?

5 **A. Yes.**

6 **Q.** Could you give us the date of revision
 7 please?

8 **A. These were last revised 8/2/19.**

9 **Q.** Can you explain to the board the
 10 difference between this plan and the old plans,
 11 specifically the reduction in height?

12 **A. Sure.**

13 **The actual building, the garage level**
 14 **itself was lowered by 1 foot 4 inches, in addition to**
 15 **lowering the overall roof structure approximately a**
 16 **foot-and-a-half.**

17 **In addition, we're cleaning up the**
 18 **retaining wall and using the existing site to tie in**
 19 **the proposed grade where it meets the middle of the**
 20 **property, where it meets the level point at the side**
 21 **yard, we're able to bring the total height down 3**
 22 **feet 9 inches, but, however, we saw that we could**
 23 **raise the retaining wall on the rear left-hand side**
 24 **up 1 foot which would give us 3 inches because it's**
 25 **an average based on the four corners.**

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1 inches.

2 MR. MACRI: Our plan submitted are 32,
 3 but since we are increasing the retaining wall on the
 4 left-hand side we'll be at 31 feet 9 inches.

5 CHAIRMAN FERGUSON: Okay.

6 I hate to be repetitious, but do my
 7 eyes -- I don't have my glasses, does my eyes see
 8 bathrooms with a tub behind the --

9 MR. MACRI: Hold on a second.

10 MR. COLLAZOU: Mr. Chairman, I
 11 explained to Mr. Cocoros those occasions --

12 THE WITNESS: I forgot, in a rush to
 13 get this done, to get it in on time --

14 MR. COLLAZOU: Okay.

15 THE WITNESS: So that was a --

16 MR. MACRI: That's going to be removed,
 17 Mr. Chairman.

18 CHAIRMAN FERGUSON: They're going to
 19 remove it.

20 MR. MACRI: We keep forgetting the
 21 anti-bath.

22 CHAIRMAN FERGUSON: Okay.

23 Do you have any comments? Yes.

24 MR. COLLAZOU: Yes, Mr. Chairman.

25 Based on the new plan, as Mr. Cocoros

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1 said, the two systems -- the two systems in the rear
2 have been split up, that is the drainage system in
3 the rear, and reduced in size the two drainage
4 systems have been placed in the front yard under the
5 driveway which appears good. Better.

6 I have a couple of questions for Bill.
7 Bill, you have now a wall between the
8 two rear yards?

9 THE WITNESS: Yes.

10 MR. COLLAZUOL: It doesn't look like
11 that is a very high wall.

12 THE WITNESS: Well, it's actually going
13 to be reduced because we're going to be raising that
14 rear left corner. Right now that wall is 1 foot 4
15 inches, I think. Yes, it's only really two courses,
16 it's, like, two courses.

17 MR. COLLAZUOL: Right.

18 THE WITNESS: But since we're going to
19 raise that corner up, it's basically going to be,
20 like, a landscaping wall between the two.

21 MR. COLLAZUOL: Right. The two
22 drainage systems in the back will then be at
23 different elevations.

24 THE WITNESS: No. They'll probably be
25 set at the same elevation.

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1 rear left-hand corner of the wall is going to be the
2 greatest in height. At our last meeting was that
3 they were going to raise that wall. That would
4 necessitate another variance.

5 So a wall at 6 foot 10 inches will
6 certainly need a variance for height, as 4 feet is
7 the maximum height permitted.

8 And, of course, a stability report
9 would be required for that wall.

10 THE WITNESS: Naturally.

11 MR. COLLAZUOL: I have nothing else.

12 CHAIRMAN FERGUSON: Okay. Judd?

13 MR. ROCCIOLA: No, sir.

14 No comment.

15 MR. KAUKER: Just a comment. The bulk
16 table should be revised to reflect the actual height
17 of the structure.

18 MR. MACRI: It will be revised pursuant
19 to the testimony today. That will be corrected.

20 MR. KAUKER: Great. That's it.

21 CHAIRMAN FERGUSON: Anybody -- any
22 other board members have any comments?

23 VICE CHAIRMAN ALBANESE: Yes. There
24 was one person that lives in the back that was
25 worried about her fence.

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1 MR. COLLAZUOL: They will be.

2 THE WITNESS: But I'm thinking right
3 now the way it's going to be done, we're bringing up
4 the backyard a foot, we'll probably be able to get
5 rid of that wall between the two. So they can be set
6 at the same level as far as ease of installation.

7 MR. COLLAZUOL: All right. So that on
8 your plan you had top of wall 234.

9 THE WITNESS: Six, seven, and the
10 higher wall was 236. So we're coming up 1 foot.
11 It's only a 4-inch difference. And that would be
12 taken care of by just grading it and getting rid of
13 that -- and getting rid of that wall completely
14 between the two units.

15 MR. COLLAZUOL: Okay. So that
16 previously the wall was with the maximum height of
17 5.8 feet.

18 THE WITNESS: Yes.

19 Now it's going to be -- well, the back
20 corner one will be approximately 6 foot 10 inches at
21 the highest point.

22 Then it's going to go up the back
23 corner, it's going to be maybe 5 feet.

24 MR. COLLAZUOL: All right.

25 So in the lower left-hand corner or the

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1 MR. MACRI: What we'll stipulate to is
2 we're going --

3 VICE CHAIRMAN ALBANESE: You're going
4 to put a new fence up there?

5 MR. MACRI: Actually, her fence is in
6 great shape. We're just going to reposition it.

7 FEMALE AUDIENCE MEMBER: That's fine.

8 VICE CHAIRMAN ALBANESE: That's fine?
9 Okay.

10 MR. MACRI: If a section needs to be
11 replaced, we'll replace it, but, again --

12 VICE CHAIRMAN ALBANESE: Just as long
13 as you address it.

14 MR. MACRI: Of course.

15 MS. TESTA: Is that the rear property?

16 MR. MACRI: Rear yard.

17 MS. TESTA: Rear yard.

18 CHAIRMAN FERGUSON: Anybody in the
19 audience have anything?

20 Okay, yes? Name and address.

21 MR. BOYCE: Yeah. Jack Boyce,
22 B-O-Y-C-E, 533 Fifth Street.

23 There's a chain-link fence on the
24 right-hand side. Is that going to be replaced or --

25 MR. MACRI: Whose fence is that?

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1 MR. BOYCE: Mine. It's existing.
 2 MR. MACRI: Is it existing there? If
 3 it's our fence, we will replace it.
 4 MR. BOYCE: Thank you.
 5 CHAIRMAN FERGUSON: Anybody else? Go
 6 ahead.
 7 MS. ALVAREZ: Marie Alvarez,
 8 A-L-V-A-R-E-Z. 534 Fourth Street.
 9 Question for you. My concern is your
 10 backyard is my backyard. You're higher than I am.
 11 THE WITNESS: Correct.
 12 MS. ALVAREZ: Again, am I going to get
 13 a pool in my backyard every time it rains, is the
 14 water going to be coming down into my property.
 15 MR. MACRI: There's current no water
 16 retention system on the property. Our plan is to
 17 install one with four tanks. So, hopefully, you
 18 won't get as much water. I can't guarantee no water.
 19 CHAIRMAN FERGUSON: Well --
 20 VICE CHAIRMAN ALBANESE: They got
 21 the --
 22 MR. MACRI: Two tanks in front, two
 23 tanks in the back. Right now there's -- right now
 24 there's none.
 25 VICE CHAIRMAN ALBANESE: He's got

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1 enough.
 2 CHAIRMAN FERGUSON: Steve, does he have
 3 enough?
 4 MR. COLLAZUOL: Mr. Macri is accurate
 5 in his statement. Yes, I mean, right now the runoff
 6 goes directly towards the rear of the property, so
 7 Ms. Alvarez obviously is getting their water.
 8 They're going to build a retaining
 9 wall. They're going to capture all the roof water
 10 and contain it. She'll probably have less water
 11 runoff now.
 12 CHAIRMAN FERGUSON: Right.
 13 MR. COLLAZUOL: If there is an impact
 14 afterwards and she brought it to our attention, then
 15 they would have to put a lawn inlet in that rear yard
 16 to contain, if there was anything spilling over the
 17 wall.
 18 Usually the grade at the corner, the
 19 right rear corner is what we're talking about, the
 20 grade would be lower than the wall.
 21 So it should stay on the property.
 22 CHAIRMAN FERGUSON: Okay. You all
 23 right?
 24 MS. ALVAREZ: Yes. They're the
 25 experts. I just don't want a pool in my backyard.

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1 CHAIRMAN FERGUSON: No, I understand.
 2 So that's -- so they're putting in pits now to catch
 3 some of the water that you don't have now, so --
 4 MS. ALVAREZ: And as far as fixing the
 5 fence that I currently have there, you're going to
 6 fix the whole fence, the one-half of it's on your
 7 property, but all --
 8 MR. MACRI: We're going to fix the
 9 entire length of your rear yard, otherwise it would
 10 look like only a new portion of it.
 11 MS. ALVAREZ: Exactly. That's going to
 12 come out like that. Okay.
 13 Great. Thank you.
 14 CHAIRMAN FERGUSON: Next. Name and
 15 address?
 16 MS. MANTONE: Linda Mantone, 537 Fifth
 17 Street.
 18 THE COURT REPORTER: Spell your name
 19 please?
 20 MS. MANTONE: M-A-N-T-O-N-E.
 21 Can I just verify the drop in the
 22 driveway, how much of a drop that will be?
 23 MR. MACRI: What do you mean, driveway.
 24 MS. MANTONE: Down the driveway. It
 25 was 4 inches --

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1 THE WITNESS: The drop actually
 2 changes. So it's basically maybe be a foot lower or
 3 -- on the right-hand side, but on the left-hand side
 4 it's a good foot-and-a-half higher.
 5 So it's enough of the water, you know,
 6 it's going to pitch down a little towards, boomerang
 7 back out. But whatever water will be kept onsite on
 8 the property, so nothing will spill off into the
 9 neighbors.
 10 The driveway, itself, is going to be
 11 going down in one portion, a little bit higher than
 12 the other portion. It's a function of the drop-off
 13 of the property.
 14 MS. MANTONE: So the property now is
 15 being dropped a bit than the former plan.
 16 THE WITNESS: Correct.
 17 MS. MANTONE: Okay.
 18 Can you just verify these figures
 19 because I looked at the revised plan.
 20 MR. MACRI: The revised plan.
 21 MS. MANTONE: Looking from the front,
 22 the left rear, it was 37.4 feet.
 23 THE WITNESS: 234.67 is the left rear.
 24 MS. MANTONE: And it's being dropped
 25 down to 33.9 feet.

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1 THE WITNESS: You mean the elevation or
 2 the --
 3 MS. MANTONE: Yeah, the elevation.
 4 THE WITNESS: The rear left to the
 5 midpoint of the roof is 33 feet.
 6 MS. MANTONE: Looking from the front,
 7 not -- looking from the front, the left rear.
 8 THE WITNESS: The left rear, you see it
 9 in the rear elevation. On the -- actually right-hand
 10 side.
 11 If you're looking at it from the front,
 12 the left portion, that's measured at the corner of
 13 the building at the front.
 14 So that dimension there right now at
 15 the midpoint of the roof is 31 -- I'm sorry -- 33
 16 feet 1 inch.
 17 MS. MANTONE: Okay.
 18 And looking towards the front on the
 19 right side it was 32.4?
 20 THE WITNESS: I don't have the old
 21 plan.
 22 MR. MACRI: Hold on a second.
 23 THE WITNESS: I have it here. If you
 24 look at the left-hand side of the front corner --
 25 MS. MANTONE: Well, the right side now
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1 would be 30 feet.
 2 THE WITNESS: Again, the previous one
 3 was 35 feet 4 inches to the midpoint. The new
 4 proposed one is 33 feet 1 inch.
 5 MS. MANTONE: Okay.
 6 And the right side will be 30 feet?
 7 THE WITNESS: And the right side right
 8 now is 30 feet 3 inches measured to the corner.
 9 The corner is actually lower than the
 10 side -- than the sidewalk there. And the previous
 11 one, that elevation was 32 feet 4 inches.
 12 MS. MANTONE: Right. All right.
 13 Thank you.
 14 CHAIRMAN FERGUSON: Anybody else?
 15 John?
 16 MR. MANTONE: I just wanted to let you
 17 -- John Mantone, M-A-N-T-O-N-E, 537 Fifth Street.
 18 Linda reviewed the -- the specs down in
 19 the hall. I think the adjustment was doable. I
 20 don't have a problem with it.
 21 MR. MACRI: Thank you.
 22 CHAIRMAN FERGUSON: Anybody else?
 23 (No response.)
 24 CHAIRMAN FERGUSON: Can I get a motion?
 25 I'll make the motion that we accept the
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1 application.
 2 MR. CARNOVALE: I second the motion.
 3 CHAIRMAN FERGUSON: Roll call?
 4 MS. LAMBRINIDES: Mr. Ferguson.
 5 CHAIRMAN FERGUSON: Yes.
 6 MS. LAMBRINIDES: Mr. Albanese?
 7 VICE CHAIRMAN ALBANESE: Yes.
 8 MS. LAMBRINIDES: Mr. Terranova?
 9 MR. TERRANOVA: Yes.
 10 MS. LAMBRINIDES: Ms. Yoon.
 11 MS. YOON: Yes.
 12 MS. LAMBRINIDES: Mr. Carnovale?
 13 MR. CARNOVALE: Yes.
 14 MS. LAMBRINIDES: Ms. Tarabocchia?
 15 MS. TARABOCCHIA: Yes.
 16 MS. LAMBRINIDES: Mr. Lefteriou.
 17 MR. LEFTERIOU: Yes.
 18 CHAIRMAN FERGUSON: Thank you.
 19 MR. MACRI: Thank you. Thank you,
 20 everybody.
 21 CHAIRMAN FERGUSON: Okay. Next up,
 22 which will be the last one for today, is 19-06,
 23 Jaehoon Lee, 525 Glen Avenue.
 24 MR. LEE: Jaehoon Lee, 525 Glen Avenue.
 25 J-A-E-H-O-O-N. Last name Lee, L-E-E.
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1 CHAIRMAN FERGUSON: Okay.
 2 THE WITNESS: Owner and Applicant?
 3 CHAIRMAN FERGUSON: Okay. I thought
 4 you were an attorney, my friend.
 5 MR. LEE: No, I am not.
 6 CHAIRMAN FERGUSON: Okay. All right.
 7 MS. TESTA: Do you have your proof of
 8 service?
 9 MR. LEE: Proof of what? I'm sorry.
 10 CHAIRMAN FERGUSON: Service.
 11 MR. LEE: I'm sorry, that's the plans?
 12 MS. TESTA: No, it's the little white
 13 receipt, if you submitted copies, and also the
 14 newspaper.
 15 MR. LEE: Yes. From the newspaper,
 16 yes.
 17 I just want to propose an extension --
 18 CHAIRMAN FERGUSON: Wait, wait, wait.
 19 MS. TESTA: How about the white
 20 receipts? I know you gave copies, but do you have
 21 the original.
 22 MR. LEE: Oh, I do have --
 23 MS. TESTA: The little -- right. These
 24 are all copies, I need the originals.
 25 MR. LEE: Oh, that original.
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1 MS. TESTA: That, you can have. And
 2 then I'll take those.
 3 And do you happen to have the list from
 4 the tax office of everybody you were supposed to
 5 serve?
 6 MR. LEE: I do not.
 7 Did I need it?
 8 MS. TESTA: Yeah.
 9 MR. LEE: They didn't -- it wasn't part
 10 of the list that I was told to get.
 11 MS. TESTA: You would have had to do
 12 this.
 13 MR. LEE: Correct. I just --
 14 MS. TESTA: Can you submit it to me, to
 15 the --
 16 MR. LEE: Yes. I resubmitted
 17 everything that was asked for.
 18 MS. TESTA: Right, but can you get that
 19 to us?
 20 MR. LEE: Sure.
 21 MS. TESTA: We have the white receipts,
 22 I don't have anything, you know, we usually like to
 23 have the list from the tax office to also prove that
 24 taxes were paid through the -- I guess the second
 25 quarter at this point.

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1 CHAIRMAN FERGUSON: Is that included in
 2 the submission?
 3 MS. TESTA: I didn't see that. I saw
 4 the white receipts.
 5 MR. LEE: Yes, the receipts were part
 6 of the packet.
 7 MS. TESTA: I saw what you had cut out
 8 from the newspapers.
 9 MR. LEE: Yes.
 10 MS. TESTA: We have the affidavit from
 11 The Record here.
 12 MR. LEE: Correct.
 13 MS. TESTA: I did notice that. But the
 14 board -- I am satisfied that we have jurisdiction.
 15 CHAIRMAN FERGUSON: Okay, my friend.
 16 You may proceed.
 17 MR. LEE: Sure.
 18 So I just want to propose an extension
 19 of the driveway on the property. I currently own a
 20 two-family dwelling in Palisades Park.
 21 I was fortunate enough to grow up in
 22 the town and own a multifamily dwelling. I
 23 currently, we're having parking issues, so only thing
 24 I can do to alleviate that problem is to create
 25 another set of driveway on the property.

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1 CHAIRMAN FERGUSON: All right. That's
 2 it?
 3 MR. LEE: Yep, that's it.
 4 CHAIRMAN FERGUSON: Okay. Perfect.
 5 MS. TESTA: Let me just swear you in.
 6 I didn't realize you were testifying. Please raise
 7 your right hand.
 8 Do you swear that the testimony that
 9 you provide in this application will be the truth,
 10 the whole truth and nothing but the truth?
 11 MR. LEE: I do.
 12 J A E H O O N L E E,
 13 525 Glen Avenue, Palisades Park, New Jersey,
 14 having been duly sworn, testifies as follows:
 15 MS. TESTA: Okay. State your name for
 16 the record.
 17 MR. LEE: Jaehoon Lee. J-A-E-H-O-O-N.
 18 Last name L-E-E.
 19 MS. TESTA: You are the property owner
 20 and you are looking to extend the property.
 21 MR. LEE: I am the property owner and
 22 the applicant, and yes.
 23 CHAIRMAN FERGUSON: Okay. Let me just
 24 state this. I read your application closely. The
 25 problem that I have is that just putting -- I'm sure

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1 you know what the law is. The law is you can't just
 2 have a driveway going to nowhere, you got to have a
 3 driveway that is connected to a garage.
 4 MR. LEE: Okay.
 5 CHAIRMAN FERGUSON: That's why it was
 6 denied. Okay.
 7 MR. LEE: Sure.
 8 CHAIRMAN FERGUSON: The problem that I
 9 have with the application, and I understand that
 10 there's a -- in certain areas of the town there is a
 11 problem with parking. I get it.
 12 The problem is I don't want to turn
 13 Palisades Park into where everybody gets to put a
 14 driveway in front of their houses. Because, you
 15 know, it wouldn't look good for the town, you know,
 16 if you're going to have no front lawns and all you're
 17 going to have is cars parked in front of, you know.
 18 So for me, and I only speak for myself,
 19 that's -- that's the issue.
 20 MR. LEE: Okay.
 21 CHAIRMAN FERGUSON: I can't, you know,
 22 once we let you do it, then we're going to wind up
 23 with everybody coming here saying let's put parking
 24 in front of their house.
 25 MR. LEE: Can I --

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1 CHAIRMAN FERGUSON: That's just my --
2 but go ahead. You can say whatever you want.
3 MR. LEE: Okay. So, and I do realize
4 that, right, and I understand that something like
5 this may cause a chain reaction.

6 But I do also see that some of the
7 other houses that I was looking to purchase
8 previously have done the same thing. 445 Fourth
9 Street, they've actually added another set of
10 driveway that doesn't meet to a garage as well. So
11 that was actually allowed in that property as well.
12 So, I mean, for me --

13 CHAIRMAN FERGUSON: Right.
14 MR. LEE: -- for me, it's a problem of
15 not finding parking in front of a property not just
16 in front of the house, down the street, around the
17 corner. That's -- that, to me, is a problem.

18 CHAIRMAN FERGUSON: Right.
19 MR. LEE: And it's frustrating to come
20 home -- I am just trying to be responsible as a
21 homeowner, trying to find parking. You know, I
22 understand that everyone has the same issue; however,
23 if people are not being responsible about it, the
24 only way I can be responsible is to go about this
25 long costly journey of being here in front of you

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1 today.
2 CHAIRMAN FERGUSON: Okay. Any board
3 members have anything?

4 MR. CARNOVALE: Well, Joe, I was just
5 wondering, the gentleman said something about Fourth
6 Street.

7 He said it was approved. Well, we look
8 at cases individually. Was that approved by the
9 board and if -- or did somebody just do it.

10 CHAIRMAN FERGUSON: This board? The
11 Planning Board?

12 MR. LEE: I'm not quite sure.

13 MR. CARNOVALE: Maybe they just did it.

14 MR. LEE: Maybe they just did it. I
15 mean --

16 MR. CARNOVALE: I'm sorry. As a board
17 member, I don't have any control over that.

18 MR. LEE: Sure.

19 MR. CARNOVALE: Maybe somebody just did
20 it, nobody reported it. I don't know. I don't
21 remember hearing anything, I've been here what, four
22 years.

23 MR. LEE: For me, I am sure if the
24 property owner wanted to do something similar I'm
25 sure they had to go through the same similar process

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1 I have so far. Right.

2 MR. CARNOVALE: Well, sir, they could
3 have just did it on the sly, is what you call it.
4 Nobody knows, nobody said anything.

5 MR. LEE: So that, I don't know, right.

6 CHAIRMAN FERGUSON: Yeah.

7 MS. TESTA: I don't think we've ever
8 heard of one before.

9 CHAIRMAN FERGUSON: Does anybody on the
10 board have anything?

11 (No response.)

12 CHAIRMAN FERGUSON: As I said, I'm just
13 one --

14 MR. LEE: I wanted to go about it the
15 right way, for me to be in front of you guys.

16 CHAIRMAN FERGUSON: I appreciate that.
17 And I appreciate that there's a problem with parking
18 in the town. But I am afraid we're going to open up
19 a floodgate.

20 But let's hear from our experts. Maybe
21 they have some comments. Steve?

22 MR. COLLAZUOL: Yes. Comments would be
23 that we received the plans and we deemed them
24 incomplete originally. Then they were supplemented
25 with additional documents and then they were deemed

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1 complete.

2 They are the plans that you've seen,
3 plus there was some drainage calculations to show
4 some runoff. That's technical. And there's some
5 adjustments that could be made if the board were to
6 approve it. But it does appear that some of the
7 grading would run off into the street and it really
8 hasn't been addressed. That is number one.

9 But the point is that if the board did
10 approve this, of course, number one, they'd be
11 removing one parking space from the street.

12 But the matter of whether a new
13 sidewalk in front of the property would be
14 appropriate for an application of this nature and a
15 concrete apron as well, and what the surface material
16 of the pavement before the driveway would be.

17 In addition, a drop curb would have to
18 be placed to access the property. Of course, a road
19 opening permit would be needed from DPW.

20 And one of the things that is important
21 as well is that this limit of pavement shows to be
22 right along the property line.

23 Usually there's some kind of a buffer
24 of 3 to 4 feet with some kind of screening. A
25 pavement to the property line is generally not

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1 acceptable to the board.
 2 That's generally our comments. I feel
 3 we've addressed the zoning aspect of two driveways or
 4 the number of parking spaces that this particular
 5 residence needs.
 6 CHAIRMAN FERGUSON: Okay. Judd?
 7 MR. ROCCIOLA: Yes, I had four comments
 8 in my report dated the 14th of --
 9 CHAIRMAN FERGUSON: Did you get his
 10 report, my friend?
 11 MR. LEE: The report --
 12 MR. ROCCIOLA: I don't know if I sent
 13 it.
 14 MR. LEE: I don't think I got that.
 15 CHAIRMAN FERGUSON: Okay. Well, let's
 16 get him one.
 17 MR. ROCCIOLA: Let's see.
 18 So my first comment was that with the
 19 driveway that is proposed, there is no side yard as
 20 Mr. Collazuol pointed out, so it's going to impact
 21 landscaping.
 22 Should there be fencing, how does it
 23 affect the neighbor, et cetera?
 24 The second comment is the depth of the
 25 driveway on the property is only 17 feet, so parking
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1 could extend into the public right-of-way, and I know
 2 the board usually has concerns about that.
 3 CHAIRMAN FERGUSON: Right.
 4 MR. ROCCIOLA: And then by virtue of
 5 having the drop curb, you would be taking away one
 6 parking space from Glen Avenue, a public space. So
 7 it impacts the public parking, so that should be
 8 discussed by the Applicant as to the impacts to other
 9 people that would be parking in the street.
 10 CHAIRMAN FERGUSON: Right.
 11 MR. ROCCIOLA: As you commented that
 12 there is parking problems there now.
 13 And then there's one tree within the
 14 right-of-way which would be a borough tree that has
 15 to be removed, too.
 16 CHAIRMAN FERGUSON: Okay.
 17 MR. LEE: Yes.
 18 I mean, if I'm taking over one space
 19 from the public, I'm actually allowing two cars to be
 20 parked, so meaning I'm actually taking two cars off
 21 the street, not just one. Right?
 22 It's not just a one-car parking space,
 23 it's actually a two-car parking spot which allows two
 24 cars to be off the street as well.
 25 CHAIRMAN FERGUSON: Okay.
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1 MR. LEE: So for me, that's a plus,
 2 right? It's not having a, you know, fight over
 3 parking spaces or, you know, I think, for me, it's
 4 just going about it the responsible way, like I said,
 5 just to be in front of you guys.
 6 CHAIRMAN FERGUSON: Okay. And I
 7 appreciate you doing it the right way. I do.
 8 MR. KAUKER: Just a couple of comments
 9 and questions. The first question is the dimensions
 10 of the driveway are not shown on the plan.
 11 Do you have the width and the depth of
 12 the driveway?
 13 MR. LEE: Yes, 17 x 20 as per Steve,
 14 Mr. Collazuol.
 15 MR. KAUKER: So the width is 20 feet.
 16 MR. LEE: Correct.
 17 MR. KAUKER: And then the depth, I
 18 guess it would be the existing portion of the
 19 property line, which is 17 feet.
 20 MR. LEE: From the property line, yes.
 21 MR. KAUKER: Okay. So that's a little
 22 bit small to be a parking space. I don't think that
 23 complies with the ordinance.
 24 There are a couple other requirements
 25 in the ordinance that you don't comply with.
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1 Firstly, you must provide a turnaround on-site.
 2 There's no turnaround provided.
 3 And, thirdly [sic], what you mentioned
 4 before, Mr. Chairman, is that a driveway must lead to
 5 a garage. So this does not lead to a garage.
 6 And then, obviously, the relief that
 7 the Applicant is requesting a bulk variance, so there
 8 would need to be subsequent testimony if the board
 9 were to grant of a (c) variance to the Applicant.
 10 CHAIRMAN FERGUSON: Okay. Do you have
 11 any other witnesses?
 12 MR. LEE: My parents.
 13 CHAIRMAN FERGUSON: I understand. But
 14 do you want them to testify?
 15 MR. LEE: Sure. If I am allowed to
 16 translate for them.
 17 CHAIRMAN FERGUSON: Yeah.
 18 MR. LEE: But just to add to the public
 19 way, there is no sidewalk currently there. It was
 20 one of the older homes. There is no sidewalk.
 21 CHAIRMAN FERGUSON: You have a picture
 22 of it.
 23 MR. LEE: Yeah, there's a picture of
 24 it. And there's a home next to us on north of the
 25 Glen Avenue on top of the hill, there is no sidewalk
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1 there either. So I'm actually not getting in the way
 2 of public way as there's not -- there is no sidewalk
 3 that people are walking on.
 4 CHAIRMAN FERGUSON: Okay.
 5 Pauly, you want to say anything?
 6 VICE CHAIRMAN ALBANESE: If I could
 7 just clarify one point. I missed, you indicated a
 8 turnaround is required. That's not for one or
 9 two-family homes there, except it would be required
 10 for two-family home.
 11 MS. TESTA: He said a turnaround was
 12 required. It's not a two-family.
 13 VICE CHAIRMAN ALBANESE: Okay, fine.
 14 Okay.
 15 CHAIRMAN FERGUSON: You want to --
 16 somebody wants to say something, I mean --
 17 MR. LEE: No, I think the property
 18 owner of the next door, so they're allowed to speak.
 19 CHAIRMAN FERGUSON: I don't have a
 20 problem, they can testify.
 21 MR. LEE: Testify to what?
 22 CHAIRMAN FERGUSON: Well, that he has a
 23 problem with you making the driveway.
 24 MR. LEE: He has no problem.
 25 CHAIRMAN FERGUSON: Well, I'm asking

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1 you, does he have a problem.
 2 MR. LEE: Oh.
 3 FEMALE AUDIENCE MEMBER: He wants that
 4 in the public portion.
 5 MR. LEE: Oh, I'm sorry.
 6 CHAIRMAN FERGUSON: Okay. Yes. We
 7 have none. So we're going to open it up to the
 8 public portion.
 9 You want to raise your hand and get
 10 sworn in?
 11 MS. TESTA: Do you swear that the
 12 testimony and the comments that you will make in this
 13 application will be the truth, the whole truth and
 14 nothing but the truth, so help you God.
 15 You just -- you have to verbalize it.
 16 MS. HAEHELE: Yes.
 17 K Y U N G H A E H E L E,
 18 525 Glen Avenue, Palisades Park, New Jersey,
 19 having been duly sworn, testifies as follows:
 20 MS. TESTA: Okay.
 21 THE COURT REPORTER: State your name,
 22 please, spell it, and provide your address.
 23 MS. HAEHELE: Okay. Kyung Haehele,
 24 K-Y-U-N-G, H-A-E-H-E-L-E. Kyung Haehele, 525 Glen
 25 Avenue, Palisades Park.

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1 CHAIRMAN FERGUSON: Okay.
 2 MR. LEE: Do you mind if I just
 3 translate?
 4 CHAIRMAN FERGUSON: Yes, you have to
 5 ask a question.
 6 MS. HAEHELE: In and out very difficult
 7 this parking, you know, so when I come back home,
 8 very, very difficult.
 9 CHAIRMAN FERGUSON: Okay. And you live
 10 at the building? You live in --
 11 MS. HAEHELE: Downstairs, yes.
 12 CHAIRMAN FERGUSON: It's a two-family
 13 house?
 14 MS. HAEHELE: Yes.
 15 CHAIRMAN FERGUSON: Okay. And you live
 16 on one section and your son --
 17 MR. LEE: No, no, no.
 18 MS. HAEHELE: No.
 19 MR. LEE: We live together.
 20 CHAIRMAN FERGUSON: Oh, you live
 21 together. And you rent the other section out?
 22 MR. LEE: Correct.
 23 MS. HAEHELE: Yes.
 24 MR. LEE: It's not a duplex, it's just
 25 a top --

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1 CHAIRMAN FERGUSON: Yes, I know. We
 2 have pictures of it. I understand.
 3 Because a duplex would have an
 4 apartment downstairs, so I get it.
 5 MR. LEE: Exactly.
 6 CHAIRMAN FERGUSON: Who -- I was up
 7 there a couple of times.
 8 Does the van that's in the driveway --
 9 is that your van?
 10 MR. LEE: No.
 11 CHAIRMAN FERGUSON: It's your tenant's
 12 van?
 13 MR. LEE: Correct.
 14 CHAIRMAN FERGUSON: Okay.
 15 MR. LEE: They have three cars, we have
 16 three cars. Six cars in a household. And --
 17 CHAIRMAN FERGUSON: No, I get it. I
 18 get it.
 19 Okay. Is she done?
 20 MS. HAEHELE: That's it.
 21 CHAIRMAN FERGUSON: Okay? Okay.
 22 Is there somebody else you want to -- I
 23 mean, I think we get the drift of this situation.
 24 MR. LEE: Sure.
 25 CHAIRMAN FERGUSON: Yes. The question

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1 is are we going to allow it or not. That's the
 2 issue. So if you want to sum up and, you know, say
 3 whatever you're going to say at the end, you know.
 4 MR. LEE: Yes, yes. Sure. Thank you.
 5 I think for me, I understand that a lot
 6 of the property owners in Palisades Park are
 7 investors, right. They don't live on the property.
 8 They don't live in the town. They don't live in the
 9 borough.

10 But my parents live in the borough. I
 11 grew up in the borough, right? I understand -- it
 12 wasn't a problem back in the early '90s when I first
 13 came here. Now it is a problem, right.

14 CHAIRMAN FERGUSON: Right.

15 MR. LEE: So the, you know, the amount
 16 of cars that the, you know, is parked in the evening,
 17 it's just a lot of cars on the street. Right? And
 18 the duplexes are actually taking away more spaces for
 19 older houses like mine that were built quite some
 20 time ago, but yet those guys are allowed relief and
 21 for me to not get relief, I think that's just a
 22 little unfair on my part as a property owner. As the
 23 person that's, you know, my parents living here and
 24 so am I, right.

25 CHAIRMAN FERGUSON: Right.

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1 MR. LEE: So, I mean, I understand
 2 there's some items from a technical perspective, but
 3 I think there is a -- I mean, if the rest of the
 4 property owners want to go through this process, it
 5 took one year to be here in front of you guys today.

6 So -- and I'm not just an engineer. I
 7 don't build houses for a living. I just want relief,
 8 parking relief for my -- not for myself, but for my
 9 parents actually. All right? I can walk. I have no
 10 problem walking down the hill.

11 CHAIRMAN FERGUSON: Right. I
 12 understand.

13 MR. LEE: So for me, it's been that
 14 journey of, you know, like I said, having a property
 15 of my own for -- in the borough, right?

16 CHAIRMAN FERGUSON: Right.

17 MR. LEE: And obviously trying to solve
 18 the problem in the right way and the more responsible
 19 way. And for me to be in front of you, this is the
 20 only way that I can say, you know what, this is the
 21 last thing that I can do to get relief. Otherwise, I
 22 don't know what to do.

23 CHAIRMAN FERGUSON: Right. Okay.

24 Well, part of the problem, I mean,
 25 there is -- well, construction, in my opinion, is

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1 slowed down. But I believe, my opinion is that
 2 people that have the duplexes, right, don't use their
 3 driveways.

4 MR. LEE: Correct.

5 CHAIRMAN FERGUSON: And they either
 6 have too many cars and they don't use the driveway,
 7 so they're using the street or they don't want to
 8 jockey their cars back and forth, you know. So it's,
 9 you know, it's unfortunate.

10 But listen, whatever the board wants to
 11 do --

12 MR. CARNOVALE: Joe, I got a question
 13 for Steve.

14 CHAIRMAN FERGUSON: Sure, sure.

15 MR. CARNOVALE: Steve, what's the
 16 right-of-way on Glen Avenue where this gentleman owns
 17 that house.

18 Is it 10 foot or it's different.

19 MR. COLLAZUOL: The plan shows that
 20 it's 60-foot wide, Vincent.

21 MR. CARNOVALE: So what's the
 22 right-of-way on his side then?

23 MR. COLLAZUOL: He's got, between the
 24 curb and the right-of-way line, if that's what you're
 25 asking --

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1 MR. CARNOVALE: Yes.

2 MR. COLLAZUOL: -- is 10 feet.

3 MR. CARNOVALE: How much?

4 MR. COLLAZUOL: Ten feet.

5 MR. CARNOVALE: Ten feet. How far back
 6 is the driveway supposed to be?

7 MR. COLLAZUOL: I'm sorry.

8 MR. CARNOVALE: Where would the
 9 driveway begin, 10 feet behind the curb?

10 MR. COLLAZUOL: That's where the
 11 parking area would start, yes. The designated
 12 parking area would be about 10 feet back from the
 13 curb, yes.

14 MR. CARNOVALE: So he wouldn't be in
 15 the right-of-way.

16 MR. COLLAZUOL: He would be 1 foot into
 17 the right-of-way with the --

18 MR. CARNOVALE: All right. That would
 19 require approval from the Mayor and Council besides
 20 us if the board was to decide, because, you know, the
 21 RSIS standard says you have to have X amount of feet,
 22 you're not allowed to use town property, or I'm
 23 wrong.

24 MR. COLLAZUOL: Well, a standard space
 25 is 9-by-18. And that is, yes, that is in --

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1 MR. CARNOVALE: Right. But you're not
 2 allowed to be on town property.
 3 MR. COLLAZUOL: That's correct.
 4 MR. CARNOVALE: We had an application
 5 months ago where something happened like that, it was
 6 a special circumstance so -- and what's a legit
 7 parking spot supposed to be? You said nine by what.
 8 MR. COLLAZUOL: Yes, 9-by-18. In some
 9 communities it's 9-by-20. We've had applications
 10 that said it was 9-by-20 on the earlier application.
 11 MR. CARNOVALE: Right.
 12 MR. COLLAZUOL: I think it's somewhere.
 13 MR. CARNOVALE: Well, that's all I got,
 14 Joe.
 15 CHAIRMAN FERGUSON: Wait. Is this --
 16 just so we're clear on this, you want to take -- you
 17 want to take the tree down in the front?
 18 MR. LEE: Yes. It's a small tree, like
 19 12-footer.
 20 CHAIRMAN FERGUSON: That's your plan.
 21 MR. LEE: Yes.
 22 CHAIRMAN FERGUSON: You got that
 23 picture I passed down there?
 24 MR. CARNOVALE: Yes, we got that
 25 picture.

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1 MS. TESTA: Maybe I got the wrong
 2 picture.
 3 CHAIRMAN FERGUSON: Yes, maybe you got
 4 the wrong picture.
 5 VICE CHAIRMAN ALBANESE: The tree, he
 6 wants to take this tree down.
 7 CHAIRMAN FERGUSON: This is the house.
 8 This is the house.
 9 MS. TESTA: No.
 10 VICE CHAIRMAN ALBANESE: He wants to
 11 take this tree down.
 12 MS. TESTA: Was this photo in your
 13 documents?
 14 MR. LEE: Yes.
 15 MS. TESTA: Which is your house here.
 16 MR. LEE: The one on the left. My
 17 left, sorry. Your right.
 18 MS. TESTA: This is yours.
 19 MR. LEE: Correct.
 20 MR. COLLAZUOL: Mr. Chairman.
 21 CHAIRMAN FERGUSON: I'm sorry. Yes,
 22 Steve.
 23 MR. COLLAZUOL: Mr. Kauker just passed
 24 me the ordinance. A parking space is supposed to be
 25 9-by-20.

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1 MR. CARNOVALE: What is it.
 2 MR. COLLAZUOL: Yes, 20. Yes. So this
 3 would be a 3-foot encroachment into the borough
 4 right-of-way.
 5 MR. CARNOVALE: Right, so that's --
 6 VICE CHAIRMAN ALBANESE: This picture
 7 here, he wants to take this tree out.
 8 MS. TESTA: Right. Okay.
 9 CHAIRMAN FERGUSON: Okay.
 10 MS. TESTA: Let the record reflect the
 11 photo doesn't show the driveway that's to the left of
 12 the house, right, that you submitted? There is a
 13 driveway that we're not seeing.
 14 MR. LEE: Correct. There is another
 15 driveway, correct.
 16 MS. TESTA: Right. So the photo is not
 17 --
 18 MR. LEE: Right. I just showed where I
 19 wanted to put it.
 20 That's all.
 21 CHAIRMAN FERGUSON: Okay. I got this
 22 one from Google search.
 23 MS. TESTA: Okay.
 24 CHAIRMAN FERGUSON: Okay. Anybody else
 25 have any questions?

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1 Anybody on the board have any comments?
 2 MR. CARNOVALE: Joe, did you hear what
 3 Steve said? That it would be a 3-foot encroachment
 4 on the town property.
 5 CHAIRMAN FERGUSON: Right.
 6 MR. CARNOVALE: Plus he'd be taking
 7 away one spot off the street.
 8 CHAIRMAN FERGUSON: Right. And I think
 9 the gentleman pointed out that he would be -- it
 10 would take two cars, I heard that.
 11 MR. CARNOVALE: Okay.
 12 MR. LEE: As well as -- sorry. As well
 13 as there is no sidewalk now, or nor the property next
 14 to it.
 15 CHAIRMAN FERGUSON: Okay.
 16 Well, I said what I had to say in the
 17 beginning and that's what I'm standing by. I am
 18 afraid -- I understand you got a problem. I don't --
 19 my view of it is we're going to open up a can of
 20 worms if we do it. So I am going to make a motion to
 21 deny the application.
 22 MR. CARNOVALE: I second the motion.
 23 CHAIRMAN FERGUSON: And now we'll do a
 24 roll call.
 25 MS. LAMBRINIDES: Mr. Ferguson.

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1 CHAIRMAN FERGUSON: Yes.
 2 MS. LAMBRINIDES: Mr. Albanese.
 3 VICE CHAIRMAN ALBANESE: Yes.
 4 MS. LAMBRINIDES: Mr. Terranova.
 5 MR. TERRANOVA: Yes.
 6 MS. LAMBRINIDES: Ms. Yoon?
 7 MS. YOON: Yes.
 8 MS. LAMBRINIDES: Mr. Carnovale?
 9 MR. CARNOVALE: Yes.
 10 MS. LAMBRINIDES: Ms. Tarabocchia.
 11 MS. TARABOCCHIA: Yes.
 12 MS. LAMBRINIDES: Mr. Lefteriou.
 13 MR. LEFTERIOU: Yes.
 14 CHAIRMAN FERGUSON: Sorry.
 15 MR. LEE: I mean, I wish you guys would
 16 have told me earlier that if I went through this
 17 process that it will be denied. I spent thousands of
 18 dollars.
 19 MS. TESTA: You have the right to come
 20 here. The board has to hear the application. They
 21 wouldn't know beforehand it would be denied. And the
 22 issue is the right-of-way.
 23 MR. LEE: Like I said, you guys are
 24 allowing the duplex to be built and --
 25 VICE CHAIRMAN ALBANESE: We're not
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1 allowing it.
 2 MR. CARNOVALE: Sir, it's in our Master
 3 Plan and our ordinance. We are not allowing
 4 anything. I am really sorry.
 5 CHAIRMAN FERGUSON: Okay. Can I get a
 6 motion to adjourn?
 7 VICE CHAIRMAN ALBANESE: Make a motion.
 8 MR. CARNOVALE: Second.
 9 CHAIRMAN FERGUSON: All in favor?
 10 (Whereupon, all Board Members respond
 11 in the affirmative.)
 12 (Whereupon, this meeting is adjourned.
 13 Time noted: 7:51 p.m.)
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CERTIFICATE

1
 2
 3 I, LAURA A. CARUCCI, C.C.R., R.P.R., a Notary
 4 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.
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 17 Dated: _____
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