

STATE OF NEW JERSEY
COUNTY OF HUDSON
TOWNSHIP OF NORTH BERGEN
January 7, 2015
Commencing at 7:43 p.m.

IN THE MATTER OF: :

CASE NO. 01-15 : TRANSCRIPT

6233 KENNEDY BOULEVARD, LLC : OF

6221 Meadowview Avenue : PROCEEDINGS

Block 25 Lot 205 :

B E F O R E: NORTH BERGEN BOARD OF ADJUSTMENT

ANTHONY VAINIERI - Chairman
FRANK PESTANA - Vice Chairman
ANNA BARATTIN
RUSHABH R. MEHTA
EMIL FUDA
JOHN BENDER

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Counsel for the Applicant

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JILL HARTMANN - Board Planner
DEREK MC GRATH - Borough Engineer
CLARA DURAN - Board Secretary

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1 CHAIRMAN VAINIERI: Next case is
2 01-15, which is 6233 Kennedy Boulevard, LLC. The
3 address is 6221 Meadowview Avenue. We have before
4 us?

5 MR. ALONSO: Good evening, Chairman,
6 members of the board. For the record, Alvaro
7 Alonso, Alonso & Navarrete, on behalf of the
8 applicant.

9 CHAIRMAN VAINIERI: First time we're
10 hearing this project?

11 MR. ALONSO: Yes, it is. I provided
12 counsel with the proof of notice and publication,
13 which he reviewed for jurisdictional purposes. In
14 the meantime I can give you a brief introduction to
15 the application. It is one large lot on Meadowview
16 Avenue, which is right at the entrance to the
17 recreation complex.

18 We're looking to subdivide - this is a major
19 subdivision - five lots. There is an existing
20 three-family house that will remain. That creates
21 an expansion of a preexisting nonconforming use
22 variance, which is a d(2) variance. The remaining
23 four lots will be two two-family and two one-family
24 houses. And in addition to the d(2) variance,
25 there is a d(6) variance for the height. And

1 basically as you hear the testimony from the
2 architect, it's created because of the topography.
3 If the land was flat, we would not need a height
4 variance whatsoever, but the hardship condition is
5 what creates that variance. Then we have some
6 other C variances, bulk variances, which we'll
7 address both in Miss Hartmann's report as well as
8 through the testimony of the architect.

9 MR. DINEEN: Have we sworn in the
10 architect and planner?

11 JILL HARTMANN, sworn.

12 DEREK MC GRATH, sworn.

13 MR. DINEEN: Have you been provided a
14 copy of the January 6, 2015 report of Miss
15 Hartmann?

16 MR. ALONSO: I have.

17 MR. DINEEN: We're going to mark that
18 ZB-1. That's ten pages with one page of pictures.

19 MS. HARTMANN: Actually it's nine
20 pages. You have a blank page.

21 MR. DINEEN: It's nine pages.

22 MS. HARTMANN: Just wanted to see if
23 you are watching.

24 MR. DINEEN: You could have asked me
25 and I would have told you I'm not that quick.

1 And ZB-2, you have the December 1, 2014
2 report from Mr. McGrath?

3 MR. ALONSO: Yes, I do.

4 MR. DINEEN: That's a five-page
5 report. That, too, will be dated 1/7/15. So let's
6 take a moment and go to page five.

7 MS. HARTMANN: What I did was I
8 provided you with -- page five is the existing site
9 with the three-family house on it, and I used the
10 R-1 district requirements to just compare what is
11 existing and what's proposed. So you can see as a
12 result of the subdivision how that affects the lot
13 with the building on it. So presently --

14 MR. DINEEN: It's an existing legal
15 three-family?

16 MS. HARTMANN: It's an existing
17 nonconforming, yes, three-family. So as a result
18 of this application, it's also an expansion of a
19 nonconforming use by reducing the lot size.

20 MR. DINEEN: By reducing the lot
21 size.

22 MS. HARTMANN: Even though this is an
23 R-1 district that does not permit three-family
24 residences, I thought it was important for the
25 board to see what happens as a result of the

1 subdivision. So, for instance, you wind up with a
2 lot depth. Right now you have 141 feet --

3 MR. DINEEN: Excuse me one second.

4 (A brief recess is taken.)

5 MR. DINEEN: Sorry I interrupted you.

6 MS. HARTMANN: Quite all right. So
7 you go from 141.5 feet to 91 feet, three inches.
8 And it goes down the line. I want the board to be
9 able to see the difference of what happens when you
10 subdivide the lot. That's the only lot that's a
11 comparison or the only table that's a comparison
12 table that really doesn't have any standing because
13 all of these requirements are part of the D
14 variance. So they are subsumed into the D
15 variance.

16 MR. DINEEN: Right, under Puleio.

17 MS. HARTMANN: All the other zone
18 tables give you a breakdown of what is proposed on
19 the lot, the lot size, setback, coverage and what
20 variances are required.

21 MR. DINEEN: Okay. So moving on, we
22 have a D variance because the use is not permitted.
23 Is there also a height variance?

24 MS. HARTMANN: There is a height
25 variance on the two two-family houses, not the two

1 single family homes. The single family homes -- I
2 take that back. The single family homes are 30
3 feet, three inches where 30 feet is permitted. You
4 need a C variance. The two-family houses, 30 feet
5 is permitted and they are 34 feet. They are more
6 than ten percent of the permitted height so it
7 winds up being a d(6) variance.

8 MR. DINEEN: Do you agree with that
9 so far, Mr. Alonso?

10 MR. ALONSO: Correct. To the extent
11 of the two-family being 34 feet, they do front on
12 Meadowview and the site slopes down as you go from
13 east to west, and that's what creates the D
14 variance.

15 MR. DINEEN: I understand that, but
16 our ordinance provides for an average of the
17 corners.

18 MR. ALONSO: Correct. It's not that
19 we're building a 34-foot height. If this was on a
20 flat lot, we would be complying with the height
21 requirements.

22 MR. DINEEN: Okay.

23 MS. HARTMANN: That also means the
24 rear of the lot is more than 34 feet, correct?

25 MR. ALONSO: Right.

1 MR. DINEEN: In other words, you have
2 more exposure in the rear of the lot and,
3 therefore, when you take that measurement up
4 further --

5 MR. ALONSO: Correct.

6 MR. DINEEN: -- it creates this
7 variance. So for the two-family, 3,000 square feet
8 is required. You have 2,913. For comparison
9 purposes a variance is required, correct?

10 MR. ALONSO: That is correct.

11 MR. DINEEN: Lot depth, 100 feet is
12 required. You have 95.5 feet and a variance is
13 required, correct?

14 MR. ALONSO: That is correct.

15 MR. DINEEN: Side yard, four feet and
16 four feet is required. You have three-foot-one and
17 three-foot-one. So a variance is required?

18 MR. ALONSO: That's correct.

19 MR. DINEEN: Rear yard, 30 feet is
20 required. You're supplying a 17 foot, nine inch
21 rear yard, and a variance is required, correct?

22 MR. ALONSO: Correct.

23 MR. DINEEN: Maximum lot coverage, 35
24 percent is permitted. You're proposing 47.5
25 percent?

1 MR. ALONSO: Correct.

2 MR. DINEEN: Maximum lot impervious
3 coverage, 65 percent is permitted. You are at
4 83.4?

5 MR. ALONSO: Correct.

6 MR. DINEEN: We have this height
7 variance as a result of the sloping but nonetheless
8 a height variance is required?

9 MR. ALONSO: That's correct.

10 MR. DINEEN: Landscaping, ten percent
11 is required. Why do we need a variance here?

12 MS. HARTMANN: Because our ordinance
13 required that there be a five-foot-wide front yard
14 landscaping area where there isn't any break with
15 the driveway or the sidewalk. I think in my report
16 I mentioned that there is a sidewalk that goes down
17 the side of the lot that goes to the backyard. You
18 could put a small planter of five feet by five feet
19 in there. So technically it meets the ordinance
20 requirement because it is over the ten percent but
21 it doesn't meet our --

22 MR. DINEEN: Doesn't meet the
23 conditions.

24 MS. HARTMANN: -- front yard
25 conditions.

1 MR. ALONSO: Wouldn't that be more of
2 a design waiver as opposed to a variance?

3 MS. HARTMANN: I would love it to be
4 but it is in the zoning ordinance. So, you know, I
5 don't think it's a difficult thing to do. If you
6 put the five feet back, it's just that one sidewalk
7 area right next to the entrance. You still have a
8 break to be able to get to the back, but there is
9 very little landscaping that is associated with the
10 houses in the neighborhood. So it would be nice to
11 put a tree or something in there. I am sure that
12 Demetrios could design something spectacular.

13 MR. DINEEN: Turning to page seven,
14 this two-family is in excess by ten feet of the lot
15 area. The lot width is okay. The lot depth is
16 98.8 feet, which is an improvement over the
17 previous one. We have the same variance for the
18 side yard, three-foot-one and three-foot-one. Rear
19 yard, we have 20 feet, 11 inches, but a variance is
20 required. Maximum lot coverage, 35 percent is
21 permitted. We're providing 45.9 percent. In need
22 of a variance. Maximum lot impervious surface
23 coverage, 65 percent is allowed. We're providing
24 80.7 percent. Maximum height again is 30 feet.
25 You have 34 feet. Minimum landscaping, we have

1 19.3 percent but because of the condition of the
2 ordinance requiring the front yard, a variance is
3 required. And your parking is fine.

4 Going to page eight, the one single family
5 is in excess by 14 square feet of the 2,500.

6 MS. HARTMANN: They are exactly the
7 same, both single families.

8 MR. DINEEN: They are both exactly
9 the same. So they comply with respect to
10 everything but side yard where three-foot-one inch
11 and three-foot-one inch is provided. A rear yard
12 with 22 feet, four inches, and a variance is
13 required. Maximum lot coverage, 35 percent is
14 allowed. They are providing 42 percent. Maximum
15 lot impervious surface coverage, 65 percent. 77.7
16 percent is required. A variance is required
17 because you are 3/10ths of a foot over on the
18 height, but it is a C variance. It's not a height
19 variance. The landscaping is 20.8 percent. Once
20 again a variance is required because of the
21 condition. And your parking is okay. Correct?

22 MR. ALONSO: That is correct.

23 MR. DINEEN: Who do we have here that
24 you want to have testify?

25 MR. ALONSO: Demetrios Kaltsis.

1 DEMETRIOS KALTSIS, 901 80th Street, North Bergen,
2 New Jersey, sworn.

3 MR. DINEEN: Mr. Kaltsis, you're a
4 licensed architect in the State of New Jersey?

5 MR. KALTSIS: Yes.

6 MR. DINEEN: You have been accepted
7 as qualified to give expert opinion testimony in
8 the area of architecture by this board before
9 coming here tonight?

10 MR. KALTSIS: That is correct.

11 MR. DINEEN: Mr. Chairman --

12 CHAIRMAN VAINIERI: Yes, sir.

13 MR. DINEEN: -- I would move we
14 accept him as qualified.

15 MR. ALONSO: Thank you.

16

17 DIRECT EXAMINATION BY MR. ALONSO:

18 Q. Mr. Kaltsis, you prepared the plan
19 before the board this evening?

20 A. Yes, I have.

21 Q. And part of that plan is a major
22 subdivision plan that was prepared by a surveyor,
23 correct?

24 A. Correct.

25 Q. And you are relying on those

1 measurements and dimensions for the basis of your
2 site plan with respect to each of the lots?

3 A. Correct.

4 Q. I am going to ask you first can you
5 just describe the existing condition of the
6 property. What's there?

7 A. The property is located on the west side of
8 Meadowview Avenue. It's a corner lot. It is 100
9 feet in width by 141 1/2 feet in depth on the south
10 side, 152.2 feet in depth on the north side. There
11 is an existing one-story building on the property
12 that contains a total of three dwelling units.

13 With regard to the topography of the site,
14 there is on the east side of the property there is
15 about a six- or seven-foot drop from Meadowview
16 Avenue. Then it continues to slope down towards
17 the west. And also on the western side of the
18 property there is some rock outcroppings which you
19 can see here. And the property generally slopes
20 down towards the northwestern corner of the
21 property.

22 Q. And the proposal is a major
23 subdivision for five lots. Is that correct?

24 A. Correct.

25 Q. With respect to the existing

1 three-family house, is there any proposed
2 construction modifications to the house?

3 A. No, we're not proposing any work to the
4 existing structure.

5 Q. Just briefly describe what's there,
6 how it is going to remain and how it operates?

7 A. Okay. The plans of the existing
8 three-family dwelling is on Sheet A-6. Basically
9 two two-stories and one ground level, and there is
10 a sublevel below that. At the grade level, I'm
11 sorry, at the lower level there is an entrance on
12 the north side, which you can see here, and the
13 dwelling unit has one bedroom on the northeast
14 corner. There is a kitchen and living room and
15 full bath. On the southwest -- southeast corner of
16 the property there is a utility room and the
17 storage space on the western side. Also adjacent
18 to this story is a two-car garage, which is also
19 going to remain.

20 On the upper level or at the grade level
21 there is two dwelling units. One is a two-bedroom
22 unit on the eastern side, and the other one is a
23 one-bedroom unit on the western side. The one on
24 the eastern side has access from Meadowview Avenue,
25 and the one on the western side has access from the

1 adjoining street on the intersection. The existing
2 structure is basically all brick, which you can see
3 on Sheet A-7, and we're not proposing any
4 modifications to the existing structure.

5 Q. There is proposed two two-families
6 and two one-families?

7 A. Right.

8 Q. Are the two two-families identical
9 and are the two one-families identical?

10 A. Yes, they are.

11 Q. So I am going to ask you then to just
12 describe the two-family. You only have to do it
13 once because the other one is exactly the same.
14 Counsel and I reviewed Miss Hartmann's report with
15 respect to the variances. Did you have an
16 opportunity to hear that exchange?

17 A. Yes.

18 Q. And you agree with the setbacks and
19 the bulk requirements?

20 A. Yes, I do.

21 Q. So just identify the two-family house
22 and how it is going to be designed.

23 A. The two-family homes are located on
24 Meadowview Avenue. When subdividing this property,
25 what we decided to do is we looked at the R-2 zone,

1 which is where two-family and four-family is
2 permitted. The minimum lot requirement is 40 feet
3 for a three-family. We decided to give that 40
4 feet to the three-family structure. Being left
5 with a total of 60 feet, we decided to divide that
6 equally in two lot widths of 30 feet, which is the
7 minimum lot width required for a two-family. The
8 lot depths for the two-family structures, on the
9 south side is 95.5, and on the north side it
10 actually exceeds 100. It's 101.53. That's because
11 of the nature of the shape of the lot. It's not at
12 a 90-degree angle.

13 With respect to the layout of the
14 two-family, we have a total of four stories and
15 that is because of the drop from Meadowview Avenue.
16 The lower level is simply just an open area used
17 for storage or what have you. There is a sliding
18 door leading out to a rear yard. The ground floor
19 level has a two-car garage enclosed. So there is
20 two parking spaces inside and two parking spaces in
21 the front yard. We're proposing a master bedroom
22 suite behind the two-car garage. Also a storage
23 space and laundry room.

24 The second floor is part of this unit, which
25 is basically an open floor plan with a combination

1 living/dining room and kitchen with a full bath and
2 two bedrooms. And then a second dwelling unit,
3 which is on the third floor, is a three-bedroom
4 unit with one full bathroom, mechanical room, and
5 also a combination living/dining and kitchen area.
6 One large open space.

7 With regard to the aesthetics of the house,
8 it's basically a combination of brick and stucco
9 with some decorative coin and railing in the front
10 facade. Simple hip roof throughout. And that's
11 basically the extent of the design for the
12 two-family.

13 Q. Can you please identify the location
14 of the one-family and then review the layout?

15 A. The proposed one-families are located on the
16 west side of the property. What we decided to do
17 was simply offset the property line. The minimum
18 lot width required for a one-family is 25 feet. We
19 decided to propose two lots on the western side.
20 That gives this existing three-family on the low
21 side -- on the south side rather a depth of 91.2
22 feet, and on the north side a depth of 95.5. Doing
23 this gave us two lots that were exceeding 2,500
24 square feet minimum lot size requirement for the
25 one-families.

1 We are proposing three stories for the
2 one-family. That is in part due to the rock
3 outcroppings that are on that side of the property.
4 And this single family is set up as a traditional
5 one-family house that you typically see in North
6 Bergen. There is a one-car enclosed garage on the
7 the ground floor with one parking space in the
8 front yard. An open space to the rear with a full
9 bath and mechanical room.

10 The second floor has a full large open area
11 with a living room, kitchen and dining room, and
12 the third floor has three bedrooms and two
13 bathrooms, one of which is a master bedroom suite,
14 as well as a laundry room.

15 With regard to the facade, it's similar with
16 the two-family. It's a combination of brick and
17 stucco with decorative coin and railings and also
18 has a simple hip roof so that all the proposed
19 homes are consistent with each other.

20 Q. Now, on your proposed site plan is
21 there any storm water management systems?

22 A. Yes. We are proposing to improve the storm
23 water runoff. The two-families, they are going to
24 be connected to the public storm water system on
25 Meadowview Avenue, and the two one-families we're

1 proposing a seepage pit behind each one of the
2 dwellings to contain all the storm water runoff.

3 Q. Did you have an opportunity to review
4 the report prepared by Mr. McGrath?

5 A. Yes, I have.

6 Q. It's dated December 1, 2014. Are
7 there any items there that we cannot comply with?

8 A. No, there is not.

9 Q. So we'll be willing as a condition of
10 any approval to comply with all the requirements of
11 Mr. McGrath?

12 A. Yes.

13 MR. ALONSO: Mr. Chairman, I have no
14 further questions.

15 CHAIRMAN VAINIERI: Any board members
16 have questions for the architect?

17 MR. PESTANA: On Sheet A-2, on the
18 first floor plan, you have a proposed storage area.
19 People like to make illegal apartments. I'm not
20 saying it's going to be now but in the future.
21 What can we do to prevent that? You can put a
22 kitchen in there very easily.

23 MR. ALONSO: There is no proposed
24 plumbing. There is no bathroom or anything down
25 there.

1 MR. BENDER: It doesn't matter.

2 MR. ALONSO: I am saying.

3 MR. BENDER: Doesn't matter.

4 MR. ALONSO: I understand. A sliding
5 glass door is what typically they use to try --

6 MR. KALTSIS: You are referring to
7 this?

8 MR. ALONSO: To the lower level.

9 MS. HARTMANN: You are talking about
10 the first floor where the master bedroom suite is?

11 MR. PESTANA: Yes.

12 MS. HARTMANN: He is talking about
13 the garage, not the basement.

14 MR. PESTANA: Behind the garage is
15 the storage area.

16 MR. ALONSO: I'm sorry.

17 MR. KALTSIS: One thing we can do is
18 we can incorporate as part of the master bedroom
19 suite, we can shift the bathroom down and create a
20 closet space for the master bedroom. This will
21 definitely not be able to be used as a bedroom or a
22 kitchen in the future.

23 MS. HARTMANN: Could you make that
24 their walk-in closet?

25 MR. KALTSIS: Yes, we can.

1 MS. HARTMANN: Sometimes they go
2 right through the bathroom or however you want to
3 work it. Then you can get rid of the walk-in
4 closet in the master bedroom. That would make it a
5 much larger bedroom, which might be nice..

6 MR. KALTSIS: We can do that.

7 MS. HARTMANN: How would that work?

8 CHAIRMAN VAINIERI: What are you
9 changing?

10 MS. HARTMANN: Take the proposed
11 master bathroom and proposed storage area and
12 combine that to a master bathroom and walk-in
13 closet. So you would take the door out if it is in
14 the hallway and either move --

15 CHAIRMAN VAINIERI: Put the door
16 through the bathroom?

17 MS. HARTMANN: You can go through
18 your master bath to the closet. You can take two
19 walk-in closets, or you can leave them if you want
20 to, but it is possible to remove them and make that
21 master bedroom bigger. That way you would have a
22 walk-in closet connected to your bedroom and your
23 bathroom, and you would be moving the master
24 bathroom back further towards the garage. So the
25 storage area that you are talking about becomes --

1 in order to get to your bathroom, you have to walk
2 through your closet. It would be either storage or
3 closet.

4 MR. ALONSO: I have seen those
5 designs.

6 MS. HARTMANN: It's not an unusual
7 design.

8 MR. BENDER: Is this the one-family
9 or two-family?

10 MR. KALTSIS: Two-family.

11 MR. PESTANA: First floor.

12 MR. BENDER: We have rec rooms in the
13 one-family in the back?

14 MR. KALTSIS: In the one-family, yes,
15 we do.

16 MR. BENDER: How about we get rid of
17 them, again like we have been preaching to you for
18 a long time now, get rid of them, push it back, put
19 four cars and parking.

20 MR. KALTSIS: On the one-family?

21 MR. BENDER: Yeah. Two cars, maybe
22 two cars, something. We continue to go back and
23 forth about parking on these properties.

24 MR. FUDA: You have the stairs there.

25 MR. BENDER: That's for them to

1 figure out. I don't know how many properties came
2 here that we asked them to take it out and put
3 parking in there. That we didn't want the rec
4 room.

5 MR. ALONSO: Believe me, I understand
6 your concern, but recreation rooms nowadays are so
7 important to the quality of life.

8 MR. BENDER: What's more important,
9 parking or rec rooms?

10 MR. ALONSO: We have parking. We
11 don't need a parking variance.

12 MR. BENDER: I understand that, Al,
13 but we're trying to get more parking. You know
14 these people are going to be griping about parking
15 now. How many spots have we taken away outside to
16 put these buildings in? It's a rough block now.

17 CHAIRMAN VAINIERI: If he did that,
18 he would push everything back on all the floors
19 with the staircase.

20 MS. HARTMANN: You have to remove the
21 tub.

22 CHAIRMAN VAINIERI: A lot of pipes.

23 MR. ALONSO: Where the one-family is
24 located along 62nd, there is no parking there
25 permitted. We're not taking away any parking

1 spaces.

2 MR. BENDER: How come you didn't make
3 that another two-family?

4 MR. ALONSO: Which one?

5 MR. BENDER: Why didn't you make it a
6 two-family?

7 MS. HARTMANN: The lots are smaller.
8 Only 2,500 square feet. You might want to also
9 look at the bathroom. It's a full bathroom.

10 CHAIRMAN VAINIERI: Do you want to
11 modify the first floor, Al?

12 MR. ALONSO: First floor on the
13 one- or two-family?

14 CHAIRMAN VAINIERI: On the
15 one-family. Do you want to come over here, a few
16 seconds off the record, and we can point what we
17 need and then we can go on the record.

18 (A brief recess is taken.)

19 MR. ALONSO: Mr. Chairman, I
20 discussed the proposed changes with my client. Do
21 you want us to review them?

22 CHAIRMAN VAINIERI: Yes, please.

23 Q. Mr. Kaltsis, with respect to the
24 two-family, how do we propose to change that?

25 A. As was discussed before, we can eliminate

1 these closets in the bedroom on the ground floor
2 level, shift this master bath back towards the
3 garage, and convert it to a closet so this can
4 never be utilized as a kitchen space. That was one
5 change.

6 The other, we have additional space in the
7 side yard of the existing structure on the
8 property. We're proposing to shift this property
9 line over and increase the lot widths of the
10 proposed two-families to 32 feet, which would add
11 an additional foot on each on the side yards,
12 eliminating the variance for the side yard. By
13 doing that, that will also eliminate, not
14 eliminate, it will improve the building and lot
15 coverage calculations and it improves that
16 variance. So it will eliminate the side yard
17 variance and improve the building and lot coverage.

18 With regard to the one-family, we will
19 increase the parking garage to accommodate two cars
20 that are parked in tandem. We'll basically mirror
21 the stairwell on the opposite side of the house and
22 set this back to have a much smaller room that's
23 going to be behind the garage. This can easily be
24 done on the first floor or actually on the second
25 floor and the third floor. The stair will shift to

1 the other side. It will basically be a mirror
2 image.

3 Q. Also on the lower level, when you
4 mirror the stairs to the other side, the mechanical
5 equipment will move forward?

6 A. Correct. We can relocate the mechanical
7 room adjacent to the garage alongside here, and
8 that can be easily done.

9 MR. BENDER: Is there still parking
10 for one on the apron outside?

11 MR. KALTSIS: Yes.

12 MR. ALONSO: Right.

13 MR. BENDER: So that's three?

14 MR. ALONSO: We'll have three spaces.

15 By shifting the lot lines on the two-families we
16 are complying with the side yards, and we're
17 improving as much as possible the lot coverage and
18 the building coverage.

19 CHAIRMAN VAINIERI: How big are the
20 rec rooms behind the garage? What's the square
21 footage of that?

22 MR. KALTSIS: Of the one-family it
23 will probably be cut about a half of what it is
24 now.

25 CHAIRMAN VAINIERI: What's the height

1 of the ceiling going to be?

2 MR. BENDER: Seven and a half, right?

3 MR. KALTSIS: Right now we are
4 proposing a height of eight feet but that can be
5 reduced to seven and a half feet.

6 CHAIRMAN VAINIERI: Does the board
7 want them to bring the height of that down just in
8 case this ever changes hands to a different
9 ownership? It will alleviate having an illegal
10 apartment in that area.

11 MR. ALONSO: Can we leave the height
12 the way it is at eight feet?

13 CHAIRMAN VAINIERI: It's going to be
14 half the distance. Like a storage room if you
15 lower the height.

16 MR. DE ORIO: I don't care. 200
17 square feet, you are lucky you can put a bathroom.

18 CHAIRMAN VAINIERI: I think the other
19 adjustments are fine. Board members all right?

20 MS. BARATTIN: I have no problem with
21 it.

22 CHAIRMAN VAINIERI: You are going to
23 keep the height at what?

24 MR. ALONSO: Eight feet.

25 MR. MEHTA: You meet the green

1 requirement, the landscaping?

2 MR. KALTSIS: Yes, we do.

3 MR. ALONSO: Did you hear what Miss
4 Hartmann stated before?

5 MS. HARTMANN: Where your sidewalks
6 are on the right-hand side of the buildings,
7 two-family, right where the stairs are. Right
8 there. On each one you can do something there.
9 It's going to be five feet depth. Whatever the
10 width of the sidewalk.

11 MR. KALTSIS: We have no objection to
12 adding the landscaping on those two-family houses.

13 MS. HARTMANN: And the single family.

14 MR. KALTSIS: Also on the single
15 families.

16 MR. DINEEN: The landscaping is going
17 to be in the front?

18 MR. KALTSIS: Yes.

19 MS. HARTMANN: That variance is
20 eliminated.

21 MR. DINEEN: Okay.

22 MS. HARTMANN: Just for
23 clarification, each lot needs a front yard variance
24 to have cars parked in the required front yard,
25 which is also a technical variance. That's good to

1 get on the record.

2 CHAIRMAN VAINIERI: Counselor, we got
3 rid of how many variances? Two side yards?

4 MS. HARTMANN: Four side yards,
5 right?

6 MR. ALONSO: Right.

7 MS. HARTMANN: Four feet for each.
8 Four side yards, which decreases their overall
9 impervious surface coverage variance. They are
10 eliminating the front yard landscaping issue. I
11 think that's it. They are increasing --

12 CHAIRMAN VAINIERI: Increasing the
13 parking.

14 MS. HARTMANN: They are increasing
15 the parking for the single families by one more
16 space.

17 CHAIRMAN VAINIERI: Any board members
18 have any questions?

19 MR. BENDER: And this is all
20 contingent on Mr. McGrath's report?

21 MR. DINEEN: Yeah, he already said.
22 It's always contingent. Mr. Alonso has seen my
23 resolutions before.

24 MR. ALONSO: Right.

25 MR. DINEEN: ZB-1 and ZB-2, if you

1 can't satisfy them, you haven't satisfied us.

2 CHAIRMAN VAINIERI: You have to come
3 back to the board.

4 MR. MEHTA: They are going to redraw
5 the entire plan and come back?

6 CHAIRMAN VAINIERI: Yes, but I want
7 to hear what the public has to say. Maybe there
8 might be more changes that the public may want and
9 then we'll address that.

10 MR. ALONSO: Or maybe not.

11 CHAIRMAN VAINIERI: Maybe not. Hope
12 not. I'm kidding. Anybody in the public like to
13 be heard? State your name, be sworn in for the
14 record.

15

16 GUY DI VINCENT, 6211 Meadowview Avenue, North
17 Bergen, New Jersey, sworn.

18 MR. DI VINCENT: One of the questions
19 that I had was are we going to lose any parking on
20 Meadowview to make access for these buildings?

21 MR. ALONSO: Are we going to lose any
22 parking?

23 MR. DI VINCENT: If there is going to
24 be on-site parking, do you have to remove existing
25 parking to get access to that parking?

1 MR. ALONSO: Along 62nd we will not.

2 MR. DI VINCENT: Because they are
3 facing Meadowview, if I were pulling into
4 Meadowview, you would be removing parking spaces on
5 Meadowview.

6 MR. ALONSO: We'll be having curb
7 cuts.

8 MR. BENDER: How many curb cuts?

9 MR. DI VINCENT: That wasn't
10 addressed.

11 CHAIRMAN VAINIERI: How many houses
12 are on Meadowview?

13 MR. ALONSO: Two.

14 CHAIRMAN VAINIERI: Two curb cuts.

15 MR. DI VINCENT: Which means we lose
16 two more parking spaces.

17 CHAIRMAN VAINIERI: We always take
18 that into consideration.

19 MR. DI VINCENT: Correct. Next was
20 the fact that it is adjacent to the recreation
21 center. The traffic I believe Mr. McGrath
22 described as horrendous at one of the past
23 meetings. This is the third month in a row that my
24 neighbors and I are here. Last time we had ten
25 people.

1 At 6207 Meadowview there has been a building
2 for the last two months that has been knocked down
3 by the planning board and he needed no variances.
4 Now I can't even keep track of how many variances
5 we have changed since. So the traffic is just
6 unbelievable. Just I believe Friday there is going
7 to be the girl's softball dinner and also
8 wrestling. It's a tight street. Where is
9 everybody going to go? That's always a concern.

10 CHAIRMAN VAINIERI: Would have been
11 worse if the school was coming there.

12 MR. DI VINCENT: But also if the
13 school was there, the house next door to me would
14 have been taken for parking, and you could get
15 around. Every night there's almost altercations
16 because there is no place to pull over to go. You
17 can't go anywhere. So the fact we're taking a lot
18 that --

19 CHAIRMAN VAINIERI: How do you people
20 live with a two-way street? Wouldn't you want a
21 one-way street out?

22 MR. DI VINCENT: That's not my
23 decision.

24 CHAIRMAN VAINIERI: You live there.

25 MR. DI VINCENT: I live there.

1 CHAIRMAN VAINIERI: Wouldn't you want
2 to see it one-way out?

3 MR. DI VINCENT: From what I
4 understand, this is going back years ago, they
5 don't want the traffic to go past the senior
6 citizen building.

7 CHAIRMAN VAINIERI: You know what,
8 Meadowview just really --

9 MR. DI VINCENT: I know on some
10 occasions --

11 CHAIRMAN VAINIERI: I speed down the
12 road sometimes just so I don't have to get cut off.

13 MR. DI VINCENT: I am the second
14 house from the corner. I understand. I live in
15 the second house from the corner. So a lot of
16 times I don't go on Meadowview. I will go around.
17 So I mean I understand.

18 CHAIRMAN VAINIERI: I don't know how
19 we never changed that.

20 MS. BARATTIN: That's an empty lot.
21 It's empty. There is nothing there. So if they
22 don't build that there, what would you like to see
23 there? Something has to go there.

24 CHAIRMAN VAINIERI: 7-Eleven.

25 MR. DI VINCENT: My point was this.

1 That building was knocked down because of the
2 impact it's going to have in the neighborhood
3 because of traffic. They recommended a traffic
4 study, and now we don't know what is going to go
5 there. But now we're adding four more homes, two
6 two-family and one two-family homes, in the same
7 area in addition to the three-family that's already
8 there.

9 CHAIRMAN VAINIERI: That's there
10 already.

11 MR. DI VINCENT: Right.

12 CHAIRMAN VAINIERI: It's two twos and
13 one one?

14 MR. ALONSO: Two twos and two ones.

15 MR. DI VINCENT: Two twos and two
16 ones. That's four additional families in addition.

17 CHAIRMAN VAINIERI: The one that went
18 to the planning board was ten units.

19 MR. DI VINCENT: He wanted 12. He
20 was shot down. He came back with ten one-bedrooms
21 with a den.

22 MR. DE ORIO: He doesn't have the
23 square footage that I got.

24 MR. DI VINCENT: It was rejected.

25 MR. DE ORIO: It wasn't one and

1 two-family.

2 CHAIRMAN VAINIERI: It didn't fit
3 into the neighborhood.

4 MR. FUDA: Whenever there is an
5 event, we usually put a do not enter sign.

6 MR. DI VINCENT: Sometimes.

7 MR. FUDA: We divert traffic onto
8 Grand Avenue.

9 MR. DI VINCENT: That's true
10 sometimes.

11 MR. FUDA: The sign is getting
12 heavier and heavier, and I am getting older and
13 older, and it doesn't go out there.

14 MR. DI VINCENT: Mr. Fuda is right.
15 A lot of times they do put a sign there but it is
16 not all the time.

17 MR. FUDA: We can't get somebody to
18 carry the sign.

19 MR. DI VINCENT: You need a lighter
20 sign..

21 CHAIRMAN VAINIERI: You know what I
22 see, Mr. DiVincent, sitting for years on the board,
23 we approve things that go crazy here and nothing
24 ever gets done anyway.

25 MR. DI VINCENT: I just wanted to put

1 it on the record because again I have been here
 2 three times in the past six months fighting
 3 projects, and this is only two doors away. So I
 4 just wanted to --

5 CHAIRMAN VAINIERI: McGuire Chevrolet
 6 we sat here for weeks and hours to make a CVS.

7 MR. ALONSO: It's going to get built.
 8 They're finalizing their construction plans.

9 CHAIRMAN VAINIERI: They are going to
 10 go ahead? I thought they pulled out.

11 MR. ALONSO: No, there was --

12 CHAIRMAN VAINIERI: For a while they
 13 pulled out.

14 MR. ALONSO: -- a family feud over
 15 there.

16 MR. DI VINCENT: No, I understand. I
 17 am saying when I sit in my living room, I hear
 18 horns beeping and honking. If I don't come and
 19 speak, that's my fault.

20 MR. FUDA: I try to warn you when
 21 something is going on.

22 MR. DI VINCENT: Yes, you do. I see
 23 you at the gym. You do warn me. Hey, listen, one
 24 o'clock, don't go home. So I know Friday night I
 25 can't go out. And it used to be bad on Saturday

1 and Sunday mornings during football season. Now
2 really that building is in use 350 days a week.

3 CHAIRMAN VAINIERI: Do you have use
4 of the recreation for parking, the residents at
5 night?

6 MR. DI VINCENT: I don't believe
7 we're allowed to. I know they tow cars from there
8 if they are parked overnight.

9 MR. FUDA: Only the front side by the
10 recreation where the staff parks. But in the back
11 I believe you can get permission to park there.
12 You live over there, don't you?

13 AUDIENCE MEMBER: Yes, I do.

14 MR. FUDA: You know that.

15 MR. PESTANA: The garage is full. I
16 go to pick up my son from wrestling. It's full at
17 night.

18 MR. DI VINCENT: There you go. Then
19 you park and you get blocked in. Just about
20 everybody has experienced that. I'm not saying
21 anything new, but again I wanted to make sure I put
22 it on the record so I sleep at night, whether it
23 gets approved or not.

24 CHAIRMAN VAINIERI: Any other
25 concerns that you have with the other houses on

1 Meadowview -- I mean on 62nd?

2 MR. DI VINCENT: No. I lived there
3 all my life so I am very familiar with the
4 properties that are there. That was my concern
5 about losing the parking on Meadowview because the
6 lot that's empty next to the three-family house is
7 a huge gully. It's way down there. So to build it
8 up, to lose that parking, I was just curious how
9 that was going to work.

10 CHAIRMAN VAINIERI: They are going to
11 come back and revise the plans anyway. They may
12 change their mind in different areas by the time we
13 get here again. Maybe come up with a different
14 plan. Your input is very valuable to everybody
15 here. Any other neighbors that want to come up and
16 speak now?

17 MR. DI VINCENT: Thank you for your
18 time.

19 CHAIRMAN VAINIERI: Any other
20 neighbors that would like to be heard? Sir, come
21 up.

22
23 ORLANDO CEPEDA, JR., 6220 Meadowview Avenue,
24 North Bergen, New Jersey, sworn.

25 MR. CEPEDA: I am probably the

1 closest person affecting with all this that's going
2 on. I am right across this gentleman here. This
3 project hasn't even started and you guys don't know
4 that we already have problems. One of his tenants
5 here has become possessed of the corner of 61st and
6 Meadowview Avenue. I am sure all of you know where
7 the stop sign is. The little narrow street. This
8 is Meadowview. If you go 61st to go into the
9 senior citizens, there is a stop sign there and
10 little old house there. I call it the witch house.

11 One of his tenants, I don't know who the
12 person was, but while the Wilsons owned that
13 property, there is no parking in that little side
14 street. There is no parking. No alternate. No
15 nothing. The minute they sold this property, now
16 everybody parks. So I said, wait a minute, this
17 car is parked in that little corner. He jumps on
18 the grass and the street now. Most of the time
19 cars come from Meadowview in this way, and they
20 have collided there. Accidents there.

21 So if there is an accident, three cars will
22 be involved, the one making the left, the one
23 coming from the senior citizen, and the one parked
24 there. There is no parking.

25 So I called the cops. One cop came because

1 that street falls right into my garage. Now I
2 can't use my driveway because I have been hit in
3 that space there. So the cops come. One cop came,
4 and he says, what makes you feel that you can't
5 park there? I said this street, there is no
6 parking. This is a narrow street. There is
7 nothing that says that you can park here. But if
8 you are telling me that you can park here, you know
9 what, give me -- what's your name, sir. So he goes
10 like this to me. You know what, I am going to take
11 down your name. Now when there is sweep side of
12 the street, I am going to park myself there. If
13 they give me a ticket, I am going to come here and
14 I am going to give your name.

15 There is no parking. You guys know this
16 street. It's this size and now everyone is parking
17 there. Can you imagine when they put four houses
18 here?

19 So one problem that we're having, too, the
20 fire trucks, when they are coming from the senior
21 citizen building, they can't come and make the
22 right turn. So the other day from my window, I am
23 sure all of you know my house, it's the house --
24 it's rectangular.

25 CHAIRMAN VAINIERI: The red brick

1 house?

2 MR. CEPEDA: No, the one at the
3 entrance of the rec center. From my window I hear
4 and I looked out. So the fire engine. Everybody
5 got up and they had to call the girl next to me,
6 the people next to me. She had to move her car
7 from the driveway. Now can you imagine if it
8 happened to be his tenant. So he told me the only
9 way that I can take that car is if that owner of
10 that house calls in. Oh, I said, here something is
11 going on here. That means they know that car. I
12 said okay, fine. So what is going to happen when
13 they build these four houses? If I have to call
14 the police 24 hours, seven days a week, I will do
15 it.

16 Space, like you say, we are going to lose
17 two, three spaces. Which spaces? The one across
18 my house. I have a one-family house, but yet we
19 have four people with licenses in my house and two
20 handicapped persons. I came to the town here
21 because me and my wife are handicapped, and yet
22 they didn't want to give me the space in front of
23 the house because I have one garage. I bought my
24 house, mother and daughter. I have one full
25 apartment downstairs, one kitchen, one living room,

1 one bedroom.

2 I was in this gentleman's office not too
3 long ago, and I don't want to continue from there
4 on. It's a waste. What do I use it as? My
5 daughter, when she comes from Florida, she sleeps
6 in the bedroom. I made it into a family room. It
7 is a shame. It's a complete apartment downstairs
8 and I can't rent it. Why? Because I don't have a
9 parking space. I'm about to rip the whole frigging
10 pool that I have in the -- I have a beautiful --
11 you have to know, people pass by, everybody,
12 through the fence. Sir, you have a beautiful
13 backyard. This looks like Central Park. I'm about
14 to rip it apart, come here to the town and make
15 parking spaces there. Then I am going to come here
16 and see if I can legalize my apartment and rent it
17 because it is a waste. I move all my clothing
18 downstairs. It is true that we don't fit. It's a
19 big house but we're four. I have teenagers. I
20 have four. But it is shame. Why? Because of the
21 stupid parking. All I hear is the parking. But in
22 the meantime four licenses in my house and I only
23 have one space. Then they want to put four houses
24 in front of me. Nah.

25 CHAIRMAN VAINIERI: We understand

1 you're against the project.

2 MR. CEPEDA: I mean it's his
3 property. I agree. I'm not knocking his houses,
4 but three houses here, three-family, three-family.

5 CHAIRMAN VAINIERI: We are not going
6 to make any decisions tonight. We're going to talk
7 to the applicant. We're going to talk to the
8 attorney. Maybe come up with some different plan,
9 revised plans. Right now they want to come back
10 with revised plans, and we'll take it from there.
11 We'll meet again.

12 MR. CEPEDA: Then one other thing.
13 He doesn't live there. Ever since he bought this
14 property, they don't come there. They don't know
15 what goes on. The papers and everything they have.
16 You know, you have to be there to see what is
17 happening. Once you are there --

18 CHAIRMAN VAINIERI: All of us travel
19 that street just about all the time. I go to the
20 rec center. Emil goes all the time. He goes with
21 his kids.

22 MR. CEPEDA: You have to be
23 considerate. The first thing he said, are we going
24 to lose parking. Yes, we're going to lose the
25 first two, three in front of the house. They are

1 going to lose those parking.

2 MR. FUDA: But you don't want parking
3 there. One time you yelled somebody took your
4 mirrors off. So now you are eliminating parking on
5 that side.

6 MR. CEPEDA: My mirrors off?

7 MR. FUDA: You came in the rec center
8 one time. Somebody hit your car or something. You
9 lost a mirror. I remember you were there at the
10 rec center. Now you are taking parking spaces away
11 on that street. We are opening the street, makes a
12 wider street. The first part of that curb is
13 yellow. You can't park there. You're not supposed
14 to park there. You eliminate two parking spaces
15 for the houses. You can't park on that whole line.
16 And you know when somebody parks there, it blocks
17 up the whole rec center, blocks everything up. Now
18 you are eliminating that, creating a better flow
19 getting out of there.

20 MR. CEPEDA: I don't know what you
21 are talking about.

22 CHAIRMAN VAINIERI: Let's look at a
23 different plan.

24 MR. CEPEDA: The mirror, they rip the
25 mirrors when they pass by.

1 MR. FUDA: That's what I am saying.

2 MR. CEPEDA: They go crazy. In that
3 yellow line, in that yellow line across his house
4 you can't park. I got a ticket there, \$54, in two
5 seconds. There was PSE&G blocking my driveway.
6 They were doing some major work on the pole that
7 was in the corner of his house. The cops were
8 there. My wife came. She pulled two seconds to
9 bring -- she didn't want to tell they were using.
10 So she stood in front two seconds. By the time she
11 came down, they had given the ticket.

12 MR. FUDA: Because that's what
13 they're supposed to do.

14 MR. CEPEDA: Sure, sure. But in the
15 meantime when the rec people come, they park there.
16 So what do we have here in this North Bergen.

17 MR. FUDA: Listen, my wife almost got
18 a ticket and I yelled at her. Anybody that parks
19 there should get a ticket, period. That's why the
20 cops watch that corner.

21 MR. CEPEDA: I agree with you. The
22 sign says it.

23 MR. FUDA: Now you eliminate some
24 more parking along there. It's an inconvenience
25 but it is a convenience in a way because you are

1 opening up the street. You not creating a
2 bottleneck. You have people coming up Meadowview.
3 Somebody coming up Grand, 62nd Street, and a person
4 trying to get out of the rec center, you create a
5 bottleneck there. There won't be a bottleneck once
6 you eliminate those parking spaces. It's going to
7 be an inconvenience to the residents, but in a way
8 it's going to make it convenient because you are
9 opening up the street.

10 Same thing with the trees, when we cut the
11 trees down. It was a nuance to everybody. So we
12 eliminated all the trees so people wouldn't hit the
13 trees. The trees were growing into the street.

14 MR. CEPEDA: The trees were very low.
15 If you had a high truck, which everybody has --

16 MR. FUDA: We try to accommodate as
17 much as possible. But again if it was your house
18 and you wanted to build, you would build.

19 MR. CEPEDA: No, I'm not knocking
20 that down.

21 MR. FUDA: I'm not saying anything.

22 MR. CEPEDA: No, no, he has the
23 right. It's his land.

24 MR. FUDA: There is pros and cons to
25 everything. There is always pros and cons.

1 MR. CEPEDA: That's right. But just
2 as long as he does it, be considerate with the rest
3 of the people, that's fine.

4 MR. FUDA: I think one-family homes
5 are more suited than an apartment building.

6 MR. CEPEDA: True. Especially for
7 that area.

8 CHAIRMAN VAINIERI: Thank you very
9 much. Anybody else?

10 MR. DE ORIO: Can I make one
11 statement because he made an insinuation about a
12 car that I know what's going one.

13

14 MICHAEL DE ORIO, sworn.

15 MR. DE ORIO: I am the owner of the
16 property, 6221 Meadowview Avenue. Just on the
17 statement by the fellow Guy here, you made a
18 statement that I must know something that's going
19 on, that a tenant is parking on the corner. And
20 you said 61st Street but I think you are talking
21 about 62nd Street, right? I have no idea what that
22 car is.

23 Just to briefly explain to the board, just
24 the day before yesterday, Monday, I asked the
25 police to come there from the traffic division

1 because I don't know who is parking there.

2 MR. CEPEDA: They had it in your
3 garage today.

4 MR. DE ORIO: They park in front of
5 my garage all the time. So I asked traffic to come
6 and take a look at this street on 62nd Street, not
7 only for parking on the rocks -- which they're not
8 anybody I know. The car that's parked near the
9 corner, the little Honda.

10 MR. CEPEDA: Yeah, yeah.

11 MR. DE ORIO: I called the police up
12 there to look up who is this car. I don't know who
13 it is.

14 MR. CEPEDA: Okay. That's good
15 conclusion.

16 MR. DE ORIO: Besides that -- I want
17 to continue. Besides looking at that, because I'm
18 annoyed, my parking, besides my two-car garage
19 that's always blocked, I have a gated area that's
20 part of the three-family for off-street parking
21 also. That's also blocked. And also by the rock
22 areas, as you go west, they're all parking there.
23 It's a narrow street.

24 I told the policeman. I'm a director of a
25 fire service. I agree with you. There is going to

1 be a problem here with fire apparatus swinging in.
2 Traffic came up, and you are going to see in the
3 next couple of days there is supposed to be no
4 parking on the north side of that street. There
5 was never parking on the south, and it shouldn't be
6 on the north. They are going to put up no parking
7 signs.

8 MR. DI VINCENT: I believe it was
9 made a fire zone.

10 MR. DE ORIO: It was. It just got
11 out of hand. Listen, it got out of hand for a lot
12 of reasons. Maybe it is somebody in an apartment
13 that I own. I don't know. I'm not sure. But it
14 is also -- listen, I agree with Mr. Fuda, with rec
15 and everything else, when things happen on the
16 weekends, I ignore when they park. I figure
17 someone is picking up their kids, whatever.

18 But there is going to be no parking, and
19 they are going to get ticketed. Anybody in that
20 yellow zone on the corner of Meadowview going
21 north, if they park there, they are obstructing the
22 flow going in.

23 The last thing I'd like to say in front of
24 the board was the issue of my two-families taking
25 up two spots. I told my architect and the attorney

1 prior to this meeting I think I am enhancing the
2 safety of Meadowview across the street from you.
3 If there is cars parked on both sides and traffic
4 is going both ways, in and out of the rec center,
5 anything going on, coming through 62nd Street, it's
6 crazy there. By my whole side now being open,
7 forget about just the traffic flow, the safety of
8 the children walking in and out of that rec center
9 with the parking going only one way in and out,
10 that area is all open now to see.

11 They came to me and asked can we cut all
12 your trees down. Cut them down if it makes it
13 easier for the people that live there.

14 And the only last statement I'd like to say
15 is I disagree with you. I don't live there. I
16 agree with you on that. But the litter and
17 everything else, I pass there every day since I own
18 the property. The garbage barrels and all the
19 stuff that's on 62nd, I pick it up every morning
20 and I throw it in the garbage barrels.

21 MR. CEPEDA: And when you don't do
22 it, I do it for you. I watch for you, too.

23 MR. DE ORIO: I thank you for that,
24 but to say that I don't live there and don't do
25 nothing. Every morning --

1 MR. CEPEDA: No, no.

2 MR. DE ORIO: -- look for me from
3 7:30 to 8:30 every day during the week, weekends
4 included. I pass that property and I pick up all
5 that stuff.

6 MR. ALONSO: Just to keep the record
7 complete, you were aware of Mr. Zimatore's
8 application for the multifamily building and aware
9 of all the problems that the residents had?

10 MR. DE ORIO: I totally agree. Even
11 if he's in the right zone for it, I wouldn't even
12 make an attempt. Even if he got the approval and I
13 asked for it, it's a one-family and two-family
14 area. That's all that I am asking for.

15 MR. ALONSO: Before we actually filed
16 this application, we had a number of meetings
17 between yourself, myself --

18 MR. DE ORIO: All different types of
19 things to build. I have twice the square footage
20 of Mr. Zimatore and he is building condos. He has
21 eight, 9,000 square feet. I have over 15,000
22 square feet. I wasn't looking to change the area.
23 Just one- and two-family homes.

24 MR. ALONSO: One major concern with
25 finalizing this plan was really the consideration

1 that you were giving to the neighbors and the
2 impact on the neighbors.

3 MR. DE ORIO: Not to change anything
4 except for one- and two-family. Leave it that way.
5 There was never no parking where the one-families
6 is going. I agree with you on the two-families,
7 there are two spots, but the offset of that is the
8 safety of that road being open. Forget about cars
9 and everything coming in, you're right, it's
10 crowded with children. But the children now can
11 walk down that block and see, and traffic can go
12 two ways very easily now. If there is cars parked
13 there, you have room for one car. So there are
14 offsets for this.

15 MR. CEPEDA: In a way I think --
16 another thing that this is good for him and in a
17 way I have thought is it will increase our property
18 value. That I thought also.

19 MR. DE ORIO: Probably will.

20 CHAIRMAN VAINIERI: That's a given,
21 no matter when you put new houses --

22 MR. CEPEDA: Absolutely. Everything
23 is all houses there.

24 MR. DE ORIO: 30, 40 years -- this is
25 my last statement.

1 MR. CEPEDA: I thought of that, too.

2 MR. DE ORIO: I wasn't going to
3 speak. I got a little upset. I think I am trying
4 to do the right thing. When you look at this
5 property way long before I built it, and
6 Mr. McGrath probably can verify to this, on the tax
7 maps for the longest period of time this was five
8 separate lots. They changed it and made it one
9 because it was one owner. I'm only asking to put
10 it back what it was before. It was five lots.
11 They changed it. I am looking to do something
12 there. Put it back to five lots again and conform
13 as best I can with as least variances as possible.
14 That's what I am looking to do. Thank you.

15 CHAIRMAN VAINIERI: Thank you very
16 much. All right, counselor, let's continue this
17 hearing to a future date. Whether you want to
18 change to our adjustments or make new adjustments,
19 you can do that. Make sure the plans are in ten
20 days before the meeting. What's February's date?

21 MS. DURAN: The 4th.

22 CHAIRMAN VAINIERI: Do we have room
23 on the agenda?

24 MS. DURAN: I think we have two.

25 CHAIRMAN VAINIERI: This is three.

1 That's it. This will be the third. Don't do
 2 anymore for February. We're going to carry this
 3 over to February 4th. No notifications necessary.
 4 You waive your statutory right for 30 days or
 5 whatever it is?

6 MR. ALONSO: Yes.

7 MR. PESTANA: Motion.

8 MS. BARATTIN: Second.

9 MS. DURAN: John Bender.

10 MR. BENDER: Yes.

11 MS. DURAN: Emil Fuda.

12 MR. FUDA: Yes.

13 MS. DURAN: Rishi Mehta.

14 MR. MEHTA: Yes, to postpone.

15 MS. DURAN: Anna Barattin.

16 MS. BARATTIN: Yes.

17 MS. DURAN: Frank Pestana.

18 MR. PESTANA: Yes.

19 MS. DURAN: Anthony Vainieri.

20 CHAIRMAN VAINIERI: Yes.

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I, MARY BAUMANN, License Number XIO1271, a
Certified Court Reporter, Registered Professional
Reporter and Notary Public of the State of New
Jersey, certify that the foregoing is a true and
accurate transcript of the proceedings at the place
and on the date hereinbefore set forth.

I further certify that I am neither attorney
nor counsel for, nor related to or employed by, any
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A Notary of the State of New Jersey

Notary No. 3782

My Commission Expires 3/7/19

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