

IN THE MATTER OF: :
: TRANSCRIPT
CASE NO. 01-15 :
6233 KENNEDY BOULEVARD, LLC : OF
6221 Meadowview Avenue : PROCEEDINGS
Block 25 Lot 205 :
- - - - - :
- - - - - :

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

FRANK PESTANA - Vice Chairman
ANNA BARATTIN
DIANE RICH
EMIL FUDA
JOHN BENDER

A P P E A R A N C E S:

NETCHERT, DINEEN & HILLMANN, ESQS.
By: JOHN R. DINEEN, ESQ.
Counsel for the Board of Adjustment

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

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

Reported by: MARY BAUMANN, C.C.R., R.P.R.

CALDARELLA, FENECK & ASSOCIATES
Certified Court Reporters
Phone (201) 797-8801
Fax (201) 797-8064
schedule@caldarellafeneck.com

1 VICE CHAIR PESTANA: I call the
2 meeting to order.

3 (Pledge of Allegiance)

4 VICE CHAIR PESTANA: In compliance
5 with the Open Public Meetings Act, please be
6 advised that notice of this meeting was faxed to
7 the Bergen Record and Jersey Journal on 3/3/15
8 advising that a special meeting of the North Bergen
9 Zoning Board of Adjustment will be held on
10 March 12, 2015 at seven p.m.

11 Board members, applicants and attorneys were
12 mailed notice, and a copy of the agenda was posted
13 in the town hall lobby for public inspection. Roll
14 call.

15 MS. DURAN: John Bender.

16 MR. BENDER: Here.

17 MS. DURAN: Emil Fuda.

18 MR. FUDA: Here.

19 MS. DURAN: Diane Rich.

20 MS. RICH: Here.

21 MS. DURAN: Anna Barattin.

22 MS. BARATTIN: Here.

23 MS. DURAN: Frank Pestana.

24 VICE CHAIR PESTANA: Here.

25 MR. DINEEN: A little housekeeping.

1 I see Mr. DeOrio here. He's here on case No. 1-15.
2 We have a memorializing resolution. Rather than
3 delay him, you may remember this was the
4 subdivision.

5 Resolution of the Zoning Board of Adjustment
6 of North Bergen for use, site plan and other
7 variances, 1-15, submitted by 6233 Kennedy
8 Boulevard, LLC, for property located at 6221
9 Meadowview Avenue, Township of North Bergen,
10 Block 25, Lot 205. Do we have a motion?

11 MS. RICH: I make a motion.

12 MR. DINEEN: Do we have a second?

13 MS. BARATTIN: I'll second.

14 MS. DURAN: John Bender.

15 MR. BENDER: Yes, to approve.

16 MS. DURAN: Emil Fuda.

17 MR. FUDA: Abstain.

18 MS. DURAN: Diane Rich.

19 MS. RICH: Yes, to approve.

20 MS. DURAN: Anna Barattin.

21 MS. BARATTIN: Yes.

22 MS. DURAN: Frank Pestana.

23 VICE CHAIR PESTANA: Yes, to approve.

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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
of the parties to the action in which this
deposition was taken, and further that I am not a
relative or employee of any attorney or counsel
employed in this case, nor am I financially
interested in the action.

A Notary of the State of New Jersey

Notary No. 3782

My Commission Expires 3/7/19

A Abstain 3:17 accurate 4:7 Act 2:5 action 4:11,15 Adjustment 1:8,15 2:9 3:5 advised 2:6 advising 2:8 agenda 2:12 Allegiance 2:3 Anna 1:10 2:21 3:20 applicants 2:11 approve 3:15,19,23 ASSOCIATES 1:22 attorney 4:9,13 attorneys 2:11 Avenue 1:6 3:9	1:8,15,18,19,19 2:9,11 3:5 Boulevard 1:6 3:8 C C 1:13 C.C.R 1:20 CALDARELLA 1:22 call 2:1,14 case 1:5 3:1 4:14 Certified 1:23 4:4 certify 4:6,9 CHAIR 2:1,4,24 3:23 Chairman 1:9 CLARA 1:19 Commencing 1:3 Commission 4:22 compliance 2:4 copy 2:12 counsel 1:15 4:10,13 COUNTY 1:1 Court 1:23 4:4	4:12 DEREK 1:19 Diane 1:10 2:19 3:18 DINEEN 1:14,14 2:25 3:12 DURAN 1:19 2:15,17,19,21,23 3:14,16 3:18,20,22 E E 1:8,8,13,13,17,17 Emil 1:11 2:17 3:16 employed 4:10,14 employee 4:13 Engineer 1:19 ESQ 1:14 ESQS 1:14 Expires 4:22
B B 1:8 Barattin 1:10 2:21,22 3:13,20,21 BAUMANN 1:20 4:3 Bender 1:11 2:15,16 3:14,15 Bergen 1:2,8 2:7,8 3:6,9 Block 1:7 3:10 Board	D date 4:8 delay 3:3 DeOrio 3:1 deposition	F F 1:8 Fax 1:24 faxed 2:6 FENECK 1:22 financially 4:14 foregoing 4:6 forth 4:8 Frank 1:9 2:23 3:22 Fuda 1:11 2:17,18 3:16,17

further 4:9,12 G GRATH 1:19 H hall 2:13 HARTMANN 1:18 held 2:9 hereinbefore 4:8 HILLMANN 1:14 housekeeping 2:25 HUDSON 1:1 I inspection 2:13 interested 4:15 J Jersey 1:1 2:7 4:6,20 JILL 1:18 John 1:11,14 2:15 3:14 Journal 2:7 K Kennedy 1:6 3:7 L L 1:17 License 4:3 little	2:25 LLC 1:6 3:8 lobby 2:13 located 3:8 Lot 1:7 3:10 M mailed 2:12 March 1:2 2:10 MARY 1:20 4:3 MATTER 1:4 MC 1:19 Meadowview 1:6 3:9 meeting 2:2,6,8 Meetings 2:5 members 2:11 memorializing 3:2 motion 3:10,11 N N 1:13,17 neither 4:9 NETCHERT 1:14 New 1:1 4:5,20 North 1:2,8 2:8 3:6,9 Notary 4:5,20,21 notice	2:6,12 Number 4:3 O O 1:8,17 Open 2:5 order 2:2 P P 1:13,13,17 p.m 1:3 2:10 parties 4:11 Pestana 1:9 2:1,4,23,24 3:22,23 Phone 1:23 place 4:7 plan 3:6 Planner 1:18 please 2:5 Pledge 2:3 posted 2:12 proceedings 1:6 4:7 Professional 4:4 property 3:8 public 2:5,13 4:5 Q R R
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1:8,13,14,17	3:4	2
R.P.R	submitted	201
1:20	3:7	1:23,24
Record		2015
2:7	T	1:2 2:10
Registered	T	205
4:4	1:17	1:7 3:10
related	taken	25
4:10	4:12	1:7 3:10
relative	town	
4:13	2:13	3
remember	Township	3/3/15
3:3	1:2 3:9	2:7
Reported	transcript	3/7/19
1:20	1:5 4:7	4:22
Reporter	true	3782
4:4,5	4:6	4:21
Reporters		4
1:23	U	
resolution	use	5
3:2,5	3:6	
Rich	V	6
1:10 2:19,20 3:11,18,19	variances	6221
Roll	3:7	1:6 3:8
2:13	Vice	6233
	1:9 2:1,4,24 3:23	1:6 3:7
S		7
S	W	7:05
1:13,17,17		1:3
schedule@caldarellafeneck.c...	X	797-8064
1:24	XIO1271	1:24
second	4:3	797-8801
3:12,13	Y	1:23
Secretary		
1:19	Z	
see	Zoning	
3:1	2:9 3:5	
set	0	
4:8		
seven	01-15	
2:10	1:5	
site	1	
3:6		
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2:8	3:1,7	
State	12	
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subdivision		

RESOLUTION OF THE BOARD OF ADJUSTMENT OF NORTH BERGEN
 APPROVING THE USE AND OTHER VARIANCES
 #16-07 SUBMITTED BY ANTONIO PARRALES FOR PROPERTY LOCATED AT
 1719 41st
 TOWN OF NORTH BERGEN, NEW JERSEY,
 BLOCK 106 LOT (s) 235

WHEREAS, an application has been made by Antonio Parrales for variance and nonconforming use approval and other related variances to permit the use of the property as a legal two-family and the continuation of the two-family use at the subject location in the R1 zone and other related variances at the premises 1719 41st St, block 106 lot 235 as presented by Maria Gesualdi, Esq. on behalf of the applicant; and

WHEREAS, the Board of Adjustment has reviewed the application for the use of the premises for a two-family use in the proposed use R-2 zone on October 3, 2007; and

WHEREAS, it appears that due notice of a hearing in the above application before the Board of Adjustment of the Township of North Bergen on October 3, 2007 at 7:00 P.M., at the Municipal Building of the Town of North Bergen, was duly served upon the property owners within a two hundred (200) foot radius of the above described premises as prescribed in the Municipal Land Use Law; and

WHEREAS, the applicant has submitted proof that it has complied with the applicable procedural requirements including payment of fees and public notices; and

WHEREAS, the Board did consider the evidence presented and the testimony of or Orestes Valella, who testified as an architect, produced by Ms. Gesualdi and as supplemented, amended and explained by him on behalf of and in support of this application, as well as the testimony of the board planner Ms. Jill Hartmann. In addition

Reason for error
 E: 1) Hand up or line fail
 E: 3) No answer
 E: 5) Exceeded max. E-mail size
 E: 2) Busy
 E: 4) No facsimile connection
 E: 6) Destination does not support IP-Fax

Date/Time: Apr. 2, 2015 3:38PM

* * * Communication Result Report (Apr. 2, 2015 3:39PM) * * *
 1} NB Rent Control/Zoning