

Regular Public Meeting of the Englewood Cliffs Planning Board
Minutes
August 8, 2013

The Regular Meeting of the Englewood Cliffs Planning Board was called to order by Chairman Edwin Fehre at 7:34 PM.

Present at Roll Call:

Mr. Fehre
Mr. Dooly
Mr. Kilmartin
Mr. Kim, 1st Alternate
Mr. Surace, 3rd Alternate

Absent:

Mrs. Rosenberg
Mr. Trovato
Mr. Chinman
Mayor Parisi
Councilwoman Simon
Mr. Nikow
Mr. Duffy, 2nd Alternate

Also Present:

Bernard Mirandi, PE, of Boswell Engineering, the Borough's consulting engineer
Michael Kates, Esq., of Kates Nussman Rapone Ellis & Farhi, the Board's attorneys.

Public notice of this meeting has been given in compliance with the Open Public Meeting Law by advertisement in The Record, The Star Ledger, and posting of notice on the municipal building bulletin board at 482 Hudson Terrace.

Flag Salute led by: Mr. Surace

The minutes of June 27, 2013 and July 11, 2013 meetings motioned by Mr. Kilmartin seconded by Mr. Dooly were approved by voice vote.

Old Business:

Application #221K - Site Plan w/ Variances
2 Fifth Street Associates, LLC - 2 Fifth Street - Block 201 - Lot 1
Denial - Resolution

Application #220K - Site Plan Approval w/Variances & Sign Approval
Ronmar Management, LLC -21 Sylvan-Block 127-Lot 20.01 &
Block 132 - Lot 3
Approval - Resolution

Mr. Kates announced that the resolutions for the two applications above were not completed in time for the meeting and will be on the agenda for the September 12, 2013 meeting.

Application # R-009 – Site Plan Approval w/"C" & "D" Variances
Carl Zimatore - 9 Fifth Street - Block 201 Lot 4.02

Application # R-010 – Site Plan Approval w/"C" & "D" Variances
ZNS Realty, LLC - 13 Fifth Street - Block 201 Lot 6.1

See attached transcripts from Metropolitan Court Reporting Services, Inc., 240 W. Passaic St., Maywood, NJ 07607

Chairman Fehre opened discussion on the Fifth Street Improvement Plan possibilities with the public. He questioned on what we can do with Fifth Street? We were thinking of making a recommendation to the Mayor & Council with some proposals for improvement of Fifth Street.

Mr. Kates explained to the public that this is just discussion of possible proposals to submit to the Mayor & Council that the Planning Board cannot vote on what can be done.

Mr. Fehre mentioned that there was a report from Burgis Associates for the B-3 zone which has been submitted to the Board. The Planning Board Committee will be meeting in September to review this report. Once that has been done then the board will be able to meet with the property owners of that area and the public to go over the report and obtain suggestions.

Mrs. Mary O'Shea, 12 Irving Ave, & Mr. Joseph Cioffi, 30 Sylvan Ave., both made statements in favor of taking care of the issues not only on 5th St. but also on 6th if possible. Mr. Cioffi being the owner of several properties on Sylvan Ave. in the B-3 zone was very concerned about the Burgis report and would like to be involved in the planning if possible.

A motion to close the public portion and adjourn the meeting at 10:09 pm was made by Mr. Dooly, seconded by Mr. Surace, and carried unanimously by voice vote.

Respectfully submitted

Caterina Scancarella
Planning Board Administrative Secretary

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

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

BERNIE MIRANDI - Board Engineer

CATHY SCANCARELLA - Board Secretary

I N D E X

1

2

3

WITNESS

DIRECT CROSS

4

5

DEMETRIOS KALTSIS

6

By: MR. SEKAS

7

7

8

CARL ZIMATORE

9

By: MR. SEKAS

23

10

11

MICHAEL KAUKER

12

By: MR. SEKAS

31

13

14

15

16

E X H I B I T S

17

18

EXHIBITS

DESCRIPTION

PAGE

19

20

A-1

Architectural Drawing of 9 Fifth
Street revised 8/1/13

8

21

A-2

Architectural Drawing of 13 Fifth
Street revised 8/1/13

19

22

23

PB-1

Portion of Tax Map

68

24

O-1

through Photographs

96

25

O-6

1 CHAIRMAN FEHRE: We have two
2 applications this evening, two houses on Fifth
3 Street, address of 9 Fifth Street and 13 Fifth
4 Street.

5 MR. SEKAS: Good evening,
6 Mr. Chairman, members of the planning board. My
7 name is Nicholas Sekas, Sekas & Abrahamsen,
8 appearing on behalf of Mr. Carl Zimatore, the owner
9 of the two properties located on Fifth Street,
10 9 and 13 Fifth Street.

11 The application this evening is for the
12 construction and permission for the construction of
13 two homes for site plan approval and a single
14 variance with regard to a height variance sought
15 vis-a-vis a zoning board of adjustment issue
16 because it exceeds the ten percent requirement.
17 The architect will testify it is by a small amount
18 but nonetheless it is required. It is a D
19 variance.

20 The application as originally submitted also
21 included a coverage variance. Subsequent to that,
22 the applicant and I had discussions on it based
23 upon communications with the town engineer. We've
24 withdrawn the requirement for a lot coverage
25 variance by eliminating the deck. It will

1 streamline the application. So we'll be focused on
2 the sole issue, which is the height.

3 My witnesses this evening will be
4 Mr. Demetrios Kaltsis. Mr. Kaltsis prepared the
5 two drawings that you have before you. And also
6 Mr. Michael Kauker, a planner, who will provide
7 special reasons and land use testimony to the issue
8 as to why the height variance is necessitated and
9 which is a proper foundation evidence here.

10 MR. KATES: Are you treating them
11 separately?

12 MR. SEKAS: They can hear them
13 together. We'll hear them together. I was told
14 that it should be treated together. They are two
15 separate applications and they are two separate
16 properties, but rather than go through one
17 application, the whole part, because they both
18 require height variances and both are 50 by 100
19 lots. They are very similar in all respects,
20 setbacks, rear yard, front ward, side yard. There
21 is a design waiver element, and the architect will
22 testify to that, but in all other respects it's
23 conforming lots and they will be treated that way.

24 But because they will be developed in a
25 similar fashion and Mr. Kaltsis is the architect of

1 both, we'll talk to them, we'll present it as one
2 application, but they are two separate
3 applications. If that's permissible, Mr. Kates.

4 MR. KATES: It is.

5 CHAIRMAN FEHRE: I think it's fine.

6 MR. SEKAS: If I may, I also have
7 Mr. Zimatore also in the audience for the board's
8 questions and any question you may have. He is
9 also going to do the construction as well. So he
10 is the owner/contractor of record on the property.
11 If I may, come on up.

12 DEMETRIOS KALTSIS, sworn.

13 MR. KATES: Identify yourself by
14 name.

15 MR. KALTSIS: Demetrios Kaltsis,
16 K-A-L-T-S-I-S, 901 80th Street, North Bergen,
17 New Jersey 07047.

18 MR. KATES: You are being qualified
19 as?

20 MR. KALTSIS: As an architect.

21 MR. KATES: Have you appeared before
22 this board?

23 MR. KALTSIS: Yes, I have.

24 MR. KATES: How long ago?

25 MR. KALTSIS: Two years ago.

1 MR. KATES: A younger man would have
2 remembered that.

3 MR. SEKAS: Yet you testified in
4 front of other boards?

5 MR. KALTSIS: I have testified before
6 a number of other boards in Bergen and Hudson
7 Counties. I have had my license for about eight
8 years, and I have been accepted as an expert.

9 MR. SEKAS: May I submit him as an
10 expert?

11 CHAIRMAN FEHRE: Yes.

12 MR. SEKAS: Thank you, sir.

13

14 DIRECT EXAMINATION BY MR. SEKAS:

15 Q. Mr. Kaltsis, you prepared the two
16 drawings that have been submitted to the board.
17 Would you kindly explain the difference between the
18 initial drawing submission and also the second
19 drawing submission that you made later on?

20 A. The main difference, the only difference
21 really is the wood deck we proposed in the rear
22 yard. We have proposed it in the initial
23 application, which required us to get a variance
24 for building coverage, but we have since removed
25 it, which removed that requirement for a variance

1 for building coverage.

2 MR. KATES: That's a revision to a
3 prefiled plan?

4 MR. SEKAS: Yes.

5 MR. KATES: Let's mark it as Exhibit
6 A-1 and let's identify it at the time with your
7 revision date.

8 Q. Identify the revision date.

9 A. It's August 1st.

10 MR. KATES: This is the A-1 drawing?

11 MR. KALTSIS: The A-1 drawing, yes.

12 Q. Mr. Kaltsis, would you kindly walk
13 the board through the plan and describe the lot and
14 the type of structure you are putting in there and
15 the dimensions?

16 A. This property is located on the east side of
17 Fifth Street, which is on an unimproved
18 right-of-way that's approximately 33 feet in width.
19 The lot is currently vacant. It is 50 feet by 100,
20 and we are proposing a three-story one-family
21 structure, which is 31 feet, eight inches wide by
22 48 feet, ten inches long, for a total square foot
23 of 1,595 square feet.

24 MR. KATES: Your reference is to
25 9 Fifth Street?

1 MR. KALTSIS: 9 Fifth Street.

2 MR. KATES: Lot 4.02?

3 MR. KALTSIS: Yes.

4 Q. Take the board through 9 Fifth Street
5 and then we'll take the board through the other
6 one, if you would please designate when you were
7 doing that.

8 A. Basically we're proposing, as I said
9 previously, three stories. The ground floor of the
10 structure has a two-car garage and a recreation
11 room in the rear portion of the house, which is
12 about 20 feet in depth by 30 feet. Off of that
13 family room, there is a laundry room, a powder room
14 and a mechanical room. To the side of the
15 recreation room there is a main hall that leads to
16 a stairwell that eventually leads you to the first
17 floor.

18 This is the first floor in the center of the
19 page. Basically it's an open floor plan with the
20 living and dining room located to the front portion
21 of the floor, and a half bath and wet bar just off
22 to the left, and an open space in the back that has
23 a kitchen as well as a sitting area.

24 The top floor consists of four bedrooms, one
25 of which a master bedroom suite that has its own

1 bathroom and walk-in closet. The three bedrooms
2 share the common bathrooms that are located off of
3 the common hallway. So basically there are four
4 bedrooms and two bathrooms that are being proposed.

5 MR. KATES: Let me interrupt you.
6 Sheet A-1 was revised. I assume Sheet A-2 is
7 revised as well?

8 MR. KALTSIS: No, Sheet A-2 was not
9 revised.

10 MR. KATES: I am looking at the
11 drawing with a rear stairwell.

12 MR. KALTSIS: This we have removed.

13 MR. KATES: Without a revision date?

14 MR. KALTSIS: We removed it on the
15 site plan, basically on Sheet A-1.

16 MR. KATES: But not on Sheet A-2?

17 MR. KALTSIS: Correct.

18 MR. MIRANDI: Sheet A-2 and A-3 have
19 not been revised. They are the original
20 submissions.

21 MR. KATES: Only A-1 is revised and
22 that's the only one we're marking.

23 Q. What's the date of A-2?

24 A. Date of A-2 is April 11, 2013.

25 MR. KATES: That was the original

1 date on the A-1?

2 MR. KALTSIS: Correct.

3 Q. Can you explain why you revised the
4 drawing and how you revised it to the board to make
5 it clear for the record?

6 A. Basically all we did was remove the rear
7 deck, and we indicated that on Sheet A-1 just so
8 that we can show the zoning table that has been
9 modified as a result of removing the deck.

10 Q. Does that eliminate a variance that
11 was previously sought?

12 A. That is correct.

13 Q. Which one was that?

14 A. Building coverage.

15 Q. And what would be in its place?

16 A. This would just be a landscaped area.

17 Q. Landscaped area.

18 MR. KATES: Just go to Sheet A-2 for
19 a minute. That should be revised as well because
20 that's showing the rear deck, right?

21 MR. KALTSIS: Yes, but we didn't
22 revise the floor plans and the elevation to remove
23 the deck. We just provided the revision on Sheet
24 A-1.

25 Q. Prior to the submission of

1 construction drawings, it will not have a rear deck
2 if, in fact, approved. Is that correct?

3 A. That is correct.

4 Q. You will submit revised drawings, if
5 requested?

6 A. Yes.

7 MR. KATES: The condition of approval
8 will be, because we have to go with the revised
9 drawings --

10 MR. SEKAS: Right.

11 MR. KATES: -- revised drawings. You
12 are going to revise Sheet A-2, which is a floor
13 plan, and Sheet A-3, which is the elevations to
14 remove the deck.

15 MR. KALTSIS: That is correct.

16 Q. Describe to the board the next sheet
17 that you are looking at?

18 A. Sheet A-3 shows the elevations, front, side
19 and rear elevations. It's basically an all brick
20 veneer with some accent walls with a siding finish.
21 All the windows are double hung with a top panel,
22 and it is basically a traditional style with the
23 roofline being a gabled roof with a hip off to the
24 side. And we also have an decorative entry with
25 columns in the metal roof structure above that.

1 So it is basically a traditional style home.

2 Q. For the record the deck that appears
3 on drawing A-3 will be eliminated?

4 A. That will also be eliminated, yes.

5 Q. Now, could you please describe to the
6 board why did the owner request a height variance?
7 Why did your plans request a height variance?

8 A. The sole reason was to limit the disturbance
9 of the property and to the adjoining property
10 owners. There are some rock outcroppings on these
11 properties. We want to limit the removal of rock
12 and the disturbance to the property as well as the
13 neighbors.

14 Q. Is the owner familiar with the area?

15 A. Yes. He built the house directly adjacent
16 to this one.

17 Q. To the south?

18 A. He experienced that condition with having to
19 remove the rock and is familiar with the
20 disturbance that it created, and we wanted to avoid
21 that.

22 Q. And what kind of disturbance would
23 that require?

24 A. Well, it would just create a disturbance to
25 the area.

1 Q. Blasting?

2 A. Blasting and the removal of the rock.

3 Q. Did he experience any other problems
4 concerning sinking the garage lower? He could have
5 accomplished removing the variance condition by
6 putting the garage in the ground?

7 A. This property is a conforming lot in the
8 zoning district, and this house basically conforms
9 to the zoning requirements and can be built as of
10 right with the exception of the height. Basically
11 the only reason we're raising the house up is for
12 those rock outcroppings.

13 Q. And putting the garage in the ground?

14 A. Yes.

15 Q. If you had to do that, you would
16 slope the garage coming down vertically?

17 A. Yes.

18 Q. And did the owner discuss the issues
19 he had with the other house?

20 A. Well, there is always the potential for
21 water issues and having to pump out the water. It
22 is generally not a good idea in the area where the
23 water table is high to create an excavated site and
24 to have to deal with the water issues continuously.

25 CHAIRMAN FEHRE: Excuse me. At the

1 end of the testimony we will open the meeting to
2 the public. Then you will be able to ask questions
3 or make any comments you want, but that will be
4 only at the end of the meeting. For now we are
5 going to hear the testimony from the witnesses, and
6 then later we'll open up to the public.

7 Q. Can you please then, therefore,
8 describe further the type of construction, the
9 roof? Be more specific on it.

10 A. One of the things that we did, because of
11 the variance for height, we have a shallow roof to
12 try to lower the overall height of the building,
13 and that was as a result of having raised the
14 structure up above grade.

15 Q. You don't have much of an attic up
16 there?

17 A. No. It will only be used for some kind of
18 HVAC unit, and there is really no room for storage.

19 Q. No storage there. Very good.

20 MR. KATES: What is the height
21 dimension, 34.54?

22 MR. KALTSIS: The building height is
23 34.54, and the maximum allowed is 30 feet.

24 Q. You require a variance of 4.54 feet?

25 A. Yes. The other height requirement is from

1 curb, and we're allowed to go up to 32 feet. We're
2 slightly over there. We're only at 32.17. So
3 we're slightly over the one height requirement and
4 a little bit more over the other height
5 requirement.

6 MR. DOOLY: What's the pitch on that
7 roof?

8 MR. KALTSIS: It's a 4 in 12.

9 Q. The height of the curb is 32 feet.
10 You actually show 32.17. Explain that.

11 A. There is two requirements for height. One
12 is based on a calculation of the average grade,
13 which you see here. The total average grade is
14 357.63, and our roof peak is 392.17, which gives us
15 a building height of 34.54. That's the one
16 requirement.

17 The other height requirement is a maximum
18 from the curb, and we identified the curb or the
19 grade at the property line in front to be at 360,
20 elevation 360, which would put us about .17 over
21 the height requirement.

22 Q. Now, all the other variances, all the
23 other zoning requirements, minimum lot size, the
24 minimum lot width, front yard setback, the one yard
25 setback, the total yard setback, rear yard setback,

1 they would all comply?

2 A. Yes, all the other requirements from the
3 zoning table comply with the requirement.

4 Q. And the revised drawing eliminated
5 the maximum building coverage. You won't have a
6 deck back there. It will be green --

7 A. That's correct.

8 Q. -- floor area as well?

9 A. Yes.

10 Q. How many parking spaces are required
11 to be put in this property?

12 A. We're required to have 2.5.

13 Q. How many are you providing?

14 A. Four.

15 Q. This is eliminating any street
16 parking as well?

17 A. That is correct.

18 Q. You believe in a one-family house
19 four spaces should be more than sufficient?

20 A. Absolutely, yes.

21 Q. Would you please go over the second
22 drawing. If the board has any questions before I
23 switch to the next plan?

24 CHAIRMAN FEHRE: You haven't
25 determined the curb height. There is no curb.

1 MR. KALTSIS: Well, we selected, if
2 you look at the survey or the topography on the
3 site plan, we have identified the center point
4 which is at elevation 360. So if there were to be
5 a curb here, that's what the elevation would be.

6 CHAIRMAN FEHRE: You took the
7 existing ground --

8 MR. KALTSIS: Yes.

9 CHAIRMAN FEHRE: -- level and the
10 grade?

11 MR. KALTSIS: Right.

12 CHAIRMAN FEHRE: And added a couple
13 inches for a curb?

14 MR. KALTSIS: Yes.

15 Q. And did you review the letters from
16 Boswell McClave, Mr. Bernie Mirandi, and the
17 recommendations therein of --

18 A. Yes.

19 Q. -- August 7th?

20 Are you able to fully comply with all the
21 recommendations and requirements set forth by
22 Boswell McClave?

23 A. Yes, we have no problem with complying with
24 all the requirements.

25 Q. For this lot and the other one?

1 A. For both lots.

2 Q. Okay. Would you kindly go to the
3 second drawing. Let's mark that B-1 or --

4 MR. KATES: No, A-2. Well, I don't
5 know. I guess A-2.

6 MR. SEKAS: A-2.

7 MR. KATES: Original date and
8 revision date are?

9 MR. KALTSIS: The original date is
10 April 11, 2013. The revision date is August 1st.

11 Q. Would you please provide the property
12 address for the record?

13 A. This property address is 13 Fifth Street.

14 Q. 13 Fifth Street, okay. And please
15 describe the same condition, the lot and
16 everything?

17 A. Should I go through the entire?

18 Q. Yes, please.

19 A. This property is also 50 by 100. It's also
20 located on Fifth Street. We are proposing also a
21 three-story one-family residence.

22 Q. Is the lots the same size?

23 A. The lots are the same size.

24 Q. Is the construction in the interior
25 the same?

1 A. The interior is the same on both homes.

2 Q. Okay.

3 A. Both homes have four bedrooms and three
4 bathrooms on the top floor. An open floor plan on
5 the first floor with a half bath, and a two-car
6 garage as well as a recreation room and some other
7 spaces on the ground floor. The elevations are
8 similar -- are the same actually. Both have the
9 same finishes, the same rooflines.

10 We will change the actual color of the brick
11 just to give some difference between the homes.
12 So, yes, there will be a difference.

13 Q. What about the siding, any design
14 elements? All the same?

15 A. With regard to the overall design, they're
16 the same but the colors of the finishes are what is
17 going to differentiate between the two.

18 Q. Okay.

19 MR. KATES: Same dynamic. The deck
20 is being removed?

21 MR. KALTSIS: The deck is also being
22 removed. The variance is the same. However, the
23 numbers are slightly different. The building
24 height variance proposal is 34.29. So it is 4.29
25 above the 30-foot maximum. And the height from

1 curb is at 33.17, which is 1.17 feet over the 32
2 feet maximum that's allowed. Everything else
3 conforms to the zoning requirements.

4 Q. As far as the impervious, the back
5 area, the deck will be eliminated. Same plantings
6 or different plantings?

7 A. That's correct.

8 Q. Now, as far as your factual basis as
9 to the basis of constructing the property in the
10 manner that you were and requesting the height
11 variance, the same issue?

12 A. Same issue. There are some rock
13 outcroppings on the property, which you want to
14 avoid having to remove, minimize the disturbance of
15 the property.

16 Q. You obviously have to do some removal
17 but not the type of blasting --

18 A. There is going to be some removal in order
19 to create a foundation for the footings along the
20 perimeter, but other than that, we're not going to
21 have to excavate 1,500 square feet of area down
22 four, five feet.

23 MR. SEKAS: Very good. Any other
24 questions? Any other comments?

25 CHAIRMAN FEHRE: Is the driveway

1 sloping away from the house or is it sloping
2 towards the house?

3 MR. KALTSIS: On 13 Fifth Street it
4 is sloping towards the house. Actually, it's
5 actually level but we do have a trench drain right
6 in front of the garage door to capture any water
7 that may come off the street. And I believe the
8 same condition is for 9 Fifth Street. We also have
9 a trench drain in front of the garage door.

10 CHAIRMAN FEHRE: It's not sloping?

11 MR. KALTSIS: No, no. On the
12 engineer's report there was a comment regarding
13 whether or not the driveway was considered in the
14 calculation of the storm water system, and we're
15 going to revise the calculations accordingly to
16 include this area and increase this, if necessary.

17 MR. SEKAS: Thank you very much. No
18 further questions of this witness.

19 Likewise, you will comply in all respects
20 with Boswell McClave?

21 MR. KALTSIS: That is correct.

22 CHAIRMAN FEHRE: Do you want to open
23 to the public for questions?

24 MR. SEKAS: We'll wait until the end.
25 Mr. Zimatore.

1 CARL ZIMATORE, sworn.

2 MR. KATES: Identify yourself for the
3 record.

4 MR. ZIMATORE: Carl Zimatore,
5 9 Reiner Place, Englewood Cliffs, New Jersey.

6
7 DIRECT EXAMINATION BY MR. SEKAS:

8 Q. Mr. Zimatore, you have been a
9 resident of Englewood Cliffs for a long time?

10 A. Twenty-two years.

11 Q. You are also familiar with the
12 property on Fifth Street?

13 A. Yes.

14 Q. And you built a house actually?

15 A. Yes.

16 Q. And are you also a contractor?

17 A. Yes.

18 Q. And you are the owner and contractor
19 of record. Could you please describe to the board
20 what are the site issues specifically that you are
21 facing with Fifth Street and what led you to
22 request a variance and ask the architect to design
23 the plans accordingly?

24 A. Okay. We could have went along our merry
25 way the same way this house was.

1 Q. The other house?

2 A. The house that's there now, but the rock,
3 the rock situation, a small rock was the size of a
4 pickup truck, and it was a lot of disturbance all
5 around. We were concerned also with the
6 three-level home, about the small roof peak. Four
7 on 12 isn't really much.

8 But the situation there is what we found,
9 after being available for two years, is that nobody
10 is crazy about having an inverted driveway as far
11 as walking up in the winter for the obvious reasons
12 as far as water, ice, snow. It's just not, it's
13 not, it's not conducive to an Englewood Cliffs
14 house.

15 Q. You also have an unimproved street
16 there. They are not fully improved?

17 A. The unimproved street is an issue but it is
18 not as much of an issue as the inverted driveway.
19 Inverted driveway is just God awful, and we do have
20 1,500 gallons of seepage capacity as far as the
21 runoff water, which is good. We had to chop a lot
22 of rock out to get those tanks in. They are six
23 foot wide each. There is three of them. And that
24 was an issue, just the rock itself.

25 Q. Potentially harder in this area?

1 A. Very much so.

2 Q. The closer you are to the cliffs, the
3 more rocks?

4 A. The house that's there had the least amount
5 of rock and that's what brings me to this board.
6 The last thing I want to do is impose on the
7 chairman and the board members on a vacation month
8 to have this meeting. That's the last thing that I
9 want to do, but unfortunately because of the rock
10 situation, that's what basically leads me here.

11 MR. SEKAS: Thank you very much. Any
12 questions?

13 CHAIRMAN FEHRE: You are saying this
14 is a three-story house. Why do you say it's a
15 three-story house?

16 MR. ZIMATORE: Well, with the garage
17 on grade, as we're well aware, Englewood Cliffs has
18 an ordinance that the basement has to be half
19 submerged and this is what I am trying to avoid for
20 the obvious reasons, the rock, the water, high
21 water table. So to have the driveway on grade
22 level, you would also have the house on grade
23 level. So there would be no inward towards -- no
24 inward driveway towards the house.

25 So that would be, that would basically be,

1 if you think about a story as eight and a half,
2 nine feet, we're going for a four-foot relief
3 hardship because of the rock itself and the
4 driveway.

5 MR. SEKAS: Have you found that
6 eliminating that basement on the ground you
7 eliminated a lot of water in the basement as well?

8 MR. ZIMATORE: Absolutely.

9 MR. SEKAS: Because of the pitch you
10 might get water in a heavy rain into the garage and
11 the basement?

12 MR. ZIMATORE: That's why the
13 retention tanks are there, for the storm water.

14 MR. SEKAS: By placing it flat on
15 grade you eliminate that pitch and the additional
16 water issues?

17 MR. ZIMATORE: Absolutely.

18 CHAIRMAN FEHRE: So, technically
19 speaking, according to the definition of what a
20 story is, technically speaking, you are looking at
21 a three-story building but it is not any bigger,
22 it's not any bigger than a two-story building
23 except just it's lifted out of the ground a little
24 bit?

25 MR. ZIMATORE: The only difference is

1 the basement is not half submerged.

2 MR. SEKAS: It's two-story living
3 space essentially?

4 MR. ZIMATORE: Yes.

5 CHAIRMAN FEHRE: Two-story living
6 space. Next to the garage is what? What is next
7 to the garage?

8 MR. ZIMATORE: There is a family room
9 behind the garage.

10 MR. KILMARTIN: Would you mind
11 showing us A-2 again for purposes of this
12 conversation?

13 MR. ZIMATORE: Sure.

14 MR. KILMARTIN: So what you are
15 saying is if we're considering this three stories,
16 there is no basement?

17 MR. ZIMATORE: No basement.

18 MR. KILMARTIN: The basement, the
19 garage level is the grade level. There really is
20 not --

21 MR. ZIMATORE: Correct.

22 MR. KILMARTIN: Okay.

23 MR. SEKAS: Thank you.

24 CHAIRMAN FEHRE: How about the roof?
25 We have an elevation. What does that roof look

1 like? This is a problem in town, the pitch of the
2 roofs.

3 MR. ZIMATORE: Four on 12 is not a
4 generous pitch. If you have a driving rain, nobody
5 wants to have rain blowing in under the shingles
6 but four on 12 isn't a perfect situation here. And
7 that's all we're asking for, four on 12, because
8 that to me is the bare minimum of a pitch that a
9 roof should have.

10 CHAIRMAN FEHRE: Is there a building
11 code requirement for a pitch?

12 MR. ZIMATORE: I would have to refer
13 to the architect.

14 CHAIRMAN FEHRE: There is nothing in
15 our zoning code about a pitch?

16 MR. ZIMATORE: I don't think so.

17 MR. MIRANDI: Mr. Chairman, I could
18 interject on that. There is something in our
19 zoning code regarding pitch that basically relates
20 to flat roofs. A four on 12 roof that is designed
21 here, as proposed here, is not considered a flat
22 roof. As Mr. Zimatore indicates, he prefers a
23 steeper pitch on it, but a four on 12 will get your
24 roof manufacturing, roofing warranty as well. So
25 it is viable.

1 CHAIRMAN FEHRE: Is there a minimum?

2 MR. MIRANDI: Is it three, Vinny?

3 MR. SURACE: Three and a half.

4 MR. SEKAS: Three and a half minimum.

5 CHAIRMAN FEHRE: You can go down to
6 three and a half to save a couple inches maybe.

7 MR. SURACE: But it really makes no
8 sense. I think that is the minimal. Like, if
9 anybody built a house today, the minimum is four on
10 12. That is the minimum. If you know, we can give
11 them a variance. Six on 12, I think there was one
12 on First Street we did, but I think that's the
13 minimum. You can't go any lower than that because
14 you're really looking for trouble, especially with
15 heavy snow and stuff like that.

16 MR. ZIMATORE: Also, Mr. Chairman,
17 we're going to put a horizontal heat and air
18 conditioning unit in the attic, and it's really
19 tight up there as far as the attic space itself.
20 Center it in the middle and it's a little
21 difficult.

22 MR. SEKAS: You have to run ductwork.

23 MR. ZIMATORE: With the hoses and all
24 that. That's for the bedrooms only, that unit.

25 MR. SURACE: With three on 12, a guy

1 got stuck. He couldn't get out.

2 CHAIRMAN FEHRE: Three on 12?

3 MR. SURACE: He crawled on top and he
4 got stuck. They had to pull him out.

5 CHAIRMAN FEHRE: Okay.

6 MR. SEKAS: Thank you. My last
7 witness - thank you, Mr. Zimatore - is Mr. Michael
8 Kauker, a planner.

9 MICHAEL KAUKER, sworn.

10 MR. KATES: Identify yourself.

11 MR. KAUKER: Michael F. Kauker,
12 K-A-U-K-E-R.

13 MR. KATES: Business address?

14 MR. KAUKER: 356 Franklin Avenue,
15 Wyckoff, New Jersey.

16 MR. KATES: You've appeared before
17 this board previously?

18 MR. KAUKER: A year or two ago.

19 MR. KATES: Okay.

20 CHAIRMAN FEHRE: Which application,
21 do you remember?

22 MR. KAUKER: You know, I tried to
23 track it up. I even asked Nick and I came up dry.
24 Sorry.

25 MR. SEKAS: Mr. Kauker is also a

1 planner. How many municipalities do you represent?

2 MR. KAUKER: We represent
3 approximately 11 municipalities in Bergen County.

4 CHAIRMAN FEHRE: Eleven?

5 MR. KAUKER: Yes, sir.

6 MR. SEKAS: Town planner?

7 MR. KAUKER: Yes, sir, and Rockland
8 County, three municipalities.

9 MR. SEKAS: May I please qualify
10 Mr. Kauker as a planner? You're a licensed planner
11 in the State of New Jersey?

12 MR. KAUKER: Yes, I am.

13 MR. SEKAS: For more than ten years?

14 MR. KAUKER: I think so. Yes, sir.

15

16 DIRECT EXAMINATION BY MR. SEKAS:

17 Q. Sir, please for the board would you
18 lay a foundation for what kind of information, tell
19 us about the area and the neighborhood?

20 A. Certainly. I visited the site on two
21 occasions, reviewed the relevant zoning
22 requirements, reviewed Boswell's two particular
23 letters, reviewed the surrounding area, reviewed
24 the adjacent development on Sixth Street, which is
25 to the rear of the subject property.

1 Q. Is that residential?

2 A. Yes, it is.

3 Q. How about to the east -- the west?

4 Sorry.

5 A. To the west are the back end of commercial
6 properties that front on 9W.

7 Q. What kind of establishments?

8 A. Mixture of establishments. Some intensive
9 commercial, restaurants, things of that nature.

10 Q. And the properties are currently in a
11 residential zone?

12 A. Yes, it is.

13 Q. One-family house?

14 A. Yes, it is.

15 Q. So fully complies with the zoning
16 requirement?

17 A. That's correct.

18 Q. Okay.

19 A. The nature of the most important variance
20 before you certainly is the fact that we're asking
21 for a height dispensation of 4.54 feet, give or
22 take, for both particular lots. The maximum
23 allowed is 30 feet.

24 The specific reason as to why we're asking
25 for that variance emanates out of the design intent

1 to construct the typical Englewood Cliffs single
2 family dwelling at grade as opposed to a depressed
3 driveway. It minimizes physical impact on the site
4 and provides for a better living environment for
5 the intended residents.

6 As testified to by Mr. Kaltsis, an attempt
7 has been made to minimize the height by having a
8 four on 12 roof. That roof has a vertical
9 dimension of seven feet, two inches typically as
10 compared to an eight foot or eight foot plus
11 section for a story. The variance that we're
12 requesting is further, I think, mitigated by the
13 fact we are in excess of the minimum 24-foot rear
14 yard requirement by 8.25 feet for Lot 6.01 and 8.67
15 feet for Lot 4.02. So we have a rear yard which is
16 typically slightly greater than the minimum
17 required in your ordinance.

18 Q. It will have more impervious area,
19 soak up more of the rain?

20 A. Well, essentially we have more open space
21 to accommodate site-related activities and impact.
22 But height is further mitigated in that the
23 adjacent properties have a corresponding 28-foot
24 setback between the rear of those dwellings and the
25 rear property line, the rear common property line.

1 So physically separating a horizontal distance
2 between the two facades a total of 56.25 feet on
3 Lot 6.01 and 56.67 feet on 4.02.

4 Q. That would be on Sixth Street?

5 A. 56.67 is a total aggregate horizontal
6 separating the dwellings.

7 Q. Between the houses on the east?

8 A. That is correct, which is located on Sixth
9 Street. The two particular proofs that I think are
10 reasonably relevant to support the physical aspects
11 of the application are, number one, the Coventry
12 case for the d(6) from a point of view that upon
13 consideration of the grant of the variance for 4.54
14 feet, the critical question asked in the Coventry
15 case is does the site remain appropriate to
16 accommodate the proposed use.

17 By virtue of the fact that we are not
18 proposing a structure that is in excess of the
19 scale and nature of the facility for a typical
20 single family home which is constructed in
21 Englewood Cliffs but for the fact of the height, I
22 believe that the site indeed remains appropriate,
23 notwithstanding the physical limiting condition of
24 the rock base, which has essentially resulted in
25 the need to prepare the design as presented to you.

1 The next case that could be reviewed to be
2 reasonably relevant to this requesting for a height
3 variance would be the Grasso case, Spring Valley,
4 excuse me, Spring Heights, versus Spring Heights.
5 In that the test of the reasonableness of the
6 variances and whether or not the proposed height is
7 reasonably comparable to that of surrounding
8 development. Certainly as it relates to the
9 adjacent development in the commercial corridor, we
10 certainly meet that test.

11 We are certainly on average higher than the
12 adjacent surrounding dwellings because the
13 dwellings to the rear of the subject property are
14 typically two-and-a-half-story older homes. They
15 are not comparable, for instance, to the newer
16 development on Hudson Terrace. The nature, design
17 and appearance of the structures that this
18 applicant proposes are comparable to those on
19 Hudson Terrace, and the board is well area of --

20 CHAIRMAN FEHRE: On 8th Street?

21 MR. KAUKER: Yes, sir.

22 CHAIRMAN FEHRE: This area there?

23 MR. KAUKER: Well, further south.

24 Right at the southerly border of Englewood Cliffs.

25 CHAIRMAN FEHRE: Those houses are

1 higher than 32 feet?

2 MR. KAUKER: They are a classic
3 three-story facade, full to the street, and very
4 much similar to the two proposed dwellings before
5 the board.

6 CHAIRMAN FEHRE: Driveway is sloping?

7 MR. KAUKER: It varies. It slopes
8 down on some. At least a dozen homes.

9 MR. SURACE: Mr. Chairman, if I may,
10 those houses were built with a height variance of
11 35 feet, and right now most of them -- they are all
12 level. Everything is at the ground level. Most of
13 them.

14 CHAIRMAN FEHRE: There used to be 35
15 feet here in town.

16 MR. KAUKER: Yes, sir.

17 CHAIRMAN FEHRE: When was that
18 changed?

19 MR. SURACE: It was changed I think
20 around late '80s. It was changed.

21 CHAIRMAN FEHRE: They changed from 35
22 back to --

23 MR. SURACE: They went to 30 and then
24 back up to 32 from the mean curb elevation.

25 CHAIRMAN FEHRE: What that does, I

1 have seen this on 50-foot lots, is what do you do
2 with your car? If you want to have a two-car
3 garage, there is no other alternative except for a
4 30-foot lot. You have to put it down.

5 MR. KAUKER: Dig down, yes, sir.

6 CHAIRMAN FEHRE: If you have a larger
7 lot, you can sometimes get away with a two-car
8 garage, but on a 50-foot lot, if you want to build
9 a halfway decent house.

10 MR. SURACE: You have to.

11 CHAIRMAN FEHRE: That's why on the
12 street that I live on, which is Irving Avenue, all
13 these look ridiculous. They are all going down.
14 All the driveways are going down.

15 MR. KAUKER: You have the side
16 retaining walls and a lot of construction.

17 MR. SURACE: A lot of people don't
18 put the car in the garage when they know it is
19 snowing.

20 CHAIRMAN FEHRE: That's another thing
21 because --

22 MR. SURACE: You know it.

23 CHAIRMAN FEHRE: -- they leave the
24 car in the street.

25 A. The other mitigating factor that I think

1 relates to the reasonableness of this application
2 is in terms of the scale of the dwelling not being
3 any larger as related or not being any larger as
4 related or correlated to the variance. The
5 variance has produced a home that is a classic all
6 conforming but for the height.

7 There is a side yard requirement which is 13
8 feet, and on Lot 4.02 we provide 18.13 feet. So we
9 have a better clearance on the side yard. And on
10 Lot 6.01 we have a side yard of 18.08 feet.

11 Q. Which is actually greater than the
12 required side yard?

13 A. 5.08 feet greater.

14 Q. More room between the houses?

15 CHAIRMAN FEHRE: Is that because of
16 the easement that you have there?

17 MR. KAUKER: No. The dimension, the
18 width dimension has been constructed so we are able
19 to provide a greater side yard than the minimum
20 required.

21 CHAIRMAN FEHRE: What is it, 18 on
22 one side and eight on the other?

23 MR. KAUKER: Eighteen.

24 MR. SEKAS: Between the houses?

25 MR. KAUKER: I am speaking to the

1 total side yard.

2 MR. SEKAS: Both houses?

3 CHAIRMAN FEHRE: The total side yard
4 is 18 and you are allowed 13?

5 MR. KAUKER: That's correct, 13
6 aggregate. Yes, sir.

7 I believe the surrounding heights of the
8 neighborhood as it relates to the Grasso case, to
9 the extent Mr. Kates would feel it is reasonably
10 relevant, I feel that, first of all, that the
11 Coventry case is more relevant as a basic proof in
12 support of this application; but I also believe
13 that the 4.54 feet in excess will not create an
14 unwarranted precedent which will give rise to
15 future applications before the board because of the
16 unique nature of the rock condition. And also that
17 the 4.54 feet difference certainly is reasonable
18 comparable to surrounding residential building
19 heights.

20 Q. And that of the commercial is even
21 higher?

22 A. That's correct. And at the end of the day
23 these buildings in appearance and scale, because of
24 the minimized roofline, I think will fit reasonably
25 well with this neighborhood.

1 This neighborhood along Fifth is not
2 completely developed in its character. Immediately
3 to the south of the subject site, which would be
4 the southerly most lot that we propose to build on,
5 is an undeveloped stretch of property probably of
6 sufficient width to accommodate four additional
7 lots. So the character of the neighborhood is
8 incomplete, and I believe that the addition of
9 these two homes will complement the neighborhood
10 and maybe give rise to its future development.

11 In sum, I believe that the board's
12 consideration of this particular variance in
13 addition to the two-and-a-half, three-story, would
14 not have a substantial negative impact on the
15 general welfare, and I also believe it would not
16 have a negative effect on the intent and purpose of
17 the zone plan because by virtue of the conditions
18 that have given rise to this application.

19 CHAIRMAN FEHRE: You said you're a
20 planner in 11 other Bergen County towns?

21 MR. KAUKER: Yes, sir.

22 CHAIRMAN FEHRE: What are they doing
23 in their two-story areas? What is their height?

24 MR. KAUKER: Typically range
25 between -- they would average 35 feet. That is a

1 broad standard. Some communities have gone down to
2 32 feet. I think the communities that would have a
3 minimum standard of 30 feet are probably in the
4 extreme minority based upon my experience.

5 CHAIRMAN FEHRE: Anybody have more
6 than 35?

7 MR. KAUKER: Not to my knowledge.
8 That's pretty much the cap.

9 MR. KATES: Mr. Chairman, does this
10 application encompass a request to build on an
11 unimproved street? Is it 40:55D-35 and 36?

12 MR. KAUKER: I must admit to you that
13 I don't have a complete answer to that question. I
14 believe that there are utilities in the street, and
15 also it's my understanding that it is an accepted
16 borough street.

17 MR. SEKAS: We'll have to bring
18 water. We'll bring the water on?

19 MR. KAUKER: But certainly physically
20 it is not in an incomplete state. It is in --

21 MR. KATES: It's gravel?

22 MR. KAUKER: It's gravel, stabilized.
23 I would say partially paved without any evidence of
24 erosion, but it is certainly not in a complete
25 state and certainly reflective of your engineer's

1 comments in his letter and his guiding thoughts.

2 CHAIRMAN FEHRE: What are you doing
3 for sewerage? You have an easement there, right?

4 MR. SEKAS: Let me ask the architect.

5 MR. ZIMATORE: I can answer that.

6 MR. SEKAS: Mr. Zimatore will answer
7 the question.

8 MR. ZIMATORE: The sewerage, I had
9 owned the house in the back and I gave myself an
10 easement for Sixth Street, and that was how the
11 existing home is there now. It was sized for two
12 additional homes or more.

13 MR. SURACE: Talk a little louder.
14 They couldn't hear.

15 MR. ZIMATORE: Sorry. The sewerage,
16 all the utilities were brought up, the sewerage is
17 going to Sixth Street to a property I had owned.
18 And the only thing we're waiting on now is the
19 water. The water is being -- I am being promised
20 another two weeks.

21 MR. SURACE: What about gas?

22 MR. ZIMATORE: Gas is in, electric is
23 in, and the sewers also in. And the only thing at
24 this point after two years is water that would be
25 brought in.

1 CHAIRMAN FEHRE: Where do they put
2 that water and gas line?

3 MR. ZIMATORE: They put it in the
4 street.

5 CHAIRMAN FEHRE: Do they survey it?

6 MR. ZIMATORE: Oh, yes, they surveyed
7 it. They brought the poles up. We brought
8 overhead electric in along what would be the curb
9 line to the west of the street. And the only thing
10 that we're waiting for now is the water at this
11 point.

12 MR. MIRANDI: Just a follow-up
13 question, Mr. Chairman, if I may. You are working
14 with United Water to bring water in there?

15 MR. ZIMATORE: Yes, sir.

16 MR. MIRANDI: Could you tell me the
17 size of the main and where they are coming from?

18 MR. ZIMATORE: There is going to be a
19 345 foot six-inch main coming to the street. As
20 odd as it may sound, I have to pay for the main to
21 be brought up to the whole street as opposed to
22 tapping off, let's say, Sixth Street for a one-inch
23 line. That's the way, that's the way they work it.

24 CHAIRMAN FEHRE: The main, how far is
25 the main going?

1 MR. ZIMATORE: The main ends at the
2 town borderline.

3 CHAIRMAN FEHRE: Fifth Street in Fort
4 Lee. How far does it go in the other direction?

5 MR. ZIMATORE: It will go roughly
6 about 345 feet.

7 CHAIRMAN FEHRE: Where is it coming
8 from? I thought it was coming from Fort Lee?

9 MR. ZIMATORE: It is. So you have
10 to -- the most northerly home, which is 13, it has
11 to be, the water main has to be 25 foot past its
12 destination. So if there is any residue in the
13 mainline, it will go past the homes.

14 CHAIRMAN FEHRE: It goes just a
15 little bit past your lot for now?

16 MR. ZIMATORE: Yes, halfway. Because
17 the water line is going to enter on the southern
18 part of the house. So the tap will enter the home
19 at the southern part of the house, and the water
20 main has to go 25 foot into the lot. It's kind of
21 like a drop light on a gas line. All the debris
22 goes upstream.

23 CHAIRMAN FEHRE: And the gas is the
24 same situation? How is the gas?

25 MR. ZIMATORE: The gas stops at the

1 home, at the existing home.

2 CHAIRMAN FEHRE: Are they putting in
3 a main?

4 MR. ZIMATORE: Oh, yes, yes.

5 CHAIRMAN FEHRE: So they will be able
6 to handle more than just your property?

7 MR. ZIMATORE: Absolutely,
8 absolutely. They did a calculation of what they
9 needed, and the good thing about the gas is you
10 don't have to go down four feet. You have to go
11 down 30 inches. So that was the good news.

12 CHAIRMAN FEHRE: Water is down four
13 feet?

14 MR. ZIMATORE: The water is down four
15 feet for frost reasons.

16 CHAIRMAN FEHRE: As far as sanitary
17 sewer, you are handling that completely
18 individually by yourself going down the Sixth
19 Street sewer?

20 MR. ZIMATORE: Correct.

21 CHAIRMAN FEHRE: Storm drain?

22 MR. ZIMATORE: The storm drain, we
23 have three retention tanks, 1,500 gallons. So all
24 the storm water winds up in the tanks, which is
25 encased by a cloth with two-and-a-half-inch stone

1 all around it. It has slits along the sides. So
2 the idea is that it fills up rapidly with the rain
3 and slowly dissipates into the earth. And that is
4 the whole storm water because you don't want all
5 this water going into your sewer at once.

6 There has been some problems on Seventh
7 Street in the past. You don't want any -- you
8 don't want all this water to rush in at the same
9 time. If we do get a one-inch or two-inch sudden
10 downpour, it will certainly overwhelm the sewer
11 system. So the idea is that all the storm water
12 goes into the retention tanks and slowly dissipates
13 back to the area.

14 CHAIRMAN FEHRE: How much -- what
15 kind of a storm can that handle?

16 MR. ZIMATORE: Well, we had Irene. I
17 was building that when Irene came and the tanks
18 were in, and there was no problem because there are
19 overflows and nothing overflowed. And also during
20 this past storm, Sandy. And that is actually
21 another reason why I thought that the driveway on
22 grade would be like a mandatory idea. Because the
23 change in the weather that we have been seeing, God
24 knows what is next. So a depressed driveway just
25 doesn't really work that well.

1 CHAIRMAN FEHRE: During Sandy did the
2 seepage pits overflow?

3 MR. ZIMATORE: Not at all, no. Not
4 at all.

5 MR. KIM: Previously you built what
6 number, the house that you building, your house
7 last year, what's the address?

8 MR. ZIMATORE: The address is 11.

9 MR. KATES: Mr. Chairman, Bernie
10 makes a comment on both of the review letters on
11 paragraph 12 that the board may wish to seek
12 comments from the borough police department, fire
13 department and emergency services since the
14 entrance to both lots will be from the unimproved
15 street. Let me just stop there for a minute.

16 Carl, in your experience is there room for
17 emergency access? Do you have any --

18 MR. ZIMATORE: The general rule of
19 thumb is if you are more than 500 feet from a fire
20 hydrant, one has to be installed. We have one
21 directly in front of the property on Sylvan, which
22 is roughly 250 feet, and there is one at the end of
23 Fort Lee. So I did discuss it with the fire chief.
24 He felt there was adequate water pressure and
25 coverage for the homes back there.

1 As far as an emergency vehicle entering, it
2 would have to enter from Fort Lee, or as an
3 emergency standpoint it would enter through Cafe
4 Italiano.

5 MR. KATES: And there is access,
6 there is room for emergency vehicles to go in and
7 out?

8 MR. ZIMATORE: Plenty of room.

9 MR. KATES: What's the condition of
10 the roadway? I heard gravel, partial macadam.

11 MR. ZIMATORE: It's a combination of
12 both. It is filled with what they call a milling.
13 When they take the old roads, that machine that
14 eats up the old roadway with the dump truck behind
15 it, we use that. Because I felt that it had a
16 little more of a compression factor, and yet it
17 still is not solid. It's not a solid blacktop.

18 MR. KATES: Last question is part of
19 again Bernie's comments. The board may require
20 additional road improvements and/or require the
21 applicant to fund the borough to have Boswell
22 McClave Engineering survey the unimproved Fifth
23 Street for the purpose of improving the road. You
24 went through this with 11?

25 MR. ZIMATORE: I was going to say

1 that.

2 MR. KATES: What was that?

3 MR. ZIMATORE: It was built by a
4 appellate court decision which is Phillips vs.
5 City of Westfield 1957. It states that if there is
6 a lot, a separated building lot on an unimproved
7 street, it is not the person's fault who owns the
8 lot that the street is not in. So the obligation
9 of the person with the lot is to bring up the
10 utilities and put a graveled cartway to the home.
11 Because if you really think about it, it's kind
12 of -- to have one person, unless it is a big
13 development, saddle the costs of putting curbs and
14 sewers and lighting and fire hydrants in really
15 isn't fair.

16 MR. KATES: When and if the governing
17 body decides to improve it with special assessments
18 which are reasonably calculated to assess each
19 individual lot, you'd agree to participate?

20 MR. ZIMATORE: 100 percent. I would
21 welcome that decision.

22 CHAIRMAN FEHRE: Do you think Fifth
23 Street -- let's say it was developed further and
24 not just the two homes that you are building now,
25 but I know there are other people interested in

1 building on their properties. Do you think it's
2 going to need a storm drain in that Fifth Street
3 eventually? Because once that road is paved, where
4 does that runoff from the street go? I'm not
5 talking about individual houses but the street.

6 MR. ZIMATORE: I think that's
7 probably a situation every street has to deal with.
8 I mean even going back to the Pompeian days where
9 they have aqueducts going. As far as water
10 treatment, like a storm water plan, I think that
11 would have to be up to the engineers.

12 CHAIRMAN FEHRE: Right now this
13 street, Fifth Street, is going downhill and it
14 dead-ends in the back of Bayview Avenue property.

15 MR. ZIMATORE: Absolutely. It's kind
16 of --

17 CHAIRMAN FEHRE: If that was paved,
18 you are going to have runoff all the way into
19 somebody's backyard.

20 MR. ZIMATORE: Presently it's kind of
21 like, I would say, on a 25 percent angle easterly
22 towards the river. So at least on my part of Fifth
23 Street because it angles towards the home.

24 CHAIRMAN FEHRE: Right now once that
25 road is paved, let's say it's paved in front of

1 your house, now that's additional runoff from the
2 paved portion on the street, right?

3 MR. ZIMATORE: Yes.

4 MR. SEKAS: That would be the
5 designer of the street would have to put in storm
6 water. That would be part of the assessment.

7 MR. ZIMATORE: Absolutely and,
8 hopefully, my 1,500 gallon tank would absorb
9 whatever additional, if any, additional water.

10 MR. SEKAS: Or unless a storm water
11 was designed as part of the road.

12 CHAIRMAN FEHRE: Your seepage pit,
13 according to your calculations, and I don't know if
14 Mr. Mirandi agrees, will handle all the water that
15 comes down on your property, your roof, your
16 driveway?

17 MR. ZIMATORE: Mr. Chairman, I am
18 very confident with the 1,500 gallon system that
19 was decided on.

20 CHAIRMAN FEHRE: During the
21 construction when the ground is disturbed, how are
22 you going to keep that mud from flowing downhill?

23 MR. ZIMATORE: Well, the street is
24 angled. The property is rather level. Rather, not
25 perfectly, but rather. That would have to be

1 considered during construction stage with gravel
2 being brought in, silt fence being put around to
3 address those type of situations and, if need be,
4 there would be hay or sand or whatever. But on the
5 other property there wasn't an issue to my
6 knowledge.

7 CHAIRMAN FEHRE: Okay. Any
8 questions, further questions?

9 MR. MIRANDI: Mr. Chairman, I had one
10 more follow-up question. Understanding,
11 Mr. Zimatore, that you are working with United
12 Water and you also mentioned that you spoke to the
13 fire chief, are you aware of any conversations
14 between the fire chief, yourself and United
15 Water -- I know you mentioned there is a fire
16 hydrant at Fort Lee and one on Sylvan Avenue. Were
17 they looking to add another fire hydrant near your
18 property?

19 MR. ZIMATORE: To my knowledge I'm
20 unaware that they had a conversation about it, and
21 I'm unaware if there is another fire plug that's
22 needed.

23 MR. MIRANDI: Thank you.

24 MR. ZIMATORE: I was told it was not.

25 CHAIRMAN FEHRE: That's it?

1 MR. SEKAS: That's it.

2 CHAIRMAN FEHRE: No further
3 witnesses?

4 MR. SEKAS: No further witnesses.

5 MR. ZIMATORE: Thank you,
6 Mr. Chairman, board members.

7 CHAIRMAN FEHRE: If there are no
8 further questions or comments, let's have a motion
9 to open the meeting to the public.

10 MR. MIRANDI: Mr. Chairman, I'm
11 sorry. I didn't see Mr. Kauker sit back down, but
12 I do understand that the architect had stipulated
13 to comments in our letters for both properties, I
14 should say, and I had one specific question and I
15 guess maybe the planner should take it or maybe the
16 architect. It relates to Lot 4.02. So I don't
17 know if you want to put Sheet A-1 on that easel for
18 Lot 4.02.

19 I want to reference my letter dated August
20 7th, which was a revised letter based upon our last
21 revision, and the comment was in there on the
22 previous letter though, too. Item No. 26 on that
23 letter, page four of six of the letter, it's the
24 last item on that sheet. I wanted to get some
25 testimony because if you look at the area of the

1 lot and what is indicated, the sketch shows, the
2 plan shows an area of 4,979 square feet, and we
3 know the minimum lot area is 5,000 square feet, but
4 it indicated that 5,000 square feet was proposed.
5 So I had a question as to --

6 MR. SEKAS: 50 by 100 both sides.

7 MR. MIRANDI: It say 4,979 square
8 feet is what the plans says. So if there is some
9 testimony that we can get on that. I do know the
10 zoning table says proposed is 5,000 square feet.

11 MR. SEKAS: Is the lot 50 by 100?

12 MR. KALTSIS: I think what the
13 engineer is referring to is that this property is
14 actually, it's actually a rhombus instead of a
15 rectangle. It's slightly several feet less than
16 5,000 square feet. However, in calculating the
17 building coverage, we'll still within the 32
18 percent building coverage.

19 MR. MIRANDI: I understand that. I
20 guess my question to the planner is would this
21 trigger a minimum lot size area variance?

22 MR. KAUKER: It just appears to me
23 that it is an existing lot of record, and it would
24 be to that extent an existing nonconforming lot.

25 MR. SEKAS: The lot is what the lot

1 is. It is an existing lot.

2 MR. KALTSIS: It's a preexisting
3 condition.

4 MR. SEKAS: So it will require on
5 that lot a design waiver or a variance additional
6 for the continuation of a preexisting.

7 CHAIRMAN FEHRE: Which lot is it?

8 MR. MIRANDI: 4.02.

9 MR. SEKAS: That's 9 Fifth street.

10 CHAIRMAN FEHRE: The other one is
11 perfectly rectangular?

12 MR. KALTSIS: This one doesn't show
13 the actual square footage from the survey, which is
14 I guess where this number is noted, but it appears
15 that the metes and bounds coordinates are the same.
16 So I will probably guess it's probably the same
17 square footage on that lot as well.

18 CHAIRMAN FEHRE: When was that, let's
19 say Lot No. 13, when was that originally
20 subdivided? Does anybody know?

21 MR. ZIMATORE: Lot 13 was not
22 subdivided at all.

23 CHAIRMAN FEHRE: I know but years
24 ago.

25 MR. ZIMATORE: The person who it was

1 purchased from lived in it while she was a little
2 child. So she lives across the street now, Anita.

3 CHAIRMAN FEHRE: You mean the
4 business zone?

5 MR. ZIMATORE: No, Sixth Street. It
6 was the backyard to the home on Sixth Street facing
7 east.

8 CHAIRMAN FEHRE: Lot No. 13?

9 MR. ZIMATORE: Right, which is
10 basically her backyard, and she had sold the
11 property when she married and bought the home
12 across the street that's facing west.

13 CHAIRMAN FEHRE: On Sixth Street?

14 MR. ZIMATORE: They moved across the
15 street.

16 CHAIRMAN FEHRE: She had that
17 subdivided?

18 MR. ZIMATORE: Oh, yes.

19 CHAIRMAN FEHRE: About how long ago
20 was that?

21 MR. ZIMATORE: Probably in the late
22 '50s or '60s I would say for the most part, and the
23 couple square feet that the lot is short, as
24 Mr. Kaltsis said, the back line is askew a little
25 bit and it's a de minimis type of situation that I

1 feel it is a separated lot already.

2 MR. SEKAS: Preexisting nonconforming
3 lot.

4 MR. ZIMATORE: Preexisting
5 nonconforming that wouldn't need a separate
6 variance.

7 MR. KATES: It wasn't sanctioned with
8 a subdivision application?

9 MR. ZIMATORE: Yes, it was.

10 MR. KATES: So it is a nonissue?

11 MR. ZIMATORE: A nonissue. Exactly
12 my point.

13 MR. SEKAS: You are being taxed as a
14 building lot?

15 MR. ZIMATORE: Yes, sir.

16 CHAIRMAN FEHRE: Then do we have a
17 motion to open the meeting to the public.

18 MR. KILMARTIN: So moved.

19 MR. KIM: Second.

20 CHAIRMAN FEHRE: All in favor.

21 (Motion passes unanimously.)

22 MR. PARK: My name is Hyung Park.
23 People call me Central Park.

24 MR. KATES: You must spell your name
25 for the reporter.

1 MR. PARK: H-Y-U-N-G P-A-R-K. My
2 house is 13 Sixth Street. I have been there 17
3 years. Love Englewood Cliffs, everybody,
4 residents.

5 CHAIRMAN FEHRE: You are right behind
6 which house?

7 MR. PARK: Right now Carl built the
8 house, just my house, behind my house.

9 CHAIRMAN FEHRE: You are right
10 behind?

11 MR. PARK: Right behind.

12 MR. ZIMATORE: That one that's built.

13 MR. PARK: Love Englewood Cliffs. We
14 like board members in Englewood Cliffs. That's why
15 we come over here.

16 MR. SEKAS: What's the address of
17 your house?

18 MR. PARK: 13.

19 MR. SEKAS: You own the house?

20 MR. PARK: 13 Sixth Street. I said
21 17 years.

22 MR. SEKAS: Do you own it?

23 MR. PARK: Yes.

24 MR. SEKAS: What's the address, 13?

25 MR. PARK: How many times I have to

1 tell you?

2 MR. SEKAS: Okay. I can't understand
3 you. I'm sorry.

4 MR. PARK: I told you I have throat
5 cancer. You have to listen.

6 MR. SEKAS: I'm sorry.

7 MR. PARK: All beautiful house built
8 up is okay, good for the Englewood Cliffs, but I am
9 telling you Carl built one house. What happened, 8
10 Sixth Street, any time you go past by the house, he
11 has sandbags on the garage side. Why? Because the
12 house making he broke the wall between Fifth Street
13 and 9W. So what happened? All 9W water, not only
14 storm, regular rain come through Sixth Street. So
15 that water pass Sixth Street going to their garage.
16 That's why he ready, any time you go, even now, he
17 has sandbags ready like countryside.

18 Now, 9 Sylvan street, did you finish yet.

19 MR. SEKAS: You can't ask any
20 question --

21 MR. PARK: It's under construction.
22 Don't bother me.

23 MR. SEKAS: Excuse me. I object to
24 your testimony. You can't ask questions of other
25 people in the audience. And please, sir, please

1 hold your tongue. Show respect.

2 MR. PARK: It's my time.

3 MR. SEKAS: Show respect. You cannot
4 speak to me like that, sir.

5 MR. PARK: Okay. Sit down.

6 MR. SEKAS: You sit down, too.

7 MR. PARK: Ninth Street, whole wall
8 between the Fifth and house all under construction.
9 Just finished ten, 12 houses. They cannot stay in
10 the house because new house built up. No one live
11 there, no one, but water coming from the roof,
12 coming through the drain system, coming to Sixth
13 Street. Sixth Street drain, I don't know how much
14 big, but the drain, because of the water, all this
15 house water cannot go in the drain. Backed up
16 their garage. So any day you come you will see
17 their house, water is coming up from the ground
18 like spring water.

19 Now, my house, my house, raining, hurricane,
20 if you come to my house, my house, once that water,
21 Fifth Street and Sixth Street, it's like a dam, the
22 water of the dam, water coming into my house. So
23 what I did, I hired some people. If you go to the
24 garden, they have a big porch. I bought one, two,
25 three, four, five, six, put in there, all put in

1 the soil because that is only I can do. So water
2 hits over there, even over.

3 I told you the new house, no one lives
4 there, no shower, but still happens. If you make
5 another house without the drain system, what's
6 going to happen. People, we ask, invite so many
7 people for myself. I ask Internet so many people
8 what we going to do. Everybody told me sue. We
9 don't want to sue. We love Englewood Cliffs. I
10 respect the board members. We put you to make a
11 decision. One time you go over there. You see
12 that. Even new house, you go. You don't need to
13 come to our house. You don't need to come to
14 neighbor. You go to new house. How come this get
15 the right to build the house. You can see this no
16 way to go to the water. Thank you.

17 CHAIRMAN FEHRE: Thank you.

18 MR. KWON: David Kwon. Address is 11
19 Sixth Street. Basically I think, like, until today
20 I wasn't really, like, I didn't want to come
21 because I knew Carl and stuff like that. Basically
22 there is two problems. I think the height, I think
23 everyone is concerned, like all our neighbors. I
24 think their house is 9. Your house is -- we're all
25 the surrounding houses, I think. We're all here.

1 Basically my knowledge is basically we want 30
2 feet, not 35 feet, because I think it is going to
3 be like -- what we're all saying there is going to
4 be a huge house on top of our houses. So basically
5 we won't get any sunlight, things like that, and
6 that's the number one concern.

7 Number two concern is I guess the sewer, why
8 is it all coming to Sixth Street. Most likely it's
9 going to come through my house, I guess, 11. So
10 basically I guess he was saying, the guy who was
11 just talking, basically when everyone takes showers
12 and things like that, basically there is going to
13 be so much water, so much sewage water. Basically
14 it's going to start coming through to my house and
15 through Sixth Street.

16 Basically everyone, like they were saying,
17 they want all to move now. Like, we're all, like
18 you said, you want to move to a different town. So
19 basically they are worried about basically they
20 can't sell the home, things like that. I was even
21 talking to my wife today. If it gets too crazy,
22 too much like sewage, maybe we're thinking about
23 moving as well.

24 CHAIRMAN FEHRE: Is sewage a problem
25 now?

1 MR. KWON: Basically there is water
2 basically to their house, their house.

3 MR. KATES: I am talking about you
4 now.

5 MR. KWON: To me I didn't realize it
6 until when they did the construction, things like
7 that, but there is always water coming through some
8 kind of a hole in front of my house. I didn't know
9 where.

10 MR. KATES: Storm water or sewage? I
11 am asking you, only you. They have a chance to
12 speak.

13 MR. KWON: I guess I'm not too sure
14 because I'm not into building houses or anything.

15 MR. KATES: Is your lifestyle
16 affected by what is happening?

17 MR. KWON: So far it hasn't. I think
18 during the storm, like, we never had any flood. I
19 have been only living there a year so I don't
20 really know that much, but there was flooding
21 during the storm and went only to the garage but it
22 wasn't a big deal.

23 MR. KATES: In normal rain?

24 MR. KWON: Normal rain, no. Normal
25 rain is okay. But, like, until yesterday I didn't

1 really know what was going on but until, like, I
2 met a few neighbors that came up to me.

3 MR. KATES: Everybody else will have
4 a chance to speak.

5 MR. KWON: Those are the two
6 concerns. I think the height and basically where
7 the water is going. I think I just want everyone
8 to be happy but okay. Thank you.

9 MR. CHIEN: Ho-Chen Chien.

10 MR. SEKAS: Your address?

11 MR. CHIEN: No. 5 Sixth Street,
12 Englewood Cliffs. I really have no objection to
13 people building houses on Fifth Street except, like
14 so many people been saying and I spoke many times
15 during other proposals, it is the running water.

16 Mr. Kates, you asked about the sewage. I
17 want to explain to you what it is like ever since
18 that house was built, okay. Before that I had no
19 problem whatsoever. Rain, all right, unless it is
20 storm, unless it is a heavy, heavy storm, like many
21 years ago there was Irene, whatever, whatever,
22 right. My backyard, I had a little water, but ever
23 since that house was built, because, because it
24 occupied some space, 50 by 100, that water comes
25 down in such a hurry. Every time it rains, if it

1 rains more than two hours, I have to wade into my
2 backyard.

3 MR. KATES: This is since the house
4 was built?

5 MR. CHIEN: Correct. The water is
6 this deep and it is running and I live there since
7 1984. I never had my detached garage flooded, but
8 ever since that house was built, I have to use
9 pallets to jack up everything that I want to store,
10 I store in my detached garage. I have four sets of
11 golf clubs that for one season because of the flood
12 they all rusted. I was surprised. All right.

13 So now talking about the other major problem
14 is that from 11th Street there was a pipe, there
15 was a little drainage pipe. Every time it rains,
16 soapy water. So now every Saturday when I -- after
17 I cut the grass, I have to use the shovel to shovel
18 the smelly, the green stuff on the side of the
19 curb. This is the curb. This is the street.
20 That's where the water is coming down day after
21 day.

22 MR. KATES: Maybe with reference --
23 do you have a key map, something with a key map on
24 that drawing?

25 MR. KALTSIS: Not by lot.

1 MR. KATES: Mr. Chien, I am trying to
2 figure out where you are in relation to the
3 property.

4 MR. CHIEN: I am No. 5.

5 MR. KATES: We have a map that was
6 done.

7 CHAIRMAN FEHRE: No. 5?

8 MR. KATES: No. 5 Sixth Street?

9 MR. CHIEN: Correct.

10 MR. MIRANDI: Is that the address or
11 the block?

12 MR. CHIEN: The address.

13 MR. MIRANDI: Do you know the lot
14 number?

15 MR. CHIEN: I apologize. I do not.

16 MR. MIRANDI: Where are you in
17 relation to the new house?

18 MR. CHIEN: Okay. The house, if I
19 understand, it is three houses up, three houses
20 north and then two houses in.

21 MR. MIRANDI: That house that was
22 just built?

23 MR. CHIEN: Correct.

24 MR. KATES: On Sixth Street or Fifth
25 Street?

1 MR. CHIEN: Sixth Street.

2 MR. MIRANDI: The other gentleman on
3 13 Sixth Street, he was directly behind the new
4 house.

5 MR. CHIEN: Correct. I am -- 13, 11,
6 9. I am 5.

7 MR. KATES: Show him the map.

8 MR. MIRANDI: Mr. Chairperson, I have
9 a map here I can show.

10 MR. KATES: We want to be able to use
11 the map.

12 CHAIRMAN FEHRE: The new house that
13 was built, how is that affecting your property?

14 MR. CHIEN: Because of the runoff
15 water and whatever, whatever -- where does it,
16 soapy water appear. I never saw it since 1984.

17 MR. KATES: Let me stop you for a
18 second. We're looking at a map that was generated
19 by Mr. Mirandi?

20 MR. MIRANDI: No.

21 MR. KATES: Where does it come from?

22 MS. SCANCARELLA: That's a tax map.

23 MR. KATES: Who did the coloration?

24 CHAIRMAN FEHRE: I think I did that.

25 MR. KATES: If we can mark that as a

1 board exhibit for the purpose of the people
2 identifying their lots, it would be very helpful.

3 MR. SEKAS: You are welcome to that.

4 MR. KATES: Can we do that?

5 MR. SEKAS: Yes.

6 MR. KATES: If I could show it to
7 Mr. Chien.

8 MR. MIRANDI: We circled Lot 19.
9 Can you confirm is that yours?

10 MR. SEKAS: Is that your house?

11 MR. CHIEN: Where is the one that's
12 going to be built?

13 MR. KATES: Let's mark the subject
14 lots, Lots 4 and 6.01.

15 MR. MIRANDI: Right.

16 MS. SCANCARELLA: It's 4 that's
17 subdivided.

18 CHAIRMAN FEHRE: No. 5 Sixth Street
19 is Lot 19?

20 MR. CHIEN: Yes, 19.

21 CHAIRMAN FEHRE: How does --

22 MR. KATES: Wait, hang on. Is that
23 an exhibit, Kathy, that you have there? Mark it
24 PB-1 with today's date? PB-1 for the record we are
25 identifying as a copy or a portion of the tax map,

1 I don't know what sheet number it is, that was
2 prepared --

3 MS. SCANCARELLA: Page two probably.

4 MR. KATES: -- by the Chairman for
5 illustration purposes.

6 MR. SEKAS: He verified Lot 19 is his
7 home.

8 MR. KATES: I want to do two things.
9 If you take this blue marker, Nick, could you mark
10 your applicant's properties on there. I think it's
11 this. Am I right?

12 MS. SCANCARELLA: No. 4 and 6.01,
13 half of 4.

14 MR. KATES: Okay. So, Mr. Chien,
15 will you identify your property, if you can, and
16 then, Mr. Kwon and Mr. Park, we will ask you to do
17 the same.

18 MR. CHIEN: 19.

19 MR. KATES: We're going to mark it.
20 Kathy will mark it.

21 MS. SCANCARELLA: This is No. 5.

22 MR. SEKAS: The yellow lot,
23 Mr. Chien, C-H-I-N?

24 MR. CHIEN: C-H-I-E-N.

25 MS. SCANCARELLA: Mr. Kwon was half

1 of 4, and that's No. 11. Mr. Kwon, you are No. 11
2 Sixth Street?

3 MR. KATES: And Mr. Park.

4 MR. CHIEN: Mr. Park is 17.

5 MR. KATES: I want to show you the
6 map.

7 MS. SCANCARELLA: The number of his
8 house is 13.

9 MR. KATES: Mr. Park, take a look at
10 this map. Make sure we identified your property
11 correctly.

12 MR. PARK: 17, yes.

13 CHAIRMAN FEHRE: How does water get
14 from the new house that Mr. Zimatore built over to
15 your lot, 5 Sixth Street. Sixth Street, is it not
16 sloping down towards Bayview?

17 MR. CHIEN: I do not know. What I
18 observe was that since the new house was built, the
19 house was built, okay, the new house was built, the
20 runoff water, the amount of the runoff water
21 increased dramatically and the time to allow the
22 water to subside from my backyard lawn, okay.

23 CHAIRMAN FEHRE: Where is it coming
24 from?

25 MR. CHIEN: It's coming from the top.

1 CHAIRMAN FEHRE: I see house No. 4,
2 and you're really behind the lot that was owned by
3 Mr. MacPhail, the large lot where there was some
4 trucks parked there.

5 MR. CHIEN: I understand that.

6 CHAIRMAN FEHRE: I don't think he did
7 anything to that.

8 MR. CHIEN: He didn't do anything.
9 That's my concern. My concern is -- and I am an
10 engineer by trade. Okay. And when you -- okay,
11 let's say the house was not built. There was 50 by
12 100 square feet. That is the area that allows the
13 water to go wherever it is. But now because you
14 now build a house, the water coming down this way
15 50 feet at least closer to my property. And the
16 amount is increased because now it is sloped. It
17 is a roof slope. So it is I would say fresh flood
18 water coming into my property. It goes to other
19 properties as well. But if I see my property storm
20 water increase noticeably, I am sure other owners
21 see it.

22 MR. SEKAS: Have you conducted any
23 studies?

24 MR. CHIEN: I beg your pardon?

25 MR. SEKAS: Have you conducted any

1 studies?

2 MR. CHIEN: Why should I do a study?

3 MR. SEKAS: Okay.

4 MR. CHIEN: I am just telling you
5 what I observe. So my sincere plea to the board
6 members here is that if you are going to approve
7 this application, make sure that there is some --
8 the correct provisions are required to eliminate
9 further damage environmentally to the area.

10 Has it impacted my lifestyle? Yes and no.
11 I retired. So I kind of, like, yeah, I understand
12 but people wants to build a house there, fine, but
13 let's do it correctly.

14 MR. KATES: Before we go further,
15 could we have Mr. Zimatore identify the house that
16 they are talking about that was recently improved
17 or constructed?

18 CHAIRMAN FEHRE: Lot No. 5.

19 MR. KATES: Let's use yellow or some
20 other marker, another color.

21 MR. MIRANDI: I have a red pen.

22 MR. ZIMATORE: Mr. Chairman, I don't
23 know if I am able to speak.

24 MR. KATES: Not yet. You will have a
25 chance to speak. Let the public speak and then you

1 can answer.

2 MR. CHIEN: So I would say that at a
3 minimum the applicant, either the architect or the
4 planner or the owner, okay, would have to prove to
5 the board that, number one, the existing grading
6 would be sufficient, is taken care of properly so
7 that the problem, the additional runoff that is
8 going to be caused by building up something on two
9 lots of 50 by 100 is not going to further increase
10 the speed of the runoff. Because if that happens,
11 I am so afraid that my crawl space is going to
12 be -- the water is going to go up to my floor.

13 Because for 34, 35 years that had never
14 happened, and last time I went down to the crawl
15 space to see, the water level increased
16 dramatically compared to 25, 30 years ago. Okay.
17 So I sincerely asking the board members to make
18 sure that grading, the handling of the storm water,
19 the runoff be taken care of properly.

20 CHAIRMAN FEHRE: Thank you.
21 Mr. Mirandi, do you have a comment?

22 MR. MIRANDI: Yes, Mr. Chairman.
23 Thank you. I heard testimony from three of the
24 neighbors on Sixth Street, and of the three
25 comments I am hearing some problems with storm

1 water on Sixth Street. I have heard some sanitary
2 sewer or problems with some soapy water and also
3 some testimony to some problems regarding runoff
4 from the properties as you go up the hill from the
5 back of Sixth Street up towards Fifth and Sylvan
6 Avenue.

7 I would like to make a comment to alert any
8 neighbor nearby and to just advise there is no
9 municipal storm system on Sixth Street in Englewood
10 Cliffs. There is some in Fort Lee. There is some
11 inlets and piping structures in Fort Lee. So any
12 Sixth Street road runoff runs off. So if there is
13 any issues with that, the residents should reach
14 out to the DPW, the Department of Public Works,
15 superintendent regarding those type issues. And if
16 there is any issues that were mentioned with soapy
17 water or potentially sanitary backups, they should
18 reach out to the DPW department, and the DPW would
19 investigate that. They may call me in and my
20 office to investigate that to see what they can do
21 to remediate that situation.

22 And also I'd like to advise the resident who
23 had mentioned some water runoff from properties, if
24 there is any construction going on and there is
25 problems with water runoff from the construction

1 during the course of construction, there is certain
2 soil erosion and remediation that's required. And
3 if there is any issues with that, then the
4 residents should reach out to the building
5 department, touch base with the construction
6 official, and the construction official would make
7 sure that the construction procedures during the
8 process of construction of the houses is addressed
9 appropriately.

10 And as far as the other comment regarding
11 Mr. Chien's point of looking at the grading and
12 handling of the storm, that is something that is
13 done. If the board looks favorably upon these
14 applications, they would have to present the
15 calculations. We did receive some calculations.
16 We made comments on that, that we wanted the
17 calculations modified and resubmitted. So that's
18 something that is reviewed by our office. The
19 applicant stipulated that they would address the
20 comments in our review letter. And before any
21 building permit is issued, if these applications
22 are approved, that would have to be addressed.

23 CHAIRMAN FEHRE: We're being asked --
24 we're not a board that can decide on drainage
25 issues unless it was a subdivision or something

1 like that. We're being asked to approve a height
2 variance. That's all we're asked to approve right
3 now.

4 MR. KATES: And fronting on an
5 unimproved street. That's part of this.

6 CHAIRMAN FEHRE: And fronting on an
7 unimproved street. Because he's lifting the house
8 out of the ground by, what, four feet, 4.5.

9 MR. KALTSIS: 4.54.

10 CHAIRMAN FEHRE: What's the effect in
11 your opinion, your professional opinion what's the
12 effect on the drainage in that area because of
13 lifting the house?

14 MR. KATES: Let me ask Bernie to be
15 sworn because he is giving testimony.

16 BERNARD MIRANDI, sworn.

17 MR. MIRANDI: Mr. Chairman, to answer
18 your question, if we raise the house, the basement
19 level or what's on grade as high as possible, that
20 certainly helps the drainage situation. And part
21 of the state requirements, the storm water
22 management control ordinance that not only
23 Englewood Cliffs had to adopt but every
24 municipality in the State of New Jersey had to
25 adopt, I think it goes back to the 2006 time frame,

1 so it is something that is reviewed at each
2 application that comes in.

3 If it doesn't require any variances or
4 planning board approval, it goes straight to the
5 building department. That's something that every
6 applicant has to submit, and we have our hydrology
7 department review that, and there is usually
8 comments back and forth, and they have to address
9 that before they get a building permit.

10 CHAIRMAN FEHRE: Just the fact of
11 lifting it out, rather than dig a hole, dynamite
12 the rock and everything, put this thing down 4.5
13 feet further down into the ground, you are saying
14 that would be more disturbing to the --

15 MR. MIRANDI: I am saying it's
16 helpful to the storm water management.

17 CHAIRMAN FEHRE: To lift it?

18 MR. MIRANDI: Yes.

19 CHAIRMAN FEHRE: So it will be
20 helpful for the storm water, okay.

21 MR. SEKAS: You don't have to pump
22 the water out.

23 MR. SURACE: You don't disturb the
24 water table. We have been going through that. You
25 don't want to disturb the water table. Because a

1 lot of times this is what happens when you go down.
2 You disturb the water table. You build a house,
3 okay. So you take care of the house you are
4 building, but when you disturb that water table,
5 the water is going to go someplace else. When it
6 is high, the water just stays. The water table
7 just flows right now. That's the advantage.

8 MR. MIRANDI: That's correct. We
9 have thousands or hundreds and hundreds of cases of
10 sump pumps that run constantly in town and go into
11 our storm water management system. So raising the
12 elevation is a help in that regard.

13 MR. KATES: When you say raising it,
14 it's not digging in?

15 MR. MIRANDI: That's correct.

16 MR. KATES: It's not really raising.

17 MR. DOOLY: Mr. Mirandi, I don't know
18 if you recall, I know Carl would, but his existing
19 house, does it have the storm water runoff tank at
20 all?

21 MR. MIRANDI: Yes. Yes, it does.

22 MR. DOOLY: Is it in the realm of
23 what is required on the two new houses, 1,500?

24 MR. MIRANDI: Yes. I don't recall
25 specifically but it went through that process that

1 I had detailed on that house, and I think you heard
2 testimony from Mr. Zimatore on the fact that it
3 sustained the Sandy storm. And I'd just like to
4 also advise that any of these systems require
5 periodic maintenance. So that's something that a
6 homeowner should take care of. So the system has
7 to be cleaned periodically.

8 MR. KATES: Could we ask Mr. Zimatore
9 that question with respect to the house that was
10 constructed on Lot 5, No. 11 Fifth Street. What
11 kind of storm water management controls are in
12 that?

13 MR. ZIMATORE: Those are the three
14 500 gallon tanks. They are six foot wide by three
15 foot high with perforations all around, filled with
16 two-and-a-half-inch stone with a wrapping of fabric
17 so no silt gets into the system.

18 MR. KATES: And what about the
19 condition that you heard testified to?

20 MR. ZIMATORE: I can address that.

21 MR. KATES: I think you can talk to
22 it now.

23 MR. ZIMATORE: Okay. Obviously,
24 there is nobody in the home because it is not CO'd
25 yet. So if there is talk about some suds coming

1 up, it's obviously not from my doing because there
2 is nobody in the home. That's pretty basic.

3 I tried to take, in addition to getting away
4 from the rock, I tried to take an ecofriendly
5 approach to this whereas not to disturb the soil
6 and the rock and to go on top of the grade for that
7 very reason. Because to get four and a half foot
8 of living space, you have your basement half
9 submerged, you have to dig six and a half feet
10 between the stone and French drain and all that
11 stuff. That would put me even lower. That would
12 upset the water table to a more severe degree.

13 So my feeling was to go like -- Mr. Kwon,
14 who purchased the home from me, I owned that house
15 for probably six, seven years. I never had a drop
16 of water. His testimony was a little confusing to
17 me because I didn't know if -- he was talking about
18 sewage. Mr. Kwon is a wonderful man, and I think
19 maybe he was talking about other homes, not the
20 home that's directly there. I mean I never had a
21 drop of water.

22 And I don't know if the board remembers
23 probably about five years ago there was massive
24 flooding on Sixth and Seventh Street. Finally to
25 find out for the next block down there was a

1 five-gallon spackle bucket stuck in a lateral. As
2 Mr. Mirandi said, not only the seepage systems need
3 maintenance but also the laterals and sewers.
4 Because if a branch gets in there, or in that case,
5 it was a big mess. It was a huge mess, closed the
6 streets and everything. And, of course, if it has
7 a problem downstream, everybody upstream is going
8 to feel the effects of it.

9 Now, I have been living up here since 1992,
10 and with the weather changes or whatever we're
11 facing, I now have in my yard, as Mr. Chien said, I
12 have different areas that puddle largely on my
13 property that didn't have a puddle before. My
14 driveway happens to be a downslope. So I think
15 part of it is the excessive weather that we have
16 been having.

17 In talking about this, there is no suds or
18 anything being manufactured. It is just sitting
19 there.

20 MR. SEKAS: The suds would go in the
21 sewer?

22 MR. ZIMATORE: Well, I don't know
23 where they would go.

24 MR. SEKAS: Where does your washing
25 machine go, in the sewer?

1 MR. ZIMATORE: In the sewer. It's a
2 sealed system. If I felt that I was the cause of
3 anything, I would be the first to raise my hand and
4 say, you know, we identified a problem. Let's see
5 what we can do to fix it.

6 MR. KATES: Did you say that 11 Fifth
7 has an excavated basement or does not have?

8 MR. ZIMATORE: It sure does.

9 MR. KATES: It has an excavated
10 basement?

11 MR. ZIMATORE: Yes. That's what I am
12 trying to avoid on the other two homes.

13 CHAIRMAN FEHRE: Your sewer now is an
14 eight-inch pipe. Is that what it is?

15 MR. ZIMATORE: Yes, yes, eight-inch.

16 CHAIRMAN FEHRE: That's going to
17 serve three homes?

18 MR. ZIMATORE: Yes.

19 CHAIRMAN FEHRE: The one that you
20 built --

21 MR. ZIMATORE: That could probably
22 serve eight homes probably, but yes.

23 CHAIRMAN FEHRE: So far it is not
24 really doing anything because nobody is living
25 there.

1 MR. ZIMATORE: Nobody is using it.
2 If the residents would feel more comfortable, I
3 will have a company come in and camera, I will
4 camera the system right from Fifth Street, from the
5 rear, from the rear part of the new existing home
6 that hasn't been used. I will camera the system
7 down to Sixth Street, if that would make people
8 feel more comfortable. There are two manholes
9 between, there are two manholes, and then it goes
10 into Sixth Street.

11 There are situations, as I said, with the
12 spackle bucket getting stuck in a lateral. This
13 happens. This can happen but as far as I know --

14 CHAIRMAN FEHRE: I think we're
15 looking at an engineering situation here which this
16 board is not really --

17 MR. ZIMATORE: It's never been a
18 problem.

19 MR. SEKAS: It's a DPW issue. They
20 should make a complaint.

21 CHAIRMAN FEHRE: It should be going
22 to the DPW if there is a problem. It sounds like a
23 lot of people think there is a problem. The
24 planning board cannot decide these engineering
25 issues. We don't have the equipment.

1 MR. SEKAS: Jurisdiction.

2 CHAIRMAN FEHRE: We don't have the
3 facilities. All we are being asked to do is to
4 approve the height variance. If you don't get the
5 height variance, you would --

6 MR. ZIMATORE: I will disturb the
7 earth. I am going to dig in, which is exactly what
8 I don't want to do, which would be more intrusive
9 to the --

10 CHAIRMAN FEHRE: I am wondering if
11 the whole drainage situation is an issue for this
12 board. Certainly the sewer I don't know.

13 MR. SEKAS: I don't think the board
14 has jurisdiction, respectfully, on the issue.

15 CHAIRMAN FEHRE: I would rather have
16 the DPW look at this.

17 MR. SEKAS: We intend to comply with
18 Mr. Mirandi's requests and recommendations and
19 submit calculations that we need to offer to him to
20 make the situation comply with the town ordinances
21 and also address the issue from that perspective.
22 Certainly what my client is doing to propose a
23 variance is going to help the situation, not hurt
24 the situation.

25 MR. ZIMATORE: If I may, Nick,

1 Mr. Chairman and board members, the DPW
2 superintendent came to oversee the installation of
3 the existing sewer.

4 CHAIRMAN FEHRE: As expected. I
5 would hope he would.

6 MR. ZIMATORE: Yes, he did.

7 CHAIRMAN FEHRE: Because that's an
8 important issue, but if something else needs to be
9 done there, maybe something the town has to do.
10 Who knows. If there is something that they came to
11 you and said you have to do something, would you do
12 it?

13 MR. ZIMATORE: If it was an effect by
14 me, of course, certainly. But as far as I am
15 concerned my sewer is in and it's been in.

16 MR. KIM: I think all the engineer
17 calculations are right.

18 MR. ZIMATORE: Yes.

19 MR. KIM: But still something is not
20 right in that point. That's why people from Sixth
21 Street they came in.

22 MR. ZIMATORE: Yes.

23 MR. KIM: I think you have to be
24 concerned about that matter, drainage system for
25 next building house.

1 MR. ZIMATORE: Okay. I did exactly
2 what was supposed to be done on an engineering
3 standpoint. I did exactly what people much smarter
4 than me figured out for me to do. I have done it.
5 There is talk about soapy water. No one is using
6 the house. So I think that's a slight indication
7 perhaps that it is not coming from my house.

8 MR. KIM: Not just the soapy water.
9 It's storm water problem, too. So they hit the
10 backyard and they hit Mr. Park's wall. So I admire
11 you guys that the calculations is right, but
12 something is not right. Something is wrong in that
13 point after you built the house. So we have to
14 find out.

15 MR. ZIMATORE: Maybe the weather
16 change. I don't know the answer. I don't know the
17 answer. I do what I am told.

18 MR. SEKAS: Respectfully, I agree
19 with what you are saying, but this has become an
20 issue whether or not he builds the house. He can
21 build two houses, I want everyone to know, whether
22 he comes before this board or not. The only thing
23 requested is a height variance. This board could
24 not stop him from constructing the houses. That
25 has to be known for the record. He has the right

1 to build two houses on two building lots.

2 MR. KIM: I understand.

3 MR. SEKAS: But also with respect to
4 everybody here, because they came here, they're his
5 neighbors, he doesn't want to create an issue. He
6 will look into it further, and he will build a
7 house in accordance with the engineering standards
8 and look into it with engineers to see if his homes
9 as constructed are causing damage to his neighbors.
10 You agree to do that?

11 MR. ZIMATORE: Absolutely. My
12 feeling was not to disturb the soil. That was my
13 whole feeling.

14 MR. SEKAS: That's the reason you are
15 asking for the variance.

16 MR. ZIMATORE: That's the only
17 reason.

18 CHAIRMAN FEHRE: Anybody else from
19 the public wish to be heard?

20 MS. O'SHEA: Mary O'Shea, 12 Irving.
21 I am listening to all the comments, Mr. Zimatore,
22 all the residents on Sixth Street. I have been
23 down that street in front of the house and around
24 in the back because of a previous application for
25 the nursery school day care that was rejected, and

1 I know this board can't deal with storm drainage.
2 But from what the residents said and from what I
3 observed in the area because the street is
4 undeveloped, I think it would do a lot to alleviate
5 the residents on Sixth Street's water problem if
6 curbs and storm drains were put in on Fifth Street.
7 Because on 9W there are no storm drains. And as
8 one of the residents on Sixth Street said, a lot of
9 the water is crossing from 9W, across the
10 commercial properties, across the paper street into
11 their backyard.

12 So I think that if the town and Mr. Mirandi
13 maybe make some type of recommendation to the
14 council to look at developing a storm water system
15 on Fifth Street and the curbs of some sort to,
16 like, stop this overland water flow down into the
17 people on Sixth Street. I think that's their
18 problem, not Mr. Zimatore's houses.

19 And I think that actually I am usually the
20 one that votes against, when I was on the board of
21 adjustment and when I spoke against height
22 increases, as Mr. Surace knows; I was against the
23 house, the increase in the house on Hudson Terrace;
24 but I also agreed with an increase in height on
25 Summit Street when the two Greek boys were building

1 the house because they had a high water table, even
2 though it was up on top of the hill. I think in
3 this case where the water table is so high and
4 problematic for the neighbors, Mr. Zimatore putting
5 a house on top of the land instead of planting it
6 in the ground and pushing the water out and putting
7 more seepage pits in to take the water from the
8 garage and basement and driveway would be
9 beneficial in the long run than putting a house
10 that met the height requirements and caused further
11 water issues.

12 CHAIRMAN FEHRE: As far as the storm
13 drain, I think this is something, on Fifth Street,
14 I think it does need to have a storm drain there.
15 If the people that have these lots on Fifth Street
16 are going to develop them and eventually they want
17 to put in a street and pave it, I would say before
18 you put the pavement on there, you have to put a
19 storm drain in there.

20 MS. O'SHEA: Absolutely.

21 CHAIRMAN FEHRE: So this storm water
22 will run down toward Bayview Avenue and go into a
23 storm drain which I think Bayview Avenue is going
24 over the cliffs there. One of the problems on
25 Sixth Street is there is no storm drainage.

1 MS. O'SHEA: Correct.

2 CHAIRMAN FEHRE: And this application
3 is not really putting more water onto Sixth Street.
4 I mean you can argue about where that water is
5 going, but eventually all the water on that hill is
6 going down there to Sixth Street and there is no
7 storm drain. I think one of the solutions with
8 Fifth Street is to put in a storm drain. I would
9 support that. It's not our decision. That's
10 something that the Mayor and Council would have to
11 decide if they want to spend this money to put in
12 that storm drain or not. We can't make that
13 decision.

14 However, since Fifth Street is now basically
15 undeveloped, as these people develop those lots,
16 they are going to have to share in that cost. Once
17 that thing is built, there will be a special
18 assessment to assess these properties in addition
19 to their normal property tax. They will have to
20 pay for the storm drain. So I would say eventually
21 if Fifth Street is ever paved, the only way to do
22 it in my opinion is put in a storm drain first.
23 Because otherwise that water will run God knows
24 where down the paved road and come out in
25 somebody's backyard, and it's not going to be very

1 pleasant for that individual. It may help your
2 situation here, but somewhere as that water runs
3 down Bayview, where is it going to go? It has to
4 go somewhere. I think it would be a big help to
5 put a storm drain on Fifth is what I am saying.

6 Right now, unless you build the houses
7 there, nobody is going to ever put a storm drain
8 in. That's for sure.

9 MR. RUBINSKY: Stephen Rubinsky, 654
10 Summit. Just what I am listening to, and I'm an
11 engineer, but it sounds like it is downhill from
12 Sylvan, Sixth Street and beyond going downhill
13 towards Washington, that way. Because the water
14 seems to be going to 19 and 18 on Sixth Street,
15 which is not in back of 5. And from Sylvan to
16 Fifth Street was macadamed with improving lots,
17 then that water is draining off that and there is
18 nothing on Sixth Street. It just keeps going down.

19 CHAIRMAN FEHRE: That's what is
20 happening.

21 MR. RUBINSKY: That's what it sounds
22 like.

23 CHAIRMAN FEHRE: It's on a hill.

24 MR. RUBINSKY: I don't know. Certain
25 places I know that they take dyes and they see

1 which way the water flows from the different
2 colors. Maybe that has to be done. I don't know
3 who does it but I think something has to be
4 addressed.

5 And, as you said, Mr. Chairman, it's not
6 here. It's the Mayor and Council. That's not the
7 position here. Thank you.

8 CHAIRMAN FEHRE: Yes.

9 MR. CIOFFI, JR.: Joseph Cioffi, 30
10 Sylvan Avenue. My family, we have some property on
11 9W, the Sylvan Avenue side. I want to correct
12 something I heard. You don't have water flowing
13 through those properties to Fifth Street. The rear
14 in a lot of them is unimproved. So you have
15 gravel, dirt, whatever. You don't have running
16 water going from 9W all the way down to Fifth
17 Street. I never observed it. Heavy rain a lot
18 flows down 9W but doesn't run through to Fifth
19 Street. So I just want to correct that.

20 MR. KATES: Maybe it could seep down
21 and run through rock.

22 MR. CIOFFI, JR.: Up and up.

23 MR. KATES: Not up, down. In other
24 words, you're on Sylvan. Your property is on the
25 east side of Sylvan?

1 MR. CIOFFI, JR.: They are on the
2 east side of Sylvan, correct.

3 MR. KATES: My layman's understanding
4 of the Palisades and rock formation is you can very
5 well seep down in your yard and then find a break
6 in the rock and continue to flow.

7 MR. CIOFFI, JR.: I am just pointing
8 out we never observed water flowing from 9W, as I
9 heard.

10 MR. KATES: It could be under the
11 terrain.

12 CHAIRMAN FEHRE: Not 9W.

13 MR. SEKAS: Could I ask a question?

14 CHAIRMAN FEHRE: Maybe the back of
15 your property on the hill.

16 MR. CIOFFI, JR.: It does grade down.

17 CHAIRMAN FEHRE: Rain flows down and
18 water flows downhill. It winds up someplace down.

19 MR. SURACE: More likely.

20 MR. SEKAS: Are there storm drains on
21 9W?

22 MR. CIOFFI, JR.: Are there any storm
23 drains? Not on 9W, right?

24 MR. CIOFFI, SR.: There is storm
25 drains further down on 9W. Water runs down on --

1 MR. KATES: You have to come forward.
2 You have to come forward.

3 MR. CIOFFI, SR.: Joe Cioffi, same
4 name as prior, Senior. The water on 9W flows
5 towards Fort Lee against the curb if you are out
6 there. That's the way. It doesn't flow across the
7 property and down the road.

8 MR. SEKAS: Thank you.

9 MR. CIOFFI, SR.: It doesn't go that
10 way. 9W has a bit of a pitch towards Fort Lee. So
11 it runs down Fort Lee and down that direction. So
12 you don't have water coming off 9W going in the
13 other side. It was said before but it is wrong.

14 MR. SEKAS: Thank you, Mr. Cioffi.

15 CHAIRMAN FEHRE: Anybody else wish to
16 be heard? Yes, please.

17 MS. CHOI: Eun Sook Choi, 9 Sixth
18 Street.

19 MR. KATES: We want to show you the
20 map so you can identify your property for us.

21 MR. SEKAS: She is 18.

22 CHAIRMAN FEHRE: Go ahead.

23 MS. CHOI: I am here because I want
24 to know few things. Plus I had some concern.
25 First of all, I want to know do they have a right

1 to use the sewerage pipe from the Fifth Street to
2 Sixth Street. Because us who are living on Sixth
3 Street we are very concerned of the flooding. I'm
4 not an engineer. I'm not an architect. I am just
5 a resident here. A mother who is working. I am
6 working, and everybody say it is okay, it's
7 calculated. But what I see living there is that I
8 get water coming to my house. And when there is a
9 rain, we get very concerned.

10 MR. KATES: How does the water come
11 into your house?

12 MS. CHOI: I have picture right here.

13 MR. KATES: Do you want to show us
14 the picture?

15 MS. CHOI: Yes.

16 MR. KATES: Show it to Nick first.

17 MR. SEKAS: Thank you, ma'am. We
18 should mark these.

19 MS. CHOI: This is my house, the
20 sidewalk.

21 MR. SEKAS: This is your house?

22 MS. CHOI: No, this is my house.

23 MR. KATES: We're going to mark each
24 picture by number. So let's do 0-1. How many are
25 there?

1 MS. CHOI: I don't know. I didn't
2 number them.

3 MR. KATES: Are they all the same?

4 MS. CHOI: No, not all of them.
5 There is some picture that we need construction
6 last month in July.

7 MR. SEKAS: These are the same. Is
8 that okay, ma'am? We have the construction. Thank
9 you, ma'am.

10 MR. KATES: Let's mark them all.
11 Let's do that first. These were taken by you on
12 July 12th?

13 MS. CHOI: July 12th, I believe.

14 MR. KATES: By you?

15 MS. CHOI: I believe my husband did.

16 MR. DOOLY: Has anyone in the town
17 like the DPW seen these pictures?

18 MS. CHOI: No, he didn't have picture
19 but I believe July 11 they were supposed to be a
20 hearing, and then the next day we took a picture
21 just in case because that week we were doing
22 construction.

23 MR. KATES: Take these back. What I
24 would ask you to do is with each picture that I
25 marked -- let's start with O-1.

1 MS. CHOI: Okay.

2 MR. KATES: Describe what we see.

3 MS. CHOI: There is water pumping out
4 this sump pump. Usually in Englewood Cliffs you do
5 have a problem with the water. So there is a sump
6 pump working in many houses.

7 MR. KATES: What street?

8 MS. CHOI: This is Sixth Street in
9 front of my house.

10 MR. KATES: Is that your pump?

11 MS. CHOI: Yes, this mine.

12 MR. KATES: That's your house?

13 MS. CHOI: This is mine. Usually
14 from the fall until the springtime there is the
15 time that sump pump work the most, but in
16 summertime it is usually dry. We never seen sump
17 pump working like this. You asked me why. I don't
18 know. But the things that I know for sure from the
19 time Mr. -- I don't know.

20 MR. SEKAS: Zimatore.

21 MS. CHOI -- Zimatore built the house
22 we are getting this problem.

23 MR. KATES: Hand that out. We'll
24 take O-2.

25 MS. CHOI: O-2, this is the

1 construction that we are doing because that is my
2 house, the white one. The white house is my house.
3 This one over here is Mr. Kwon's house and behind,
4 no, not behind, Mr. Park house next to him. He
5 built the house behind Mr. Park. And since then
6 the water is coming down from behind Mr. Kwon and
7 going towards our wall. And the mud is coming, the
8 water is coming, and you get flooded in the
9 basement.

10 We live there for nine years, and we didn't
11 have this much problems. So finally we decide to
12 dig and find out. I mean we had to take care of it
13 somehow. We can't live like this anymore. We had
14 to do this in July.

15 CHAIRMAN FEHRE: The water comes from
16 your house out of that sump pump drain. When it
17 goes on Sixth Street, which way does it go?
18 Towards Fort Lee?

19 MS. CHOI: Toward Fort Lee most of
20 the time. Most of it.

21 CHAIRMAN FEHRE: It goes --

22 MS. CHOI: Toward Fort Lee south.

23 CHAIRMAN FEHRE: At some point the
24 water goes the other way.

25 MS. CHOI: Yes.

1 CHAIRMAN FEHRE: It goes to Bayview.
2 It goes north.

3 MS. CHOI: Yes.

4 CHAIRMAN FEHRE: Where is that high
5 point in the street, do you know?

6 MS. CHOI: Highest point of the
7 street in Sixth Street?

8 CHAIRMAN FEHRE: The water on Sixth
9 Street, some of it goes south and some of it goes
10 north.

11 MR. KWON: I think my house.

12 CHAIRMAN FEHRE: Your house is which
13 one?

14 MR. KWON: No. 11.

15 CHAIRMAN FEHRE: From your house it
16 goes which way?

17 MR. KWON: It goes north.

18 CHAIRMAN FEHRE: The house next to
19 you it goes?

20 MR. KWON: It goes south.

21 CHAIRMAN FEHRE: So it is like this.
22 This is the high spot?

23 MR. KATES: That construction shown
24 on drawing O-2 is next to you. That's Mr. Kwon's
25 lot?

1 MS. CHOI: This is Mr. Kwon. This is
2 my house.

3 MR. KATES: What does that picture
4 show?

5 MS. CHOI: This my side. The water
6 is coming, hitting the house right here. The water
7 is coming this way towards the Sixth. This is
8 Fifth Street. This is Sixth Street. It is coming
9 down, and we have flooding.

10 MR. KATES: What does that picture
11 show?

12 MS. CHOI: We took -- we had to take
13 out all the stone from the sidewalk, and then we
14 had to do everything. We had to dug in. I don't
15 know what is showing. Well, we have to fix
16 everything. We had to dug in. We had to make sure
17 that it is okay. We don't get flooding hopefully
18 not anymore, but we don't know if it is going to
19 flood.

20 MR. KATES: Let's look at 0-3.

21 MS. CHOI: Okay. That was before we
22 do the construction. As you can see, over here is
23 stained but it is all water was coming down this
24 way and the mud, too.

25 MR. KATES: Does the photograph show

1 the water or no?

2 MS. CHOI: No, because it is a dry
3 day but there is some stains and discoloration.

4 MR. KATES: And 0-4.

5 MS. CHOI: 0-4 is the same picture
6 from 0-2. This is where --

7 MR. KATES: Construction.

8 MS. CHOI: -- they dug and they tried
9 to fix it, and this is before we did.

10 MR. KATES: 0-5.

11 MS. CHOI: We did 0-5 before we did
12 construction. Same as 0-3. And 0-6, this is where
13 we showing the mud coming down. It is not coming
14 at this moment, but when there is a rain, even
15 after rain, we get water seeping out from here and
16 the mud coming down.

17 So this is why my husband -- you see over
18 here -- you are not going to see but he dug the
19 ground so all the water will just flow down this
20 way not towards my house.

21 MR. SEKAS: A trench.

22 MS. CHOI: Yes, this is what we did.

23 MR. KATES: It wasn't this condition
24 until Mr. Zimatore built the house?

25 MS. CHOI: No. Like I said, sump

1 pump works during the fall to spring, but not in
2 summertime, not like this.

3 CHAIRMAN FEHRE: Okay.

4 MR. SEKAS: I have no questions.

5 MS. CHOI: My concern is he just
6 built one house two houses behind our house. When
7 he tries to build two more houses, I wonder what is
8 going to happen to my house, to my neighborhood.
9 We just fixed our sidewalk. And if it start, if I
10 start to have a problem, do I fix it again? Why
11 DPW come? Are they going to come and fix it? I
12 don't know.

13 CHAIRMAN FEHRE: It seems to me like
14 Fifth Street is higher than Sixth Street, and the
15 water is going to come to your house down towards
16 Sixth Street no matter what happens.

17 MS. CHOI: I understand. But, like I
18 said, when he built first house, we did start to
19 get. So I am saying if he tried building other two
20 houses, I don't know what is going to happen. I am
21 very concerned. I am very worried. That's why I
22 came.

23 I'm not objecting about getting both houses
24 on Fifth. It is more just have the right sewer
25 system and the drainage system. Then we are okay.

1 CHAIRMAN FEHRE: It seems to me the
2 answer is going to be to put a storm drain on Fifth
3 Street and maybe even you need one on Sixth Street,
4 too.

5 MS. CHOI: But when is it going to
6 happen? Meanwhile, what are we going to do?

7 CHAIRMAN FEHRE: Put a seepage pit.

8 MS. CHOI: How can we do a study?
9 How can we do the investigation? We are just
10 residents there, but we do have the proof from me,
11 from our neighbor, that we have seen the backyard
12 is getting flooded. My house is getting damaged.
13 Doesn't it prove enough?

14 And the other thing is that I know that
15 we're not talking about the drainage system. We
16 are talking about the height. And I object to
17 that. I don't like it. Because when you come to
18 Sixth Street, the height of the house is all the
19 same. When you build the house three story, it
20 look like a monster sitting behind that. I don't
21 like it. Would you like to have a house behind
22 your house sitting very high and looking down at
23 you? No, I don't want that. I know it's not
24 behind my back, behind my house, it is my
25 neighbor's, but I doubt they love it. I don't

1 think they want to live in a house like that. So I
2 object. And, like I said, I'm here because I am
3 very, very concerned that, you know, there is going
4 to be more problem.

5 CHAIRMAN FEHRE: Okay. Thank you.

6 MS. CHOI: You are going to keep that
7 pictures?

8 MR. KATES: We're going to keep your
9 photos.

10 CHAIRMAN FEHRE: Anybody else?

11 MR. KATES: Mr. Zimatore, is there a
12 retaining wall on the house that you constructed?

13 MR. ZIMATORE: No.

14 MR. KATES: It's not that kind of a
15 slope?

16 MR. ZIMATORE: No. Mr. Chairman,
17 board members, the natural topography of the
18 property on Fifth Street that comes down, I think a
19 32-foot house would look very large also looking
20 up. And the problem these nice people have, they
21 have beautiful families, beautiful houses, they
22 have an incline driveway, a steep incline driveway
23 going in. Mr. Kwon, the next-door neighbor, gets
24 no water because his driveway slopes down. This is
25 exactly what I am trying to circumvent. I don't

1 want a situation where the driveway slopes down
2 like these nice people.

3 I wish I could have recorded that sump pump
4 before I built the house. It was a very unusually
5 active sump pump. I'm not saying anything else of
6 what that nice woman just testified of water from
7 other areas, but that pump was constant. I never
8 took notice of the season or whatever because I did
9 some renovations to the home directly next door.
10 It's an incredibly active pump. What her problem
11 is, what their problem is is exactly why I am here
12 tonight to circumvent the driveway going into the
13 home.

14 CHAIRMAN FEHRE: Anybody else? Could
15 I have a motion to close the meeting?

16 MR. KATES: The public portion of the
17 meeting.

18 MR. YUEN: John Yuen, Y-U-E-N, 12
19 Sixth Street, across from 11 and across from 13.

20 MR. KATES: I am going to ask you to
21 identify your property on the map.

22 MR. SEKAS: Are you even on the map?

23 MR. YUEN: I did receive the
24 certified letter.

25 MR. SEKAS: Of course. You have

1 every right to be here even if you didn't get the
2 letter. Where is your house here on the map?

3 MS. SCANCARELLA: Probably partially.

4 MR. YUEN: I am Block 203, Lot 6. So
5 this is Lot 6.

6 MR. SEKAS: Thank you, sir. I am
7 trying to identify your house.

8 MR. YUEN: Of course. Thank you for
9 handing me that map.

10 MR. SEKAS: Sure.

11 MR. YUEN: Mr. Chairman, members of
12 the board, attorneys and my fellow professionals
13 and especially Carl. Carl is a friend of mine and
14 I believe in making money. I strongly believe in
15 that. I have one comment, you know, which is I
16 live on Sixth Street since 1999. The houses on
17 Sixth Street, just to draw a picture, a scenery of
18 how things look, I am talking about new houses that
19 were built after I had moved in. They all conform
20 to the height limitation, especially No. 28 and
21 No. 24A. No. 24A, even though it is even number,
22 it is actually on your side of the street and they
23 all deal with no inverted garages. It is above
24 ground. It is two and a half stories, and they
25 have regular lot size, 50 by 100.

1 I believe that the architect can design a
2 house that would conform to the height. I love
3 beautiful houses and I love beautiful houses around
4 our neighborhood, which is good, but I object to
5 the height limitation or the height variance, I
6 should say. And I would like to Carl to adhere to
7 the building code because we have all followed the
8 building code.

9 The reason I say that is because that I had
10 helped develop in town, you know, building houses,
11 working with different architects in town and in
12 Fort Lee, you know, to design houses that will,
13 that always will conform to the code book. I even
14 have a code book myself.

15 CHAIRMAN FEHRE: You are saying the
16 driveways are not going down?

17 MR. YUEN: No, they are not inverted.
18 They are regular street --

19 CHAIRMAN FEHRE: I know where I live
20 on Irving Avenue we have so many driveways that
21 some of them go down really quite far.

22 MR. YUEN: Oh, sure. I mean there
23 are houses on Sixth Street, I'm sorry for
24 interruption, Mr. Chairman, there are houses on
25 Sixth Street, new houses that have inverted

1 driveways, and they do have problems and I seen too
2 many of them. But in two particular houses that I
3 saw, and they are beautiful design houses, I
4 believe one was built by Russell Luppino and the
5 other one built by Frank, I don't recall his last
6 name. They were developer house. They were not
7 homeowner built house, but it could be done. I'm
8 an engineer myself.

9 CHAIRMAN FEHRE: What happens to the
10 roof? Now you have a flat roof?

11 MR. YUEN: No, they have regular
12 roofs. They don't have flat roofs.

13 MR. SEKAS: Two and a half story
14 without going down?

15 CHAIRMAN FEHRE: You have a
16 seven-and-a-half-foot ceiling in your house instead
17 of an eight-foot ceiling?

18 MR. YUEN: No.

19 CHAIRMAN FEHRE: Someplace has to --

20 MR. SEKAS: Can't have a
21 two-and-a-half-story without going underneath.

22 MR. YUEN: They have the garage on
23 the first story. So, you know, two and a half
24 stories. The basement is half submerged into the
25 ground. Don't get me wrong, it cannot be done

1 physically, but I just want to point that out as a
2 comment.

3 MR. SEKAS: Thank you.

4 MR. YUEN: I have nothing further.

5 CHAIRMAN FEHRE: Anybody else wish to
6 be heard?

7 MR. KATES: The public should
8 understand Mr. Sekas has asked the board to
9 postpone a vote tonight and brought a court
10 reporter to the meeting to transcribe the testimony
11 so that absent members will have the opportunity to
12 read the transcript to be able to qualify to vote
13 at our next meeting. So there is not a vote
14 tonight on the merits, and this is being carried to
15 our next meeting, which is September 12th, at which
16 time we will continue for the purpose I believe of
17 just voting.

18 MR. SEKAS: Or discussion.

19 MR. KATES: Or discussion and voting.

20 MR. ZIMATORE: Mr. Chairman, there
21 will be no further testimony?

22 MR. SEKAS: No.

23 MR. KATES: You mean next month? I
24 don't believe so unless you reopen.

25 MR. SEKAS: No, we're not reopening.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. KATES: Okay.

MR. SEKAS: Thank you very much.

Thank you, everyone, for your comments. We appreciate your thoughts. Thank you. Thank you, members of the board. Enjoy the rest of the summer. Have a good night.

* * *

1

2

3

4

I, MARY BAUMANN, License Number XI01271, a
Certified Court 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.

10

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.

17

18

19

20

A Notary of the State of New Jersey

22

Notary No. 3782

23

My Commission Expires 3/7/14

24

25

<p>A</p> <p>A-1 3:20 8:6,10,11 10:6,15,21 11:1,7 11:24 53:17</p> <p>A-2 3:21 10:6,8,16 10:18,23,24 11:18 12:12 19:4,5,6 27:11</p> <p>A-3 10:18 12:13,18 13:3</p> <p>able 15:2 18:20 38:18 45:5 67:10 72:23 109:12</p> <p>Abrahamsen 1:19 4:7</p> <p>absent 109:11</p> <p>absolutely 17:20 26:8,17 45:7,8 50:15 51:7 87:11 89:20</p> <p>absorb 51:8</p> <p>accent 12:20</p> <p>accepted 7:8 41:15</p> <p>access 47:17 48:5</p> <p>accommodate 33:21 34:16 40:6</p> <p>accomplished 14:5</p> <p>accurate 111:7</p> <p>action 111:12,16</p> <p>active 105:5,10</p> <p>activities 33:21</p> <p>actual 20:10 55:13</p> <p>add 52:17</p> <p>added 18:12</p> <p>addition 40:8,13 80:3 90:18</p> <p>additional 26:15 40:6 42:12 48:20 51:1,9,9 55:5 73:7</p> <p>address 4:3 19:12 19:13 30:13 47:7 47:8 52:3 58:16 58:24 61:18 64:10 66:10,12 75:19 77:8 79:20 84:21</p> <p>addressed 75:8,22 92:4</p> <p>adequate 47:24</p> <p>adhere 107:6</p>	<p>adjacent 13:15 31:24 33:23 35:9 35:12</p> <p>adjoining 13:9</p> <p>adjustment 4:15 88:21</p> <p>admire 86:10</p> <p>admit 41:12</p> <p>adopt 76:23,25</p> <p>advantage 78:7</p> <p>advise 74:8,22 79:4</p> <p>afraid 73:11</p> <p>aggregate 34:5 39:6</p> <p>ago 6:24,25 30:18 55:24 56:19 64:21 73:16 80:23</p> <p>agree 49:19 86:18 87:10</p> <p>agreed 88:24</p> <p>agrees 51:14</p> <p>ahead 94:22</p> <p>air 29:17</p> <p>alert 74:7</p> <p>alleviate 88:4</p> <p>allow 70:21</p> <p>allowed 15:23 16:1 21:2 32:23 39:4</p> <p>allows 71:12</p> <p>alternative 37:3</p> <p>amount 4:17 25:4 70:20 71:16</p> <p>and/or 48:20</p> <p>angle 50:21</p> <p>angled 51:24</p> <p>angles 50:23</p> <p>Anita 56:2</p> <p>answer 41:13 42:5 42:6 73:1 76:17 86:16,17 103:2</p> <p>anybody 29:9 41:5 55:20 87:18 94:15 104:10 105:14 109:5</p> <p>anymore 98:13 100:18</p> <p>apologize 66:15</p> <p>appear 67:16</p> <p>appearance 35:17</p>	<p>39:23</p> <p>appeared 6:21 30:16</p> <p>appearing 4:8</p> <p>appears 13:2 54:22 55:14</p> <p>appellate 49:4</p> <p>applicant 1:20 4:22 35:18 48:21 73:3 75:19 77:6</p> <p>applicant's 69:10</p> <p>application 1:5,8 4:11,20 5:1,17 6:2 7:23 30:20 34:11 38:1 39:12 40:18 41:10 57:8 72:7 77:2 87:24 90:2</p> <p>applications 4:2 5:15 6:3 39:15 75:14,21</p> <p>appreciate 110:4</p> <p>approach 80:5</p> <p>appropriate 34:15 34:22</p> <p>appropriately 75:9</p> <p>approval 4:13 12:7 77:4</p> <p>approve 72:6 76:1 76:2 84:4</p> <p>approved 12:2 75:22</p> <p>approximately 8:18 31:3</p> <p>April 10:24 19:10</p> <p>aqueducts 50:9</p> <p>architect 4:17 5:21 5:25 6:20 23:22 28:13 42:4 53:12 53:16 73:3 95:4 107:1</p> <p>architects 107:11</p> <p>Architectural 3:20 3:21</p> <p>area 9:23 11:16,17 13:14,25 14:22 17:8 21:5,21 22:16 24:25 31:19 31:23 33:18 35:19 35:22 46:13 53:25</p>	<p>54:2,3,21 71:12 72:9 76:12 88:3</p> <p>areas 40:23 81:12 105:7</p> <p>argue 90:4</p> <p>asked 30:23 34:14 64:16 75:23 76:1 76:2 84:3 97:17 109:8</p> <p>askew 56:24</p> <p>asking 28:7 32:20 32:24 63:11 73:17 87:15</p> <p>aspects 34:10</p> <p>assess 49:18 90:18</p> <p>assessment 51:6 90:18</p> <p>assessments 49:17</p> <p>assume 10:6</p> <p>attempt 33:6</p> <p>attic 15:15 29:18 29:19</p> <p>attorney 111:10,14</p> <p>attorneys 106:12</p> <p>audience 6:7 59:25</p> <p>August 1:2 8:9 18:19 19:10 53:19</p> <p>available 24:9</p> <p>Avenue 30:14 37:12 50:14 52:16 74:6 89:22,23 92:10,11 107:20</p> <p>average 16:12,13 35:11 40:25</p> <p>avoid 13:20 21:14 25:19 82:12</p> <p>aware 25:17 52:13</p> <p>awful 24:19</p> <hr/> <p>B</p> <p>B 1:11,18 3:16</p> <p>B-1 19:3</p> <p>back 9:22 17:6 21:4 32:5 36:22,24 42:9 46:13 47:25 50:8,14 53:11 56:24 74:5 76:25 77:8 87:24 91:15 93:14 96:23</p>	<p>103:24</p> <p>Backed 60:15</p> <p>backups 74:17</p> <p>backyard 50:19 56:6,10 64:22 65:2 70:22 86:10 88:11 90:25 103:11</p> <p>bar 9:21</p> <p>bare 28:8</p> <p>base 34:24 75:5</p> <p>based 4:22 16:12 41:4 53:20</p> <p>basement 25:18 26:6,7,11 27:1,16 27:17,18 76:18 80:8 82:7,10 89:8 98:9 108:24</p> <p>basic 39:11 80:2</p> <p>basically 9:8,19 10:3,15 11:6 12:19,22 13:1 14:8,10 25:10,25 28:19 56:10 61:19 61:21 62:1,1,4,10 62:11,12,13,16,19 62:19 63:1,2 64:6 90:14</p> <p>basis 21:8,9</p> <p>bath 9:21 20:5</p> <p>bathroom 10:1</p> <p>bathrooms 10:2,4 20:4</p> <p>BAUMANN 1:22 111:4</p> <p>Bayview 50:14 70:16 89:22,23 91:3 99:1</p> <p>beautiful 59:7 104:21,21 107:3,3 108:3</p> <p>bedroom 9:25</p> <p>bedrooms 9:24 10:1,4 20:3 29:24</p> <p>beg 71:24</p> <p>behalf 4:8</p> <p>believe 17:18 22:7 34:22 39:7,12 40:8,11,15 41:14</p>
---	--	---	--	---

96:13,15,19 106:14,14 107:1 108:4 109:16,24 beneficial 89:9 Bergen 1:1 6:16 7:6 31:3 40:20 BERNARD 76:16 Bernie 2:3 18:16 47:9 76:14 Bernie's 48:19 better 33:4 38:9 beyond 91:12 big 49:12 60:14,24 63:22 81:5 91:4 bigger 26:21,22 bit 16:4 26:24 44:15 56:25 94:10 blacktop 48:17 blasting 14:1,2 21:17 block 1:7,9 66:11 80:25 106:4 blowing 28:5 blue 69:9 board 1:11,18 2:3,4 4:6,15 6:22 7:16 8:13 9:4,5 11:4 12:16 13:6 17:22 23:19 25:5,7 30:17 31:17 35:19 36:5 39:15 47:11 48:19 53:6 58:14 61:10 68:1 72:5 73:5,17 75:13,24 77:4 80:22 83:16 83:24 84:12,13 85:1 86:22,23 88:1,20 104:17 106:12 109:8 110:5 board's 6:7 40:11 boards 7:4,6 body 49:17 book 107:13,14 border 35:24 borderline 44:2 borough 1:2 41:16 47:12 48:21 Boswell 18:16,22	22:20 48:21 Boswell's 31:22 bother 59:22 bought 56:11 60:24 bounds 55:15 boys 88:25 branch 81:4 break 93:5 brick 12:19 20:10 bring 41:17,18 43:14 49:9 brings 25:5 broad 41:1 broke 59:12 brought 42:16,25 43:7,7,21 52:2 109:9 bucket 81:1 83:12 build 37:8 40:4 41:10 61:15 71:14 72:12 78:2 86:21 87:1,6 91:6 102:7 103:19 building 7:24 8:1 11:14 15:12,22 16:15 17:5 20:23 26:21,22 28:10 39:18 46:17 47:6 49:6,24 50:1 54:17,18 57:14 63:14 64:13 73:8 75:4,21 77:5,9 78:4 85:25 87:1 88:25 102:19 107:7,8,10 buildings 39:23 builds 86:20 built 13:15 14:9 23:14 29:9 36:10 47:5 49:3 58:7,12 59:7,9 60:10 64:18,23 65:4,8 66:22 67:13 68:12 70:14,18,19,19 71:11 82:20 86:13 90:17 97:21 98:5 101:24 102:6,18 105:4 106:19 108:4,5,7	business 30:13 56:4 <hr/> C <hr/> C 1:16 C-H-I-E-N 69:24 C-H-I-N 69:23 C.C.R 1:22 Cafe 48:3 calculated 49:18 95:7 calculating 54:16 calculation 16:12 22:14 45:8 calculations 22:15 51:13 75:15,15,17 84:19 85:17 86:11 call 48:12 57:23 74:19 camera 83:3,4,6 cancer 59:5 cap 41:8 capacity 24:20 capture 22:6 car 37:2,18,24 care 73:6,19 78:3 79:6 87:25 98:12 Carl 1:6 3:8 4:8 23:1,4 47:16 58:7 59:9 61:21 78:18 106:13,13 107:6 carried 109:14 cartway 49:10 case 34:12,15 35:1 35:3 39:8,11 81:4 89:3 96:21 111:15 cases 78:9 CATHY 2:4 cause 82:2 caused 73:8 89:10 causing 87:9 ceiling 108:16,17 center 9:18 18:3 29:20 Central 57:23 certain 75:1 91:24 certainly 31:20 32:20 35:8,10,11 39:17 41:19,24,25 46:10 76:20 84:12	84:22 85:14 certified 1:23 105:24 111:5 certify 111:6,10 chairman 1:13 4:1 4:6 6:5 7:11 14:25 17:24 18:6 18:9,12 21:25 22:10,22 25:7,13 26:18 27:5,24 28:10,14,17 29:1 29:5,16 30:2,5,20 31:4 35:20,22,25 36:6,9,14,17,21 36:25 37:6,11,20 37:23 38:15,21 39:3 40:19,22 41:5,9 42:2 43:1,5 43:13,24 44:3,7 44:14,23 45:2,5 45:12,16,21 46:14 47:1,9 49:22 50:12,17,24 51:12 51:17,20 52:7,9 52:25 53:2,6,7,10 55:7,10,18,23 56:3,8,13,16,19 57:16,20 58:5,9 61:17 62:24 66:7 67:12,24 68:18,21 69:4 70:13,23 71:1,6 72:18,22 73:20,22 75:23 76:6,10,17 77:10 77:17,19 82:13,16 82:19,23 83:14,21 84:2,10,15 85:1,4 85:7 87:18 89:12 89:21 90:2 91:19 91:23 92:5,8 93:12,14,17 94:15 94:22 98:15,21,23 99:1,4,8,12,15,18 99:21 102:3,13 103:1,7 104:5,10 104:16 105:14 106:11 107:15,19 107:24 108:9,15 108:19 109:5,20	Chairperson 67:8 chance 63:11 64:4 72:25 change 20:10 46:23 86:16 changed 36:18,19 36:20,21 changes 81:10 character 40:2,7 chief 47:23 52:13 52:14 Chien 64:9,9,11 65:5 66:1,4,9,12 66:15,18,23 67:1 67:5,14 68:7,11 68:20 69:14,18,23 69:24 70:4,17,25 71:5,8,24 72:2,4 73:2 81:11 Chien's 75:11 child 56:2 Choi 94:17,17,23 95:12,15,19,22 96:1,4,13,15,18 97:1,3,8,11,13,21 97:25 98:19,22,25 99:3,6 100:1,5,12 100:21 101:2,5,8 101:11,22,25 102:5,17 103:5,8 104:6 chop 24:21 Cioffi 92:9,9,22 93:1,7,16,22,24 94:3,3,9,14 circled 68:8 circumvent 104:25 105:12 City 49:5 classic 36:2 38:5 cleaned 79:7 clear 11:5 clearance 38:9 client 84:22 cliffs 1:2,11 23:5,9 24:13 25:2,17 33:1 34:21 35:24 58:3,13,14 59:8 61:9 64:12 74:10
--	---	--	---	--

76:23 89:24 97:4 close 105:15 closed 81:5 closer 25:2 71:15 closet 10:1 cloth 45:25 clubs 65:11 CO'd 79:24 code 28:11,15,19 107:7,8,13,14 color 20:10 72:20 coloration 67:23 colors 20:16 92:2 columns 12:25 combination 48:11 come 6:11 22:7 58:15 59:14 60:16 60:20 61:13,13,14 61:20 62:9 67:21 83:3 90:24 94:1,2 95:10 102:11,11 102:15 103:17 comes 51:15 64:24 77:2 86:22 98:15 104:18 comfortable 83:2,8 coming 14:16 43:17 43:19 44:7,8 60:11,12,12,17,22 62:8,14 63:7 65:20 70:23,25 71:14,18 79:25 86:7 94:12 95:8 98:6,7,8 100:6,7,8 100:23 101:13,13 101:16 Commencing 1:3 comment 22:12 47:10 53:21 73:21 74:7 75:10 106:15 109:2 comments 15:3 21:24 42:1 47:12 48:19 53:8,13 73:25 75:16,20 77:8 87:21 110:3 commercial 32:5,9 35:9 39:20 88:10 Commission	111:23 common 10:2,3 33:25 communications 4:23 communities 41:1 41:2 company 83:3 comparable 35:7 35:15,18 39:18 compared 33:10 73:16 complaint 83:20 complement 40:9 complete 41:13,24 completely 40:2 45:17 complies 32:15 comply 17:1,3 18:20 22:19 84:17 84:20 complying 18:23 compression 48:16 concern 62:6,7 71:9,9 94:24 102:5 concerned 24:5 61:23 85:15,24 95:3,9 102:21 104:3 concerning 14:4 concerns 64:6 condition 12:7 13:18 14:5 19:15 22:8 34:23 39:16 48:9 55:3 79:19 101:23 conditioning 29:18 conditions 40:17 conducive 24:13 conducted 71:22,25 confident 51:18 confirm 68:9 conform 106:19 107:2,13 conforming 5:23 14:7 38:6 conforms 14:8 21:3 confusing 80:16	consideration 34:13 40:12 considered 22:13 28:21 52:1 considering 27:15 consists 9:24 constant 105:7 constantly 78:10 construct 33:1 constructed 34:20 38:18 72:17 79:10 87:9 104:12 constructing 21:9 86:24 construction 4:12 4:12 6:9 12:1 15:8 19:24 37:16 51:21 52:1 59:21 60:8 63:6 74:24 74:25 75:1,5,6,7,8 96:5,8,22 98:1 99:23 100:22 101:7,12 continuation 55:6 continue 93:6 109:16 continuously 14:24 contractor 23:16 23:18 control 76:22 controls 79:11 conversation 27:12 52:20 conversations 52:13 coordinates 55:15 copy 68:25 correct 10:17 11:2 11:12 12:2,3,15 17:7,17 21:7 22:21 27:21 32:17 34:8 39:5,22 45:20 65:5 66:9 66:23 67:5 72:8 78:8,15 90:1 92:11,19 93:2 correctly 70:11 72:13 correlated 38:4	corresponding 33:23 corridor 35:9 cost 90:16 costs 49:13 council 88:14 90:10 92:6 counsel 1:18,20 111:11,14 Counties 7:7 countryside 59:17 County 1:1 31:3,8 40:20 couple 18:12 29:6 56:23 course 75:1 81:6 85:14 105:25 106:8 court 1:23 49:4 109:9 111:5 Coventry 34:11,14 39:11 coverage 4:21,24 7:24 8:1 11:14 17:5 47:25 54:17 54:18 crawl 73:11,14 crawled 30:3 crazy 24:10 62:21 create 13:24 14:23 21:19 39:13 87:5 created 13:20 critical 34:14 CROSS 3:3 crossing 88:9 curb 16:1,9,18,18 17:25,25 18:5,13 21:1 36:24 43:8 65:19,19 94:5 curbs 49:13 88:6 88:15 currently 8:19 32:10 cut 65:17	damage 72:9 87:9 damaged 103:12 DANIEL 1:13 date 8:7,8 10:13,23 10:24 11:1 19:7,8 19:9,10 68:24 111:8 dated 53:19 David 61:18 day 39:22 60:16 65:20,21 87:25 96:20 101:3 days 50:8 de 56:25 dead-ends 50:14 deal 14:24 50:7 63:22 88:1 106:23 debris 44:21 decent 37:9 decide 75:24 83:24 90:11 98:11 decided 51:19 decides 49:17 decision 49:4,21 61:11 90:9,13 deck 4:25 7:21 11:7 11:9,20,23 12:1 12:14 13:2 17:6 20:19,21 21:5 decorative 12:24 deep 65:6 definition 26:19 degree 80:12 Demetrios 3:5 5:4 6:12,15 department 47:12 47:13 74:14,18 75:5 77:5,7 deposition 111:13 depressed 33:2 46:24 depth 9:12 describe 8:13 12:16 13:5 15:8 19:15 23:19 97:2 DESCRIPTION 3:18 design 5:21 20:13 20:15 23:22 32:25
			D	
			D 3:1 4:18 d(6) 34:12 dam 60:21,22	

34:25 35:16 55:5
107:1,12 108:3
designate 9:6
designed 28:20
51:11
designer 51:5
destination 44:12
detached 65:7,10
detailed 79:1
determined 17:25
develop 89:16
90:15 107:10
developed 5:24
40:2 49:23
developer 108:6
developing 88:14
development 31:24
35:8,9,16 40:10
49:13
difference 7:17,20
7:20 20:11,12
26:25 39:17
different 20:23
21:6 62:18 81:12
92:1 107:11
differentiate 20:17
difficult 29:21
dig 37:5 77:11 80:9
84:7 98:12
digging 78:14
dimension 15:21
33:9 38:17,18
dimensions 8:15
dining 9:20
DIRECT 3:3 7:14
23:7 31:16
direction 44:4
94:11
directly 13:15
47:21 67:3 80:20
105:9
dirt 92:15
discoloration 101:3
discuss 14:18 47:23
discussion 109:18
109:19
discussions 4:22
dispensation 32:21
dissipates 46:3,12

distance 34:1
district 14:8
disturb 77:23,25
78:2,4 80:5 84:6
87:12
disturbance 13:8
13:12,20,22,24
21:14 24:4
disturbed 51:21
disturbing 77:14
doing 9:7 40:22
42:2 80:1 82:24
84:22 96:21 98:1
DOOLY 1:13 16:6
78:17,22 96:16
door 22:6,9 105:9
double 12:21
doubt 103:25
downhill 50:13
51:22 91:11,12
93:18
downpour 46:10
downslope 81:14
downstream 81:7
dozen 36:8
DPW 74:14,18,18
83:19,22 84:16
85:1 96:17 102:11
drain 22:5,9 45:21
45:22 50:2 60:12
60:13,14,15 61:5
80:10 89:13,14,19
89:23 90:7,8,12
90:20,22 91:5,7
98:16 103:2
drainage 65:15
75:24 76:12,20
84:11 85:24 88:1
89:25 102:25
103:15
draining 91:17
drains 88:6,7 93:20
93:23,25
dramatically 70:21
73:16
draw 106:17
drawing 3:20,21
7:18,19 8:10,11
10:11 11:4 13:3

17:4,22 19:3
65:24 99:24
drawings 5:5 7:16
12:1,4,9,11
driveway 21:25
22:13 24:10,18,19
25:21,24 26:4
33:3 36:6 46:21
46:24 51:16 81:14
89:8 104:22,22,24
105:1,12
driveways 37:14
107:16,20 108:1
driving 28:4
drop 44:21 80:15
80:21
dry 30:23 97:16
101:2
ductwork 29:22
dug 100:14,16
101:8,18
dump 48:14
dwelling 33:2 38:2
dwellings 33:24
34:6 35:12,13
36:4
dyes 91:25
dynamic 20:19
dynamite 77:11

E

E 1:11,11,16,16 2:1
2:1 3:1,16
earth 46:3 84:7
easel 53:17
easement 38:16
42:3,10
east 8:16 32:3 34:7
56:7 92:25 93:2
easterly 50:21
eats 48:14
ecofriendly 80:4
EDWIN 1:13
effect 40:16 76:10
76:12 85:13
effects 81:8
eight 7:7 8:21 26:1
33:10,10 38:22
82:22

eight-foot 108:17
eight-inch 82:14,15
Eighteen 38:23
either 73:3
electric 42:22 43:8
element 5:21
elements 20:14
elevation 11:22
16:20 18:4,5
27:25 36:24 78:12
elevations 12:13,18
12:19 20:7
Eleven 31:4
eliminate 11:10
26:15 72:8
eliminated 13:3,4
17:4 21:5 26:7
eliminating 4:25
17:15 26:6
ELLIS 1:17
emanates 32:25
emergency 47:13
47:17 48:1,3,6
employed 111:11
111:15
employee 111:14
encased 45:25
encompass 41:10
ends 44:1
engineer 2:3 4:23
54:13 71:10 85:16
91:11 95:4 108:8
engineer's 22:12
41:25
engineering 48:22
83:15,24 86:2
87:7
engineers 50:11
87:8
Englewood 1:2,11
23:5,9 24:13
25:17 33:1 34:21
35:24 58:3,13,14
59:8 61:9 64:12
74:9 76:23 97:4
Enjoy 110:5
enter 44:17,18 48:2
48:3
entering 48:1

entire 19:17
entrance 47:14
entry 12:24
environment 33:4
environmentally
72:9
equipment 83:25
erosion 41:24 75:2
especially 29:14
106:13,20
ESQ 1:18,20
essentially 27:3
33:20 34:24
establishments
32:7,8
Eun 94:17
evening 4:2,5,11
5:3
eventually 9:16
50:3 89:16 90:5
90:20
everybody 58:3
61:8 64:3 81:7
87:4 95:6
evidence 5:9 41:23
exactly 57:11 84:7
86:1,3 104:25
105:11
EXAMINATION
7:14 23:7 31:16
excavate 21:21
excavated 14:23
82:7,9
exceeds 4:16
exception 14:10
excess 33:13 34:18
39:13
excessive 81:15
excuse 14:25 35:4
59:23
exhibit 8:5 68:1,23
EXHIBITS 3:18
existing 18:7 42:11
45:1 54:23,24
55:1 73:5 78:18
83:5 85:3
expected 85:4
experience 14:3
41:4 47:16

experienced 13:18
expert 7:8,10
Expires 111:23
explain 7:17 11:3
 16:10 64:17
extent 39:9 54:24
extreme 41:4

F

F 1:11 30:11
fabric 79:16
facade 36:3
facades 34:2
facilities 84:3
facility 34:19
facing 23:21 56:6
 56:12 81:11
fact 12:2 32:20
 33:13 34:17,21
 77:10 79:2
factor 37:25 48:16
factual 21:8
fair 49:15
fall 97:14 102:1
familiar 13:14,19
 23:11
families 104:21
family 9:13 27:8
 33:2 34:20 92:10
far 21:4,8 24:10,12
 24:20 29:19 43:24
 44:4 45:16 48:1
 50:9 63:17 75:10
 82:23 83:13 85:14
 89:12 107:21
FARHI 1:17
fashion 5:25
fault 49:7
favor 57:20
favorably 75:13
feel 39:9,10 57:1
 81:8 83:2,8
feeling 80:13 87:12
 87:13
feet 8:18,19,21,22
 8:23 9:12,12
 15:23,24 16:1,9
 21:1,2,21,22 26:2
 32:21,23 33:9,14

33:15 34:2,3,14
 36:1,11,15 38:8,8
 38:10,13 39:13,17
 40:25 41:2,3 44:6
 45:10,13,15 47:19
 47:22 54:2,3,4,8
 54:10,15,16 56:23
 62:2,2 71:12,15
 76:8 77:13 80:9
FEHRE 1:13 4:1
 6:5 7:11 14:25
 17:24 18:6,9,12
 21:25 22:10,22
 25:13 26:18 27:5
 27:24 28:10,14
 29:1,5 30:2,5,20
 31:4 35:20,22,25
 36:6,14,17,21,25
 37:6,11,20,23
 38:15,21 39:3
 40:19,22 41:5
 42:2 43:1,5,24
 44:3,7,14,23 45:2
 45:5,12,16,21
 46:14 47:1 49:22
 50:12,17,24 51:12
 51:20 52:7,25
 53:2,7 55:7,10,18
 55:23 56:3,8,13
 56:16,19 57:16,20
 58:5,9 61:17
 62:24 66:7 67:12
 67:24 68:18,21
 70:13,23 71:1,6
 72:18 73:20 75:23
 76:6,10 77:10,17
 77:19 82:13,16,19
 82:23 83:14,21
 84:2,10,15 85:4,7
 87:18 89:12,21
 90:2 91:19,23
 92:8 93:12,14,17
 94:15,22 98:15,21
 98:23 99:1,4,8,12
 99:15,18,21 102:3
 102:13 103:1,7
 104:5,10 105:14
 107:15,19 108:9
 108:15,19 109:5

fellow 106:12
felt 47:24 48:15
 82:2
fence 52:2
Fifth 1:6,9 3:20,21
 4:2,3,3,9,10 8:17
 8:25 9:1,4 19:13
 19:14,20 22:3,8
 23:12,21 40:1
 44:3 48:22 49:22
 50:2,13,22 55:9
 59:12 60:8,21
 64:13 66:24 74:5
 79:10 82:6 83:4
 88:6,15 89:13,15
 90:8,14,21 91:5
 91:16 92:13,16,18
 95:1 100:8 102:14
 102:24 103:2
 104:18
figure 66:2
figured 86:4
filled 48:12 79:15
fills 46:2
finally 80:24 98:11
financially 111:15
find 80:25 86:14
 93:5 98:12
fine 6:5 72:12
finish 12:20 59:18
finished 60:9
finishes 20:9,16
fire 47:12,19,23
 49:14 52:13,14,15
 52:17,21
first 9:16,18 20:5
 29:12 39:10 82:3
 90:22 94:25 95:16
 96:11 102:18
 108:23
fit 39:24
five 21:22 60:25
 80:23
five-gallon 81:1
fix 82:5 100:15
 101:9 102:10,11
fixed 102:9
flat 26:14 28:20,21
 108:10,12

flood 63:18 65:11
 71:17 100:19
flooded 65:7 98:8
 103:12
flooding 63:20
 80:24 95:3 100:9
 100:17
floor 9:9,17,18,19
 9:21,24 11:22
 12:12 17:8 20:4,4
 20:5,7 73:12
flow 88:16 93:6
 94:6 101:19
flowing 51:22
 92:12 93:8
flows 78:7 92:1,18
 93:17,18 94:4
focused 5:1
follow-up 43:12
 52:10
followed 107:7
foot 8:22 24:23
 33:10,10 43:19
 44:11,20 79:14,15
 80:7
footage 55:13,17
footings 21:19
foregoing 111:6
formation 93:4
Fort 44:3,8 47:23
 48:2 52:16 74:10
 74:11 94:5,10,11
 98:18,19,22
 107:12
forth 18:21 77:8
 111:9
forward 94:1,2
found 24:8 26:5
foundation 5:9
 21:19 31:18
four 9:24 10:3
 17:14,19 20:3
 21:22 24:6 28:3,6
 28:7,20,23 29:9
 33:8 40:6 45:10
 45:12,14 53:23
 60:25 65:10 76:8
 80:7
four-foot 26:2

frame 76:25
Frank 108:5
Franklin 30:14
French 80:10
fresh 71:17
friend 106:13
front 5:20 7:4 9:20
 12:18 16:19,24
 22:6,9 32:6 47:21
 50:25 63:8 87:23
 97:9
fronting 76:4,6
frost 45:15
full 36:3
fully 18:20 24:16
 32:15
fund 48:21
further 15:8 22:18
 33:12,22 35:23
 49:23 52:8 53:2,4
 53:8 72:9,14 73:9
 77:13 87:6 89:10
 93:25 109:4,21
 111:10,13
future 39:15 40:10

G

G 1:20
gabled 12:23
gallon 51:8,18
 79:14
gallons 24:20 45:23
garage 9:10 14:4,6
 14:13,16 20:6
 22:6,9 25:16
 26:10 27:6,7,9,19
 37:3,8,18 59:11
 59:15 60:16 63:21
 65:7,10 89:8
 108:22
garages 106:23
garden 60:24
gas 42:21,22 43:2
 44:21,23,24,25
 45:9
general 40:15
 47:18
generally 14:22
generated 67:18

generous 28:4	101:18 102:8,11	halfway 37:9 44:16	help 78:12 84:23	25:15,22,24 29:9
gentleman 67:2	102:15,20 103:2,5	hall 9:15	91:1,4	32:13 37:9 42:9
getting 80:3 83:12	103:6 104:3,6,8	hallway 10:3	helped 107:10	44:18,19 47:6,6
97:22 102:23	104:23 105:12,20	hand 82:3 97:23	helpful 68:2 77:16	51:1 58:2,6,8,8,8
103:12,12	107:16 108:14,21	handing 106:9	77:20	58:17,19 59:7,9
give 20:11 29:10	golf 65:11	handle 45:6 46:15	helps 76:20	59:10,12 60:8,10
32:21 39:14 40:10	good 4:5 14:22	51:14	hereinbefore 111:8	60:10,15,17,19,19
given 40:18	15:19 21:23 24:21	handling 45:17	high 14:23 25:20	60:20,20,22 61:3
gives 16:14	45:9,11 59:8	73:18 75:12	76:19 78:6 79:15	61:5,12,13,14,15
giving 76:15	107:4 110:6	hang 68:22	89:1,3 99:4,22	61:24,24 62:4,9
go 5:16 11:18 12:8	governing 49:16	happen 61:6 83:13	103:22	62:14 63:2,2,8
16:1 17:21 19:2	grade 15:14 16:12	102:8,20 103:6	higher 35:11 36:1	64:18,23 65:3,8
19:17 29:5,13	16:13,19 18:10	happened 59:9,13	39:21 102:14	66:17,18,21 67:4
44:4,5,13,20	25:17,21,22 26:15	73:14	Highest 99:6	67:12 68:10 70:8
45:10,10 48:6	27:19 33:2 46:22	happening 63:16	hill 74:4 89:2 90:5	70:14,18,19,19
50:4 59:10,16	76:19 80:6 93:16	91:20	91:23 93:15	71:1,11,14 72:12
60:15,23 61:11,12	grading 73:5,18	happens 61:4 73:10	hip 12:23	72:15 76:7,13,18
61:14,16 71:13	75:11	78:1 81:14 83:13	hired 60:23	78:2,3,19 79:1,9
72:14 73:12 74:4	grant 34:13	102:16 108:9	hit 86:9,10	80:14 85:25 86:6
78:1,5,10 80:6,13	grass 65:17	happy 64:8	hits 61:2	86:7,13,20 87:7
81:20,23,25 89:22	Grasso 35:3 39:8	harder 24:25	hitting 100:6	87:23 88:23,23
91:3,4 94:9,22	gravel 41:21,22	hardship 26:3	Ho-Chen 64:9	89:1,5,9 95:8,11
98:17 107:21	48:10 52:1 92:15	hay 52:4	hold 60:1	95:19,21,22 97:9
God 24:19 46:23	graveled 49:10	hear 5:12,13 15:5	hole 63:8 77:11	97:12,21 98:2,2,2
90:23	greater 33:16 38:11	42:14	home 13:1 24:6	98:3,4,5,16 99:11
goes 44:14,22 46:12	38:13,19	heard 48:10 73:23	34:20 38:5 42:11	99:12,15,18 100:2
71:18 76:25 77:4	Greek 88:25	74:1 79:1,19	44:10,18 45:1,1	100:6 101:20,24
83:9 98:17,21,24	green 17:6 65:18	87:19 92:12 93:9	49:10 50:23 56:6	102:6,6,8,15,18
99:1,2,9,9,16,17	ground 9:9 14:6,13	94:16 109:6	56:11 62:20 69:7	103:12,18,19,21
99:19,20	18:7 20:7 26:6,23	hearing 73:25	79:24 80:2,14,20	103:22,24 104:1
going 6:9 12:12	36:12 51:21 60:17	96:20	83:5 105:9,13	104:12,19 105:4
15:5 20:17 21:18	76:8 77:13 89:6	heat 29:17	homeowner 79:6	106:2,7 107:2
21:20 22:15 26:2	101:19 106:24	heavy 26:10 29:15	108:7	108:6,7,16
29:17 37:13,14	108:25	64:20,20 92:17	homes 4:13 20:1,3	houses 4:2 34:7
42:17 43:18,25	guess 19:5 53:15	height 4:14 5:2,8	20:11 35:14 36:8	35:25 36:10 38:14
44:17 45:18 46:5	54:20 55:14,16	5:18 13:6,7 14:10	40:9 42:12 44:13	38:24 39:2 50:5
48:25 50:2,8,9,13	62:7,9,10 63:13	15:11,12,20,22,25	47:25 49:24 80:19	60:9 61:25 62:4
50:18 51:22 59:15	guiding 42:1	16:3,4,9,11,15,17	82:12,17,22 87:8	63:14 64:13 66:19
61:6,8 62:2,3,9,12	guy 29:25 62:10	16:21 17:25 20:24	hope 85:5	66:19,20 75:8
62:14 64:1,7	guys 86:11	20:25 21:10 32:21	hopefully 51:8	78:23 86:21,24
68:12 69:19 72:6		33:7,22 34:21	100:17	87:1 88:18 91:6
73:8,9,11,12	H	35:2,6 36:10 38:6	horizontal 29:17	97:6 102:6,7,20
74:24 77:24 78:5	H 3:16	40:23 61:22 64:6	34:1,5	102:23 104:21
81:7 82:16 83:21	H-Y-U-N-G 58:1	76:1 84:4,5 86:23	hoses 29:23	106:16,18 107:3,3
84:7,23 89:16,23	half 9:21 20:5	88:21,24 89:10	hours 65:1	107:10,12,23,24
90:5,6,16,25 91:3	25:18 26:1 27:1	103:16,18 106:20	house 9:11 13:15	107:25 108:2,3
91:7,12,14,18	29:3,4,6 69:13,25	107:2,5,5	14:8,11,19 17:18	Hudson 7:6 35:16
92:16 94:12 95:23	80:7,8,9 106:24	heights 35:4,4 39:7	22:1,2,4 23:14,25	35:19 88:23
98:7 100:18	108:13,23,24	39:19	24:1,2,14 25:4,14	huge 62:4 81:5

<p>hundreds 78:9,9 hung 12:21 hurricane 60:19 hurry 64:25 hurt 84:23 husband 96:15 101:17 HVAC 15:18 hydrant 47:20 52:16,17 hydrants 49:14 hydrology 77:6 Hyung 57:22</p> <hr/> <p style="text-align: center;">I</p> <p>ice 24:12 idea 14:22 46:2,11 46:22 identified 16:18 18:3 70:10 82:4 identify 6:13 8:6,8 23:2 30:10 69:15 72:15 94:20 105:21 106:7 identifying 68:2,25 illustration 69:5 Immediately 40:2 impact 33:3,21 40:14 impacted 72:10 impervious 21:4 33:18 important 32:19 85:8 impose 25:6 improve 49:17 improved 24:16 72:16 improvements 48:20 improving 48:23 91:16 inches 8:21,22 18:13 29:6 33:9 45:11 incline 104:22,22 include 22:16 included 4:21 incomplete 40:8</p>	<p>41:20 increase 22:16 71:20 73:9 88:23 88:24 increased 70:21 71:16 73:15 increases 88:22 incredibly 105:10 indicated 11:7 54:1 54:4 indicates 28:22 indication 86:6 individual 49:19 50:5 91:1 individually 45:18 information 31:18 initial 7:18,22 inlets 74:11 installation 85:2 installed 47:20 instance 35:15 intend 84:17 intended 33:5 intensive 32:8 intent 32:25 40:16 interested 49:25 111:16 interior 19:24 20:1 interject 28:18 Internet 61:7 interrupt 10:5 interruption 107:24 intrusive 84:8 inverted 24:10,18 24:19 106:23 107:17,25 investigate 74:19 74:20 investigation 103:9 invite 61:6 inward 25:23,24 64:21 Irving 37:12 87:20 107:20 issue 4:15 5:2,7 21:11,12 24:17,18 24:24 52:5 83:19</p>	<p>84:11,14,21 85:8 86:20 87:5 issued 75:21 issues 14:18,21,24 23:20 26:16 74:13 74:15,16 75:3,25 83:25 89:11 Italiano 48:4 item 53:22,24</p> <hr/> <p style="text-align: center;">J</p> <p>jack 65:9 Jersey 1:1,24 6:17 23:5 30:15 31:11 76:24 111:6,21 Joe 94:3 John 105:18 Joseph 92:9 JR 92:9,22 93:1,7 93:16,22 July 96:6,12,13,19 98:14 jurisdiction 84:1 84:14</p> <hr/> <p style="text-align: center;">K</p> <p>K-A-L-T-S-I-S 6:16 K-A-U-K-E-R 30:12 Kaltsis 3:5 5:4,4,25 6:12,15,15,20,23 6:25 7:5,15 8:11 8:12 9:1,3 10:8,12 10:14,17 11:2,21 12:15 15:22 16:8 18:1,8,11,14 19:9 20:21 22:3,11,21 33:6 54:12 55:2 55:12 56:24 65:25 76:9 Kates 1:17,18 5:10 6:3,4,13,18,21,24 7:1 8:2,5,10,24 9:2 10:5,10,13,16 10:21,25 11:18 12:7,11 15:20 19:4,7 20:19 23:2 30:10,13,16,19 39:9 41:9,21 47:9</p>	<p>48:5,9,18 49:2,16 57:7,10,24 63:3 63:10,15,23 64:3 64:16 65:3,22 66:1,5,8,24 67:7 67:10,17,21,23,25 68:4,6,13,22 69:4 69:8,14,19 70:3,5 70:9 72:14,19,24 76:4,14 78:13,16 79:8,18,21 82:6,9 92:20,23 93:3,10 94:1,19 95:10,13 95:16,23 96:3,10 96:14,23 97:2,7 97:10,12,23 99:23 100:3,10,20,25 101:4,7,10,23 104:8,11,14 105:16,20 109:7 109:19,23 110:1 Kathy 68:23 69:20 Kauker 3:11 5:6 30:8,9,11,11,14 30:18,22,25 31:2 31:5,7,10,12,14 35:21,23 36:2,7 36:16 37:5,15 38:17,23,25 39:5 40:21,24 41:7,12 41:19,22 53:11 54:22 keep 51:22 104:6,8 keeps 91:18 key 65:23,23 KIKY 1:14 KILMARTIN 1:14 27:10,14,18,22 57:18 KIM 1:14 47:5 57:19 85:16,19,23 86:8 87:2 kind 13:22 15:17 31:18 32:7 44:20 46:15 49:11 50:15 50:20 63:8 72:11 79:11 104:14 kindly 7:17 8:12 19:2</p>	<p>kitchen 9:23 knew 61:21 know 19:5 29:10 30:22 37:18,22 49:25 51:13 52:15 53:17 54:3,9 55:20,23 60:13 63:8,20 64:1 66:13 69:1 70:17 72:23 78:17,18 80:17,22 81:22 82:4 83:13 84:12 86:16,16,21 88:1 91:24,25 92:2 94:24,25 96:1 97:18,18,19 99:5 100:15,18 102:12 102:20 103:14,23 104:3 106:15 107:10,12,19 108:23 knowledge 41:7 52:6,19 62:1 known 86:25 knows 46:24 85:10 88:22 90:23 Kwon 61:18,18 63:1,5,13,17,24 64:5 69:16,25 70:1 80:13,18 98:6 99:11,14,17 99:20 100:1 104:23 Kwon's 98:3 99:24</p> <hr/> <p style="text-align: center;">L</p> <p>L 2:1 land 5:7 89:5 landscaped 11:16 11:17 large 71:3 104:19 largely 81:12 larger 37:6 38:3,3 late 36:20 56:21 lateral 81:1 83:12 laterals 81:3 laundry 9:13 lawn 70:22 lay 31:18</p>
--	---	--	--	---

layman's 93:3	64:22 65:15 80:16	lots 5:19,23 19:1,22	marked 96:25	minimal 29:8
leads 9:15,16 25:10	live 37:12 60:10	19:23 32:22 37:1	marker 69:9 72:20	minimis 56:25
leave 37:23	65:6 98:10,13	40:7 47:14 68:2	marking 10:22	minimize 21:14
led 23:21	104:1 106:16	68:14,14 73:9	married 56:11	33:7
Lee 44:4,8 47:23	107:19	87:1 89:15 90:15	Mary 1:22 87:20	minimized 39:24
48:2 52:16 74:10	lived 56:1	91:16	111:4	minimizes 33:3
74:11 94:5,10,11	lives 56:2 61:3	louder 42:13	massive 80:23	minimum 16:23,24
98:18,19,22	living 9:20 27:2,5	love 58:3,13 61:9	master 9:25	28:8 29:1,4,9,10
107:12	33:4 63:19 80:8	103:25 107:2,3	matter 1:4 85:24	29:13 33:13,16
left 9:22	81:9 82:24 95:2,7	lower 14:4 15:12	102:16	38:19 41:3 54:3
let's 8:5,6 19:3	LLC 1:8,19	29:13 80:11	maximum 15:23	54:21 73:3
43:22 49:23 50:25	LLP 1:17	Luppino 108:4	16:17 17:5 20:25	minority 41:4
53:8 55:18 68:13	located 4:9 8:16		21:2 32:22	minute 11:19 47:15
71:11 72:13,19	9:20 10:2 19:20	M	Mayor 90:10 92:6	Mirandi 2:3 10:18
82:4 95:24 96:10	34:8	ma'am 95:17 96:8	Maywood 1:24	18:16 28:17 29:2
96:11,25 100:20	long 6:24 8:22 23:9	96:9	McClave 18:16,22	43:12,16 51:14
letter 42:1 53:19,20	56:19 89:9	macadam 48:10	22:20 48:22	52:9,23 53:10
53:22,23,23 75:20	look 18:2 27:25	macadamed 91:16	mean 36:24 50:8	54:7,19 55:8
105:24 106:2	37:13 53:25 70:9	machine 48:13	56:3 80:20 90:4	66:10,13,16,21
letters 18:15 31:23	84:16 87:6,8	81:25	98:12 107:22	67:2,8,19,20 68:8
47:10 53:13	88:14 100:20	MacPhail 71:3	109:23	68:15 72:21 73:21
level 18:9 22:5	103:20 104:19	main 7:20 9:15	mechanical 9:14	73:22 76:16,17
25:22,23 27:19,19	106:18	43:17,19,20,24,25	meet 35:10	77:15,18 78:8,15
36:12,12 51:24	looking 10:10	44:1,11,20 45:3	meeting 15:1,4 25:8	78:17,21,24 81:2
73:15 76:19	12:17 26:20 29:14	mainline 44:13	53:9 57:17 105:15	88:12
license 7:7 111:4	52:17 67:18 75:11	maintenance 79:5	105:17 109:10,13	Mirandi's 84:18
licensed 31:10	83:15 103:22	81:3	109:15	mitigated 33:12,22
lifestyle 63:15	104:19	major 65:13	members 4:6 25:7	mitigating 37:25
72:10	looks 75:13	making 59:12	53:6 58:14 61:10	Mixture 32:8
lift 77:17	lot 1:7,9 4:24 8:13	106:14	72:6 73:17 85:1	modified 11:9
lifted 26:23	8:19 9:2 14:7	man 7:1 80:18	104:17 106:11	75:17
lifting 76:7,13	16:23,24 18:25	management 76:22	109:11 110:5	moment 101:14
77:11	19:15 24:4,21	77:16 78:11 79:11	mentioned 52:12	money 90:11
light 44:21	26:7 33:14,15	mandatory 46:22	52:15 74:16,23	106:14
lighting 49:14	34:3 37:4,7,8,16	manholes 83:8,9	merits 109:14	monster 103:20
Likewise 22:19	37:17 38:8,10	manner 21:10	merry 23:24	month 25:7 96:6
limit 13:8,11	40:4 44:15,20	manufactured	mess 81:5,5	109:23
limitation 106:20	49:6,6,8,9,19	81:18	met 64:2 89:10	mother 95:5
107:5	53:16,18 54:1,3	manufacturing	metal 12:25	motion 53:8 57:17
limiting 34:23	54:11,21,23,24,25	28:24	metes 55:15	57:21 105:15
line 16:19 33:25,25	54:25 55:1,5,7,17	map 3:23 65:23,23	METROPOLIT...	move 62:17,18
43:2,9,23 44:17	55:19,21 56:8,23	66:5 67:7,9,11,18	1:23	moved 56:14 57:18
44:21 56:24	57:1,3,14 65:25	67:22 68:25 70:6	Michael 1:18 3:11	106:19
listen 59:5	66:13 68:8,19	70:10 94:20	5:6 30:7,9,11	moving 62:23
listening 87:21	69:6,22 70:15	105:21,22 106:2,9	middle 29:20	mud 51:22 98:7
91:10	71:2,3 72:18 78:1	mark 8:5 19:3	milling 48:12	100:24 101:13,16
little 16:4 26:23	79:10 83:23 88:4	67:25 68:13,23	mind 27:10	municipal 74:9
29:20 42:13 44:15	88:8 92:14,17	69:9,19,20 95:18	mine 97:11,13	municipalities 31:1
48:16 56:1,24	99:25 106:4,5,25	95:23 96:10	106:13	31:3,8

municipality 76:24	Nick 30:23 69:9 84:25 95:16	25:20	overall 15:12 20:15	parties 111:12
<hr/> N <hr/>	night 110:6	obviously 21:16 79:23 80:1	overflow 47:2	pass 59:15
N 1:16 2:1 3:1	nine 26:2 98:10	occasions 31:21	overflowed 46:19	Passaic 1:24
name 4:7 6:14 57:22,24 94:4 108:6	Ninth 60:7	occupied 64:24	overflows 46:19	passes 57:21
natural 104:17	nonconforming 54:24 57:2,5	odd 43:20	overhead 43:8	pave 89:17
nature 32:9,19 34:19 35:16 39:16	nonissue 57:10,11	offer 84:19	overland 88:16	paved 41:23 50:3 50:17,25,25 51:2 90:21,24
near 52:17	normal 63:23,24,24 90:19	office 74:20 75:18	oversee 85:2	pavement 89:18
nearby 74:8	north 6:16 66:20 99:2,10,17	official 75:6,6	overwhelm 46:10	pay 43:20 90:20
necessary 22:16	northerly 44:10	Oh 43:6 45:4 56:18 107:22	owned 42:9,17 71:2 80:14	PB-1 3:23 68:24,24
necessitated 5:8	Notary 111:5,21,22	okay 19:2,14 20:2 20:18 23:24 27:22 30:5,19 32:18 52:7 59:2,8 60:5 63:25 64:8,18 66:18 69:14 70:19 70:22 71:10,10 72:3 73:4,16 77:20 78:3 79:23 86:1 95:6 96:8 97:1 100:17,21 102:3,25 104:5 110:1	owner 4:8 13:6,14 14:18 23:18 73:4	peak 16:14 24:6
need 34:25 50:2 52:3 57:5 61:12 61:13 81:2 84:19 89:14 96:5 103:3	noted 55:14	old 48:13,14	owner/contractor 6:10	pen 72:21
needed 45:9 52:22	notice 105:8	older 35:14	owners 13:10 71:20	people 37:17 49:25 57:23 59:25 60:23 61:6,7,7 64:13,14 68:1 72:12 83:7 83:23 85:20 86:3 88:17 89:15 90:15 104:20 105:2
needs 85:8	noticeably 71:20	once 46:5 50:3,24 60:20 90:16	owns 49:7	percent 4:16 49:20 50:21 54:18
negative 40:14,16	notwithstanding 34:23	one-family 8:20 17:18 19:21 32:13	<hr/> P <hr/>	perfect 28:6
neighbor 61:14 74:8 103:11 104:23	number 7:6 34:11 47:6 55:14 62:6,7 66:14 69:1 70:7 73:5 95:24 96:2 106:21 111:4	one-inch 43:22 46:9	P 1:16,16 2:1	perfectly 51:25 55:11
neighbor's 103:25	numbers 20:23	open 9:19,22 15:1,6 20:4 22:22 33:20 53:9 57:17	P-A-R-K 58:1	perforations 79:15
neighborhood 31:19 39:8,25 40:1,7,9 102:8 107:4	nursery 87:25	opinion 76:11,11 90:22	p.m 1:3	perimeter 21:20
neighbors 13:13 61:23 64:2 73:24 87:5,9 89:4	NUSSMAN 1:17	opportunity 109:11	page 3:18 9:19 53:23 69:3	periodic 79:5
neither 111:10	<hr/> O <hr/>	opposed 33:2 43:21	Palisades 93:4	periodically 79:7
never 63:18 65:7 67:16 73:13 80:15 80:20 83:17 92:17 93:8 97:16 105:7	O 1:11 2:1	order 21:18	pallets 65:9	permissible 6:3
new 1:1,24 6:17 23:5 30:15 31:11 60:10 61:3,12,14 66:17 67:3,12 70:14,18,19 76:24 78:23 83:5 106:18 107:25 111:6,21	O'Shea 87:20,20 89:20 90:1	ordinance 25:18 33:17 76:22	panel 12:21	permission 4:12
newer 35:15	O-1 3:24 95:24 96:25	ordinances 84:20	paper 88:10	permit 75:21 77:9
news 45:11	O-2 97:24,25 99:24 101:6	original 10:19,25 19:7,9	paragraph 47:11	person 49:9,12 55:25
next-door 104:23	O-3 100:20 101:12	originally 4:20 55:19	pardon 71:24	person's 49:7
nice 104:20 105:2,6	O-4 101:4,5	outcroppings 13:10 14:12 21:13	Park 57:22,22,23 58:1,7,11,13,18 58:20,23,25 59:4 59:7,21 60:2,5,7 69:16 70:3,4,9,12 98:4,5	perspective 84:21
Nicholas 1:20 4:7	O-5 101:10,11		Park's 86:10	Phillips 49:4
	O-6 3:25 101:12		parked 71:4	photograph 100:25
	object 59:23 103:16 104:2 107:4		parking 17:10,16	Photographs 3:24
	objecting 102:23		part 5:17 44:18,19 48:18 50:22 51:6 51:11 56:22 76:5 76:20 81:15 83:5	photos 104:9
	objection 64:12		partial 48:10	physical 33:3 34:10 34:23
	obligation 49:8		partially 41:23 106:3	physically 34:1 41:19 109:1
	observe 70:18 72:5		participate 49:19	pickup 24:4
	observed 88:3 92:17 93:8		particular 31:22 32:22 34:9 40:12 108:2	picture 95:12,14,24 96:5,18,20,24 100:3,10 101:5 106:17
	obvious 24:11			

pictures 96:17 104:7	9:20 51:2 68:25 105:16	produced 38:5	105:16 109:7 111:5	33:19 46:2 59:14 63:23,24,25 64:19 92:17 93:17 95:9 101:14,15
pipe 65:14,15 82:14 95:1	position 92:7	professional 76:11	puddle 81:12,13	raining 60:19
pipng 74:11	possible 76:19	professionals 106:12	pull 30:4	rains 64:25 65:1,15
pit 51:12 103:7	postpone 109:9	promised 42:19	pump 14:21 77:21	raise 76:18 82:3
pitch 16:6 26:9,15 28:1,4,8,11,15,19 28:23 94:10	potential 14:20	proof 39:11 103:10	97:4,6,10,15,17	raised 15:13
pits 47:2 89:7	potentially 24:25 74:17	proofs 34:9	98:16 102:1 105:3	raising 14:11 78:11 78:13,16
place 11:15 23:5 111:8	powder 9:13	proper 5:9	105:5,7,10	range 40:24
places 91:25	precedent 39:14	properly 73:6,19	pumping 97:3	rapidly 46:2
placing 26:14	preexisting 55:2,6 57:2,4	properties 4:9 5:16 13:11 32:6,10 33:23 50:1 53:13 69:10 71:19 74:4 74:23 88:10 90:18 92:13	pumps 78:10	RAPONE 1:17
plan 4:13 8:3,13 9:19 10:15 12:13 17:23 18:3 20:4 40:17 50:10 54:2	prefers 28:22	property 6:10 8:16 13:9,9,12 14:7 16:19 17:11 19:11 19:13,19 21:9,13 21:15 23:12 31:25 33:25,25 35:13 40:5 42:17 45:6 47:21 50:14 51:15 51:24 52:5,18 54:13 56:11 66:3 67:13 69:15 70:10 71:15,18,19 81:13 90:19 92:10,24 93:15 94:7,20 104:18 105:21	purchased 56:1 80:14	reach 74:13,18 75:4
planner 5:6 30:8 31:1,6,10,10 40:20 53:15 54:20 73:4	prepared 5:4 7:15 69:2	proposal 20:24	purpose 40:16 48:23 68:1 109:16	read 109:12
planning 1:11,18 4:6 77:4 83:24	present 6:1 75:14	proposals 64:15	purposes 27:11 69:5	ready 59:16,17
plans 11:22 13:7 23:23 54:8	presented 34:25	propose 40:4 84:22	put 16:20 17:11 29:17 37:4,18 43:1,3 49:10 51:5 52:2 53:17 60:25 60:25 61:10 77:12 80:11 88:6 89:17 89:18,18 90:8,11 90:22 91:5,7 103:2,7	realize 63:5
planting 89:5	Presently 50:20	proposed 7:21,22 10:4 28:21 34:16 35:6 36:4 54:4,10	putting 8:14 14:6 14:13 45:2 49:13 89:4,6,9 90:3	really 7:21 15:18 24:7 27:19 29:7 29:14,18 46:25 49:11,14 61:20 63:20 64:1,12 71:2 78:16 82:24 83:16 90:3 107:21
plantings 21:5,6	pressure 47:24	proposes 35:18	Q	realm 78:22
plea 72:5	pretty 41:8 80:2	proposing 8:20 9:8 19:20 34:18	qualified 6:18	REALTY 1:8
pleasant 91:1	previous 53:22 87:24	proving 73:4 103:13	qualify 31:9 109:12	rear 5:20 7:21 9:11 10:11 11:6,20 12:1,19 16:25 31:25 33:13,15,24 33:25,25 35:13 83:5,5 92:13
please 9:6 13:5 15:7 17:21 19:11 19:14,18 23:19 31:9,17 59:25,25 94:16	previously 9:9 11:11 30:17 47:5	provide 5:6 19:11 38:8,19	question 6:8 34:14 41:13 42:7 43:13 48:18 52:10 53:14 54:5,20 59:20 76:18 79:9 93:13	reason 13:8 14:11 32:24 46:21 80:7 87:14,17 107:9
plenty 48:8	prior 11:25 94:4	provided 11:23	questions 6:8 15:2 17:22 21:24 22:18 22:23 25:12 52:8 52:8 53:8 59:24 102:4	reasonable 39:17
plug 52:21	probably 40:5 41:3 50:7 55:16,16 56:21 69:3 80:15 80:23 82:21,22 106:3	provides 33:4	quite 107:21	reasonableness 35:5 38:1
plus 33:10 94:24	problem 18:23 28:1 46:18 62:24 64:19 65:13 73:7 81:7 82:4 83:18,22,23 86:9 88:5,18 97:5 97:22 102:10 104:4,20 105:10 105:11	providing 17:13	R	reasonably 34:10 35:2,7 39:9,24 49:18
point 18:3 34:12 42:24 43:11 57:12 75:11 85:20 86:13 98:23 99:5,6 109:1	problems 14:3 46:6 61:22 73:25 74:2 74:3,25 89:24 98:11 108:1	provisions 72:8	R 1:11,16 2:1	reasons 5:7 24:11 25:20 45:15
pointing 93:7	procedures 75:7	public 15:2,6 22:23 53:9 57:17 72:25 74:14 87:19	R-009 1:5	recall 78:18,24 108:5
poles 43:7	proceedings 1:6 111:7		R-010 1:8	receive 75:15 105:23
police 47:12	process 75:8 78:25		rain 26:10 28:4,5	recommendation
Pompeian 50:8				
porch 60:24				
portion 3:23 9:11				

88:13	removed 7:24,25 10:12,14 20:20,22	86:18	rock 13:10,11,19 14:2,12 21:12 24:2,3,3,22,24 25:5,9,20 26:3 34:24 39:16 77:12 80:4,6 92:21 93:4 93:6	saddle 49:13
recommendations 18:17,21 84:18	removing 11:9 14:5	respects 5:19,22 22:19	Rockland 31:7	sanctioned 57:7
record 6:10 11:5 13:2 19:12 23:3 23:19 54:23 68:24 86:25	renovations 105:9	rest 110:5	rocks 25:3	sand 52:4
recorded 105:3	reopen 109:24	restaurants 32:9	RON 1:14	sandbags 59:11,17
recreation 9:10,15 20:6	reopening 109:25	resubmitted 75:17	roof 12:23,25 15:9 15:11 16:7,14 24:6 27:24,25 28:9,20,22,24 33:8,8 51:15 60:11 71:17 108:10,10	Sandy 46:20 47:1 79:3
rectangle 54:15	report 22:12	result 11:9 15:13	roofing 28:24	sanitary 45:16 74:1 74:17
rectangular 55:11	Reported 1:22	resulted 34:24	roofline 12:23 39:24	Saturday 65:16
red 72:21	reporter 57:25 109:10 111:5	retaining 37:16 104:12	rooflines 20:9	save 29:6
refer 28:12	Reporters 1:23	retention 26:13 45:23 46:12	roofs 28:2,20 108:12,12	saw 67:16 108:3
reference 8:24 53:19 65:22	REPORTING 1:23	retired 72:11	room 9:11,13,13,13 9:14,15,20 15:18 20:6 27:8 38:14 47:16 48:6,8	saying 25:13 27:15 62:3,10,16 64:14 77:13,15 86:19 91:5 102:19 105:5 107:15
referring 54:13	represent 31:1,2	review 18:15 47:10 75:20 77:7	roughly 44:5 47:22	says 54:8,10
reflective 41:25	request 13:6,7 23:22 41:10	reviewed 31:21,22 31:23,23 35:1 75:18 77:1	Rubinsky 91:9,9,21 91:24	scale 34:19 38:2 39:23
regard 4:14 20:15 78:12	requested 12:5 86:23	revise 11:22 12:12 22:15	rule 47:18	SCANCARELLA 2:4 67:22 68:16 69:3,12,21,25 70:7 106:3
regarding 22:12 28:19 74:3,15 75:10	requesting 21:10 33:12 35:2	revised 3:20,22 10:6,7,9,19,21 11:3,4,19 12:4,8 12:11 17:4 53:20	run 29:22 78:10 89:9,22 90:23 92:18,21	scenery 106:17
regular 59:14 106:25 107:18 108:11	requests 84:18	revision 8:2,7,8 10:13 11:23 19:8 19:10 53:21	running 64:15 65:6 92:15	school 87:25
Reiner 23:5	require 5:18 13:23 15:24 48:19,20 55:4 77:3 79:4	rhombus 54:14	runoff 24:21 50:4 50:18 51:1 67:14 70:20,20 73:7,10 73:19 74:3,12,23 74:25 78:19	sealed 82:2
rejected 87:25	required 4:18 7:23 17:10,12 33:17 38:12,20 72:8 75:2 78:23	ridiculous 37:13	runs 74:12 91:2 93:25 94:11	season 65:11 105:8
related 38:3,4 111:11	requirement 4:16 4:24 7:25 15:25 16:3,5,16,17,21 17:3 28:11 32:16 33:14 38:7	right 11:20 12:10 14:10 18:11 22:5 35:24 36:11 42:3 50:12,24 51:2 56:9 58:5,7,9,11 61:15 64:19,22 65:12 68:15 69:11 76:2 78:7 83:4 85:17,20 86:11,12 86:25 91:6 93:23 94:25 95:12 100:6 102:24 106:1	Russell 108:4	second 7:18 17:21 19:3 57:19 67:18
relates 28:19 35:8 38:1 39:8 53:16	requirements 14:9 16:11,23 17:2 18:21,24 21:3 31:22 76:21 89:10	right-of-way 8:18	rusted 65:12	Secretary 2:4
relation 66:2,17	residence 19:21	rise 39:14 40:10,18		section 33:11
relative 111:14	resident 23:9 74:22 95:5	river 50:22		see 16:13 53:11 60:16 61:11,15 71:1,19,21 73:15 74:20 82:4 87:8 91:25 95:7 97:2 100:22 101:17,18
relevant 31:21 34:10 35:2 39:10 39:11	residential 32:1,11 39:18	road 48:20,23 50:3 50:25 51:11 74:12 90:24 94:7		seeing 46:23
relief 26:2	residents 33:5 58:4 74:13 75:4 83:2 87:22 88:2,5,8 103:10	roads 48:13		seek 47:11
remain 34:15	residue 44:12	roadway 48:10,14		seen 37:1 96:17 97:16 103:11 108:1
remains 34:22	respect 60:1,3 61:10 79:9 87:3			seep 92:20 93:5
remediate 74:21	respectfully 84:14			seepage 24:20 47:2 51:12 81:2 89:7 103:7
remediation 75:2				seeping 101:15
remember 30:21				Sekas 1:19,20 3:6,9 3:12 4:5,7,7 5:12
remembered 7:2				
remembers 80:22				
removal 13:11 14:2 21:16,18				
remove 11:6,22 12:14 13:19 21:14				
			S	
			S 1:16 2:1,1 3:16	

8:4 12:10 19:6 21:23 22:17,24 23:7 25:11 26:5,9 26:14 27:2,23 29:4,22 30:6,25 31:6,9,13,16 38:24 39:2 41:17 42:4,6 51:4,10 53:1,4 54:6,11,25 55:4,9 57:2,13 58:16,19,22,24 59:2,6,19,23 60:3 60:6 64:10 68:3,5 68:10 69:6,22 71:22,25 72:3 77:21 81:20,24 83:19 84:1,13,17 86:18 87:3,14 93:13,20 94:8,14 94:21 95:17,21 96:7 97:20 101:21 102:4 105:22,25 106:6,10 108:13 108:20 109:3,8,18 109:22,25 110:2 selected 18:1 sell 62:20 Senior 94:4 sense 29:8 separate 5:15,15 6:2 57:5 separated 49:6 57:1 separately 5:11 separating 34:1,6 September 109:15 serve 82:17,22 SERVICE 1:23 services 47:13 set 18:21 111:8 setback 16:24,25 16:25,25 33:24 setbacks 5:20 sets 65:10 seven 33:9 80:15 seven-and-a-half... 108:16 Seventh 46:6 80:24 severe 80:12	sewage 62:13,22,24 63:10 64:16 80:18 sewer 45:17,19 46:5,10 62:7 74:2 81:21,25 82:1,13 84:12 85:3,15 102:24 sewerage 42:3,8,15 42:16 95:1 sewers 42:23 49:14 81:3 shallow 15:11 share 10:2 90:16 sheet 10:6,6,8,15 10:16,18 11:7,18 11:23 12:12,13,16 12:18 53:17,24 69:1 shingles 28:5 short 56:23 Shorthand 1:23 shovel 65:17,17 show 11:8 16:10 55:12 60:1,3 67:7 67:9 68:6 70:5 94:19 95:13,16 100:4,11,25 shower 61:4 showers 62:11 showing 11:20 27:11 100:15 101:13 shown 99:23 shows 12:18 54:1,2 side 5:20 8:16 9:14 12:18,24 37:15 38:7,9,10,12,19 38:22 39:1,3 59:11 65:18 92:11 92:25 93:2 94:13 100:5 106:22 sides 46:1 54:6 sidewalk 95:20 100:13 102:9 siding 12:20 20:13 silt 52:2 79:17 similar 5:19,25 20:8 36:4 sincere 72:5	sincerely 73:17 single 4:13 33:1 34:20 sinking 14:4 sir 7:12 31:5,7,14 31:17 35:21 36:16 37:5 39:6 40:21 43:15 57:15 59:25 60:4 106:6 sit 53:11 60:5,6 site 4:13 10:15 14:23 18:3 23:20 31:20 33:3 34:15 34:22 40:3 site-related 33:21 sitting 9:23 81:18 103:20,22 situation 24:3,8 25:10 28:6 44:24 50:7 56:25 74:21 76:20 83:15 84:11 84:20,23,24 91:2 105:1 situations 52:3 83:11 six 24:22 29:11 53:23 60:25 79:14 80:9,15 six-inch 43:19 Sixth 31:24 34:4,8 42:10,17 43:22 45:18 56:5,6,13 58:2,20 59:10,14 59:15 60:12,13,21 61:19 62:8,15 64:11 66:8,24 67:1,3 68:18 70:2 70:15,15 73:24 74:1,5,9,12 80:24 83:7,10 85:20 87:22 88:5,8,17 89:25 90:3,6 91:12,14,18 94:17 95:2,2 97:8 98:17 99:7,8 100:7,8 102:14,16 103:3 103:18 105:19 106:16,17 107:23 107:25	size 16:23 19:22,23 24:3 43:17 54:21 106:25 sized 42:11 sketch 54:1 slight 86:6 slightly 16:2,3 20:23 33:16 54:15 slits 46:1 slope 14:16 71:17 104:15 sloped 71:16 slopes 36:7 104:24 105:1 sloping 22:1,1,4,10 36:6 70:16 slowly 46:3,12 small 4:17 24:3,6 smarter 86:3 smelly 65:18 snow 24:12 29:15 snowing 37:19 soak 33:19 soapy 65:16 67:16 74:2,16 86:5,8 soil 61:1 75:2 80:5 87:12 sold 56:10. sole 5:2 13:8 solid 48:17,17 solutions 90:7 somebody's 50:19 90:25 someplace 78:5 93:18 108:19 Sook 94:17 sorry 30:24 32:4 42:15 53:11 59:3 59:6 107:23 sort 88:15 sought 4:14 11:11 sound 43:20 sounds 83:22 91:11 91:21 south 13:17 35:23 40:3 98:22 99:9 99:20 southerly 35:24 40:4	southern 44:17,19 space 9:22 27:3,6 29:19 33:20 64:24 73:11,15 80:8 spaces 17:10,19 20:7 spackle 81:1 83:12 speak 60:4 63:12 64:4 72:23,25,25 speaking 26:19,20 38:25 special 5:7 49:17 90:17 specific 15:9 32:24 53:14 specifically 23:20 78:25 speed 73:10 spell 57:24 spend 90:11 spoke 52:12 64:14 88:21 spot 99:22 spring 35:3,4,4 60:18 102:1 springtime 97:14 square 8:22,23 21:21 54:2,3,4,7 54:10,16 55:13,17 56:23 71:12 SR 93:24 94:3,9 stabilized 41:22 stage 52:1 stained 100:23 stains 101:3 stairwell 9:16 10:11 standard 41:1,3 standards 87:7 standpoint 48:3 86:3 start 62:14 96:25 102:9,10,18 state 1:1 31:11 41:20,25 76:21,24 111:6,21 states 49:5 stay 60:9 stays 78:6
---	---	---	--	--

steep 104:22	56:13,15 58:2,20	11:25	sustained 79:3	tell 31:18 43:16
steeper 28:23	59:10,12,14,15,18	submissions 10:20	switch 17:23	59:1
Stephen 91:9	60:7,13,13,21,21	submit 7:9 12:4	sworn 6:12 23:1	telling 59:9 72:4
stipulated 53:12	61:19 62:8,15	77:6 84:19	30:9 76:15,16	ten 4:16 8:22 31:13
75:19	64:11,13 65:14,19	submitted 4:20	Sylvan 47:21 52:16	60:9
stone 45:25 79:16	66:8,24,25 67:1,3	7:16	59:18 74:5 91:12	terms 38:2
80:10 100:13	68:18 70:2,15,15	Subsequent 4:21	91:15 92:10,11,24	Terrace 35:16,19
stop 47:15 67:17	73:24 74:1,5,9,12	subside 70:22	92:25 93:2	88:23
86:24 88:16	76:5,7 79:10	substantial 40:14	system 22:14 46:11	terrain 93:11
stops 44:25	80:24 83:4,7,10	sudden 46:9	51:18 60:12 61:5	test 35:5,10
storage 15:18,19	85:21 87:22,23	suds 79:25 81:17	74:9 78:11 79:6	testified 7:3,5 33:6
store 65:9,10	88:3,6,8,10,15,17	81:20	79:17 82:2 83:4,6	79:19 105:6
stories 9:9 27:15	88:25 89:13,15,17	sue 61:8,9	85:24 88:14	testify 4:17 5:22
106:24 108:24	89:25 90:3,6,8,14	sufficient 17:19	102:25,25 103:15	testimony 5:7 15:1
storm 22:14 26:13	90:21 91:12,14,16	40:6 73:6	systems 79:4 81:2	15:5 53:25 54:9
45:21,22,24 46:4	91:18 92:13,17,19	suite 9:25		59:24 73:23 74:3
46:11,15,20 50:2	94:18 95:1,2,3	sum 40:11	T	76:15 79:2 80:16
50:10 51:5,10	97:7,8 98:17 99:5	summer 110:6	T 2:1 3:16	109:10,21
59:14 63:10,18,21	99:7,7,9 100:8,8	summertime 97:16	table 11:8 14:23	thank 7:12 22:17
64:20,20 71:19	102:14,14,16	102:2	17:3 25:21 54:10	25:11 27:23 30:6
73:18,25 74:9	103:3,3,18 104:18	Summit 88:25	77:24,25 78:2,4,6	30:7 52:23 53:5
75:12 76:21 77:16	105:19 106:16,17	91:10	80:12 89:1,3	61:16,17 64:8
77:20 78:11,19	106:22 107:18,23	sump 78:10 97:4,5	take 9:4,5 32:22	73:20,23 92:7
79:3,11 86:9 88:1	107:25	97:15,16 98:16	48:13 53:15 69:9	94:8,14 95:17
88:6,7,14 89:12	Street's 88:5	101:25 105:3,5	70:9 78:3 79:6	96:8 104:5 106:6
89:14,19,21,23,25	streets 81:6	sunlight 62:5	80:3,4 89:7 91:25	106:8 109:3 110:2
90:7,8,12,20,22	stretch 40:5	superintendent	96:23 97:24 98:12	110:3,4,4
91:5,7 93:20,22	strongly 106:14	74:15 85:2	100:12	thing 25:6,8 37:20
93:24 103:2	structure 8:14,21	support 34:10	taken 73:6,19	42:18,23 43:9
story 26:1,20 33:11	9:10 12:25 15:14	39:12 90:9	96:11 111:13	45:9 77:12 86:22
103:19 108:13,23	34:18	supposed 86:2	takes 62:11	90:17 103:14
straight 77:4	structures 35:17	96:19	talk 6:1 42:13	things 15:10 32:9
streamline 5:1	74:11	Surace 1:15 29:3,7	79:21,25 86:5	62:5,12,20 63:6
street 1:6,9,24 3:20	stuck 30:1,4 81:1	29:25 30:3 36:9	talking 50:5 62:11	69:8 94:24 97:18
3:22 4:3,3,4,9,10	83:12	36:19,23 37:10,17	62:21 63:3 65:13	106:18
6:16 8:17,25 9:1,4	studies 71:23 72:1	37:22 42:13,21	72:16 80:17,19	think 6:5 26:1
17:15 19:13,14,20	study 72:2 103:8	77:23 88:22 93:19	81:17 103:15,16	28:16 29:8,11,12
22:3,7,8 23:12,21	stuff 29:15 61:21	sure 27:13 63:13	106:18	31:14 33:12 34:9
24:15,17 29:12	65:18 80:11	70:10 71:20 72:7	tank 51:8 78:19	36:19 37:25 39:24
31:24 34:4,9	style 12:22 13:1	73:18 75:7 82:8	tanks 24:22 26:13	41:2 49:11,22
35:20 36:3 37:12	subdivided 55:20	91:8 97:18 100:16	45:23,24 46:12,17	50:1,6,10 54:12
37:24 41:11,14,16	55:22 56:17 68:17	106:10 107:22	79:14	61:19,22,22,24,25
42:10,17 43:4,9	subdivision 57:8	surprised 65:12	tap 44:18	62:2 63:17 64:6,7
43:19,21,22 44:3	75:25	surrounding 31:23	tapping 43:22	67:24 69:10 71:6
45:19 46:7 47:15	subject 31:25 35:13	35:7,12 39:7,18	tax 3:23 67:22	76:25 79:1,21
48:23 49:7,8,23	40:3 68:13	61:25	68:25 90:19	80:18 81:14 83:14
50:2,4,5,7,13,13	submerged 25:19	survey 18:2 43:5	taxed 57:13	83:23 84:13 85:16
50:23 51:2,5,23	27:1 80:9 108:24	48:22 55:13	technically 26:18	85:23 86:6 88:4
55:9 56:2,5,6,12	submission 7:18,19	surveyed 43:6	26:20	88:12,17,19 89:2

89:13,14,23 90:7 91:4 92:3 99:11 104:1,18 thinking 62:22 thought 44:8 46:21 thoughts 42:1 110:4 thousands 78:9 three 9:9 10:1 20:3 24:23 27:15 29:2 29:3,4,6,25 30:2 31:8 45:23 60:25 66:19,19 73:23,24 79:13,14 82:17 103:19 three-level 24:6 three-story 8:20 19:21 25:14,15 26:21 36:3 40:13 throat 59:4 thumb 47:19 tight 29:19 time 8:6 23:9 46:9 59:10,16 60:2 61:11 64:25 65:15 70:21 73:14 76:25 97:15,19 98:20 109:16 times 58:25 64:14 78:1 today 29:9 61:19 62:21 today's 68:24 told 5:13 52:24 59:4 61:3,8 86:17 tongue 60:1 tonight 105:12 109:9,14 top 9:24 12:21 20:4 30:3 62:4 70:25 80:6 89:2,5 topography 18:2 104:17 total 8:22 16:13,25 34:2,5 39:1,3 touch 75:5 town 4:23 28:1 31:6 36:15 44:2 62:18 78:10 84:20	85:9 88:12 96:16 107:10,11 towns 40:20 track 30:23 trade 71:10 traditional 12:22 13:1 transcribe 109:10 transcript 1:5 109:12 111:7 treated 5:14,23 treating 5:10 treatment 50:10 trench 22:5,9 101:21 tried 30:22 80:3,4 101:8 102:19 tries 102:7 trigger 54:21 trouble 29:14 truck 24:4 48:14 trucks 71:4 true 111:7 try 15:12 trying 25:19 66:1 82:12 104:25 106:7 Twenty-two 23:10 two 4:1,2,9,13 5:5 5:14,15 6:2,25 7:15 10:4 16:11 20:17 24:9 30:18 31:20,22 33:9 34:2,9 36:4 40:9 42:11,20,24 49:24 60:24 61:22 62:7 64:5 65:1 66:20 69:3,8 73:8 78:23 82:12 83:8,9 86:21 87:1,1 88:25 102:6,7,19 106:24 108:2,13 108:23 two-and-a-half 40:13 two-and-a-half-i... 45:25 79:16 two-and-a-half-s... 35:14 108:21	two-car 9:10 20:5 37:2,7 two-inch 46:9 two-story 26:22 27:2,5 40:23 type 8:14 15:8 21:17 52:3 56:25 74:15 88:13 typical 33:1 34:19 typically 33:9,16 35:14 40:24 <hr/> U unanimously 57:21 unaware 52:20,21 underneath 108:21 understand 53:12 54:19 59:2 66:19 71:5 72:11 87:2 102:17 109:8 understanding 41:15 52:10 93:3 undeveloped 40:5 88:4 90:15 unfortunately 25:9 unimproved 8:17 24:15,17 41:11 47:14 48:22 49:6 76:5,7 92:14 unique 39:16 unit 15:18 29:18,24 United 43:14 52:11 52:14 unusually 105:4 unwarranted 39:14 upset 80:12 upstream 44:22 81:7 use 5:7 34:16 48:15 65:8,17 67:10 72:19 95:1 usually 77:7 88:19 97:4,13,16 utilities 41:14 42:16 49:10 <hr/> V vacant 8:19 vacation 25:7 Valley 35:3	variance 4:14,14 4:19,21,25 5:8 7:23,25 11:10 13:6,7 14:5 15:11 15:24 20:22,24 21:11 23:22 29:11 32:19,25 33:11 34:13 35:3 36:10 38:4,5 40:12 54:21 55:5 57:6 76:2 84:4,5,23 86:23 87:15 107:5 variances 5:18 16:22 35:6 77:3 varies 36:7 vehicle 48:1 vehicles 48:6 vener 12:20 verified 69:6 versus 35:4 vertical 33:8 vertically 14:16 viable 28:25 view 34:12 VINCENT 1:15 Vinny 29:2 virtue 34:17 40:17 vis-a-vis 4:15 visited 31:20 vote 109:9,12,13 votes 88:20 voting 109:17,19 vs 49:4 <hr/> W wade 65:1 wait 22:24 68:22 waiting 42:18 43:10 waiver 5:21 55:5 walk 8:12 walk-in 10:1 walking 24:11 wall 59:12 60:7 86:10 98:7 104:12 walls 12:20 37:16 want 13:11 15:3 21:13 22:22 25:6 25:9 37:2,8 46:4,7	46:8 53:17,19 61:9,20 62:1,17 62:18 64:7,17 65:9 67:10 69:8 70:5 77:25 84:8 86:21 87:5 89:16 90:11 92:11,19 94:19,23,25 95:13 103:23 104:1 105:1 109:1 wanted 13:20 53:24 75:16 wants 28:5 72:12 ward 5:20 warranty 28:24 washing 81:24 Washington 91:13 wasn't 52:5 57:7 61:20 63:22 101:23 water 14:21,21,23 14:24 22:6,14 24:12,21 25:20,21 26:7,10,13,16 41:18,18 42:19,19 42:24 43:2,10,14 43:14 44:11,17,19 45:12,14,24 46:4 46:5,8,11 47:24 50:9,10 51:6,9,10 51:14 52:12,15 59:13,15 60:11,14 60:15,17,18,20,22 60:22 61:1,16 62:13,13 63:1,7 63:10 64:7,15,22 64:24 65:5,16,20 67:15,16 70:13,20 70:20,22 71:13,14 71:18,20 73:12,15 73:18 74:1,2,17 74:23,25 76:21 77:16,20,22,24,25 78:2,4,5,6,6,11,19 79:11 80:12,16,21 86:5,8,9 88:5,9,14 88:16 89:1,3,6,7 89:11,21 90:3,4,5 90:23 91:2,13,17
---	---	--	--	--

92:1,12,16 93:8
 93:18,25 94:4,12
 95:8,10 97:3,5
 98:6,8,15,24 99:8
 100:5,6,23 101:1
 101:15,19 102:15
 104:24 105:6
way 5:23 23:25,25
 43:23,23 50:18
 61:16 71:14 90:21
 91:13 92:1,16
 94:6,10 98:17,24
 99:16 100:7,24
 101:20
we'll 5:1,13 6:1,1
 9:5 15:6 22:24
 41:17,18 54:17
 97:23
we're 9:8 10:22
 14:11 16:1,1,2,3
 17:12 21:20 22:14
 25:17 26:2 27:15
 28:7 29:17 32:20
 32:24 33:11 42:18
 43:10 61:24,25
 62:3,17,22 67:18
 69:19 75:23,24
 76:1,2 81:10
 83:14 95:23
 103:15 104:8
 109:25
We've 4:23
weather 46:23
 81:10,15 86:15
week 96:21
weeks 42:20
welcome 49:21
 68:3
welfare 40:15
went 23:24 36:23
 48:24 63:21 73:14
 78:25
west 1:24 32:3,5
 43:9 56:12
Westfield 49:5
wet 9:21
whatsoever 64:19
white 98:2,2
wide 8:21 24:23

79:14
width 8:18 16:24
 38:18 40:6
wife 62:21
windows 12:21
winds 45:24 93:18
winter 24:11
wish 47:11 87:19
 94:15 105:3 109:5
withdrawn 4:24
witness 3:3 22:18
 30:7
witnesses 5:3 15:5
 53:3,4
woman 105:6
wonder 102:7
wonderful 80:18
wondering 84:10
wood 7:21
words 92:24
work 43:23 46:25
 97:15
working 43:13
 52:11 95:5,6 97:6
 97:17 107:11
works 74:14 102:1
worried 62:19
 102:21
wouldn't 57:5
wrapping 79:16
wrong 86:12 94:13
 108:25
Wyckoff 30:15

X

X 3:1,16
XIO1271 111:4

Y

Y-U-E-N 105:18
yard 5:20,20 7:22
 16:24,24,25,25
 33:14,15 38:7,9
 38:10,12,19 39:1
 39:3 81:11 93:5
yeah 72:11
year 30:18 47:7
 63:19
years 6:25 7:8
 23:10 24:9 31:13

42:24 55:23 58:3
 58:21 64:21 73:13
 73:16 80:15,23
 98:10
yellow 69:22 72:19
yesterday 63:25
younger 7:1
Yuen 105:18,18,23
 106:4,8,11 107:17
 107:22 108:11,18
 108:22 109:4

Z

Zimatore 1:6 3:8
 4:8 6:7 22:25
 23:1,4,4,8 25:16
 26:8,12,17,25
 27:4,8,13,17,21
 28:3,12,16,22
 29:16,23 30:7
 42:5,6,8,15,22
 43:3,6,15,18 44:1
 44:5,9,16,25 45:4
 45:7,14,20,22
 46:16 47:3,8,18
 48:8,11,25 49:3
 49:20 50:6,15,20
 51:3,7,17,23
 52:11,19,24 53:5
 55:21,25 56:5,9
 56:14,18,21 57:4
 57:9,11,15 58:12
 70:14 72:15,22
 79:2,8,13,20,23
 81:22 82:1,8,11
 82:15,18,21 83:1
 83:17 84:6,25
 85:6,13,18,22
 86:1,15 87:11,16
 87:21 89:4 97:20
 97:21 101:24
 104:11,13,16
 109:20
Zimatore's 88:18
ZNS 1:8
zone 32:11 40:17
 56:4
zoning 4:15 11:8
 14:8,9 16:23 17:3

21:3 28:15,19
 31:21 32:15 54:10

0

07047 6:17
07607 1:24

1

1,500 21:21 24:20
 45:23 51:8,18
 78:23
1,595 8:23
1.17 21:1
100 5:18 8:19 19:19
 49:20 54:6,11
 64:24 71:12 73:9
 106:25
11 10:24 19:10 31:3
 40:20 47:8 48:24
 49:3 61:18 62:9
 67:5 70:1,1 79:10
 82:6 96:19 99:14
 105:19
11th 65:14
12 16:8 24:7 28:3,6
 28:7,20,23 29:10
 29:11,25 30:2
 33:8 47:11 60:9
 87:20 105:18
12th 96:12,13
 109:15
13 1:9 3:21 4:3,10
 19:13,14 22:3
 38:7 39:4,5 44:10
 55:19,21 56:8
 58:2,18,20,24
 67:3,5 70:8
 105:19
17 16:20 58:2,21
 70:4,12
18 38:21 39:4 91:14
 94:21
18.08 38:10
18.13 38:8
19 3:21 68:8,19,20
 69:6,18 91:14
1957 49:5
1984 65:7 67:16
1992 81:9
1999 106:16

1st 8:9 19:10

2

2.5 17:12
20 9:12
2006 76:25
201 1:7,9,25
2013 1:2 10:24
 19:10
203 106:4
23 3:9
24-foot 33:13
240 1:24
24A 106:21,21
25 44:11,20 50:21
 73:16
250 47:22
26 53:22
28 106:20
28-foot 33:23

3

3/7/14 111:23
30 9:12 15:23 32:23
 36:23 41:3 45:11
 62:1 73:16 92:9
30-foot 20:25 37:4
31 3:12 8:21
32 16:1,9 21:1 36:1
 36:24 41:2 54:17
32-foot 104:19
32.17 16:2,10
33 8:18
33.17 21:1
34 73:13
34.29 20:24
34.54 15:21,23
 16:15
345 43:19 44:6
35 36:11,14,21
 40:25 41:6 62:2
 73:13
356 30:14
357.63 16:14
36 41:11
360 16:19,20 18:4
3782 111:22
392.17 16:14

4

4 16:8 68:14,16
 69:12,13 70:1
 71:1
4,979 54:2,7
4.02 1:7 9:2 33:15
 34:3 38:8 53:16
 53:18 55:8
4.29 20:24
4.5 76:8 77:12
4.54 15:24 32:21
 34:13 39:13,17
 76:9
40:55D-35 41:11
48 8:22

5

5 64:11 66:4,7,8
 67:6 68:18 69:21
 70:15 72:18 79:10
 91:15
5,000 54:3,4,10,16
5.08 38:13
50 5:18 8:19 19:19
 54:6,11 64:24
 71:11,15 73:9
 106:25
50-foot 37:1,8
500 47:19 79:14
50s 56:22
56.25 34:2
56.67 34:3,5

6

6 106:4,5
6.01 33:14 34:3
 38:10 68:14 69:12
6.1 1:9
60s 56:22
654 91:9
68 3:23

7

7 3:6
7:30 1:3
7th 18:19 53:20

8

8 1:2 3:20 59:9
8.25 33:14
8.67 33:14

8/1/13 3:20,22
80s 36:20
80th 6:16
8th 35:20

9

9 1:6 3:20 4:3,10
 8:25 9:1,4 22:8
 23:5 55:9 59:18
 61:24 67:6 94:17
901 6:16
909-0666 1:25
96 3:24
9W 32:6 59:13,13
 88:7,9 92:11,16
 92:18 93:8,12,21
 93:23,25 94:4,10
 94:12