

HOBOKEN SUBDIVISION AND SITE PLAN REVIEW COMMITTEE
CITY OF HOBOKEN

RE: MOTION CALLED TO ORDER,
OPEN PUBLIC MEETING STATEMENT,
ROLL CALL,
61-63 FOURTEENTH STREET;
306-308 PARK AVENUE;
726-732 GRAND STREET;
113-121 MONROE STREET;
502-510 MADISON STREET

OCTOBER 14, 2015

WEDNESDAY 7:06 PM

HELD AT: 92 WASHINGTON STREET
HOBOKEN, NEW JERSEY

B E F O R E:

Chairman Gary Holtzman
Vice Chairman Frank Magaletta
Commissioner Caleb McKenzie

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

Andrew E. Hipolit P.E., P.P., C.M.E.
David Glynn Roberts, AICP/PP, LLA, RLA
Patricia Carcone, Board Secretary

THERESA L. CARIDDI TIERNAN
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APPEARANCES:

STEVEN GLEESON, ESQ.,
Attorney for the Board.

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E X H I B I T S

<u>NUMBER</u>	<u>DESCRIPTION</u>	<u>IDENT</u>
NO EXHIBITS WERE MARKED.		

1 CHAIRMAN HOLTZMAN: Good evening,
2 everyone. It is Wednesday, October 14th. It's
3 7:06.

4 This is the Hoboken Planning Board
5 Completion Meeting.

6 I would like to advise all those
7 present that notice of this meeting has been
8 provided to the public in accordance with the
9 provisions of the Open Public Meetings Act, and that
10 notice was published in the Jersey Journal and on
11 the City's web site. Copies were also provided to
12 the Star Ledger, The Record, and also placed on the
13 bulletin board in the lobby of City Hall.

14 Pat, please call the roll.

15 SECRETARY CARCONE: Commissioner
16 Holtzman.

17 CHAIRMAN HOLTZMAN: Here.

18 SECRETARY CARCONE: Commissioner
19 Magaletta.

20 COMMISSIONER MAGALETTA: Here.

21 SECRETARY CARCONE: Commissioner
22 McKenzie.

23 COMMISSIONER MCKENZIE: Here.

24 CHAIRMAN HOLTZMAN: Great. Thank you.
25

1 (Agenda matters heart at this time.)

2

3 CHAIRMAN HOLTZMAN: Anything else,

4 gentlemen? Motion to close the meeting?

5 COMMISSIONER MAGALETTA: Moved.

6 CHAIRMAN HOLTZMAN: Moved? Second?

7 COMMISSIONER MCKENZIE: Second.

8 CHAIRMAN HOLTZMAN: Second? Yes. All

9 in favor?

10 (Voice vote taken at this time.)

11 CHAIRMAN HOLTZMAN: Thank you.

12 (Concluded at 8:03 p.m.)

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CERTIFICATE OF OFFICER

1
2 I, THERESA L. TIERNAN, A Notary Public and
3 Certified Court Reporter of the State of New Jersey, do
4 hereby certify that the foregoing is a true and correct
5 transcript of the proceedings as taken stenographically
6 by and before me at the time, place and on the date
7 herein before set forth.

8 I DO FURTHER CERTIFY that I am neither a
9 relative nor employee nor attorney nor counsel of any
10 of the parties to this action, and that I am neither a
11 relative nor employee of such attorney or counsel, and
12 that I am not financially interested in the action.
13
14

15 THERESA L. CARIDDI TIERNAN
16 Notary Public of the State of New Jersey
17 C.C.R. License No. XI01210
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HOBOKEN SUBDIVISION AND SITE PLAN REVIEW COMMITTEE
CITY OF HOBOKEN

61-63 FOURTEENTH STREET,
Block 245, Lots 6-7

OCTOBER 14, 2015

WEDNESDAY 7:06 PM

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1 APPEARANCES:

2 STEVEN GLEESON, ESQ.,
3 Attorney for the Board.

4 ROBERT MATULE, ESQ.,
5 Attorney for the Applicant.

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E X H I B I T S

<u>NUMBER</u>	<u>DESCRIPTION</u>	<u>IDENT</u>
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NO EXHIBITS WERE MARKED.

1 CHAIRMAN HOLTZMAN: So the first item
2 on our agenda this evening, Mr. Matule, is 61-63
3 Fourteenth Street?

4 MR. MATULE: Good evening, Mr.
5 Chairman, Board Members. Robert Matule appearing
6 for the applicant.

7 Yes, we were here last month. We got
8 the reports from the Board's professionals.
9 Mr. Vandermark can Address the Board specifically,
10 but as far as I know he's addressed or is able to
11 address everything raised, including the issues
12 raised in the Flood Plain Administrator's letter.

13 CHAIRMAN HOLTZMAN: Okay.

14 MR. MATULE: So I don't know if you
15 want Mr. Vandermark sworn or --

16 MR. GLEESON: Yes, we swear him in.
17 A N T H O N Y V A N D E R M A R K, being first duly
18 sworn, testifies as follows:

19 MR. GLEESON: Could you please state
20 your first name, spell your last name.

21 MR. VANDERMARK: Sure. That's Anthony
22 C. Vandermark, Jr. That's V-A-N-D-E-R-M-A-R-K.
23 Principal of the architectural firm of Minervini
24 Vandermark.

25 MR. GLEESON: And the Subcommittee

1 accepts Mr. Vandermark's credentials.

2 CHAIRMAN HOLTZMAN: Absolutely.

3 MR. HIPOLIT: Although we have a big
4 agenda, I can streamline it with a couple of
5 questions.

6 MR. GLEESON: Great. Why don't you
7 jump in, Andy.

8 MR. HIPOLIT: So the first one is
9 A.D.A. access? So how are we addressing the A.D.A.
10 access for both the residential and the commercial
11 use?

12 MR. VANDERMARK: We have A.D.A. access
13 straight from the front door on the new commercial
14 space. To the western portion we have an A.D.A.
15 compliant entry door for the commercial access. We
16 have on a A.D.A. compliant toilets into the rear of
17 the customer service area for the restaurant.

18 We are going to use the rehabilitation
19 subcode where we don't have to be A.D.A. compliant
20 on the upper units.

21 MR. HIPOLIT: The residential units.

22 MR. VANDERMARK: On the residential
23 units. And we will provide, because the building
24 inspectors are requiring, that the toilets and the
25 kitchen be A.D.A. compliant, which they will be, you

1 know, as part of this layout. However, there will
2 be no elevator in the structure.

3 MR. HIPOLIT: Okay. I believe they can
4 do that.

5 So, you know, the Board would have to
6 take that under advisement.

7 How are we dealing with drainage?

8 MR. VANDERMARK: We provided roof drain
9 calculations for the principle roof drains and
10 overflow in the details as you requested. We also
11 had added a detention tank by requests or by
12 suggestion of the Board. We had an existing
13 refrigeration and storage vault underneath the first
14 floor deck, and we are going to convert that into a
15 large detention tank, you know, as part of this
16 proposal. So we'll comply with everything that the
17 Flood Plain Administrator had requested, but also
18 we're actually making better improvements than
19 what's in her report.

20 MR. HIPOLIT: Okay, great. Were there
21 any other missing items on your checklist?

22 MR. ROBERTS: The ones that were listed
23 on our letter of September 2nd have been addressed
24 in the revised plans that I believe we received by
25 FedEx a week ago on Tuesday.

1 CHAIRMAN HOLTZMAN: Okay.

2 MR. ROBERTS: So since then I checked
3 those plans and they have -- and we got the floor
4 plain letter, we got table's been corrected, so I
5 think in terms of completeness we're satisfied,
6 and --

7 MR. HIPOLIT: We are, too.

8 MR. ROBERTS: I think obviously the
9 variances are going to have to be addressed at the
10 hearing.

11 CHAIRMAN HOLTZMAN: Sure. Any
12 questions or anything, Frank?

13 COMMISSIONER MAGALETTA: Yeah, just a
14 question. This is in regard to Andy's September 3
15 letter. Number 15 talks about consolidating the
16 lots. This is for Mr. Matule, not for your expert.

17 MR. MATULE: Okay.

18 COMMISSIONER MAGALETTA: If you're not
19 consolidating the lots and if not, could you show
20 the easements, what's going on with that? If you
21 could address this or at the hearing.

22 MR. MATULE: I can tell you what my
23 experience has been with the tax assessor is he
24 doesn't merge the lots, he keeps them. We certainly
25 have no objections to filing a deed of

1 consolidation, but my experience is the tax assessor
2 still keeps them as separate lots.

3 MR. HIPOLIT: I would -- I don't think
4 the tax assessor, but I would recommend
5 consolidating.

6 COMMISSIONER MAGALETTA: I think it's
7 appropriate as well.

8 MR. HIPOLIT: I agree.

9 MR. MATULE: I mean, I think there's a
10 merger anyway by virtue of the fact --

11 MR. HIPOLIT: If you file a deed --

12 MR. MATULE: They're undersized lots,
13 but we have no objections to any condition of
14 approval requiring that we file a deed of
15 consolidation.

16 CHAIRMAN HOLTZMAN: Okay.

17 MR. HIPOLIT: We agree to that.

18 COMMISSIONER MAGALETTA: Okay. Thank
19 you.

20 CHAIRMAN HOLTZMAN: Thank you.

21 Caleb, anything? No questions or
22 anything? Okay. That being said, the team feel
23 it's --

24 COMMISSIONER MAGALETTA: I think it's
25 ready to go.

1 CHAIRMAN HOLTZMAN: Ready to go, yeah,
2 we're set.

3 MR. MATULE: Great. I know when we --
4 we're working on a tentative agenda, we're talking
5 of putting this on for the 28th?

6 SECRETARY CARCONE: Yeah, well, we had
7 carried two matters to the 28th from our other
8 meeting, so I figured this would be the next one up.

9 CHAIRMAN HOLTZMAN: That sounds good.

10 SECRETARY CARCONE: We'll add this one
11 to the 28th.

12 MR. HIPOLIT: It's going to be a long
13 meeting.

14 SECRETARY CARCONE: What.

15 MR. HIPOLIT: It's going to be a long
16 meeting.

17 SECRETARY CARCONE: It's three
18 projects.

19 MR. HIPOLIT: Long meeting.

20 MR. MATULE: Okay. Thank you very
21 much.

22 CHAIRMAN HOLTZMAN: Thank you.

23

24 (Concluded at 7:11 p.m.)

25

HOBOKEN SUBDIVISION AND SITE PLAN REVIEW COMMITTEE
CITY OF HOBOKEN

306-308 PARK AVENUE;
Block 166, Lots 34-01 & 34.02

OCTOBER 14, 2015
WEDNESDAY 7:11 PM

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I N D E X

WITNESS
JENSEN VASIL

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E X H I B I T S

NUMBER

DESCRIPTION

IDENT

NO EXHIBITS WERE MARKED.

1 CHAIRMAN HOLTZMAN: So our next item,
2 we have 306 Park.

3 MR. MATULE: Good evening. Robert
4 Matule appearing for the applicant, Fig Tree
5 Development.

6 Again, this is an application to
7 renovate and expand the existing structure at
8 306-308 Park Avenue, formerly the Fig Tree
9 Restaurant on the ground floor with residences
10 above.

11 We received reports from the Board
12 professionals, and I believe Mr. Vasil can respond.

13 CHAIRMAN HOLTZMAN: Sure. Why don't
14 you come up here, we can make introductions.

15 J E N S E N V A S I L, being first duly sworn,
16 testifies as follows:

17 MR. GLEESON: Can you please state your
18 full name and spell your last name?

19 MR. VASIL: Jensen Vasil, "V" as in
20 Victor, A-S-I-L.

21 MR. GLEESON: Thank you, and I take it
22 that the Board accepts Mr. Vasil's credentials?

23 CHAIRMAN HOLTZMAN: We do. Thank you.

24 MR. MATULE: If you could, Jensen,
25 just -- I know you've received both the Flood Plain

1 administrator's letter of October 9th, as well as
2 the reports from the Board professionals.

3 MR. VASIL: Correct.

4 MR. MATULE: And you've revised the
5 plans. We haven't submitted them yet, but can you
6 kind of go through and advise the Board
7 professionals the specific changes you've made or
8 have you addressed everything in their reports.

9 MR. VASIL: Sure. I can go item by the
10 item. At least the first one, the lot numbers,
11 that's been corrected on the site plan, and on the
12 first zoning sheet, Z-01. The zoning table has been
13 updated to include the floor-to-floor height, we're
14 compliant, the minimum is ten feet, and we're at 10
15 foot seven.

16 The building depth has been added.
17 We're under the maximum required or allowable
18 building depth. We're at 57 feet, and we would --
19 and 70 was the max.

20 Roof coverage has been added and the
21 rear yard patio coverage has also been added. So we
22 are all compliant, no variances requested. And
23 facade materials, we are compliant with all
24 sections. And also the front yard setback listed
25 has been corrected to zero.

1 I have on my table indicated that
2 the -- that the undersized lot is a variance
3 request. I have also corrected the duplicate CO-6
4 sheet. Landscaping details, planting schedules have
5 been provided on their own site plan, and for the
6 roof deck. And facade details and materials have
7 been included on A-200, which are -- which show the
8 compliant -- compliance with the code.

9 The biggest one, number two, the
10 private rear yard space, this was also addressed in
11 Miss Holtzman's comments. We've eliminated all --
12 any enclosed area downstairs as far as storage, so
13 it's one open space except for a stair in the
14 elevator, so it's basically one big open space.

15 MR. MATULE: And that would be straight
16 through?

17 MR. VASIL: That's correct. And to
18 clarify the meaning of the new STG, that was
19 storage, but that's gone, so we removed that from
20 the plan.

21 The original building was actually two
22 buildings, which is why they had the two separate
23 stairs. We have two means of egress; one being the
24 stair in the back that we're proposing for lot
25 coverage, and one is the main fire stair. So we

1 only need one for the four units -- or two, excuse
2 me, two units.

3 The roof decks and the rear yards, I've
4 shown who they're deeded to, so the upper two roof
5 decks, one is deeded to Unit 4, which is the fourth
6 floor, and one is deeded to Unit 5, or, I'm sorry,
7 Unit 4 and Unit 3, and then the downstairs two
8 lowest apartments were deeded to the two rear yards,
9 and that's all, that's going to be it on the site
10 plan.

11 The front planters approaching the
12 right of way, we had a note -- we had a note in
13 there that anything beyond the public right-of-way
14 has to be approved by City Council, so that
15 remained.

16 And the roof construction plan, we have
17 a roof guard that's indicated, and we also have a
18 noise baffle design specification. And --

19 MR. MATULE: And there was a comment
20 about the generator being at least three feet back
21 from the edge of the roof.

22 MR. VASIL: Yes, correct.

23 MR. MATULE: So that's located --

24 MR. VASIL: That's correct. That's
25 correct. We can split those up, so they're not all

1 on one piece of dunnage. They can go on two, two
2 separate pieces.

3 CHAIRMAN HOLTZMAN: So does it sound
4 like Mr. -- that Jensen has basically hit all the
5 high points, Andy?

6 MR. HIPOLIT: He hit all the high to me
7 other than -- other than the -- well, no, he hit --
8 yeah, you have to give some testimony on drainage,
9 you have to give some testimony on the green roof,
10 but, you know, they hit all the high points.

11 CHAIRMAN HOLTZMAN: Were there any
12 other outstanding items for you, Dave?

13 MR. ROBERTS: They basically went right
14 down the list.

15 CHAIRMAN HOLTZMAN: So if I understand
16 this correctly, the original plans that we were
17 submitted, had to be, rather, dramatically changed,
18 right?

19 MR. VASIL: The basement -- correct,
20 basement floor we had to eliminate all the walls and
21 we had to infill up to lowest adjacent grade in the
22 back.

23 CHAIRMAN HOLTZMAN: Right, right,
24 right. So unfortunately we do not have copies of
25 those just yet.

1 MR. VASIL: Correct.

2 CHAIRMAN HOLTZMAN: This is something
3 you're still fine tuning or --

4 MR. VASIL: It's done. We have it. So
5 it's all digital. I can, you know, email whatever.

6 CHAIRMAN HOLTZMAN: Okay.

7 COMMISSIONER MAGALETTA: I have a few
8 questions.

9 CHAIRMAN HOLTZMAN: Yeah.

10 COMMISSIONER MAGALETTA: On the
11 ownership disclosures, the contribution disclosure,
12 I think they're not complete. This is not
13 nothing -- that is just technical stuff. I think as
14 far as you filled it out, but I think that the
15 names, but as far as some of them not properly
16 checked off as either property owner or it's just --
17 let's just go through, you'll see --

18 MR. MATULE: I'll check them.
19 Typically, we indicate whether it's a professional
20 or a --

21 COMMISSIONER MAGALETTA: I know you do,
22 but this time you didn't, but usually you do, you're
23 right.

24 MR. MATULE: I'll check.

25 COMMISSIONER MAGALETTA: Yeah.

1 MR. MATULE: But it usually ties into
2 the disclosure sheet in the application itself.

3 COMMISSIONER MAGALETTA: Right. No, I
4 understand that. It's not earth shattering, but
5 it's one thing to take a look.

6 CHAIRMAN HOLTZMAN: Easy enough to
7 check.

8 COMMISSIONER MAGALETTA: Yeah. You put
9 pictures of the property in the front, you really
10 can't see the height because it's a tree, if you
11 could get a better front view, that would be a good
12 thing. And then with respect to the waivers you're
13 seeking, there's a few. I'm fine with most of them.
14 I think, though, as far as storm water management
15 plan, I think that's one thing, I think you asked
16 for that at the time as a condition of final
17 approval.

18 Is that correct?

19 MR. MATULE: Well, when we have it
20 split, when we have ten or more units and we need to
21 get preliminary and then final site plan, we usually
22 request that be condition of final site plan.

23 COMMISSIONER MAGALETTA: Huh-uh.

24 MR. MATULE: What we have typically
25 done at the Zoning Board, where we have minor site

1 plan approval, is we either make it a condition of
2 signing off on the plans or make it a condition of
3 issuing a building permit. Because of the expense
4 involved in having that done, I think that's sort of
5 the philosophy behind outside agency approvals being
6 conditions of approval here so you don't have to
7 incur the expense until you know you have approvals.

8 MR. HIPOLIT: I think if we follow
9 through on the drainage, if the applicant agrees on
10 the record to comply with North Hudson, you know the
11 minimum requirements. When you have your hearing,
12 we can dive further into that and determine whether
13 you think that's enough or you want more. They are
14 providing other things here that potentially can add
15 even more protection. So I think from a
16 completeness standpoint, they're agreeing to comply
17 with the requirements, and the design that really is
18 another agency that reviews that. This Board
19 doesn't review that, but you can add more to it as
20 part of your hearing.

21 COMMISSIONER MAGALETTA: Okay. That is
22 fine. That's fine. I just wanted to get it on the
23 record. Thank you. Thank you, Mr. Matule. That's
24 it. That is all I have.

25 CHAIRMAN HOLTZMAN: Okay. Nothing else

1 know, you'll have it tomorrow, so...

2 MR. HIPOLIT: Well, I just want to be
3 careful. Digital is great, we can get them, but you
4 need to submit -- the secretary needs her whatever
5 number of copies by paper before the deadlines,
6 so...

7 COMMISSIONER MAGALETTA: That's what
8 I'm saying.

9 SECRETARY CARCONE: And you want a
10 paper copy, too.

11 MR. HIPOLIT: Yeah, I want a paper
12 copy, too. I mean, I like you guys, but I'm not
13 paying to print the paper.

14 CHAIRMAN HOLTZMAN: So how quickly can
15 that be done?

16 MR. VASIL: I can print it tomorrow and
17 I can have it FedEx'd out the following day.

18 MR. HIPOLIT: That's fine.

19 CHAIRMAN HOLTZMAN: Then pending that
20 we'll say they're approved.

21 COMMISSIONER MAGALETTA: Yeah.

22 CHAIRMAN HOLTZMAN: Everybody is good
23 with that?

24 COMMISSIONER MCKENZIE: Yes.

25 MR. VASIL: So we're scheduled for

1 10/28 tentatively.

2 SECRETARY CARCONE: No, no.

3 MR. MATULE: We can't do it on 10/28.
4 It's too late to get the notices.

5 MR. HIPOLIT: I got you.

6 MR. MATULE: September -- I mean,
7 November 10th. I understand your November meeting
8 is November 10th.

9 CHAIRMAN HOLTZMAN: Correct.

10 MR. MATULE: Could we tentatively list
11 it for November 10th?

12 CHAIRMAN HOLTZMAN: Yes.

13 MR. HIPOLIT: Okay.

14 MR. MATULE: I think you have a pretty
15 full agenda for the 28th.

16 MR. HIPOLIT: Yeah, we do.

17 CHAIRMAN HOLTZMAN: We're full of them
18 already there. Yeah, we're going to keep moving,
19 yup.

20 MR. MATULE: So we'll see you
21 November 10th, and we will get the hard copies to
22 the Board professionals before the end of the week.

23 CHAIRMAN HOLTZMAN: Terrific. Thank
24 you. Thanks.

25 MR. MATULE: Thank you. We'll talk

1 tomorrow, Jensen.

2

3 (Concluded at 7:22 p.m.)

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CERTIFICATE OF OFFICER

1
2 I, THERESA L. TIERNAN, A Notary Public and
3 Certified Court Reporter of the State of New Jersey, do
4 hereby certify that the foregoing is a true and correct
5 transcript of the proceedings as taken stenographically
6 by and before me at the time, place and on the date
7 herein before set forth.

8 I DO FURTHER CERTIFY that I am neither a
9 relative nor employee nor attorney nor counsel of any
10 of the parties to this action, and that I am neither a
11 relative nor employee of such attorney or counsel, and
12 that I am not financially interested in the action.
13
14

15 THERESA L. CARIDDI TIERNAN
16 Notary Public of the State of New Jersey
17 C.C.R. License No. XI01210
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HOBOKEN SUBDIVISION AND SITE PLAN REVIEW COMMITTEE
CITY OF HOBOKEN

726-732 GRAND STREET,
Block 85, Lots 14, 15.05-15.08

OCTOBER 14, 2015

WEDNESDAY 7:22 PM

HELD AT: 92 WASHINGTON STREET
HOBOKEN, NEW JERSEY

B E F O R E:

Chairman Gary Holtzman
Vice Chairman Frank Magaletta
Commissioner Caleb McKenzie

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

Andrew E. Hipolit P.E., P.P., C.M.E.
David Glynn Roberts, AICP/PP, LLA, RLA
Patricia Carcone, Board Secretary

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APPEARANCES:

STEVEN GLEESON, ESQ.,
Attorney for the Board.

ROBERT MATULE, ESQ.,
Attorney for the Applicant.

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I N D E X

WITNESS		PAGE
FRANK MINERVINI		37

E X H I B I T S

<u>NUMBER</u>	<u>DESCRIPTION</u>	<u>IDENT</u>
NO EXHIBITS WERE MARKED.		

1 CHAIRMAN HOLTZMAN: All right. And
2 moving right along Mr. Matule. 726 Grand.

3 MR. MATULE: Okay. We have
4 Mr. Minervini here.

5 This is a somewhat larger application.
6 This is an application for preliminary site plan
7 approval with variances.

8 We have received Mr. Roberts' reports.
9 I don't think we've received a report --

10 CHAIRMAN HOLTZMAN: I also don't see a
11 review from the Flood Plain Manager.

12 MR. MINERVINI: No, we have not
13 received that.

14 MR. MATULE: We have not received a
15 flood plain report either. I actually emailed the
16 administrator this afternoon.

17 MR. MINERVINI: In her defense, we gave
18 her drawings yesterday, so she wouldn't --

19 MR. MATULE: You gave her revised
20 drawings?

21 MR. MINERVINI: Yeah, we didn't have
22 time to finish it all.

23 CHAIRMAN HOLTZMAN: Okay, all right.
24 It does seem like it's fair enough.

25 MR. MATULE: Okay.

1 CHAIRMAN HOLTZMAN: I think I'll defend
2 her in this case.

3 MR. HIPOLIT: I'll defend her for you.

4 MR. MATULE: But, Mr. Minervini, do you
5 want Mr. Minervini sworn?

6 F R A N K M I N E R V I N I, being first duly sworn,
7 testifies as follows:

8 MR. GLEESON: Could you please state
9 your full name, spell your last name for the record.

10 MR. MINERVINI: Frank Minervini,
11 M-I-N-E-R-V-I-N-I.

12 MR. GLEESON: Issued take it the
13 Board accepts Mr. Minervini's credentials?

14 CHAIRMAN HOLTZMAN: Sure. Why not.

15 MR. MINERVINI: Thank you.

16 CHAIRMAN HOLTZMAN: So these revised
17 plans that have just been into the Flood Plain
18 Manager, have these also been received by other
19 professionals?

20 MR. MINERVINI: Yes, the same set of
21 plans.

22 CHAIRMAN HOLTZMAN: I'm sorry?

23 MR. MINERVINI: Same set of plans.

24 When Bob says "revised", he's referring to initially
25 this was going to the Zoning Board.

1 CHAIRMAN HOLTZMAN: Right.

2 MR. MINERVINI: So the revised plans
3 for the Planning Board is the same set that we had
4 given yesterday to the Flood Plain Manager, but it's
5 also the set that you all have.

6 CHAIRMAN HOLTZMAN: Okay.

7 MR. MATULE: And just for the record,
8 that's the set dated 7/24/15?

9 MR. HIPOLIT: Yes.

10 MR. MATULE: So we all know we're
11 talking about this set of plans.

12 CHAIRMAN HOLTZMAN: Okay.

13 MR. MATULE: Okay. And you've -- you
14 have -- I know you have Mr. Roberts' report.

15 MR. MINERVINI: Yes, I reviewed that
16 one.

17 CHAIRMAN HOLTZMAN: Andy, you've got a
18 couple of things on your letter here?

19 MR. HIPOLIT: I do. So just jump into
20 a little bit more of the site, if you could for me.

21 MR. MINERVINI: Well, the site has been
22 partially remediated. There's an LSRP assigned to
23 the property, and as part of his requirements, and
24 he will be at the Planning Board meeting to discuss
25 these things with much more -- in much more detail,

1 because I'm not an LSRP. We not only have to cap
2 the site, but we also have to enclose the site. So
3 at his suggestion, the minimum, meaning it has to be
4 enclosed, the entire property has to be enclosed, so
5 he wants minimally six for inspection, has to be
6 inspected, enough room to inspect, which is why
7 you'll see on the plans we've got our gray water
8 system as well as our retention tanks above grade.
9 They have to be. We took that six feet, added
10 12 inches to his requirements and provided parking
11 there. If that's something the Board doesn't want,
12 then we certainly understand, but he will be here to
13 describe exactly why we need this double layer.

14 MR. HIPOLIT: I think the -- at least
15 the issue for me is when I read through a lot of the
16 documents, you, or at least your planner, discusses
17 the need to cap the whole site and have a hundred
18 percent lot coverage.

19 MR. MINERVINI: Yes. Well, that is --
20 we have to cap the site, we know that, that -- and
21 traditionally it's at ground level. This -- because
22 the regulations have changed, and he'll describe
23 that, it has to have a cap, and also enclosure. So
24 it has to be roofed. So the question is: How big
25 of a roof area is it? And, again, so he --

1 MR. HIPOLIT: So what's the difference
2 between this site and the site next door?

3 MR. MINERVINI: The site next door,
4 which we did as well, the regulations have changed
5 since then. I'm not an LSRP. He will describe
6 that, and if you want we could put that within a
7 report, a secondary report, if you like.

8 COMMISSIONER MAGALETTA: Actually, I
9 would appreciate that. Thank you.

10 MR. HIPOLIT: We need something on
11 that. I'm not familiar with --

12 MR. MINERVINI: No, we're not here with
13 a hundred percent lot coverage, not knowing that
14 that's not something that generally we cannot do.
15 But this is here as a result of something that we
16 have to do. The question is, and he'll describe
17 this better, whether we have a six foot enclosure or
18 seven foot enclosure, which allows parking, and, you
19 know...

20 MR. HIPOLIT: So the question that will
21 come up is all, we'll go into it now, is if you have
22 to encapsulate it and cover it, and it's six feet
23 high, why couldn't you stop there, and then get to
24 your lot coverage requirement and leave the rest as
25 open green space?

1 MR. MINERVINI: Well, that's -- the
2 point is that the entire property, not just where
3 the building is, has to be roofed. So he will tell
4 you why that -- that area in front of -- show the
5 floor plans, the building is U-shaped, so originally
6 the area that we're talking about, and I'll go to --

7 MR. HIPOLIT: What page are you on?

8 MR. MINERVINI: I'm looking for the
9 proper sheet. That would be Sheet Z-7. Look at
10 sheet Z-7, what we're referring to really is this
11 area.

12 MR. HIPOLIT: Okay.

13 MR. MINERVINI: So that is built up to
14 seven feet clear within the space, we're providing
15 some parking there as well as our above ground water
16 retention systems and gray water. There's a
17 redundant system because we're proposing to phase
18 the project, so if they're not done at the same
19 time, then one is done first, we have to provide
20 gray water and retention for one as well as the
21 other. Those all have to be above grade because of
22 the soil condition. He will describe that better
23 than I can.

24 MR. HIPOLIT: But how -- this roof
25 deck, how high is this roof deck above existing

1 grade?

2 MR. MINERVINI: We've increased that
3 to, I think, it's seven, eight -- seven and a half,
4 eight feet, so that we can allow parking beneath it.
5 If the Board, after listening to our LSRP, agrees
6 with him, but doesn't want us to have it at
7 eight feet, wants us to keep it at six feet, which
8 is his minimum requirement, then that's what we'll
9 do, but --

10 MR. HIPOLIT: I think what's important
11 I think you need to get it to us sooner than later.

12 MR. MINERVINI: Uh-uh.

13 MR. HIPOLIT: Is the requirement he's
14 stating that's made this change, so we can get our
15 LSRP to look at it and agree to it.

16 MR. MINERVINI: Sure.

17 MR. HIPOLIT: So if, in fact, the
18 regulation has changed since a few years ago --

19 MR. MINERVINI: I'm not saying the
20 regulation has changed with that specifically. The
21 regulation has changed relative to what the other
22 property, why they didn't do --

23 MR. HIPOLIT: You need to document it.

24 MR. MINERVINI: Sure.

25 MR. HIPOLIT: That's definitely an

1 issue. We need to know what it is and we need to
2 have somebody parallel that.

3 MR. MINERVINI: Okay.

4 MR. HIPOLIT: So we'll have -- the
5 sooner you give it to us, the better.

6 MR. MINERVINI: Yup, we can do that. I
7 understand.

8 CHAIRMAN HOLTZMAN: So I just want to
9 make sure that I'm hearing this right because it
10 doesn't -- it's going to get -- this one is going to
11 get complicated real quick.

12 MR. MINERVINI: Yes.

13 COMMISSIONER MAGALETTA: It is
14 complicated.

15 CHAIRMAN HOLTZMAN: It's already
16 complicated and we're not even out of the box yet.
17 That's right.

18 I think there's going to need to be a
19 very serious explanation from a technical standpoint
20 of this information that you got to give to Andy and
21 his team to be able to verify and flush it out.

22 MR. MINERVINI: Yes.

23 CHAIRMAN HOLTZMAN: Or to say, "No, you
24 guys are reading the regulation wrong." And also
25 are going to need to understand and the Board is

1 certainly going to need to understand, because we
2 dealt with the application on the property next
3 door, as to why these things, one of these things is
4 not like the other anymore.

5 MR. MINERVINI: Uh-huh.

6 CHAIRMAN HOLTZMAN: And I would assume
7 that the -- whatever the contaminated -- the mercury
8 contamination is, I believe it's mercury or there's
9 probably gotten those other things as well, but
10 mercury was the highlight.

11 MR. MINERVINI: Yes.

12 CHAIRMAN HOLTZMAN: On both sites, so
13 we're going to need some really good explanation as
14 to why something that we saw previously before the
15 Board was treated in one way and why this has to be
16 treated in a secondary way.

17 MR. MINERVINI: Understood, understood.

18 MR. HIPOLIT: And it's not -- I mean,
19 from a Board perspective, not that much time has
20 passed between the applications.

21 CHAIRMAN HOLTZMAN: That's right.

22 MR. HIPOLIT: We have 10 years between
23 them.

24 MR. MINERVINI: No, we absolutely
25 recognize that. Again, we're not coming to this

1 Board with the thought that, yeah, let's approve
2 this a hundred percent. We know better.

3 MR. HIPOLIT: What I would say is, I
4 know that Mr. Matule won't necessarily like this, in
5 my opinion, I wouldn't necessarily make this
6 complete at this point, if -- until we get settle
7 this. If, let's say, we can't come to a settlement
8 and the plans can be totally changed, how do you
9 forward and schedule for an application? I'd rather
10 stealth that issue first.

11 COMMISSIONER MAGALETTA: Just let
12 him --

13 MR. MINERVINI: If I may, suppose our
14 LSRP doesn't agree with yours. Ultimately, the way
15 this works --

16 MR. HIPOLIT: Regs are regs. Regs are
17 regs.

18 MR. MINERVINI: Well, not necessarily.
19 The LSRP has to -- it's his license that's on the
20 line, and he's the one that's responsible.

21 MR. HIPOLIT: I get that.

22 MR. MINERVINI: So it's not just
23 regulations. That are minimum regulations and there
24 are suggested regulations. Again, this is how I
25 have been told, what I've been told --

1 CHAIRMAN HOLTZMAN: So what will happen
2 is you'll have -- if there is a discrepancy or there
3 is no agreement between what the interpretation is
4 of the reading of those regulations, then that's for
5 the Board to make a decision on, that we'll take the
6 testimony from your professional and we will take
7 the testimony from Andy's in-house professional as
8 well and the Board can either, rightly or wrongly,
9 decide which way is --

10 MR. MINERVINI: Of course.

11 CHAIRMAN HOLTZMAN: Sounds kosher.

12 MR. HIPOLIT: There are, you know,
13 LSRPs that are licensed professionals under the
14 state. So they have minimum regulations, and an
15 LSRP can make recommendations for things that are
16 graded, that they control the site. At least so far
17 since that program as in place I haven't had a
18 situation where two LSRPs can't agree on something.

19 MR. MINERVINI: Okay.

20 MR. HIPOLIT: If it so happens here,
21 I'd find it odd.

22 MR. MINERVINI: Yes.

23 MR. HIPOLIT: Your guy should be able
24 to explain it to my guy why he's doing it, and we
25 should be able to lay it out to the Board and it

1 should make sense.

2 MR. MINERVINI: I understand. I was
3 just suggesting that perhaps that can happen while
4 we're still in the queue, while we are as initially
5 scheduled for November 10th, as opposed to having
6 that agreement, which I don't think, you know, may
7 or may not happen, we're going to be with this
8 application regardless of the --

9 CHAIRMAN HOLTZMAN: I think this is
10 important enough that we need to resolve it. I
11 think that Frank here --

12 MR. HIPOLIT: So we have the second
13 issue, though, so. There are a few other things
14 here, Flood Plain Manager hasn't okayed yet. And
15 I'm not -- listen, I'm not trying to delay. I know
16 time is money.

17 MR. MINERVINI: Those are -- generally
18 speaking, with her, we always accommodate her, with
19 her position, so it would never have --

20 MR. HIPOLIT: That's true, you're
21 right, I agree, but we should really have her --

22 MR. MINERVINI: That shouldn't be used
23 against us necessarily.

24 MR. HIPOLIT: It's up to you guys.

25 MR. MATULE: The only comment I have,

1 is I -- it was my understanding, and again I'm not
2 an LSRP, but that report that we submitted that, I
3 think, it was September 30th report, was what an
4 attempt by our LSRP to explain the rationale for
5 doing this.

6 MR. HIPOLIT: Well, I view --

7 MR. MATULE: If you now want more
8 detail, we can provide it.

9 MR. HIPOLIT: I think the LSRPs need to
10 talk to each other.

11 MR. MINERVINI: Okay.

12 MR. HIPOLIT: And we can even set up a
13 conference call or however you want to do that. I
14 don't have an issue with that.

15 MR. MINERVINI: Okay. Should that
16 happen first --

17 CHAIRMAN HOLTZMAN: We need to --

18 MR. MINERVINI: Before the secondary
19 report, and speak first.

20 MR. HIPOLIT: Yeah. Certainly, we can
21 do that.

22 CHAIRMAN HOLTZMAN: Let's make sure we
23 get that resolved, we'll get the Flood Plain Manager
24 on the record and we'll circle you guys back on our
25 next completion meeting.

1 MR. MINERVINI: Okay.

2 MR. MATULE: And just when -- Pat, when
3 is the next --

4 SECRETARY CARCONE: Thursday,
5 November 12th.

6 MR. MATULE: November 12th?

7 SECRETARY CARCONE: November 12th,
8 we're on. It had been scheduled for the 30th, but
9 we're going to move it around to the 12th.

10 COMMISSIONER MAGALETTA: Mr. Matule,
11 we'll see a lot of you.

12 MR. HIPOLIT: So 11/12?

13 SECRETARY CARCONE: 11/12, yeah.

14 MR. MINERVINI: When would the
15 following -- for my own schedule, when would the
16 Planning Board meeting, assuming that at the 12th
17 everything has been addressed --

18 SECRETARY CARCONE: December 1st.

19 MR. MINERVINI: December 1st. Okay.

20 MR. MATULE: So just to wrap it up, can
21 we carry this to the next subdivision and site plan
22 review committee meeting of November 12th.

23 CHAIRMAN HOLTZMAN: Yes, correct.

24 COMMISSIONER MAGALETTA: Don't just go
25 anywhere just yet. I think he has some other

1 questions. I have some issues as well.

2 CHAIRMAN HOLTZMAN: Right.

3 Andy, you had some -- did you want to
4 highlight some other issues?

5 MR. HIPOLIT: They just got my letter
6 now, so we can --

7 CHAIRMAN HOLTZMAN: Okay. Dave, is
8 there anything else you wanted to find out
9 specifically?

10 MR. ROBERTS: I'm going to suggest that
11 there's probably some changes to be made, additions
12 and corrections to the plans, so that we should
13 probably get those, just like we did the last
14 application.

15 CHAIRMAN HOLTZMAN: So we'll get the
16 updated plans, we'll get the --

17 MR. ROBERTS: And there may be more
18 after they get their flood plain --

19 MR. MATULE: I know we also have to ask
20 for an additional variance for that -- those decks
21 that are on the front of the building.

22 MR. ROBERTS: Because there's a couple
23 of things that are outlined. So in other words, we
24 may get another set of plans even if it's just pages
25 that are changed.

1 MR. MINERVINI: Okay.

2 CHAIRMAN HOLTZMAN: Frank, did you
3 have --

4 COMMISSIONER MAGALETTA: Yeah, again,
5 it's contribution disclosures. There's two sets, it
6 looks like. Just go through those and make sure we
7 have updates that are complete. Some are blank. We
8 have names filled out, but we don't have the amount
9 disclosed, so just, again, take a look at that,
10 please.

11 MR. MATULE: I think they mostly say
12 "none" on there, but I'll check.

13 COMMISSIONER MAGALETTA: Yeah, I think
14 one has a "no", but that's -- whatever. At that
15 look, please.

16 I thought I saw in one of your
17 documents, your submissions, that there was a
18 preliminary FEMA map. Is there an updated map? Is
19 that right? Did I read that directly or not?

20 MR. MINERVINI: I did not.

21 MR. MATULE: No, I don't think so.

22 COMMISSIONER MAGALETTA: I thought I
23 read that someplace.

24 CHAIRMAN HOLTZMAN: I'm sorry. What
25 are you asking, Frank?

1 COMMISSIONER MAGALETTA: I thought I
2 saw in some of the paperwork, I saw reference to a
3 preliminary FEMA map, current one. If it was
4 updated. It caught me off guard.

5 MR. MATULE: I think that's what we
6 have been referring to, because of the fact that it
7 was --

8 MR. HIPOLIT: The advisory map.

9 MR. MATULE: It's the advisory map, but
10 it's not --

11 (Multiple persons speaking at the same time.)

12 COURT REPORTER: You're all talking at
13 the same time.

14 CHAIRMAN HOLTZMAN: Andy.

15 MR. HIPOLIT: It's the advisory map.
16 They're using the right map.

17 COMMISSIONER MAGALETTA: Okay. That's
18 fine. And then with respect to the driveway, I know
19 in Andy's letter he says that it's short of a
20 24-foot width. Do you need a variance for that or
21 is that simply something we can just address?

22 MR. MINERVINI: Are we taking back up
23 aisle?

24 MR. HIPOLIT: I know it's --

25 MR. ROBERTS: It's a curb cut, yeah.

1 COMMISSIONER MAGALETTA: You have 18
2 ten. You said and Andy says you're 24. My question
3 is: Do you need a variance for that?

4 MR. MINERVINI: No. I haven't seen
5 Andy's report, but if that's the case, we will
6 revise it to meet the requirement.

7 COMMISSIONER MAGALETTA: Okay. It's a
8 September 25 letter.

9 MR. MATULE: On that note, I think one
10 of the issues --

11 CHAIRMAN HOLTZMAN: One at a time,
12 guys, one at a time. I'm sorry. Mr. Matule has the
13 floor.

14 MR. MATULE: One of the issues
15 Mr. Roberts raised was for us to look at perhaps
16 having one driveway for an entrance and one driveway
17 for an exit, if, in fact, that's done, and there may
18 be a reason why they don't, or can't do that.

19 MR. MINERVINI: There is.

20 MR. MATULE: That would also affect the
21 width of the driveway.

22 COMMISSIONER MAGALETTA: And --

23 MR. MATULE: Depending on what the
24 ultimate resolution is.

25 MR. MINERVINI: The reason why we're

1 not proposing that is because if these buildings are
2 built in phases, each one would --

3 MR. ROBERTS: Have its own.

4 MR. MINERVINI: Have it's own, yeah.

5 MR. HIPOLIT: Is there -- they're
6 inside their 22.

7 MR. MINERVINI: Yeah, we meet the
8 20-foot requirements in terms of aisle width and
9 backup aisle.

10 MR. HIPOLIT: And they're 18.

11 MR. MINERVINI: As an access, yes.

12 CHAIRMAN HOLTZMAN: So how does this
13 work also in terms of this is an unusual point that
14 you've brought up, which is that they're -- you're
15 seeking approval of the entire thing, but you may
16 build this in two phases.

17 MR. MINERVINI: Yes.

18 CHAIRMAN HOLTZMAN: How does that
19 affect -- does that affect us in any way from an
20 approval process?

21 COMMISSIONER MAGALETTA: And that goes
22 to Andy's letter as well as far as you should,
23 again, get a subdivision approval to merge the lots.

24 MR. HIPOLIT: And I think --

25 COMMISSIONER MAGALETTA: I think you

1 definitely do need this in this situation.

2 MR. HIPOLIT: So I think on a site of
3 this nature, and on any site like this, they would
4 need to provide how they're going to phase that, so
5 we need to see a phasing plan. We need to see a
6 concept of how they build it in two phases, three
7 phases, four phases, whatever they envision, and
8 it's got to be safe from phase to phase. So you
9 can't leave a site unsafe. So it's really just a
10 lot of testimony by them, maybe a line saying Phase
11 1, Phase 2, however they want to do it.

12 MR. MINERVINI: And we can have it,
13 I'll certainly within the testimony make it very
14 clear the building designed to function as half a
15 building --

16 CHAIRMAN HOLTZMAN: Can you also make
17 sure that obviously Andy gets that ahead of time, so
18 that they can just run it past --

19 MR. MINERVINI: Okay.

20 CHAIRMAN HOLTZMAN: -- their team as
21 well, so while we're -- when we eventually get to a
22 hearing, that they've at least at least had a full
23 pass at looking at that phasing plan.

24 MR. MINERVINI: Got it.

25 MR. HIPOLIT: Yeah, okay.

1 MR. MATULE: We did a similar thing at
2 100 Marshall Street, the building that's down there
3 next to the light rail, they did the south end, and
4 now they're starting on the north end.

5 CHAIRMAN HOLTZMAN: Okay.

6 COMMISSIONER MAGALETTA: Do you know
7 what's going on with the tropical fruit building,
8 the one directly across the way?

9 MR. MINERVINI: Across?

10 COMMISSIONER MAGALETTA: Do you have
11 any --

12 MR. MINERVINI: I do. I was the
13 architect for the recent approvals.

14 MR. MATULE: I was the attorney.

15 MR. MINERVINI: Yes, we know.

16 COMMISSIONER MAGALETTA: Yeah, because
17 I just want to make sure the planner could talk
18 about how that's -- because in his reports he talks
19 before as opposed to how it is now, and I think when
20 you see the bigger picture of how it's going to fit
21 together. That's all.

22 MR. MINERVINI: Okay.

23 COMMISSIONER MAGALETTA: That's all I
24 want.

25 MR. MINERVINI: Got it.

1 MR. MATULE: And just for, sort of,
2 your information, we are -- we are preparing to file
3 for final site plan approval for that project now.

4 COMMISSIONER MAGALETTA: Okay.

5 MR. MATULE: At 720 Monroe.

6 MR. MINERVINI: But then, again,
7 getting back to the subdivision of merging the lots,
8 you said before about with the taxes, with the tax
9 assessor does. I don't care what the tax assessor
10 does, I think, for the purposes of this application
11 it should be one lot.

12 MR. MATULE: We can file a deed of
13 consolidation rather than going through a
14 subdivision process with -- we can just a deed of
15 consolidation.

16 MR. HIPOLIT: I would do that.

17 MR. MATULE: Which we have no
18 objections to as a condition of approval.

19 COMMISSIONER MAGALETTA: Okay.

20 CHAIRMAN HOLTZMAN: Okay. So we'll see
21 you guys. You'll get the stuff over to our
22 professionals as soon as possible.

23 MR. MINERVINI: Yes, thank you.

24 (Concluded at 7:40 p.m.)
25

CERTIFICATE OF OFFICER

I, THERESA L. TIERNAN, A Notary Public and Certified Court Reporter of the State of New Jersey, do hereby certify that the foregoing is a true and correct transcript of the proceedings as taken stenographically by and before me at the time, place and on the date herein before set forth.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.

THERESA L. CARIDDI TIERNAN
Notary Public of the State of New Jersey
C.C.R. License No. XI01210

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HOBOKEN SUBDIVISION AND SITE PLAN REVIEW COMMITTEE
CITY OF HOBOKEN

113-121 MONROE STREET,
Block 28, Lots 7-11

OCTOBER 14, 2015

WEDNESDAY 7:40 PM

HELD AT: 92 WASHINGTON STREET
HOBOKEN, NEW JERSEY

B E F O R E:

Chairman Gary Holtzman
Vice Chairman Frank Magaletta
Commissioner Caleb McKenzie

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

Andrew E. Hipolit P.E., P.P., C.M.E.
David Glynn Roberts, AICP/PP, LLA, RLA
Patricia Carcone, Board Secretary

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APPEARANCES:

STEVEN GLEESON, ESQ.,
Attorney for the Board.

ROBERT MATULE, ESQ.,
Attorney for the Applicant.

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E X H I B I T S

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NO EXHIBITS WERE MARKED.

1 CHAIRMAN HOLTZMAN: We got one more for
2 you, Mr. Matule.

3 MR. MATULE: I yield the floor.

4 CHAIRMAN HOLTZMAN: 113 Monroe?

5 MR. MATULE: 113 Monroe. Mr.
6 Minervini.

7 MR. MINERVINI: Same cases.

8 MR. MATULE: 113 Monroe. This is a new
9 construction for, I believe, it's eight units?

10 MR. MINERVINI: Eight units, where 18
11 are permitted.

12 MR. MATULE: Correct. Four stories
13 over parking. And I think the variance, the only
14 two variances we're seeking is one for lot coverage,
15 and 3.2 percent on the ground floor, I think, and
16 for not two other retail on the same block.

17 MR. MINERVINI: Pardon me, the
18 3.2 percent is for the cantilevered balconies that
19 we've got on two of the residential floors.

20 MR. MATULE: And you received --

21 CHAIRMAN HOLTZMAN: Dave, did you have
22 anything for us on the letter?

23 MR. ROBERTS: Well, some of the -- I
24 think might have gotten a Flood Administrator's
25 letter since this letter went out, if I'm not

1 mistaken. I think they're coming in, kind of, fast
2 and furious, so I think that may be okay. I guess
3 the -- we had just mentioned there's -- there's a
4 traffic study. I don't know if there's a waiver for
5 that Bob?

6 MR. MATULE: No. Actually, I looked at
7 the -- I had to do a reality check on that one
8 myself, and I looked at the checklist. The
9 checklist only requires a traffic report where
10 there's ten or more residential units or 5,000 or
11 more square feet of non-residential space, neither
12 of which -- I know under the old checklist 25 spaces
13 triggered it. So in either way, we're not
14 triggering that.

15 COMMISSIONER MAGALETTA: It's also an
16 increase in density or intensity of use. I think
17 this could be considered intensity of use --

18 MR. HIPOLIT: Well, one of the things
19 we like to see is some testimony on traffic. I
20 don't necessarily need level of service. I don't
21 need those volumes of reports that nobody reads
22 anyway, but we look to have and you guys have done
23 it before, is somebody that provides some testimony
24 on how the cars are getting in and out. They have
25 stacked tandem, they have lights or whatever to

1 indicate for a pedestrian complex on the site. We
2 just want a little testimony on that.

3 COMMISSIONER MAGALETTA: But do you
4 need a traffic expert? Do you need an engineer?

5 MR. HIPOLIT: He can do just, just an
6 engineer, as long as he has an engineer.

7 MR. MINERVINI: Or an architect.

8 MR. HIPOLIT: Technically, an architect
9 can do it for this size can do it, he's right about
10 that, as long as the, you know, the architect has
11 the experience, and then they can testify

12 COMMISSIONER MAGALETTA: Because those
13 issues require a --

14 MR. HIPOLIT: And Mr. Minervini
15 obviously has the experience.

16 MR. MINERVINI: Thank you.

17 MR. HIPOLIT: Yes.

18 MR. ROBERTS: Other than that,
19 Mr. Chairman, I think there may be a couple of nits
20 on the -- for corrections, but the rest of it is all
21 referencing testimony.

22 MR. HIPOLIT: My stuff can all be
23 addressed via testimony or plan revision. They've
24 got some revisions they need to provide, but they ca
25 provide them.

1 CHAIRMAN HOLTZMAN: I don't think we've
2 received the Flood Plain Manager review letter.

3 Is that correct?

4 MR. HIPOLIT: I think we may have
5 gotten an email, but I don't have it with me.

6 CHAIRMAN HOLTZMAN: So maybe it's just
7 off the presses?

8 SECRETARY CARCONE: I don't seem to
9 have it either.

10 MR. MATULE: Andy, did you do a report.

11 MR. HIPOLIT: Yeah, it's on
12 October 5th.

13 MR. MATULE: Could you email a copy.

14 MR. HIPOLIT: Actually, you're copied.
15 You're on the CC, so...

16 MR. MATULE: I'll read that.

17 SECRETARY CARCONE: Here, Bob, here's
18 an extra copy.

19 MR. MATULE: Thanks. I'll send you a
20 copy.

21 MR. MINERVINI: Yes, please.

22 MR. ROBERTS: So I guess it would be
23 complete pending the receipt of the Flood Plain
24 Manager --

25 MR. HIPOLIT: Flood Plain manager

1 report.

2 CHAIRMAN HOLTZMAN: Which I'm sure, Mr.
3 Minervini has already testified, he will fully
4 comply with.

5 MR. MINERVINI: Absolutely.
6 If we haven't already.

7 CHAIRMAN HOLTZMAN: If we haven't
8 already.

9 Anything? Questions for you,
10 gentlemen? Any question, Frank?

11 COMMISSIONER MAGALETTA: Yeah, again,
12 storm water plan or wait till the waiver -- wait
13 till and make it a condition of final approval.

14 One really big thing that stood out was
15 that this property is used for an oil business, so
16 the question is: Was there any environmental impact
17 study done? I know it's not inexpensive and it
18 takes time. Was that done?

19 MR. MINERVINI: I will find out what
20 has done from the owners who aren't here tonight.

21 COMMISSIONER MAGALETTA: Okay. Because
22 that might hold you up, because I'd like to see
23 what's going on with the property.

24 CHAIRMAN HOLTZMAN: Andy, we discussed
25 this previously about some DEP regs on when

1 properties like that, that were previously
2 commercial, are transferred, and there was some
3 documentation on that usually --

4 MR. HIPOLIT: When we get a transfer
5 from residential -- commercial to residential,
6 usually they require a Phase 1 or some look at and
7 possibly a Phase 2, and somebody's got to look at it
8 because you have a change of use and that could can
9 require some remediation or capping.

10 CHAIRMAN HOLTZMAN: Has anything like
11 that been done, gentleman?

12 MR. MATULE: I can't imagine a Phase 1
13 was not done. Typically, this is part of --

14 CHAIRMAN HOLTZMAN: It's not in the
15 book yet, is it?

16 MR. MATULE: Again, it's not something
17 we normally would submit, but I'll be happy to
18 inquire and I can -- if one was done, I'll provide
19 it to Mr. Hipolit.

20 COMMISSIONER MAGALETTA: And, again, I
21 did look for it. I figured it was something that
22 was in there, but it wasn't, so, and also, again,
23 the lots combined.

24 MR. MATULE: Again.

25 COMMISSIONER MAGALETTA: It's a

1 different application.

2 MR. MATULE: We're having a learning
3 curve here, and this can be a standard condition of
4 any approval that there would be a deed of
5 consolidation.

6 COMMISSIONER MAGALETTA: If you don't
7 do a deed of consolidation, then you've got to deal
8 with the easement issue, and I think that's why, you
9 know, it's a commonality of ownership, I understand,
10 but at the same time you're going through one
11 property, if your car is going from one to another
12 to another, how does that work?

13 MR. MATULE: Well, if there's --

14 COMMISSIONER MAGALETTA: You understand
15 what I'm saying.

16 MR. MATULE: If they're all owned by
17 the same people and there's one building on the same
18 lot, I think there's a merger by operation of law,
19 but we can make it --

20 COMMISSIONER MAGALETTA: Official.

21 MR. MATULE: -- official by filing a
22 deed of consolidation.

23 COMMISSIONER MAGALETTA: Thank you.

24 CHAIRMAN HOLTZMAN: Anything else,
25 gentlemen?

1 COMMISSIONER MAGALETTA: That's it.

2 CHAIRMAN HOLTZMAN: You guys satisfied?

3 MR. HIPOLIT: Yes.

4 CHAIRMAN HOLTZMAN: I think we'll find
5 this one complete as well.

6 COMMISSIONER MAGALETTA: Well, I think
7 I want to find out about the oil business first.

8 CHAIRMAN HOLTZMAN: You want to hold
9 it?

10 COMMISSIONER MAGALETTA: I kind of you.
11 I mean, we could find out by the next -- if you can
12 produce that, you don't to appear again. We could
13 just write it down now for probably the December
14 meeting anyway at this point. Right? I think?

15 MR. MATULE: I would think.

16 COMMISSIONER MAGALETTA: So there's
17 time.

18 SECRETARY CARCONE: We could do --

19 CHAIRMAN HOLTZMAN: So we don't need
20 any testimony or appearance at the next SSP meeting,
21 basically, just a deadline and a documentation from
22 our board engineer that he's received the DEP
23 clearances or documentation.

24 MR. MATULE: I'll inquire.

25 MR. MINERVINI: We may not need DEP

1 clearance.

2 COMMISSIONER MAGALETTA: Whatever it
3 is.

4 CHAIRMAN HOLTZMAN: Yeah. Not that it
5 necessarily -- we're not asking that it be a DEP but
6 whatever the required clearances are.

7 MR. MATULE: Okay.

8 CHAIRMAN HOLTZMAN: So we'll carry that
9 to the next SSP.

10 MR. MATULE: So by 11/12.

11 SECRETARY CARCONE: Did you say they
12 have to make an appearance?

13 MR. HIPOLIT: No.

14 SECRETARY CARCONE: No appearance, so
15 they'll be -- if they submit what you need, then
16 they'll be scheduled for the December meeting?

17 CHAIRMAN HOLTZMAN: That's right.
18 That's correct.

19 COMMISSIONER MCKENZIE: December what?

20 SECRETARY CARCONE: December 1st.

21 CHAIRMAN HOLTZMAN: All right,
22 Mr. Matule, we've had enough of you this evening.
23 Thank you very much.

24 (Concluded at 7:48 p.m.)

25

CERTIFICATE OF OFFICER

1
2 I, THERESA L. TIERNAN, A Notary Public and
3 Certified Court Reporter of the State of New Jersey, do
4 hereby certify that the foregoing is a true and correct
5 transcript of the proceedings as taken stenographically
6 by and before me at the time, place and on the date
7 herein before set forth.

8 I DO FURTHER CERTIFY that I am neither a
9 relative nor employee nor attorney nor counsel of any
10 of the parties to this action, and that I am neither a
11 relative nor employee of such attorney or counsel, and
12 that I am not financially interested in the action.

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14
15 THERESA L. CARIDDI TIERNAN
16 Notary Public of the State of New Jersey
17 C.C.R. License No. XI01210
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HOBOKEN SUBDIVISION AND SITE PLAN REVIEW COMMITTEE
CITY OF HOBOKEN

502-510 MADISON STREET
Block 67, Lots 28, 29, 30,
31 & 32

OCTOBER 14, 2015

WEDNESDAY 7:48 PM

HELD AT: 92 WASHINGTON STREET
HOBOKEN, NEW JERSEY

B E F O R E:

Chairman Gary Holtzman
Vice Chairman Frank Magaletta
Commissioner Caleb McKenzie

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

Andrew E. Hipolit P.E., P.P., C.M.E.
David Glynn Roberts, AICP/PP, LLA, RLA
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JOHN MCDONALD, ESQ.,
Attorney for the Applicant.

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E X H I B I T S

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NO EXHIBITS WERE MARKED.

1 CHAIRMAN HOLTZMAN: Good evening.

2 MR. MCDONALD: Good evening,
3 Mr. Chairman, Members of the Board. My name is John
4 McDonald. I practice with McDonald and Rodgers in
5 Somerville, New Jersey. I represent the applicants
6 here, which is 502 Madison Street, LLC.

7 This is our first appearance before the
8 Board and the Board Subcommittee.

9 We have received two letters from the
10 Board's professionals, the October 9, 2015, letter
11 from Mr. Hipolit, which is the -- which we received,
12 we were prepared to address, and the second one is
13 from Mr. Roberts and that was dated October 6, 2015.

14 CHAIRMAN HOLTZMAN: Okay.

15 MR. MCDONALD: We have three
16 professionals here tonight.

17 CHAIRMAN HOLTZMAN: Oh, gosh.

18 MR. MCDONALD: Well, it's your meeting.
19 You'll tell us who you want to hear from, but
20 certainly I would like to start just by giving a
21 brief description. It's an 18 --

22 CHAIRMAN HOLTZMAN: Yeah, let me
23 just -- let's take a two second time out. We'll
24 just sort of address what we're here for this
25 evening, just so we make sure we're all on the same

1 page.

2 MR. MCDONALD: Right.

3 CHAIRMAN HOLTZMAN: Yeah. Basically,
4 I'm sure, as you've seen, over the last
5 applications, and Mr. Matule's song and dance here,
6 we're really not digging into the application so
7 much as making sure the applications are complete,
8 and see if there's any additional information that's
9 going to be required before we can take it to a full
10 hearing. So we certainly don't need to go through
11 the whole plan and all of the nuances of it. If you
12 want to give us a quick little couple of minute
13 little intro, that would be fine, and then we'll dig
14 into whatever shortcomings that --

15 MR. MCDONALD: That's fine. I notice,
16 I think, that they had already come -- they were
17 here once before, so I didn't know what they did the
18 first time.

19 CHAIRMAN HOLTZMAN: In some of the
20 cases, they had.

21 MR. MCDONALD: Okay. This is a -- it's
22 the property is 510 -- 502 to 510 Madison Street,
23 Block 67, Lots 28 to 32.

24 What's existing there, I'll have my
25 architect speak about, but it's basically a parking

1 lot with a garage. We are seeking an 18 unit,
2 multiple family, not mixed use, residential solely,
3 it's the R-3 zone, and we are prepared -- we've
4 submitted our application. We're prepared to
5 address the issues in the letters, or if you want
6 anymore information on the plan itself, we have our
7 professionals here to testify.

8 CHAIRMAN HOLTZMAN: Let's jump in with
9 our pros.

10 Andy, do you have some information and
11 some questions on us?

12 MR. HIPOLIT: I do have, so...

13 MR. MCDONALD: And also have our
14 engineer, who can probably --

15 CHAIRMAN HOLTZMAN: Okay. Thank you
16 very much.

17 MR. HIPOLIT: There's a number of items
18 in our letter, there's some planning revisions they
19 need to provide. I believe in most cases they can
20 provide it all. The question is, there's enough
21 here that I think they should provide it, come back
22 here, so you guys can see it, and then move them on
23 up. I don't think there's anything fatal that I
24 see, but I think you need to see the revisions.

25 CHAIRMAN HOLTZMAN: Are there some

1 highlights that you want to give the applicants here
2 as to some of the key items that are missing from
3 the application?

4 MR. HIPOLIT: Sure. I think we need to
5 either look at or get something on the A.D.A.
6 access, both for parking and access to the site in
7 general. We need some more details on lighting for
8 the site.

9 MR. MCDONALD: So what was it,
10 lighting?

11 MR. HIPOLIT: Lighting. We have issues
12 with respect to -- and this is a Hoboken thing, bike
13 storage, electric car chargers, things of that
14 nature and whether we're going to provide them or
15 not. The flood proofing and flood gates and the
16 Flood Plain Manager, any comments on that.

17 CHAIRMAN HOLTZMAN: Yeah, specifically
18 I was looking through that. You got the copy of the
19 Flood Plain Manager's report as well.

20 MR. MCDONALD: We did not. We sought a
21 waiver of that. It sounds like you want that.

22 MR. HIPOLIT: You have to have that.

23 MR. MCDONALD: And we'll provide that.

24 CHAIRMAN HOLTZMAN: I have a review
25 letter, so I'm surprised that you didn't receive it.

1 How would that happen?

2 COMMISSIONER MAGALETTA: I don't have
3 it.

4 COMMISSIONER MCKENZIE: I don't have
5 it.

6 MR. HIPOLIT: What's the date?

7 CHAIRMAN HOLTZMAN: It's dated
8 September 21. 502-504 Monroe.

9 COMMISSIONER MAGALETTA: I don't have
10 that.

11 CHAIRMAN HOLTZMAN: My notes. Oh, I'm
12 sorry, got it in the wrong file. Look at that.

13 MR. HIPOLIT: No, I don't have one.

14 MR. ROBERTS: I do the same thing.

15 MR. MCDONALD: There's so many of them.

16 CHAIRMAN HOLTZMAN: Monroe/Madison
17 messed me up.

18 MR. MCDONALD: That was before we filed
19 our applications.

20 CHAIRMAN HOLTZMAN: So I don't have a
21 flood plain review. Sorry. And that's definitely
22 something that we're going to -- we need to get
23 prior, but what we try to do is save you guys the
24 pain, which is with our flooding issues in Hoboken,
25 we take the flooding storm water management very,

1 very seriously, and what we've had happen is
2 somebody who comes in, puts a beautiful plan
3 together, but perhaps doesn't take into
4 consideration the flood plain, the current flood
5 plain ordinance that we have, and then they need to
6 do, sometimes, substantial changes to their
7 building. So we hate for you to come to the Board,
8 come to the Planning Board, potentially get an
9 approval, at which point you needed to go to the
10 Flood Plain Manager and everything -- significant
11 things needed to be redone. You need to come back
12 to us to get re-approval. So let's make sure you
13 get that first.

14 MR. MCDONALD: Will do.

15 MR. HIPOLIT: You know, you're
16 making -- you've actually provided underground
17 detention system design, unlike the other guys you
18 heard here.

19 MR. MCDONALD: Right.

20 MR. HIPOLIT: That's great. We love
21 when we get them, but she may make comments that may
22 change that.

23 MR. MCDONALD: Okay.

24 MR. HIPOLIT: Something may change
25 that.

1 MR. ROBERTS: Plus there was also an
2 issue that we pointed out in Ed's report, there was
3 a reference on a gym, the gym amenity on the ground
4 floor and that affects the flood hazard as well.

5 CHAIRMAN HOLTZMAN: Right. That's
6 probably -- off the top of my head, it's not a
7 permitted use on the -- below the design flood
8 elevation.

9 MR. ROBERTS: So that would be all the
10 more reason why we should have it.

11 MR. MCDONALD: That's not a permitted
12 use?

13 CHAIRMAN HOLTZMAN: No. The only
14 thing --

15 MR. ROBERTS: Under the flood hazard
16 rules.

17 MR. MCDONALD: Accessory use of the
18 gym?

19 CHAIRMAN HOLTZMAN: Non-permitted below
20 design flood elevation, DFE. So the only things
21 that are permitted below the DFE is storage,
22 building entrance, and parking, and also one of the
23 things that's always a major consideration is the
24 location of the utilities.

25 MR. HIPOLIT: Right.

1 CHAIRMAN HOLTZMAN: All of that has to
2 be above the DFE as well.

3 MR. HIPOLIT: There's enough, you have
4 enough here where it would not be in your best
5 interest to go to full hearing. It would be better
6 to get on the next subcommittee, bring your
7 revisions in, and we could talk about it more
8 appropriately and you could move forward.

9 MR. MCDONALD: Okay. We have -- we've
10 gone over these with our professionals, everyone we
11 believe we can -- we're to answer them, change our
12 plans. Any -- there's also, we should note, one C
13 variance request, which is a height variance. We're
14 slightly over, it's a three and a half to 3. --
15 three feet 9-inch request.

16 CHAIRMAN HOLTZMAN: Okay.

17 MR. MCDONALD: And I take it you don't
18 deal with that down here at all. That would be
19 before the full Board?

20 MR. HIPOLIT: Yes.

21 CHAIRMAN HOLTZMAN: That's correct.
22 That is for the Board to decide, yes.

23 MR. HIPOLIT: Do you have any questions
24 on our letters?

25 MR. MCDONALD: No, I think we're --

1 CHAIRMAN HOLTZMAN: Was there any --
2 Andy, was anything on your letter or Dave's letter
3 that were significant enough that you need these
4 folks to address it right here and now?

5 MR. HIPOLIT: No.

6 MR. ROBERTS: Well, Mr. Chairman, I
7 also have -- the only thing I have is that they also
8 ask for a waiver of the traffic study. In this case
9 we do have more than ten units.

10 MR. MCDONALD: We're going to ask for a
11 waiver for that. There's parking there now. We're
12 actually decreasing the amount of traffic in and out
13 of the site.

14 MR. HIPOLIT: And I think if -- for my
15 perspective, again, the level of service, traffic
16 study is not something we necessarily need here.
17 You have -- you have a professional engineer, you
18 have an architect on your staff with you. I think
19 some testimony on what the site currently holds as
20 far as parking now, what you're going to have coming
21 up, you have two access points, how does that affect
22 pedestrian movement? What's it do for biking? You
23 know, we want to hear -- Hoboken is not just cars
24 for traffic. Hoboken is a lot of other things other
25 than cars. So how do you make it work? How do you

1 make it safe? What are you doing? We're not
2 worried about level of service.

3 CHAIRMAN HOLTZMAN: I want to make sure
4 that you understand that we're not asking for a
5 traffic study like we need people to sit there and
6 count how many cars come down the street.

7 MR. MCDONALD: No, I understand.

8 CHAIRMAN HOLTZMAN: Or anything of that
9 nature, yeah.

10 MR. MCDONALD: Okay. We'll be prepared
11 to address those before the Board.

12 CHAIRMAN HOLTZMAN: Right. This is
13 more of an informal traffic type report, not study.

14 MR. HIPOLIT: And testimony.

15 MR. MCDONALD: Was there anything else
16 you wanted to highlight for us?

17 CHAIRMAN HOLTZMAN: It sounds like you
18 guys had everything pretty much -- did you have any
19 questions, while we have the professionals here,
20 that were in their letters? You said, it seemed
21 like you guys had it under control. Were there
22 anything -- you don't need to read through each and
23 every one of them before us, but is there
24 anything -- did you guys have any questions for
25 them?

1 MR. MCDONALD: Well, first, we went to
2 the Shade Tree Commission last night. They cleared
3 up some of these things, what they wanted.

4 MR. HIPOLIT: Okay.

5 MR. MCDONALD: So that took care of a
6 few of them. Did you have anything?

7 MR. HIPOLIT: The A.D.A. issue. So we
8 are going to want testimony from your architect that
9 the building meets A.D.A. compliance for number of
10 units, that you can get from parking spaces,
11 wherever they are, that they're compliant, and that
12 you have -- if you need an elevator you to have an
13 elevator, and that the units themselves are A.D.A
14 compliant.

15 COURT REPORTER: I'm sorry.

16 CHAIRMAN HOLTZMAN: You're not speed
17 reading.

18 MR. HIPOLIT: That the units themselves
19 are A.D.A. compliant, if it is required.

20 CHAIRMAN HOLTZMAN: Slow down.

21 Is also ten the magic number for the
22 Affordable Housing?

23 MR. ROBERTS: That's a good question.
24 I think I know it is for minor versus major site
25 plan, but other than that --

1 SECRETARY CARCONE: But it's triggered
2 by a variance, a D variance, the density.

3 CHAIRMAN HOLTZMAN: Can we --

4 MR. GLEESON: Usually, if they need
5 a --

6 CHAIRMAN HOLTZMAN: One at a time. Go
7 ahead.

8 MR. GLEESON: They need a D-1 or a D-5
9 variance for density. That's usually what triggers
10 affordable housing. For something like this, it --
11 as a permitted use, they're not really required to
12 give affordable housing, at least as I understand
13 it. I can check the regs.

14 CHAIRMAN HOLTZMAN: Can we make sure we
15 just get some testimony on that and, Dave, if you
16 can just confirm that to make sure that we're
17 reading that regulation correct, because I was under
18 the impression that ten actually triggered it, so
19 let's make sure we double check.

20 MR. MCDONALD: We've reviewed the
21 ordinance. It is -- it is density and use, D-1 and
22 D-5.

23 MR. GLEESON: Yeah, I think what you
24 may be thinking of is when that affordable housing
25 requirement is triggered, it's sort of exempt for

1 the first ten units, and then you have to do one,
2 you know, one affordable housing unit as you go over
3 the first ten, but that since we haven't gotten to
4 the trigger for affordable housing, that whole, sort
5 of, you know, whether it's ten or more, less than
6 ten, we don't even get to that yet, but we'll double
7 check and confirm that.

8 CHAIRMAN HOLTZMAN: Hey, Dave, do us a
9 favor and prepare us a paragraph on that, will you?

10 MR. ROBERTS: I'll do that.

11 MR. HIPOLIT: One other issue.

12 Generator. Generators have noise associated with
13 them. We would highly recommend you come with some
14 type of recommendation for a sound enclosure. What
15 we would recommend to the Board is at least Type 2.
16 So if you look at the many generator manufacturers
17 and I've dealt with probably all of them, Type 1
18 means that you put an enclosure over it, but really
19 doesn't dissipate sound. I believe Type 2 gets you
20 to 65 decibels or lower. Type 3 is even greater
21 than that. Type 2 is good, if you want to go
22 farther, that's great, it's even better, but we're
23 going to want some testimony or at least some --

24 MR. AIELLO: But with regard --

25 CHAIRMAN HOLTZMAN: I'm sorry, just

1 need to know who you are.

2 MR. AIELLO: My name is Antonio Aiello,
3 architect, licensed in New Jersey and New York.

4 MR. MCDONALD: He's testified in
5 Hoboken before.

6 MR. GLEESON: Okay. I'll just swear
7 you in really quickly.

8 A N T O N I O A I E L L O, being first duly sworn,
9 testifies as follows:

10 MR. MCDONALD: Will you accept him as
11 an expert in architecture?

12 MR. GLEESON: Yeah, have you ever been
13 in Hoboken before?

14 MR. AIELLO: I have. Before this
15 Board, Zoning Board of Adjustments.

16 MR. GLEESON: Okay. Do you want him to
17 give his credentials?

18 CHAIRMAN HOLTZMAN: Please. Thank you.

19 MR. AIELLO: I'm sorry?

20 MR. GLEESON: Could you just state your
21 credentials?

22 MR. AIELLO: I graduated NJIT with a
23 Bachelor of Architecture in 2002. I've been
24 licensed in New Jersey since 2007. I've been
25 licensed in New York since 2008. I have testified

1 from in front of Zoning Board of Adjustments in
2 Hoboken, Zoning Board of Adjustments and the
3 Planning Board of Jersey City.

4 CHAIRMAN HOLTZMAN: Great. Thank you
5 very much. Andy?

6 MR. HIPOLIT: Again, I just -- we'd
7 recommend the generator have a Type 2 or greater
8 sound enclosure.

9 MR. AIELLO: Absolutely. And we
10 currently have it. We do have it on the street side
11 up against the elevator shaft, so any noise to the
12 neighbors is already subsidized. In addition a lot
13 of comments regarding barrier free, that has already
14 been addressed, and it will be further addressed as
15 we, you know, move forward with construction
16 documents, but we have the proper barrier-free
17 requirements for parking availability.

18 CHAIRMAN HOLTZMAN: Because our concern
19 is mostly this: Not that when the power goes out,
20 as we've experienced here, it's not just going to be
21 your building, there's going to be 10,000 generators
22 kicking on at the same time, so that's why we're
23 trying to take that into consideration.

24 And, Andy, I thought you were going to
25 try to get for us, also, we know that there's the

1 Type 1 and Type 2, but you were going to, kind of,
2 correlate that for us, so that we could take a look
3 at what equipment the applicants are submitting,
4 because there might be some differences between
5 manufacturers as to what those types were and we're
6 going to, kind of, try to get a standard on the DB
7 rating?

8 MR. AIELLO: I do, I have -- we use a
9 generator consultant, so we've asked him to give us
10 the various manufactures and what they're sound
11 enclosure ratings are.

12 CHAIRMAN HOLTZMAN: Terrific.

13 MR. AIELLO: So I'm just waiting for
14 that. I should have it by next week.

15 CHAIRMAN HOLTZMAN: Okay. Frank, did
16 you have any other outstanding items that you
17 thought were for this applicant.

18 COMMISSIONER MAGALETTA: Actually, it's
19 from this and the ones before, on your contribution
20 disclosure statements, there's a couple of sets. I
21 can't figure out which is which. If you could just
22 go through those, make sure that there's a complete
23 set, checked off what the person is, or whatever the
24 capacity they're in, and any disclosures. And I
25 think there's actually, like, some disclosures, so

1 some contributions were made, just make sure they're
2 complete. And also you have five lots. I think,
3 again, they should be merged.

4 MR. MCDONALD: I got that sense. A
5 deed of consolidation is probably on its way.

6 COMMISSIONER MAGALETTA: You were
7 listening. That's good.

8 MR. MCDONALD: Sometimes there are
9 benefits to have having to wait.

10 CHAIRMAN HOLTZMAN: Okay. So we just
11 want to make sure that you guys, you know, get
12 through this process as reasonably as possible. So
13 we'll --

14 MR. MCDONALD: We certainly appreciate
15 that.

16 CHAIRMAN HOLTZMAN: We'll certainly
17 move you to our next completion meeting, and if you
18 can get with the Flood Plain manager and that that's
19 really probably the most significant thing that
20 could be a pothole.

21 MR. MCDONALD: So November 10th we'll
22 plan on being back here and we'll have everything to
23 you --

24 SECRETARY CARCONE: 12th.

25 MR. MCDONALD: November 12th. And then

1 December, would this be possible?

2 CHAIRMAN HOLTZMAN: Right, because
3 you're coming back to our next completion meeting.

4 MR. MCDONALD: Right.

5 CHAIRMAN HOLTZMAN: And I hope that you
6 see that you don't need to bring the whole team,
7 right? Bring whomever you think is important.

8 MR. MCDONALD: It's a great comfort to
9 have them.

10 CHAIRMAN HOLTZMAN: But we don't want
11 you to, you know, spend the money and jump through
12 the hoop that you don't need to.

13 MR. HIPOLIT: He's okay.

14 MR. MCDONALD: And is it -- do you
15 think we could get on for the first, December 1st,
16 assuming we get everything in to you?

17 CHAIRMAN HOLTZMAN: I think so.
18 Unfortunately, what has happened is our calendar has
19 gotten crazy very quickly. We recently had a number
20 of serious ordinance changes that directed a lot of
21 the stuff that used to be to the Zoning Board now to
22 the Planning Board, so, I think so, but I don't want
23 to make -- say yes until our secretary gets it all
24 lined up.

25 MR. MCDONALD: Okay. That will give us

1 enough time for the 12th. Well, not really. It
2 doesn't give us much time to get the notices out.

3 MR. HIPOLIT: Yeah, 12th to the first.

4 MR. ROBERTS: Almost a month. Well,
5 three weeks.

6 MR. MCDONALD: We can do it.

7 CHAIRMAN HOLTZMAN: So we'll see you
8 guys in November then.

9 MR. MCDONALD: Okay. Thank you very
10 much.

11 CHAIRMAN HOLTZMAN: Thank you,
12 Mr. McDonald.

13 MR. MCDONALD: Have a nice evening.

14 (Concluded at 8:04 p.m.)

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