

CITY OF HOBOKEN
PLANNING BOARD

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SPECIAL MEETING OF THE HOBOKEN : March 29, 2016
PLANNING BOARD : 7:06 p.m.
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Held At: 94 Washington Street
Hoboken, New Jersey

B E F O R E:

- Chairman Gary Holtzman
- Vice Chair Frank Magaletta
- Commissioner Caleb D. Stratton
- Commissioner Brandy Forbes
- Commissioner Jim Doyle
- Commissioner Ann Graham
- Commissioner Caleb McKenzie
- Commissioner Ryan Peene
- Commissioner Kelly O'Connor

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

- Stephen D. Marks, PP, AICP, CFM, LEED GA,
Municipal Manager of the City of Hoboken
- David Glynn Roberts, AICP/PP, LLA, RLA
Board Planner
- Andrew R. Hipolit, PE, PP, CME
Board Engineer
- Patricia Carcone, Board Secretary

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1 CHAIRMAN HOLTZMAN: Good evening,
2 everybody. We are going to get started here.

3 Why don't we close the door in the back
4 just for fun.

5 Okay. We are going to get started
6 here, folks. This is the Hoboken Planning Board
7 Meeting. It is Tuesday, March 29th. It is 7:06
8 p.m.

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

17 Pat, please call the roll.

18 MS. CARCONE: Commissioenr Holtzman?

19 CHAIRMAN HOLTZMAN: Here.

20 MS. CARCONE: Commissioner Magaletta?

21 VICE CHAIR MAGALETTA: Here.

22 MS. CARCONE: Commissioner Stratton?

23 COMMISSIONER STRATTON: Here.

24 MS. CARCONE: Commissioner Forbes?

25 COMMISSIONER FORBES: Here.

1 MS. CARCONE: Commissioner Doyle?

2 COMMISSIONER DOYLE: Here.

3 MS. CARCONE: Commissioner Graham?

4 COMMISSIONER GRAHAM: Here.

5 MS. CARCONE: Commissioner McKenzie?

6 COMMISSIONER MC KENZIE: Here.

7 MS. CARCONE: Commissioner Pinchevsky

8 is absent.

9 Commissioner Peene?

10 COMMISSIONER PEENE: Here.

11 MS. CARCONE: Commissioner Jacobson is

12 absent.

13 Commissioner O'Connor?

14 COMMISSIONER O'CONNOR: Here.

15 CHAIRMAN HOLTZMAN: Great. Thank you.

16 So we have our old friend, Mr. Stephen

17 Marks, to visit us again.

18 Why don't you come on up, Stephen. You

19 have some presentation about the firehouse.

20 MR. MARKS: Good evening, Mr. Chairman,

21 and Commissioners.

22 My name is Stephen Marks, Municipal

23 Manager for the City of Hoboken.

24 With me this evening is Jeff Schlecht,

25 an architect with the firm of RSC Architects.

1 Can I have Mr. Schlecht sworn in?

2 CHAIRMAN HOLTZMAN: Sure.

3 MR. GALVIN: Yes.

4 Raise your right hand.

5 Do you swear or affirm the testimony
6 you are about to give in this matter is the truth,
7 the whole truth, and nothing but the truth?

8 MR. SCHLECHT: I do.

9 J E F F R E Y S C H L E C H T, AIA, RSC
10 Architects, 3 University Plaza, Hackensack, New
11 Jersey, having been duly sworn, testified as
12 follows:

13 MR. GALVIN: State your full name for
14 the record and spell your last name.

15 THE WITNESS: It's Jeff Schlecht,
16 S-c-h-l-e-c-h-t.

17 MR. GALVIN: Okay.

18 MR. MARKS: So, Mr. Chairman, the city
19 is contemplating improvements at the Midtown
20 Firehouse located at 801 Clinton and hired the firm
21 of RSC to draw up the plans to repair the roof
22 and -- is it the roof and the facade or the roof --

23 THE WITNESS: Primarily it's the roof
24 replacement, but there are some elements. The
25 coping is going to be replaced, and there's some

1 chimney work and some on the tower, the post
2 tower --

3 MR. MARKS: So, Mr. Chairman, Michael
4 Beth of RSC Architects and I appeared before the
5 Historic Preservation Commission at their last
6 meeting, the February meeting, and the Historic
7 Preservation Commission endorsed and accepted the
8 plans with some recommendations.

9 So we are here tonight. This is a
10 capital improvement project. Under the Municipal
11 Land Use Law, the Planning Board has review
12 authority, so we are here. And with that, I will
13 turn it over to Mr. Schlecht to go into detail.

14 CHAIRMAN HOLTZMAN: Great. Thank you.

15 THE WITNESS: So, you know, as
16 mentioned, it's really repairs and replacement of
17 the roofing. There is basically three components as
18 far as the roofing goes. You have the main
19 building. There was a small addition that was done
20 at one time. There is a separate piece of roof
21 there, and then the roof of the tower, so those will
22 all be removed to various depths of the decking and
23 replaced with an SBS roof.

24 The chimney is going to be repaired and
25 replaced on that portion, and then we also have the

1 post tower is going to be painted, and we will be
2 getting a new door. There's an access door from
3 that out onto the roof.

4 Most of the work is going to be not in
5 view of the sidewalk areas with the exception of the
6 copings, we will be capping them, so that there is a
7 combination of cast stone and putting a metal cap on
8 them as part of the roofing --

9 CHAIRMAN HOLTZMAN: So are you taking
10 the roof off completely?

11 THE WITNESS: On one portion we are,
12 this portion we are.

13 The addition, we are going to be
14 reroofing it, and the tower we are also removing
15 down to the sheathing and replacing, so two sections
16 we are replacing completely, and one section we are
17 putting a topping on it.

18 CHAIRMAN HOLTZMAN: Great.

19 And I know that there has been an
20 ongoing long-term conversation about generators for
21 our firehouses as well.

22 Is this one of the locations that is
23 slated for the generator to potentially go on the
24 roof, and was that taken into consideration when you
25 did your roofing plan?

1 MR. MARKS: So the generator project at
2 this location is actually going to be on a platform
3 in the rear of the property, actually not slated for
4 the roof, and it will be -- the platform is, I
5 believe, two feet above the base flood elevation.

6 COMMISSIONER STRATTON: Is this 801
7 Clinton Street?

8 MR. MARKS: 801 Clinton Street.

9 So Commissioner Stratton had actually
10 worked on the generator project.

11 COMMISSIONER STRATTON: The last plan I
12 remember was on the roof, but it may have changed
13 since I saw these plans.

14 MR. MARKS: Do you know?

15 (Witness and Mr. Marks confer.)

16 THE WITNESS: Well, my last
17 recollection --

18 THE REPORTER: I'm sorry. I can't hear
19 you.

20 MR. GALVIN: Well, they were whispering
21 having a sidebar, because they know we kind of want
22 it on the roof.

23 (Laughter)

24 THE REPORTER: What did you say?

25 THE WITNESS: I believe it is at grade

1 as well.

2 MR. MARKS: It is not at grade. The
3 emergency backup generator will be in the rear of
4 the property on a platform, which is approximately
5 two feet, the lowest horizontal member of the
6 platform, and the generator will be approximately
7 two feet above the base flood elevation.

8 So, you know, come another Sandy-like
9 storm, the generator will not be flooded or damaged
10 by stormwater.

11 CHAIRMAN HOLTZMAN: So our attorney
12 made the obvious introduction, which is where the
13 question is going.

14 If we are doing the roofing work here
15 at the same time, and there was -- certainly the
16 option was presented when the Planning Board
17 reviewed the generator ideas and concepts to put
18 them on the roof whenever possible, since obviously
19 you don't have to worry about building an additional
20 structure. You don't have to worry about two feet
21 this way or that way.

22 Is there the potential, or can we make
23 it an ask-for that you reinvestigate whether there
24 is any potential to get it up on the roof here while
25 we are doing this roofing work?

1 MR. MARKS: So the generator job was
2 prepared. The construction drawings were prepared
3 by E.I. Associates, another architectural and
4 engineering firm. We investigated whether we could
5 put the generators on the rooftops of the municipal
6 buildings. E.I. did not feel confident because of
7 the historic nature -- not because they are
8 historic, but because they are 120, 130-year-old
9 buildings, that the roof, the structural integrity
10 of the roof would allow for the emergency backup
11 generators to be placed there.

12 We investigated it at the Uptown
13 Firehouse at 1313 Washington, the Midtown Firehouse
14 located at 130 Clinton, the Fire Headquarters at 201
15 Jefferson, and the Island Firehouse down on Madison
16 and Observer because all four buildings are 100
17 years old plus. The architects and engineers for
18 the emergency backup generator project did not feel
19 confident.

20 We did plan for and design the
21 emergency backup generator for the police
22 headquarters to have dunnage of a dunnage sled or
23 dunnage -- Mr. Stratton?

24 COMMISSIONER STRATTON: I just think
25 it's called dunnage, rooftop dunnage.

1 MR. MARKS: Roof dunnage, whereby the
2 emergency backup generator will be on a dunnage
3 structure, which will be on the police headquarters'
4 roof, police headquarters being a much more modern
5 building, and they were confident of the structural
6 integrity of that building.

7 I appreciate your concern in wanting to
8 put them on the rooftops, but when you have
9 buildings of this age, we didn't think it was
10 feasible.

11 CHAIRMAN HOLTZMAN: We appreciate the
12 investigation.

13 Any questions or comments from the
14 Commissioners?

15 Councilman?

16 COMMISSIONER DOYLE: Where is the
17 outdoor area?

18 Is this addition part of it?

19 THE WITNESS: There is a small addition
20 that was done some ten years ago.

21 COMMISSIONER DOYLE: Well, I mean, you
22 indicated that the generator will be elevated
23 outdoors. Is that what you -- it looks like it is a
24 hundred percent covered, so I guess my question --

25 THE WITNESS: Well, this plan really

1 isn't showing the -- it's not showing the truest
2 sense of the adjacent structures --

3 COMMISSIONER DOYLE: But the aerial
4 photograph of the building, and I live right near
5 there, and there is a building right against it, I
6 believe --

7 MR. MARKS: You know, so I don't
8 misspeak, I didn't come prepared to speak about the
9 generators.

10 (Laughter)

11 COMMISSIONER DOYLE: Okay.

12 MR. MARKS: I could definitely -- Mr.
13 Stratton actually has all of the plans for the
14 generators, could square the circle, bring it back
15 to your attention and let you know. It was my
16 recollection that the generator was going to go
17 behind the firehouse.

18 CHAIRMAN HOLTZMAN: Okay.

19 MR. MARKS: The same thing with the
20 ambulance corps. The ambulance corps is a similar
21 building, similar age. The architects and engineers
22 did not feel comfortable putting the generator on
23 the roof of the ambulance corps also.

24 CHAIRMAN HOLTZMAN: Got you.

25 Any other questions, Commissioners?

1 I also after the presentation was made
2 to the Historic Preservation Commission, I spoke to
3 some of the Commissioners over there, and I know
4 that they endorsed the plan, and they saw no
5 difficulty with any of these improvements to this
6 historic building, so --

7 MR. MARKS: I do want to offer one
8 thing.

9 One of the Historic Preservation
10 Commissioners had recommended there was a plaque
11 that was original to the building from 19-blah,
12 blah, blah, early 1900s. He recommended that the
13 city investigate whether we could reproduce the
14 plaque, or if we found it, and I am happy to report
15 that the plaque was in the fire museum, and the
16 plaque will be refurbished and reappointed to the
17 fire station, the firehouse.

18 MR. GALVIN: I just want to say one
19 thing.

20 CHAIRMAN HOLTZMAN: Yes, please.

21 MR. GALVIN: Basically this process,
22 just so everybody understands, we are not really
23 approving this. What we are doing is we are getting
24 a courtesy opportunity to understand the project,
25 and then based on our expansive knowledge of

1 planning and zoning in Hoboken, we get to recommend
2 things that might improve the plan, and so there is
3 no reason to vote on this matter. It was just
4 important for Mr. Marks to come and to show the
5 respect to the Board and provide us the information,
6 which he has done.

7 MR. MARKS: So nonetheless, the
8 administration welcomes your recommendations and
9 suggestions.

10 CHAIRMAN HOLTZMAN: Commissioners,
11 anything else for Mr. Marks?

12 VICE CHAIR MAGALETTA: This is all roof
13 exterior, right? There's nothing --

14 THE WITNESS: Right.

15 VICE CHAIR MAGALETTA: -- nothing on
16 the facade --

17 CHAIRMAN HOLTZMAN: Correct, but it is
18 a capital improvement.

19 VICE CHAIR MAGALETTA: I understand
20 that, but I am saying as far as -- it is really not
21 much, other than making it look pretty, right?

22 Thank you.

23 CHAIRMAN HOLTZMAN: Thank you, Mr.
24 Magaletta.

25 (Laughter)

1 Thank you, Mr. Marks. I think we are
2 good.

3 MR. MARKS: Any other questions?

4 Mr. Chairman, Commissioners, thank you
5 and have a good evening.

6 CHAIRMAN HOLTZMAN: Thank you.

7 COMMISSIONER GRAHAM: Thank you.

8 CHAIRMAN HOLTZMAN: See you soon.

9 MR. GALVIN: Thank you.

10 CHAIRMAN HOLTZMAN: All right. We
11 certainly have at least one resolution to take a
12 look at this evening. That is the resolution for
13 118-120 Madison Street. This is a resolution of
14 denial.

15 Commissioners, were there any questions
16 or comments or revisions, alterations on this?

17 If there are none, is there a motion to
18 accept this resolution?

19 COMMISSIONER GRAHAM: Motion.

20 VICE CHAIR MAGALETTA: Second.

21 CHAIRMAN HOLTZMAN: Second.

22 Pat, please call the vote.

23 MS. CARCONE: Who made the second?

24 MR. GALVIN: Who made the motion?

25 COMMISSIONER GRAHAM: I did.

1 CHAIRMAN HOLTZMAN: Ann made the
2 motion.

3 MS. CARCONE: Okay. Eligible to vote
4 are Commissioner Holtzman, Commissioner Magaletta,
5 Commissioner Stratton, Commissioner Doyle,
6 Commissioner Graham, Commissioner McKenzie.

7 So, Commissioner Magaletta?

8 VICE CHAIR MAGALETTA: Yes.

9 MS. CARCONE: Commissioner Stratton?

10 COMMISSIONER STRATTON: Yes.

11 MS. CARCONE: Commissioner Doyle?

12 COMMISSIONER DOYLE: Yes.

13 MS. CARCONE: Commissioner Graham?

14 COMMISSIONER GRAHAM: Yes.

15 MS. CARCONE: Commissioner McKenzie?

16 COMMISSIONER MC KENZIE: Yes.

17 MS. CARCONE: And Commissioner

18 Holtzman?

19 CHAIRMAN HOLTZMAN: Yes.

20 All right.

21 Commissioner Peene is going to give us
22 a quick little recap of a redevelopment conference
23 that he went to a couple weeks ago.

24 Could you just give us a little recap
25 here, Mr. Peene?

1 COMMISSIONER PEENE: Yes.

2 On March 11th, in my government
3 capacity as a member and a Commissioner of the
4 Hoboken Planning Board, and my real life work in
5 banking intersected. I was at the New Jersey Future
6 Redevelopment Forum on March 11th held in New
7 Brunswick. I know some of you were there as well.

8 And I was very proud as a Hoboken
9 resident, as a member of this Planning Board,
10 Commissioner Director Forbes, our redevelopment
11 counsel, Joe Marazitti, the city manager in
12 Hackensack, presented as a forum called Rebuilding
13 Infrastructure One Development at a Time.

14 Commissioner Forbes during her
15 presentation really highlighted some of the work
16 that we do here at the Planning Board on a city
17 level, what you do, Councilman Doyle, on the City
18 Council, and we were kind of the envy of the
19 conference, and I know I am not speaking out of turn
20 when I say that.

21 A lot of people were coming up to
22 myself and were coming up to Director Forbes asking
23 how we can incorporate a lot of what we are able to
24 achieve from a sustainability objective, what they
25 can do in their communities. What we are doing when

1 it comes to green roofs, what we are doing when it
2 comes to, you know, build parks that actually retain
3 stormwater.

4 We are on the cutting edge of a lot of
5 stuff, I expect, and I am sure people have been in
6 touch with Brandy, but I just wanted to let the
7 Board know and let the audience know, including our
8 professionals, and I see Mr. Minervini and Mr. Ochab
9 there, you should take some solace in this, too,
10 that a lot of work that you are doing on your side
11 is a true intersection and a partnership in a great
12 way that business and government can come together
13 to achieve something for the public good, so
14 everybody deserves a round of applause.

15 CHAIRMAN HOLTZMAN: Excellent.

16 (Applause)

17 COMMISSIONER PEENE: Especially you.

18 CHAIRMAN HOLTZMAN: Thank you,
19 Commissioner. Thanks for the update there.

20 Dennis, can you give us a quick recap?
21 We got some communication on 800 Monroe. Can you
22 give the Board a quick recap?

23 The Commissioners got copies of this,
24 but may not be aware of exactly what the status is.
25 This is 800 Monroe.

1 MR. GALVIN: Okay. Thanks. I
2 appreciate that.

3 Basically we had a measure of success,
4 I am pretty excited about it, because we had a
5 Hudson County Law Division Judge that understood the
6 law the way I thought it should be understood and
7 gave us a very good ruling on 800 Monroe.

8 The judge basically told us that maybe
9 we could have deemed 800 Monroe complete for some of
10 the technical requirements that we probably pushed a
11 little too hard, but that he agreed with us that
12 they had to be appointed a redeveloper, and that
13 that therefore, that was a no-go situation.

14 But he went on to actually say that
15 even if he had found that we made a mistake as to
16 that, it was a reasonable effort on our part, and
17 that he would not have granted automatic approval,
18 even if something had changed there, he wouldn't
19 have granted an automatic approval, and amazingly he
20 cited all of the same cases that we cited, not only
21 in this case, but also in the other case where we
22 didn't get the same result.

23 So obviously, I think the main lesson
24 here is that, and everyone was here was part of the
25 team that did it, that we were smart or smarter the

1 next go-round to pay attention to the checklist and
2 to make sure that all of our "I"s are dotted and all
3 of our "T"s are crossed.

4 I guess right now, the lesson would be
5 it is a matter of where you fight, and we fought in
6 the right place, so we should do that again, if we
7 have to.

8 CHAIRMAN HOLTZMAN: So the same folks
9 still own the property, and if they were to move
10 forward with something on the property, since it is
11 in a redevelopment zone, they would still need to
12 make an agreement with the city to be the
13 redeveloper of that property?

14 MR. GALVIN: Right. And rather than do
15 that, they already filed an appeal. They have 45
16 days to file an appeal, and they filed it within 24
17 hours, so I take that as a real medal for me that
18 they wanted to go so quickly to the appeal process.

19 CHAIRMAN HOLTZMAN: Okay. Great.
20 Thank you very much. That's good work.

21 We have another resolution floating
22 around here.

23 MR. GALVIN: I have two versions of it.

24 CHAIRMAN HOLTZMAN: This is a
25 resolution for 718 Jefferson.

1 MR. GALVIN: Right.

2 Councilman Doyle's comments I got
3 today, the first item he pointed out was that that
4 change had been already made and has been made, and
5 the second --

6 CHAIRMAN HOLTZMAN: Is that the
7 correction with regard to the height? Am I talking
8 about --

9 COMMISSIONER DOYLE: The bump-out.

10 MR. GALVIN: We described it as two and
11 a half feet in one place and three feet in the other
12 place. That was resolved. I don't know if it was
13 two and a half or three, but whatever it is, it's
14 now consistent.

15 CHAIRMAN HOLTZMAN: We got it squared
16 away. Okay.

17 MR. GALVIN: Then the second question
18 had to do with -- and we took some of the language
19 out of 6 and 8, but the main question was, there was
20 a variance here for a front yard setback, and the
21 question is, do we need it or not.

22 And sometimes, and Councilman Doyle and
23 I discussed this earlier, there are many situations
24 where I might be wrong on the variances it needed,
25 but if we are approving a project, it is better to

1 grant the variance than not to not grant the
2 variance.

3 So my instinct is always to say yes,
4 but if we don't need that variance, we have to learn
5 not to ask for a variance that we don't need and
6 list the variances right, because it just adds to
7 confusion and complications.

8 MR. ROBERTS: Mr. Chairman, basically I
9 think this had to do with the fact that if you
10 remember on that application, there was a change to
11 move the building back two and a half feet to allow
12 the bump-outs for the bay windows to stay within the
13 property bounds.

14 The ordinance was amended, as we all
15 know, recently to require a change from five feet in
16 the R-1, R-2, R-3 to zero, but there is some
17 language in there depending on your lot width
18 whether it is 50 feet or less or more than 50 feet,
19 that potentially allows some flexibility in that
20 setback.

21 So the question was when they moved the
22 building back two and a half feet, did they need
23 relief from the zero setback.

24 We had said that because the building
25 had been pulled back technically and the building is

1 on the side that we are at, I believe, if I remember
2 correctly, we are at zero on either side of the
3 property, that they should ask for the relief and
4 that would be the conservative way to treat it.

5 The question is, if any part of the
6 building, even if it's only a corner of a bay window
7 touches that front plain of that front property line
8 is that complies with the zero setback, so that is
9 where the question comes up, and actually we are
10 seeing it more and more now as we are seeing
11 adjustments being made to those bay windows in the
12 setback of the building.

13 I took a quick look at the definition
14 of front yard that we have in our ordinance, and
15 instinctively I was saying, well, they pulled the
16 wall of the building back two and a half feet, so
17 therefore, they need relief, and that is why one
18 version of the resolution grants them that, and I
19 think we talked about it in the meeting that it was
20 justifiable because it allowed the bays to be kind
21 of more fit on the property.

22 The definition of front yard talks
23 about a parallel plain with the street, and what we
24 are seeing now are setbacks that are, you know, part
25 of the building is two and a half feet, part of the

1 building might touch that plain, but the parallel
2 setback would be if you took that street line and
3 you measured it back parallel to the wall of the
4 building, that seems to be what the depth of the
5 front yard is telling me.

6 So I would still think that we would
7 be -- I think we would be better served to grant
8 that relief for that two and a half feet rather than
9 assume that they comply because a portion of an
10 upper story of the building touches the front line.
11 I am not sure that is consistent with how our -- and
12 if you would like, I could read what it says --

13 CHAIRMAN HOLTZMAN: No.

14 MR. ROBERTS: No?

15 MR. GALVIN: No.

16 MR. ROBERTS: Okay. That's --

17 MR. GALVIN: Unless somebody else wants
18 it.

19 CHAIRMAN HOLTZMAN: Unless somebody
20 else wants it.

21 VICE CHAIR MAGALETTA: Yeah.

22 CHAIRMAN HOLTZMAN: Frank, would you
23 like it?

24 VICE CHAIR MAGALETTA: Please put it on
25 the record.

1 MR. ROBERTS: It's: A front yard is an
2 open, unoccupied space on a lot between the street
3 line and a line parallel thereto at such distance
4 therefrom as may be specified herein for the
5 district in which said lot is located, in this case
6 that is zero.

7 So because the building flexes in
8 different parts, the parallel plain is two and a
9 half feet. That is kind of where that came from.
10 That is why we thought it would be best to leave it
11 in.

12 CHAIRMAN HOLTZMAN: So, Mr. Galvin, how
13 shall we proceed?

14 MR. GALVIN: Well, from my perspective,
15 when Mr. Roberts calls out a variance, I include it
16 in the list of variances, and then I include it in
17 the resolution.

18 CHAIRMAN HOLTZMAN: Okay.

19 MR. GALVIN: I had some doubt because
20 of what Councilman Doyle's position was and the
21 change, and I think this is one of those times it
22 has to do with the application. If we want it to
23 say something else, we have to change it.

24 MR. ROBERTS: Yes.

25 This is important because we actually

1 have an application on next week's agenda, where
2 there is a variation in the setback as well, so --
3 but that was the -- when I went back and checked how
4 we talk about front yard, which is how the
5 definition is, it's a requirement for front yard in
6 the R-3 zone.

7 CHAIRMAN HOLTZMAN: All right,
8 Commissioners. So do we follow along on that or
9 did --

10 MR. GALVIN: Did we lose anybody?

11 (Laughter)

12 COMMISSIONER DOYLE: You lost me on
13 this parallel -- what is the term?

14 MR. ROBERTS: The definition says, it
15 is the distance between the street line, which is
16 that straight line and a line parallel thereto at
17 the distance that the ordinance specifies. So the
18 parallel line would be the wall of the building that
19 lines up --

20 COMMISSIONER DOYLE: Because you have
21 three foot wide bays that protrude out, you would
22 have six or nine feet of the building out, and then
23 two and a half or three feet back, you have the
24 balance of whatever it is. So I am not sure how the
25 parallel -- I mean, it may help with coming to a

1 point, but these window bays, and maybe they are
2 rounded -- I don't --

3 MR. ROBERTS: They actually come to a
4 point in the most -- in the ones we have been seeing
5 most recently. They don't have to, but they have
6 been.

7 COMMISSIONER DOYLE: All right. That's
8 fine. I was just asking --

9 CHAIRMAN HOLTZMAN: In this case, Jim,
10 it was a very large oversized one single bay that
11 pointed directly out --

12 COMMISSIONER DOYLE: Right.

13 CHAIRMAN HOLTZMAN: -- so that is why
14 we all looked at it, and there was a whole
15 discussion about how big is it, what was the total
16 square footage of this triangular bay, so that is
17 why on the fly they moved it back.

18 COMMISSIONER DOYLE: That is fine.

19 CHAIRMAN HOLTZMAN: Okay.

20 So are there any other questions,
21 comments with regard to the version of the
22 resolution for 718 Jefferson that includes the
23 variance for the front yard setback?

24 MR. GALVIN: I say better safe than
25 sorry.

1 CHAIRMAN HOLTZMAN: Better safe than
2 sorry.

3 Okay. Is there a motion to accept this
4 resolution?

5 COMMISSIONER MC KENZIE: I move.

6 CHAIRMAN HOLTZMAN: Is there a second
7 for this resolution?

8 COMMISSIONER GRAHAM: Second.

9 CHAIRMAN HOLTZMAN: Ms. Graham, thank
10 you.

11 MS. CARCONE: Actually, Ann, you didn't
12 vote.

13 (Laughter)

14 MS. CARCONE: Eligible to vote are
15 Commissioners Magaletta, Stratton, Forbes, Doyle,
16 McKenzie, O'Connor and Holtzman.

17 COMMISSIONER DOYLE: I'll second.

18 CHAIRMAN HOLTZMAN: Councilman Doyle
19 seconds it.

20 Take a vote please.

21 MS. CARCONE: Okay. Commissioner
22 Magaletta?

23 VICE CHAIR MAGALETTA: I think better
24 safe than sorry, so I say yes.

25 (Laughter)

1 MS. CARCONE: Commissioner Stratton?

2 COMMISSIONER STRATTON: Yes.

3 MS. CARCONE: Commissioner Forbes?

4 COMMISSIONER FORBES: Yes.

5 MS. CARCONE: Commissioner Doyle?

6 COMMISSIONER DOYLE: Aye.

7 MS. CARCONE: Commissioner McKenzie?

8 COMMISSIONER MC KENZIE: Yes.

9 MS. CARCONE: Commissioner O'Connor?

10 COMMISSIONER O'CONNOR: Yes.

11 MS. CARCONE: Commissioner Holtzman?

12 CHAIRMAN HOLTZMAN: Yes.

13 MR. GALVIN: That served me well.

14 CHAIRMAN HOLTZMAN: Thank you,

15 everybody, for, you know, even though it was sort of

16 at the last minute, not letting it slide. Let's

17 take a deep breath and do it right.

18 Thank you very much.

19 (Continue on next page)

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CITY OF HOBOKEN
Hoboken Planning Board
HOP-15-28

- - - - - X
RE: 133 Monroe Street : March 29, 2016
Block 28, Lot 17 :
Applicant: 133 Monroe, LLC : 7:20 p.m.
Minor Site Plan Review & Variances :
Carried from 3-1-16 :
- - - - - X

Held At: 94 Washington Street
Hoboken, New Jersey

B E F O R E:

- Chairman Gary Holtzman
- Vice Chair Frank Magaletta
- Commissioner Caleb D. Stratton
- Commissioner Brandy Forbes
- Commissioner Jim Doyle
- Commissioner Ann Graham
- Commissioner Caleb McKenzie
- Commissioner Ryan Peene
- Commissioner Kelly O'Connor

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

- David Glynn Roberts, AICP/PP, LLA, RLA
Board Planner
- Andrew R. Hipolit, PE, PP, CME
Board Engineer
- Patricia Carcone, Board Secretary

PHYLLIS T. LEWIS
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8 Two Hudson Place (Fifth Floor)
9 Hoboken, New Jersey 07030
10 (201) 659-0403
11 Attorney for the Applicant.

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1 CHAIRMAN HOLTZMAN: So we are going to
2 take first Mr. Matule and 133 Monroe Street, because
3 I know that the attorneys need to have a little bit
4 of a briefing and a conversation for the
5 Commissioners on this.

6 MR. MATULE: Good evening, Mr.
7 Chairman --

8 CHAIRMAN HOLTZMAN: Good evening.

9 MR. MATULE: -- and Board members.

10 Robert Matule, appearing on behalf of
11 the applicant.

12 As you may recall, this matter was
13 originally scheduled to be heard on March 1. We
14 were here on March 1. We did not get reached. But
15 nevertheless, while we were here waiting to get
16 heard, the applicant and the architect had the
17 opportunity to get some feedback from members of the
18 neighborhood, and the consensus of that feedback was
19 that rather than just -- this is a corner lot on the
20 corner of Second and Monroe -- rather than just
21 having that as, because of the flood plain
22 regulations, non-habitable storage space, that the
23 neighborhood could really use some commercial space
24 especially on the corner.

25 As a result of that input and some

1 further conversations, the application was amended.
2 Originally it was for three residential units. It
3 was amended to eliminate one of the residential
4 units and to put commercial on the ground floor.

5 As part of that also, the ground floor
6 lot coverage was, I believe, extended from 75
7 percent to a hundred percent, because it just seemed
8 to make sense to fill in the end of the donut so to
9 speak, and that was some of the feedback we got from
10 the neighborhood as well.

11 The upper floors are pulled back, so
12 there is 75 percent lot coverage, and they have
13 fully conforming rear yards so to speak, so the
14 application was amended accordingly.

15 There was some communication today
16 about whether or not we had a conditional use
17 variance and could not meet the conditions --

18 MR. GALVIN: Well, I can pick up there.
19 Do you want me to pick up a little bit?

20 MR. MATULE: Sure

21 MR. GALVIN: All right.

22 There were like four or five different
23 emails coming at me from different directions, and I
24 started --

25 CHAIRMAN HOLTZMAN: So let's deal with

1 the first part, which is what the SSP team also
2 moved forward, because Councilman Magaletta --
3 Commissioner Magaletta -- thanks for the promotion,
4 right?

5 VICE CHAIRMAN MAGALETTA: Don't --

6 (Laughter)

7 -- I don't need a promotion --

8 (Laughter)

9 CHAIRMAN HOLTZMAN: -- brought up a
10 concern, which is valid, which is when the team
11 first initially saw this application, it was just
12 the residential units, and then there was this
13 interim adjustment. So there was some concern
14 whether the application could still continue to move
15 forward or it needed to go back to square one.

16 MR. GALVIN: It is a challenging issue
17 for both me and Bob, that when we have cases, and we
18 are moving a long case, and we are going to make
19 some kind of change that actually improves the
20 application. But my contention is that when you
21 are going to make something that's a substantial
22 change to the application, the Board has to at least
23 authorize the amendment. I think you heard me say
24 this before, I think that the Board has to authorize
25 that amendment.

1 I mean, one of the options is that you
2 can withdraw your case and refile the new case, but
3 this is something that is changing on the fly that
4 they are basically saying because we are trying to
5 do the right thing by the neighborhood or we're
6 trying to make a better outcome, and, you know, I am
7 not in any way arguing one way or the other, but we
8 didn't get to vet that.

9 CHAIRMAN HOLTZMAN: We also don't want
10 to penalize them because they have been in the cue
11 for some time and have been delayed by times where
12 we were overrun and haven't gotten to them.

13 MR. GALVIN: I agree. I agree
14 completely.

15 Okay. So the first question, maybe we
16 don't have to address it here is: Is the Board okay
17 with them amending the plan.

18 You have not even heard it yet, but do
19 we need to send them back to the SSP for this
20 change?

21 What do you guys think from a
22 professional standpoint, do you think --

23 MR. HIPOLIT: So I think from an
24 engineering perspective, which I think is much
25 easier than coming from a planning perspective, from

1 an engineering perspective, they are good. There is
2 nothing that changes my opinion. They would be
3 complete, and you could have heard them, so it's not
4 a issue for me.

5 CHAIRMAN HOLTZMAN: Well, there are no
6 changes that make them incomplete from an
7 engineering standpoint?

8 MR. HIPOLIT: No, none.

9 MR. GALVIN: We then do stumble into a
10 couple of planning, potential planning issues. Do
11 you want to speak to those?

12 MR. ROBERTS: Yes, sure.

13 I think that how this occurred, it has
14 been laid out pretty well, but from a technical
15 standpoint, if it had stayed at three units, there
16 would be no question that it is, you know, that it's
17 a still a minor site plan and so on. But when they
18 reduced it from three units to two units, that
19 caused a question that we hadn't looked into, and it
20 is interesting because Hoboken's minor site plan's
21 standards list about, I don't know, maybe six or
22 seven different things that trigger minor site plan,
23 and they treat residential buildings and commercial
24 buildings as separate individual buildings.

25 So to say, for example, any dwelling

1 that is from three to nine is minor, and ten or more
2 is major for a building having more units, and now
3 we have two.

4 It also says in a separate item: Any
5 commercial space from 3,000 square feet to 9,000, I
6 think it is, is minor, and anything over that is
7 major. We have 2100 square feet of commercial, so
8 it doesn't fit cleanly into either one of those
9 categories.

10 However, instinctively, the reason I
11 never even thought about it when I did the review
12 letter last week is it's a mixed-use building, and
13 you would just expect a mixed-use building, no
14 matter how many units it has, to require minor site
15 plan approval. It's just that our ordinance doesn't
16 come out and say that.

17 MR. GALVIN: So you might want the
18 ordinance to be looked at for that?

19 MR. ROBERTS: Right.

20 Now, from what I understand, and I know
21 I saw a communication from Bob earlier today, and I
22 was trying to get an idea, has this come up before
23 and how was it handled.

24 And my understanding is that even if a
25 building has two units, if there is any other use in

1 the building, that is considered a third unit and
2 therefore triggers the minor site plan.

3 If that is the case, then that issue is
4 settled, and we can move on to decide whether or not
5 the commercial square footage is something that we
6 want. I think my understanding from the Board is to
7 try to encourage retail use on the ground floor.

8 The issue with that then becomes, and
9 it might be something that we can deal with without
10 having to go back to the SSP, that is really more of
11 the Board's decision.

12 But in these residential zones, retail
13 uses are permitted provided they comply with the
14 those three standards of Section 33, which are in
15 Article 9, which is not a conditional use standard.
16 They're just additional standards --

17 MR. GALVIN: Then I think Mr. Matule is
18 right about those --

19 MR. ROBERTS: C variances --

20 MR. GALVIN: -- that if they are not
21 specifically listed, and we've treated them as C
22 variances --

23 MR. ROBERTS: -- C variances, and we
24 just did one --

25 MR. GALVIN: I don't think I agree with

1 that intellectually, but that is the law.

2 MR. ROBERTS: Right. I mean, it would
3 either have to be that or a use variance, I would
4 think, because it is a stipulation on the use, but
5 it could be supplementary standards. That's the way
6 we treated them for home occupations and all of the
7 other things --

8 MR. GALVIN: And at the Zoning Board,
9 we have been consistently treating them as C
10 variances.

11 MR. ROBERTS: Right.

12 And that is fine, because they are not
13 in the conditional use section.

14 The only change to that, and that is
15 another concern of this Board is what commercial
16 uses are we talking about for that 2100 square feet.

17 For example, if it was a restaurant,
18 then it is a conditional use. And if you go to the
19 conditional use section in Article 10, it refers you
20 back to those same three standards in Section 33.

21 MR. GALVIN: Let's ask that question.

22 Are you prepared for it to be excluded
23 from that without --

24 MR. MATULE: Well, what I can say is
25 that the intention is that it be a retail business

1 or service in the context of the zoning ordinance
2 making that a principal permitted use as opposed to
3 a conditional use, like a restaurant or a bar, and
4 there is no intention to have like a restaurant
5 there or food service or food preparation or
6 anything like that, because obviously the applicant
7 also wants to take into consideration the
8 residential occupants who will be upstairs.

9 The intention at this point is maybe a
10 professional office, maybe a --

11 MR. GALVIN: No. But what I am
12 saying --

13 MR. MATULE: -- yoga studio --

14 MR. GALVIN: -- what we're basically
15 saying --

16 MR. MATULE: -- no -- clearly, if a
17 tenant or an end user wanted to use it for a use
18 that is called out in the ordinance as a conditional
19 use, they would clearly have to come back here.

20 MR. GALVIN: Or go to the Zoning Board.

21 MR. MATULE: Or go to the Zoning Board,
22 although I suppose if we had the C variance for the
23 in excess of 1000 square feet --

24 MR. GALVIN: If you met -- if you met
25 the conditions --

1 MR. MATULE: So a long story short,
2 there is no intention to use it for any of those
3 kind of intense uses, like food, or you know, a
4 liquor store or a bar or anything like that.

5 MR. GALVIN: So basically I think on
6 this case we are okay with treating it as a site
7 plan, do you think?

8 MR. ROBERTS: I just want to be
9 consistent --

10 MR. GALVIN: And with no D variance --

11 MR. ROBERTS: -- that is the way we
12 have been treating them as long as there's --
13 because just so the Board may or may not be aware or
14 know that the Municipal Land Use Law exempts one and
15 two-family homes from site plan, so that is probably
16 where your ordinance got the three or more as
17 triggering minor and then --

18 MR. GALVIN: Well, they're all
19 commercial in other towns --

20 MR. ROBERTS: -- right. So -- but the
21 Municipal Land Use Law was not contemplating a
22 two-family house with a store. It was just a
23 traditional two-family house.

24 So I think you have -- I think if that
25 is the interpretation, that is fine as long as we

1 are consistent, but it is something that we probably
2 should clarify in the ordinance for sure to make
3 sure that, you know, if the combination of two or
4 more uses in the same building requires site plan
5 approval --

6 MR. GALVIN: So we have two issues that
7 have to be fixed in the ordinance. One, what you
8 just suggested, and two, that uses that have
9 conditions should be conditional uses and have the
10 conditional uses listed in the conditional section
11 or take them out.

12 MR. ROBERTS: Right.

13 I mean, really when you think about it,
14 it's clear, and it's not -- I don't want to get into
15 the weeds on this, but --

16 MR. GALVIN: Yeah, we are going there.

17 MR. ROBERTS: -- yeah. Because it's
18 like if your parking requirements are in the design
19 section, you ask for a design exception. If they're
20 in the zoning, you ask for a variance.

21 In this case, your conditional uses are
22 in a separate article from the three conditions that
23 are put on -- three standards that are put on retail
24 uses in residential zones. That is why they
25 wouldn't be conditional uses, and I would agree with

1 Bob, if we needed to grant relief, it wouldn't rise
2 to the level of conditional use, it would be to go
3 to the Zoning Board.

4 MR. GALVIN: So anybody?

5 CHAIRMAN HOLTZMAN: Are you okay with
6 proceeding?

7 VICE CHAIR MAGALETTA: I just want to
8 make sure of the jurisdiction --

9 MR. GALVIN: Well, wait a minute.

10 Well, let me just -- now I'm going to
11 throw the monkey wrench in --

12 VICE CHAIRMAN MAGALETTA: -- because
13 there is a notice question --

14 MR. GALVIN: -- yeah. I didn't get
15 there yet. I left that for last because I wanted to
16 see because if it is a D variance, it is going to
17 the Zoning Board, and I'd never have to do it.

18 So now that we know that we got it, and
19 if we agree that we don't have to send this case
20 back to the SSP, then the only question is the
21 notice. The notice noticed for three residential
22 units. It didn't notice for two residential units
23 and a commercial, and I think that that's enough of
24 a distinction that we should at least carry it,
25 renotice it, and I think it is in the developer's

1 best interest to do that as well.

2 If somebody appeals an approval, I
3 think we are thin ice, and it's going to come back,
4 but I understand why the notice was done the way it
5 was, and I would have done the same thing because
6 that's what it was, but now it changed.

7 VICE CHAIR MAGALETTA: I agree.

8 Because my concern is that it is almost
9 as if you go to the ABC, and they give you a
10 resolution, it means nothing. If you don't have
11 jurisdiction, you have the same effect.

12 I agree with you that if somebody
13 challenges it, we wouldn't hold much weight.

14 I really don't want to cause problems
15 for the application. I just want to make sure that
16 we do it right. That is all I want to do.

17 MR. GALVIN: Okay.

18 Anybody, comments, questions?

19 CHAIRMAN HOLTZMAN: Mr. Matule, any
20 opinion on that?

21 MR. MATULE: Yes.

22 Frankly, my opinion is, again,
23 heretofore, that is why we put the omnibus language
24 in our notice "and any other variances the Board may
25 deem necessary," and again, generally speaking, you

1 know, there is always exceptions to the rules --

2 MR. GALVIN: Can I say this --

3 MR. MATULE: -- as long as the
4 variances you are asking for are C variances, and
5 you know, the basic bulk of the building isn't
6 changing, I am of the opinion that that broad
7 language would be sufficient, but obviously --

8 CHAIRMAN HOLTZMAN: So you and your
9 client would be comfortable moving forward even
10 though there is the potential that somebody could
11 challenge the notice?

12 It is on you now, Bob.

13 (Laughter)

14 MR. MATULE: It is always to renotice.
15 I can't, you know, I can't tell a lie.

16 (Laughter)

17 MR. GALVIN: I'll give you --

18 CHAIRMAN HOLTZMAN: Commissioner
19 Graham?

20 COMMISSIONER GRAHAM: Well, I don't
21 know if this is relevant or not because I am not
22 sure I understand all of this.

23 But you said you did this as a result
24 of talking with the residents, and they said they
25 wanted retail space in that below. But a

1 professional office or a yoga studio isn't the kind
2 of retail space I would think of if I wanted retail
3 space in my neighborhood.

4 CHAIRMAN HOLTZMAN: I would agree.

5 COMMISSIONER GRAHAM: I mean you would
6 want food. You would want, you know --

7 CHAIRMAN HOLTZMAN: A cafe, something.

8 COMMISSIONER GRAHAM: -- a cafe.

9 Professional space or a yoga studio sounds
10 wonderful, but they are vague.

11 And who is going to be in that
12 professional space, who is going to take over that
13 yoga studio?

14 There are a lot of yoga studios in this
15 town, so I am just unsure about -- I mean, what do
16 the residents want?

17 I mean, what was the reason for all of
18 this?

19 MR. MATULE: Well, I am trying to put a
20 parameter on it.

21 CHAIRMAN HOLTZMAN: Okay.

22 Director Forbes?

23 COMMISSIONER FORBES: Yeah.

24 I am not sure if we got to the point of
25 what their comfort level is, but I just wanted to

1 put out there, if this gets challenged, I am
2 presuming that we are going to be paying for our
3 attorney to have to go to court --

4 MR. GALVIN: Yes, ma'am.

5 COMMISSIONER FORBES: -- and this is my
6 budget that I have to manage and take care of, and
7 so I am just putting that out there as a precaution,
8 because I understand that none of us want any of
9 that to happen --

10 CHAIRMAN HOLTZMAN: Right.

11 COMMISSIONER FORBES: -- but if it's
12 something where we can avoid that possibility by
13 renoticing appropriately --

14 CHAIRMAN HOLTZMAN: That eliminates
15 that possibility.

16 COMMISSIONER FORBES: -- that is just a
17 major concern.

18 CHAIRMAN HOLTZMAN: Excellent point.

19 Mr. Galvin, you had something?

20 MR. GALVIN: Well, what I was going to
21 say is I think if you are coming in for a pool
22 application in the suburbs, and you need to get a
23 six foot fence, that is something that's related to
24 the actual project itself.

25 When you are telling me it is going to

1 be a residential building and now we are adding a
2 commercial component, there might be someone in the
3 neighborhood that might object to that, that might
4 have showed up that otherwise wouldn't have showed
5 up. That's what I think. If I were a judge, I
6 might be moved by that, but who knows.

7 CHAIRMAN HOLTZMAN: Okay.

8 So Mr. Matule and his pool are in
9 trouble it sounds like.

10 MR. GALVIN: But I am okay with what
11 you said, if Mr. Matule wants to go forward --

12 CHAIRMAN HOLTZMAN: No, and I take
13 Director Forbes' point very strongly.

14 COMMISSIONER DOYLE: Do we have to
15 defend this?

16 If, you know, it gets challenged, can
17 we just throw the towel in?

18 CHAIRMAN HOLTZMAN: You know we always
19 get named on it.

20 MR. GALVIN: We have to defend it. I
21 don't see how we --

22 MR. MATULE: Assuming we were to carry
23 the matter, when --

24 (Laughter)

25 -- when would it be scheduled to?

1 MR. GALVIN: When could we carry this
2 matter to, Pat?

3 MS. CARCONE: May 3rd would be the next
4 available meeting date.

5 CHAIRMAN HOLTZMAN: I assume Mr. Matule
6 will end up with a very broad brush notice this next
7 time?

8 MR. GALVIN: No. He just has to say
9 with two residential and one commercial unit --

10 MR. MATULE: I mean, while we are
11 having this conversation, that it presents some
12 difficulties from my side of the table is that we
13 have an ordinance that talks about retail business
14 or service, that has a very specific definition,
15 very broad, but nevertheless a specific definition
16 of what a retail business or service is.

17 And I would certainly argue that if the
18 Board approves a building with retail space on the
19 ground floor, it could be used for a retail business
20 or service, then as long as what an applicant or a
21 potential tenant wants to put in there falls under
22 that definition, that should be the end of the
23 conversation --

24 CHAIRMAN HOLTZMAN: I think we all
25 agree with you there --

1 MR. MATULE: -- because in that
2 definition it specifically carves out anything that
3 is not called out specifically in the ordinance.

4 MR. GALVIN: One thing that I think
5 that we have to agree on is that we have a change.
6 It is a change to what came to the SSP.

7 MR. MATULE: Yes, no question.

8 MR. GALVIN: I am trying to deal with
9 it as best as I can. That is why I put the email
10 together today because we are all scrambling around
11 to figure out, and it may be coming out to a happy
12 ending. But at three o'clock this afternoon, it
13 looked very bad that it changed -- like that
14 little -- what seems little is not little. That's a
15 big change --

16 CHAIRMAN HOLTZMAN: So what is the
17 procedure here?

18 MR. GALVIN: I think --

19 CHAIRMAN HOLTZMAN: Commissioners, I
20 would like to hear from some of the other --

21 COMMISSIONER STRATTON: Can I just
22 say --

23 MR. GALVIN: I thought you were asking
24 me.

25 CHAIRMAN HOLTZMAN: No, it's not always

1 about you.

2 MR. GALVIN: I'm sorry.

3 (Laughter)

4 COMMISSIONER STRATTON: -- Gary, can I
5 weigh in on this?

6 CHAIRMAN HOLTZMAN: Please. I want
7 people's opinions.

8 COMMISSIONER STRATTON: I think that if
9 I were a member of the community that lived on that
10 block, and I was aware that a three-unit building
11 was going in, my reaction would be --

12 CHAIRMAN HOLTZMAN: Three-unit
13 residential.

14 COMMISSIONER STRATTON: -- three-unit
15 residential building would be different than a
16 two-unit residential building with a commercial use,
17 so that is on one side. I think that there is a
18 difference.

19 On the other hand, I think that a
20 business in the neighborhood would substantially
21 improve the application. I don't want to place an
22 undue burden on the applicant to come back to a
23 meeting, and this is the -- that would be the fourth
24 time that they appeared before the Board without
25 receiving the benefit of our review, and I am torn

1 because I think that we should be expeditious in
2 reviewing the application.

3 CHAIRMAN HOLTZMAN: Yes. We are
4 trying, but we want to do it right also, right?

5 Commissioner Graham, anything else?

6 COMMISSIONER GRAHAM: No.

7 I just think we need to be, as we did
8 in the resolution we were talking about before, that
9 we need to be clean. We need to be consistent. We
10 need to do things right.

11 CHAIRMAN HOLTZMAN: Let's err on the
12 side of caution, right?

13 COMMISSIONER GRAHAM: Yes.

14 CHAIRMAN HOLTZMAN: Commissioner?

15 COMMISSIONER MC KENZIE: I agree with
16 Commissioner Forbes.

17 CHAIRMAN HOLTZMAN: Commissioner Peene?

18 COMMISSIONER PEENE: When you presented
19 during our SSP meeting, to me, this is a totally
20 different application. The lot coverage has
21 changed, and the components changed, and I think we
22 need to do things by the book here.

23 CHAIRMAN HOLTZMAN: Okay.

24 Mr. Doyle?

25 COMMISSIONER DOYLE: That is fine.

1 COMMISSIONER O'CONNOR: I have nothing
2 to add.

3 VICE CHAIR MAGALETTA: I think we
4 should defer this because the public notice is a
5 concern, and I don't want that to undermine the
6 application, and plus it could cost us money, too,
7 so it's a reality.

8 CHAIRMAN HOLTZMAN: It potentially
9 could. I think that taking a quick straw pull here,
10 it sounds like the Commissioners are wanting the
11 application to be the better application, which has
12 organically kind of come about from the delay, but
13 let's do the better application, and let's get it
14 right.

15 So we will ask you, Mr. Matule, to
16 please defer to I think what you hear is the Board's
17 preferred opinion.

18 COMMISSIONER DOYLE: I'm not sure that
19 that sentiment I agree with, but I agree that we
20 should --

21 CHAIRMAN HOLTZMAN: I think there is a
22 mixed opinion. There's certainly some people who
23 were thinking the retail component is a good idea.
24 There could be discussion about that. There could
25 be a discussion about the lot coverage. All of

1 these things are obviously going to be discussed at
2 the hearing.

3 MR. MATULE: So we will carry this
4 matter to May 5th, is it?

5 MS. CARCONE: May 3rd.

6 MR. MATULE: May 3rd.

7 We won't have to come back before the
8 SSP?

9 MR. GALVIN: Yeah, it is good.

10 MR. MATULE: But we will renote to
11 describe the project as it is now being presented.

12 MR. GALVIN: Right. The hundred
13 percent lot coverage.

14 CHAIRMAN HOLTZMAN: Mr. Matule, could I
15 ask for you to specifically before the notice goes
16 out on this, I know sometimes these things are a
17 little rushed getting them into the paper, let's
18 make sure that you and Mr. Galvin are a hundred
19 percent on the same page here, so that we don't have
20 to do this again.

21 MR. MATULE: Certainly.

22 CHAIRMAN HOLTZMAN: Thank you. So it
23 won't be --

24 MR. MATULE: And for the record, if we
25 are bumping up against the time clock, we will agree

1 to extend the time within which the Board has to act
2 until the meeting of May 3rd.

3 MR. GALVIN: If I could throw one more
4 log on the fire here, I just checked your lot
5 coverage. It said 75 versus 60.

6 Did I hear a hundred?

7 MR. MATULE: You did.

8 MR. GALVIN: So that would be -- so
9 that is not spelled out.

10 MR. HIPOLIT: It is a hundred.

11 CHAIRMAN HOLTZMAN: So Let's start from
12 square one and get it right.

13 MR. MATULE: Stop shooting.

14 (Laughter)

15 MR. GALVIN: All right. Well, you shot
16 back. I'm sorry.

17 CHAIRMAN HOLTZMAN: Good night,
18 gentlemen.

19 MR. VANCE: Mr. Chairman, may I
20 address --

21 MR. GALVIN: Wait a minute.

22 CHAIRMAN HOLTZMAN: Hold on, Mr.
23 Galvin.

24 One second, Mr. Vance.

25 MR. GALVIN: I need a motion and a

1 second to carry this matter.

2 Did we do that already?

3 Did we do a vote?

4 MS. CARCONE: No, we didn't do a vote.

5 CHAIRMAN HOLTZMAN: No, we did not.

6 MR. GALVIN: Okay.

7 CHAIRMAN HOLTZMAN: Just a straw pull

8 thing.

9 MR. GALVIN: So we need a motion.

10 COMMISSIONER PEENE: Notion.

11 MR. GALVIN: Is it on this motion to

12 carry it?

13 If it is about the case, we are not

14 going to hear it.

15 MR. VANCE: Yes, it is.

16 MR. GALVIN: Then we are not going to

17 hear it.

18 MR. VANCE: Okay.

19 MR. GALVIN: All right.

20 MR. VANCE: Well, I just wanted to

21 address the Board. It is up to you whether I can or

22 not.

23 MR. GALVIN: I generally don't think we

24 should.

25 MR. VANCE: It's up to you.

1 CHAIRMAN HOLTZMAN: Let's do one thing
2 at a time, Mr. Vance. Hang on one second, please.

3 MR. GALVIN: All right.

4 So we need a motion.

5 Who wants to make a motion to carry
6 this without further notice to May 3rd?

7 COMMISSIONER PEENE: Motion to carry.

8 CHAIRMAN HOLTZMAN: Second?

9 COMMISSIONER MC KENZIE: Second.

10 CHAIRMAN HOLTZMAN: Thank you, Mr.
11 McKenzie.

12 MS. CARCONE: Do you need a vote or all
13 in favor?

14 CHAIRMAN HOLTZMAN: All in favor?

15 (All Board members answered in the
16 affirmative)

17 CHAIRMAN HOLTZMAN: Anybody opposed?

18 No.

19 MR. GALVIN: No SSP and amended as you
20 already amended it.

21 CHAIRMAN HOLTZMAN: One done. One and
22 done.

23 MR. GALVIN: Do we want to listen to
24 Mr. Vance?

25 CHAIRMAN HOLTZMAN: Mr. Vance, please

1 on come up,

2 MR. GALVIN: But understand we are not
3 putting you under oath. This is not about the case.

4 CHAIRMAN HOLTZMAN: You understand what
5 happened, Jim, right?

6 There is a problem with like the legal
7 notice and the craziness, so we are not going to
8 hear it tonight, but --

9 MR. VANCE: Yes, I understand.

10 And I just want to say I am the fly in
11 the ointment, because I am the guy who really pushed
12 for commercial on this floor, and I appreciate they
13 have been really great about it, and I am no more
14 happy than they are that we got pushed into this
15 circumstance, so --

16 MR. GALVIN: I am asking you to come
17 back on May 3rd and tell us that, and understand we
18 are just trying to touch all the bases properly.

19 MR. VANCE: I understand.

20 MR. GALVIN: We are trying to do things
21 the right way.

22 MR. VANCE: Thank you.

23 CHAIRMAN HOLTZMAN: Okay.

24 Thanks, Jim.

25 MR. MATULE: Thank you.

1 CHAIRMAN HOLTZMAN: So now we are going
2 to regroup here. Maybe we need to clear half the
3 room I guess, and we are going to continue over with
4 731 Clinton.

5 (Board members confer)

6 CHAIRMAN HOLTZMAN: Let's give
7 everybody five minutes.

8 (Recess taken.)

9 (The matter concluded at 7:50 p.m.)

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C E R T I F I C A T E

I, PHYLLIS T. LEWIS, a Certified Court Reporter, Certified Realtime Court Reporter, and Notary Public of the State of New Jersey, do hereby certify that the foregoing is a true and accurate transcript of the proceedings as taken stenographically by and before me at the time, place and date hereinbefore set forth.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel to 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.

s/Phyllis T. Lewis, CCR, CRCR

 PHYLLIS T. LEWIS, C.C.R. XI01333 C.R.C.R. 30XR15300
 Notary Public of the State of New Jersey
 My commission expires 11/5/2020.
 Dated: 3/31/16
 This transcript was prepared in accordance with
 NJAC 13:43-5.9.

CITY OF HOBOKEN
Hoboken Planning Board
HOP-15-24

- - - - - X
RE: 731-733 Clinton Street : March 29, 2016
Block 139, Lots 8-10 :
Applicant: Wonderlofts, LLC : 8:05 p.m.
Preliminary Major Site Plan Review :
Carried from 2-25-16 :
- - - - - X

Held At: 94 Washington Street
Hoboken, New Jersey

B E F O R E:

- Chairman Gary Holtzman
- Vice Chair Frank Magaletta
- Commissioner Caleb D. Stratton
- Commissioner Brandy Forbes
- Commissioner Jim Doyle
- Commissioner Ann Graham
- Commissioner Caleb McKenzie
- Commissioner Ryan Peene
- Commissioner Kelly O'Connor

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

- David Glynn Roberts, AICP/PP, LLA, RLA
Board Planner
- Andrew R. Hipolit, PE, PP, CME
Board Engineer
- Patricia Carcone, Board Secretary

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I N D E X

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WITNESS

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5

FRANK MINERVINI

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6

CRAIG W. PEREGOY

107

7

EDWARD KOLLING

148

8

9

10

11

12

E X H I B I T S

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14

EXHIBIT NO.

DESCRIPTION

PAGE

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A-1

Photo Board

67

17

A-2

Computer generated rendering

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25

1 CHAIRMAN HOLTZMAN: Okay, guys. We are
2 going to get started again.

3 All right. We are back on the record.

4 Mr. Matule, we have 731-733 Clinton
5 Street.

6 MR. MATULE: Yes.

7 Good evening, Mr. Chairman, and Board
8 members.

9 Robert Matule, appearing on behalf of
10 the applicant.

11 This is an application for property at
12 731-733 Clinton Street. This was another one that I
13 believe was carried from the March 1 meeting.

14 The property is on the corner of 8th
15 and Clinton. I guess it would be on the southeast
16 corner of the intersection directly across the
17 street from what is colloquially referred to as the
18 Wonder Bread Building, the big renovation project.

19 We are applying for preliminary site
20 plan approval and variances to build a new four over
21 one, 15 residential unit building with 18 on-site
22 parking spaces.

23 If the Board recalls, a couple months
24 ago we were here for the property next door. I
25 believe it was -- I want to say 7 --

1 COMMISSIONER DOYLE: 18.

2 MR. MATULE: -- 721 Clinton.

3 It is what is shown on the survey as
4 the parking lot, and that is where we were building
5 a four over one I believe six unit building that was
6 for our affordable housing. It was a standalone
7 affordable housing building to address our
8 obligations for the Wonder Bread project.

9 This is, other than common applicants
10 and a common owner, it is not interrelated with
11 either of those projects in terms of communicating
12 with them or any shared amenities or anything like
13 that.

14 I will be presenting three witnesses
15 tonight: Mr. Minervini; our traffic engineer, Craig
16 Peregoy, and our planner, Ed Kolling.

17 I have submitted our jurisdictional
18 proofs to the Board Secretary.

19 So if we could have Mr. Minervini
20 sworn, we can get started.

21 MR. GALVIN: Do you swear or affirm the
22 testimony you are about to give in this matter is
23 the truth, the whole truth, and nothing but the
24 truth?

25 MR. MINERVINI: I do.

1 F R A N K M I N E R V I N I, having been duly
2 sworn, testified as follows:

3 MR. GALVIN: State your full name for
4 the record and spell your last name.

5 THE WITNESS: Frank Minervini,
6 M-i-n-e-r-v-i-n-i.

7 MR. GALVIN: Mr. Chairman?

8 CHAIRMAN HOLTZMAN: We accept Mr.
9 Minervini's credentials, yes.

10 MR. MATULE: Thank you.

11 Before we start, Mr. Minervini, do you
12 have anything that is not part of the plans that you
13 are going to be referring to?

14 THE WITNESS: Yes.

15 We have a photo board with a street
16 elevation drawing showing aerial views that is not
17 part of the package that the Commissioners have.

18 MR. MATULE: So we will mark the photo
19 board A-1 for identification.

20 (Exhibit A-1 marked)

21 THE WITNESS: A-2 would be a computer
22 generated rendering of the proposed building.

23 (Exhibit A-2 marked)

24 MR. MATULE: That was obviously
25 prepared by your office?

1 THE WITNESS: Yes.

2 MR. MATULE: Okay. So we will mark
3 that A-2, and then when you refer to them, just
4 refer to the exhibit number.

5 THE WITNESS: Okay.

6 MR. MATULE: So would you please
7 describe the existing site and the surrounding area?

8 And I don't know if all of the Board
9 members can see the easel. But if not, we can slide
10 it down.

11 THE WITNESS: I relocated it a bit.
12 Does this work?

13 MR. MATULE: Good. All right. Thanks.

14 THE WITNESS: As Mr. Matule said, the
15 application is for 731-733 Clinton Street, a new
16 15-unit five-story residential building.

17 The site itself, also as Mr. Matule
18 said, is on the southeast corner of the 8th and
19 Clinton Street intersection directly to the east of
20 the Wonder Bread existing building, which is soon to
21 be a conversion project.

22 Existing on the site is a one-story
23 industrial garage that covers 100 percent of the
24 lot.

25 Just for back -- not background, but as

1 part of the proposal, as I mentioned, 15 units, nine
2 of those units are proposed to be three-bedroom in
3 size, from 1700 square feet to 1800 square feet.

4 Six of the units are proposed to be
5 four-bedroom in size, ranging from 1,940 square feet
6 to 2,100 square feet.

7 So for context, and I already described
8 the location, but A-1, as Mr. Matule and I talked
9 about, does a pretty good job with the four aerial
10 photographs taken from Google Earth.

11 So starting at the top right corner
12 looking west, this is 8th Street. This is Clinton
13 Street. Our site is this corner lot. It is 99 feet
14 nine inches deep by 100 feet in width, and the width
15 is along Clinton Street.

16 Directly adjacent to, as Mr. Matule
17 also described, approved by this Board, a
18 five-story -- five-story residential building,
19 pardon me, with two five-story residential buildings
20 going south.

21 Directly to our east is a structure
22 that covers 100 percent of that lot. It is one
23 story, and its final 30 feet or 40 feet of site, and
24 then it is two and three stories as it runs along
25 Willow.

1 I should also mention that this site
2 here in this corner has received approvals from the
3 Zoning Board of Adjustment for a five-story building
4 that extends 65 feet in depth off of 8th Street, and
5 this sort of makes more sense when I get to our
6 floor plans.

7 So the red dotted line indicates where
8 the footprint of our proposed building is.

9 Moving to the photo to the left, this
10 is looking north. Again, here is 8th Street. Here
11 is Clinton. Here is Willow, and that's the shape of
12 our building, and this is our lot, 99 feet, nine
13 inches running from east to west, and north to south
14 100 feet.

15 Looking south, the better view of the
16 actual corner from the north, of course, at the
17 site, so as I mentioned, the building to our east
18 covers 100 percent of that lot. A portion of that
19 is two stories, and another portion is one story,
20 but it does meet our property line.

21 This black area indicates where the 60
22 foot deep building at five stories in height has
23 recently received approvals, and our street
24 elevation, and this is different from the street
25 elevation that you have on your drawings, we have

1 introduced that facade.

2 So looking at this sheet, here is the
3 entire street, Willow Terrace, the existing
4 residential buildings to more existing residential
5 buildings to where the parking lot currently exists.
6 It is a five-story building with six units, and then
7 our building, and it's 99 -- 100 foot width.

8 8th Street, the firehouse that was part
9 of the discussion previous -- previous discussion,
10 and then residential buildings and a mixed-use
11 building as you go further to the north, so that
12 describes the context.

13 This is a colored version of the
14 photographs that you already got as part of your
15 set.

16 So the building as it currently exists,
17 that is the red brick building. This is Clinton
18 Street. This is 8th Street looking to the south and
19 east. Here along 8th Street showing that it covers
20 100 percent of our lot in depth.

21 Here is the parking lot that was the
22 subject of a prior approval before this Board.

23 A firehouse to our north, and the
24 Wonder Bakery to our west along with the Hoboken
25 High School.

1 VICE CHAIR MAGALETTA: I'm sorry.

2 On photograph number one, what is the
3 date of that photo?

4 How recent was that?

5 THE WITNESS: This one -- let's think
6 about this. This one -- this is probably -- a very
7 good point -- this has since been renovated to I
8 think a children's gym of some sort.

9 VICE CHAIR MAGALETTA: There is a
10 Diamond Jim on the corner.

11 THE WITNESS: Yeah.

12 VICE CHAIR MAGALETTA: Diamond
13 Gymnasium. Does that take up the whole --

14 THE WITNESS: I think it takes up the
15 whole space, yes --

16 VICE CHAIR MAGALETTA: That's fine.

17 THE WITNESS: -- so this photograph,
18 the building size hasn't changed, but it has been
19 renovated, the facade, and its use within it.

20 Thank you for that.

21 If I just can confirm that nothing else
22 has changed, that is correct. That is correct.
23 This I discussed, and it looks to me like everything
24 else is accurate on these photographs.

25 I can pass them around, if anybody

1 wants to take a closer look.

2 I will go through the floor plans.

3 MR. MATULE: Frank, let me have that,
4 so people in the audience can look at it while you
5 are going along.

6 THE WITNESS: Sure.

7 Sheet Z-1, the drawing on the bottom
8 left is a representation of our site relative to the
9 adjacent properties. It shows 8th Street, of
10 course, Clinton and Willow, and it also shows the
11 depth and footprint of all of the adjacent buildings
12 within 200 feet.

13 So as I previously described, this is
14 the Hoboken High School. This is the Wonder Bakery
15 site. This is the site that recently received
16 approval, the firehouse and so on, as on the
17 photographs.

18 Turning to the variances, and Ed
19 Kolling, our planner, will go into these in more
20 detail, but we are asking for a lot coverage
21 variance, and I will get to each of those as I go
22 through the floor plans, and we are asking for a
23 height variance.

24 There is a variance for our rear yard,
25 and there is also a variance for the lot depth,

1 because although it is an existing condition, it
2 doesn't meet the 100 foot depth that is required.

3 MR. MATULE: And if I could just
4 interrupt at that point.

5 We also called out in our notice an
6 additional variance, which was raised by the Board
7 Planner, Mr. Roberts.

8 The way we have the inset rear decks on
9 the two inside walls that are sort of the interior
10 courtyard walls, because our deck ordinance requires
11 a three foot setback from any property lines, we
12 called it out just to be on the safe side.

13 THE WITNESS: And I'll point -- pardon
14 me -- I will point it out as we get to the floor
15 plans exactly where those locations are.

16 Z-2, so this is drawing number three
17 showing the overall site in the property blown up to
18 a larger scale.

19 Here is our site. There is the recent
20 approval.

21 Here is the firehouse, Hoboken High
22 School, and this U-shape is the Wonder Bakery
23 building, the parking lot as I discussed, and two
24 five-story residential buildings, and as you go
25 further south, there is a six-story residential

1 building here.

2 The site plan of existing conditions
3 and our proposed impact plan.

4 So in essence, what we are proposing, I
5 am going to draw, so you get a sense of the
6 perimeter of the building.

7 Our building covers 84 percent lot
8 coverage, it might be 84.1, and I will get that
9 accurate. But what we have done, we have simply
10 extended the building off of Clinton Street 60 feet,
11 that matches this approval. We have done the same
12 at 60 feet on our 8th Street side.

13 So the total structure to our east goes
14 back further than 60 feet. The two-story section
15 goes back about 45 to 50 feet.

16 As I mentioned, there is an approval.
17 We are calling it the Rogo site. It is where
18 Rogo's, the restaurant is, an approval for that
19 corner for a building that sets back up at this
20 section up to 65 feet.

21 So there is an approval, certainly not
22 constructed, and I don't know if it will be, but it
23 is approved, and the adjacent building would be that
24 configuration.

25 VICE CHAIR MAGALETTA: I'm sorry.

1 Is that approved where Diamond

2 Gymnastics is or --

3 THE WITNESS: Yes.

4 VICE CHAIR MAGALETTA: So it's both

5 Finnegan's, Rogo's --

6 THE WITNESS: Rogo's.

7 VICE CHAIR MAGALETTA: -- and

8 gymnastics, Diamond Gymnastics?

9 THE WITNESS: That is right.

10 VICE CHAIR MAGALETTA: Thank you.

11 THE WITNESS: Z-3 is our ground floor

12 plan. We are calling it here both the circulation

13 and landscape plan.

14 So here is Clinton Street. Here is 8th

15 Street. We are proposing our vehicular entry at

16 this location, so you come and enter the garage

17 here, but you got a double row of cars for parking,

18 as well as parking along this eastern wall. 18

19 parking spaces in total, which includes two tandem.

20 The residential entry is here, so here

21 is our lobby, refuse. You have storage for

22 packages --

23 CHAIRMAN HOLTZMAN: Mr. Minervini --

24 THE WITNESS: Yes.

25 CHAIRMAN HOLTZMAN: -- I thought there

1 was perhaps going to be a change on the parking, if
2 I remember correctly, that the requirement here was
3 for ten parking spaces. Your original proposal had
4 18, and I thought that there was a conversation at
5 our previous meeting that it was going to be
6 adjusted to 15?

7 THE WITNESS: It can be. This is the
8 direction that the applicant wants at this point.

9 CHAIRMAN HOLTZMAN: So is it currently
10 on what you are presenting is 18 spaces?

11 THE WITNESS: That is correct.

12 So I am sure that the drawings you got
13 show 18 spaces, and two of them are tandem.

14 So I mentioned the -- this depth of the
15 building here is 60 feet. The depth of the building
16 here is 60 feet.

17 The additional lot coverage is
18 certainly for the most part driven by the corner
19 condition, and when I get to the elevations, I can
20 describe that a bit more.

21 So this 40-foot plus or minus rectangle
22 is outdoor space for use of two of the apartments.

23 This particular drawing shows our
24 electric car charging stations. Just while I am at
25 that, in terms of green elements and green

1 sustainable elements, we are proposing, of course, a
2 water detention system that will be minimally two
3 times or twice as large as required by NHSA,
4 electric car charging stations, which I just
5 described, the green roof, which I will get to, an
6 extensive green roof, LED lighting, Energy Star
7 appliance, and spray and foam insulation, amongst
8 others.

9 MR. MATULE: Frank, you are putting in
10 six street trees or proposing six street trees?

11 THE WITNESS: Yes. Thank you, Bob.

12 So looking at the same sheet Z-3, as
13 our site plan, we are proposing three street trees,
14 one, two, three along Clinton, and one, two, three
15 along 8th Street.

16 CHAIRMAN HOLTZMAN: Hang on, Mr.
17 Minervini.

18 Mr. Peene?

19 COMMISSIONER PEENE: I just have a
20 question.

21 Going up to the vehicular
22 ingress/egress, I like that there is a flashing
23 pedestrian warning device. I have heard a lot of
24 problems with some of them, that some of them are
25 siren-like and, you know, going off at one and two

1 in the morning and flashes in people's eyes. I just
2 wanted you to make a note of that.

3 CHAIRMAN HOLTZMAN: So what is it
4 that's being proposed, Mr. Minervini?

5 THE WITNESS: Well, I am not sure if
6 our detail shows it, but we will propose a shield so
7 that it is directional for the most part, and the
8 light won't go up.

9 However, we are also proposing, and I
10 do have that here in drawing number two, is at the
11 threshold -- at the threshold -- sorry -- yeah, at
12 the threshold will be a pedestrian warning device
13 that is within the slab of the garage floor.

14 It is an LED light that as the door
15 opens, it flashes, and it could be driven over, so
16 that is detailed here, and that actually I think is
17 much more effective than the taller one, the light
18 that you are referring to, which is still here.

19 COMMISSIONER PEENE: That we see on a
20 lot of the buildings --

21 THE WITNESS: Yes, yes --

22 MR. HIPOLIT: They go off.

23 CHAIRMAN HOLTZMAN: So there is no
24 noise. I just want to --

25 THE WITNESS: There is no noise.

1 In this particular case, it is within
2 the slab, our vehicular entry, and I misspoke when I
3 said it's on Clinton Street. It is on 8th Street
4 shown here, and I think that is the extent of the
5 basic description.

6 And we have got, of course, an
7 elevator, our two stairs of egress. The building
8 will be served by a trash compactor.

9 COMMISSIONER PEENE: Thank you.

10 MR. MATULE: Do you want to talk about
11 the bike storage while you are on the street?

12 THE WITNESS: Yes, and that's something
13 I should have mentioned.

14 So we have got several storage spaces.
15 Bicycle storage is in this corner, and bicycle
16 storage will be in the storage room, and we are
17 proposing -- and that actually --

18 COMMISSIONER DOYLE: Near the elevator,
19 to the left?

20 THE WITNESS: I'm sorry?

21 COMMISSIONER DOYLE: Near the elevator
22 to the left?

23 THE WITNESS: Yeah. Thank you.

24 In terms of bicycle storage, I should
25 color it, so bicycle storage is there. Bicycle

1 storage there, and there is general storage here
2 which could be used, as the Board suggested, for
3 bicycles but I think these two locations should be
4 enough given the 15 apartments within the building.

5 We are also proposing a two foot
6 planter at this section and here and here, so there
7 is a two foot planter along 8th Street, a two foot
8 planter along Clinton Street, with the exception of
9 where the egress is here, and our residential entry
10 here, and the same for the vehicular entry.

11 It is not shown on this drawing, but
12 Mr. Matule, I'm sorry, not on this drawing, but we
13 also show -- I'm sorry -- thank you, Bob -- so this
14 swath of parking also has the parking -- pardon
15 me -- bicycle parking that we have seen and we are
16 proposing the design that is actually along the wall
17 at the nose of the car, so each of these spaces has
18 a bike rack for bicycles.

19 Z-4 is our utility plan. Relevant to
20 this presentation, this is showing our schematic for
21 our stormwater retention location.

22 Z-5 is our related details.

23 THE REPORTER: Can you face the other
24 way, Frank?

25 THE WITNESS: No, I can't do both. But

1 I'll try to speak louder.

2 MR. GALVIN: Okay.

3 (Laughter)

4 THE WITNESS: So I already talked about
5 drawing number one on Sheet Z-6, the garage plan.

6 Drawing number two is our second floor
7 plan, so we have four residential units. This plan
8 is typical for four floors, two, three, and four
9 with the exception of the metering space
10 requirement, which is here. So all of our meters
11 are above the base flood -- design flood -- base
12 flood elevation, pardon me. They are all on the
13 second floor location directly accessed off of the
14 common stairs.

15 Unit 201 is 1,800 square feet. Unit
16 204 is 1,940 square feet. 203 is 1,710 square feet,
17 and the final unit on the floor is 202, which is
18 1,750 square feet.

19 As Mr. Matule described during the
20 initial presentation, the description of the
21 project, that there are recessed balconies that
22 require an additional variance, so what he is
23 referring to is this space here and this space here
24 which are 8-by-12 and 8-by-12.

25 What we have done is basically carved

1 out residential space, and this will become now an
2 exterior space on all of the floors for the --

3 VICE CHAIR MAGALETTA: I was going to
4 ask you later, but I'll ask you now while you're on
5 this page.

6 To the east of where you are pointing,
7 it says approved five stories. That's one --

8 THE WITNESS: That is -- yes.

9 VICE CHAIR MAGALETTA: -- I don't want
10 to get you off track here.

11 Are you working on that project?

12 THE WITNESS: No.

13 VICE CHAIR MAGALETTA: Do you have any
14 idea how high it's going to be?

15 THE WITNESS: In terms of the height,
16 it's five stories I know.

17 VICE CHAIR MAGALETTA: As far as
18 footage?

19 THE WITNESS: I don't know.

20 VICE CHAIR MAGALETTA: Do you know as
21 far as depth what it's going to be?

22 THE WITNESS: It is 65 foot in depth on
23 this particular leg of the building.

24 VICE CHAIR MAGALETTA: Okay. So how
25 close will it come to the eastern portion of this

1 building?

2 THE WITNESS: It touches. It touches
3 our property line.

4 COMMISSIONER DOYLE: 65 feet back
5 from --

6 THE WITNESS: From 8th Street toward
7 the south. 8th Street towards the south. It's an
8 L-shaped building. I don't know the depth from
9 Willow.

10 VICE CHAIR MAGALETTA: And you don't
11 know obviously what other variances they are seeking
12 for their backyard --

13 THE WITNESS: That has been approved
14 (Everybody talking at once)

15 VICE CHAIR MAGALETTA: Okay. Sorry.

16 THE WITNESS: No, understood.

17 So there is four units here. This --
18 so the building -- again, the perimeter of the
19 building is an L in essence, 60 feet here, and 60
20 feet here reflecting the corner condition.

21 This 40 foot width by 39-9 is our open
22 area.

23 Just to the point before, here is some
24 details of the bicycle racks we are proposing.

25 Z-7, the third and fourth floors, which

1 for the most part are thee replicas with the
2 exception that there is no metering closet in this
3 area, so the unit size has changed on 301 and 304.
4 We have 1800 square feet at 301 and 304, and 2,100
5 square feet, so those two are the same. Again, the
6 recessed balcony condition.

7 The fifth floor is different because we
8 have set it back eight feet from the rear building
9 face on both legs of the L.

10 So the actual structure of the building
11 extends 52 feet in from 8th Street to the south. It
12 extends 52 feet from Clinton Street to the east, and
13 that we are proposing to have recessed an outdoor
14 space for the occupants of Unit 501 and Unit 502.

15 This floor has three units as opposed
16 to four, and each of them are four-bedroom units
17 sized at 502, 2,340 square feet. 503 is 2,340
18 square feet, and 501 is again is 2,340 square feet.

19 MR. ROBERTS: Just a question on that.

20 THE WITNESS: Yes.

21 MR. ROBERTS: You said that this
22 setback is recessed eight feet, so is it at 52?

23 THE WITNESS: Yes, 52.

24 MR. ROBERTS: Now, the existing
25 building to the -- right there, the existing

1 building, you had said that was around 56?

2 It looks like it's almost --

3 THE WITNESS: It is two stories, so at
4 this point we are above that.

5 MR. ROBERTS: Okay. But is it lined
6 up -- how close is that to your --

7 THE WITNESS: I can show you better on
8 our site photographs. Actually, the survey shows it
9 as well.

10 What I have shown here is the depth of
11 the approved building.

12 MR. ROBERTS: Approved building. I am
13 just curious as to how that compares.

14 THE WITNESS: Here it is, so Z-4, this
15 is the one-story section up to this line, and the
16 two-story section up to here, so that goes at about
17 65 feet as well --

18 MR. ROBERTS: So it is just the
19 one-story section that goes to 50-some odd feet,
20 right?

21 THE WITNESS: The one-story section,
22 this --

23 MR. ROBERTS: Oh, that's the
24 one-story --

25 THE WITNESS: Yes. So this is one --

1 MR. ROBERTS: And the two-story section
2 is how deep?

3 THE WITNESS: So this I'm going to -- I
4 have to estimate.

5 We are -- this is 18. That is probably
6 20, and I would say that this is 35 --

7 MR. ROBERTS: Okay.

8 THE WITNESS: -- I'm sorry -- 45.

9 MR. MATULE: 45.

10 THE WITNESS: Pardon me. It's 45.

11 MR. ROBERTS: Thank you.

12 COMMISSIONER DOYLE: Frank, can you
13 stop at 6, like where you are?

14 THE WITNESS: Yes.

15 COMMISSIONER DOYLE: The utility
16 closet, that little -- that staircase, the steps,
17 they go up or down --

18 THE WITNESS: Yes, they go down.

19 This particular -- so if you think
20 about the building, the two stair floors are the
21 stairs that we have all seen have a wrap-around
22 stair.

23 At this particular location what we
24 have done is at the mid height landing, which is I
25 would say is half of the flight -- half of the

1 height between the ground floor and the second
2 floor, we then have a stair going directly to the
3 front of the building. So directly at mid height
4 landing point, you can go this way to the meters or
5 back up or down.

6 COMMISSIONER DOYLE: Okay.

7 And that is wide enough to service
8 the -- I guess it is just meters --

9 THE WITNESS: It's just meters against
10 the wall. It should be.

11 COMMISSIONER DOYLE: All right. Thank
12 you.

13 THE WITNESS: Now, to your point of
14 what is good about this particular location is that
15 if we had the need to extend it, we could very
16 easily extend it in that direction without any
17 effect on the building -- effect to the building.

18 The roof plan, Sheet Z-8.

19 So we are as the ordinance permits, and
20 I have the calculations shown here, we are proposing
21 private roof decks. So there are five private roof
22 decks for use of five units, and each of the units,
23 it described which unit, the deck space would be
24 attached to. The remaining space would be the
25 extensive green roof, as well as the required

1 mechanicals. The distances are shown.

2 This cut-out is shown because that is
3 where the decks that I mentioned that are recessed
4 within the building, so that's this point and this
5 point.

6 COMMISSIONER DOYLE: So can you
7 anticipate my question, Frank?

8 THE WITNESS: In terms of the
9 calculations did we use --

10 COMMISSIONER DOYLE: Yes.

11 THE WITNESS: -- when this was
12 submitted, that was the direction we had been given,
13 so yes, we did use the bulk -- we calculated with
14 bulkheads, and this drawing shows it.

15 Here's our bulkhead plan showing the
16 green roof, so yes, it is approximately 600 square
17 feet, so what you would have to do is reduce this,
18 assuming that the decision that the Board made in
19 terms of the actual calculation is as it was three
20 weeks ago or four weeks ago, that we no longer can
21 count the bulkheads, but what we will do, of course,
22 if the project is approved, is reduce these --

23 MR. GALVIN: So the plan is to be
24 revised to do what?

25 THE WITNESS: To redesign and resize

1 the roof decks taking into consideration that we no
2 longer can calculate the bulkhead square footage as
3 part of the main roof --

4 COMMISSIONER DOYLE: Or you could
5 request leave.

6 MR. MATULE: We wouldn't want to do
7 that.

8 THE WITNESS: Bob said we wouldn't want
9 to do that.

10 COMMISSIONER DOYLE: We wouldn't want
11 to do that?

12 (Board members confer)

13 THE WITNESS: That is something that I
14 think --

15 COMMISSIONER DOYLE: I am just saying,
16 the last time you did do that.

17 THE WITNESS: Yeah. Okay. That is the
18 conversation that I hope we can have with the
19 applicant and Mr. Matule, that I can have it, but I
20 understand the point.

21 COMMISSIONER DOYLE: Okay.

22 (Counsel and witness confer)

23 COMMISSIONER DOYLE: That is about what
24 it is.

25 THE WITNESS: Z-10 is the elevation

1 along Clinton Street.

2 I think a better description would be
3 had using the rendering.

4 It is -- we have taken into
5 consideration the design of the Wonder Bakery and
6 its additions, which my firm is responsible for, as
7 well as the design for this building that I had
8 received previous approvals.

9 We have used similar materials as those
10 buildings, so here, because it is within what was an
11 industrial area, however, its use, other than the
12 one-story wasn't as grand in terms of its industrial
13 past as those other buildings.

14 We have limited the kind of industrial
15 look with the brick. I'm still making homage to
16 what we think the neighborhood was, and the
17 remaining portions are of a modern design, mostly
18 metal panels, lined on two corners by brick, and we
19 have a glass section at the corner, and I am
20 generalizing that the overall intent of the design
21 is to minimize the perception of height. We do that
22 by having a curtain wall act as a cap to the
23 building, accentuate where the building entries are,
24 which is the brick section here along Clinton, as
25 well as the brick section here along 8th Street,

1 where the vehicular entry is, and have end caps to
2 the building. That was the thought process. While
3 still having the familiar -- the familial look
4 relative to the Wonder Bread and the adjacent
5 building we designed as well.

6 MR. ROBERTS: Frank, is that rendering
7 prior to the changes on 8th Street with the
8 projections?

9 THE WITNESS: No. So we are not
10 showing the projections here.

11 What we have seen -- what this shows
12 are just -- let's call them architectural elements
13 that project. There is no bay projection. There
14 are outdoor -- no space within the units projecting
15 over the property line.

16 So what it shows, and it probably
17 doesn't very clearly, is in essence a wing at that
18 point, and at that point, and at that point coming
19 past, and this is also flush. It's just there is a
20 material change from here to here, so we are not
21 proposing any bay extensions on either street for
22 this project.

23 I do remember one of the comments, and
24 I am not sure which report it was that -- I will get
25 to the Sheet Z-10, that this sheet implies because

1 of the shadowing, that that is the bay projection.
2 We do have to correct that, but there are no bays
3 projected, so it is clear.

4 MR. HIPOLIT: It was mine. It was in
5 my letter.

6 CHAIRMAN HOLTZMAN: Sorry, Andy, what?

7 MR. HIPOLIT: That comment was in my
8 letter.

9 THE WITNESS: Oh, thank you.

10 CHAIRMAN HOLTZMAN: That there are no
11 bay projections.

12 MR. HIPOLIT: That there are no bay
13 projections.

14 THE WITNESS: Sheet A-12 are the rear
15 elevations showing the five-story building as
16 approved that we previously discussed, a small
17 section of our building, as you look towards the
18 west. That is this street elevation that I started
19 with, but without the addition of the approved
20 project here.

21 And there is some relative -- some --
22 pardon me -- facades showing the adjacent building
23 to the west that we discussed.

24 This is the Wonder Bread Bakery
25 building, as well as one of the courtyard areas,

1 So it's our building along 8th Street, Wonder Bread.

2 I think I probably should go over again
3 our thoughts with the hole in the donut and
4 understanding this Board, and you know, both
5 municipal Boards, Zoning and Planning, as well as
6 the administration's opinions about the importance
7 of the hole in the donut.

8 So if we look at this site specifically
9 and its block, it is not the typical Hoboken block.
10 This lot, this building, and this site as well as
11 the block did have industrial uses along Grand
12 Street -- pardon me -- along Clinton Street -- so
13 that in essence had buildings of a different depth
14 than we normally would see.

15 Some of those have been removed, so
16 where this residential building is now, it was an
17 industrial building. These two are here, but these
18 two are at 85 feet, so -- but if you look -- and
19 this is a very good photograph describing the intent
20 of what I am trying to explain are aerial views
21 looking west, so the hole in the donut is actually
22 this shape here, and I will draw it.

23 This I will shade in where the donut
24 is, which is the open space between the buildings
25 that are along the two major street frontages.

1 So what we have done, we have provided
2 in essence an end cap along 8th Street, so this
3 would be the edge of the hole in the donut, and
4 extended the 60 foot depth, meaning the 40 foot rear
5 yard along Clinton Street.

6 The lot coverage seems like a high
7 number at 84 percent, but it is a result of the
8 adjacent buildings, in terms of their depth, but
9 more importantly, it's as a result of our corner
10 lot.

11 So if I have 60 feet here, we match
12 this building, or if I have 60 feet here, we match
13 the -- are shorter than the lower floor of this
14 building and we're lower than the five floors of the
15 proposed building that has recently received
16 approvals for this location.

17 VICE CHAIR MAGALETTA: While you are on
18 that, you know, in context --

19 CHAIRMAN HOLTZMAN: Frank, could you
20 speak up a little bit? We can't hear you.

21 VICE CHAIR MAGALETTA: -- in context,
22 it makes sense to have a full donut you were talking
23 about, but your ground level of your proposed
24 application, how does that line up with the approved
25 building directly to the east, the ground level

1 parking lot? Do they line up, or is there a
2 difference?

3 THE WITNESS: So our building is 60
4 feet in depth along both, of course, as I probably
5 said too many times --

6 COMMISSIONER DOYLE: Existing, Frank?

7 THE WITNESS: -- proposed. The
8 proposed building goes back 65 feet, and I have it
9 shown on one of the drawings in particular. Here.

10 So we are proposing 60 feet of building
11 at this point. That building is 65 feet with its
12 approvals.

13 I am guessing that that 65 foot number
14 was generated because the footprint that is there
15 now is that same 65 feet.

16 VICE CHAIR MAGALETTA: And that
17 includes -- at the ground level, your proposed
18 building is 65 feet?

19 THE WITNESS: Yes, that's correct.

20 COMMISSIONER DOYLE: No, it's 60 --

21 THE WITNESS: I'm sorry.

22 The adjacent building is 65 --

23 VICE CHAIR MAGALETTA: I thought you
24 said 60, but then you said 65 this time --

25 THE WITNESS: Pardon me.

1 Our building is 60 feet on both planks
2 all the way down.

3 VICE CHAIR MAGALETTA: All the way
4 down?

5 THE WITNESS: All the way down. It's
6 60 feet here. It's 50 feet here.

7 The proposed building that has received
8 approval is 65 feet.

9 VICE CHAIR MAGALETTA: So you notched
10 in five feet?

11 THE WITNESS: Yes. We are five feet
12 less than that, and we're five feet less than if you
13 look at the existing conditions and not the
14 approval, Sheet Z-6, so this I estimated as 45 feet
15 at two stories, and this goes back 65 feet of one
16 story. Again, my guess is that is where that 65
17 foot lot came from.

18 I believe they were at the Zoning Board
19 of Adjustment probably two years ago.

20 CHAIRMAN HOLTZMAN: So, Mr. Minervini,
21 is it fair to say that this seems like a cleaner
22 slate starting from the scratch approach as to some
23 of the perhaps proposals the Board has entertained
24 historically, where somebody tries to keep the
25 hundred percent lot coverage of the original

1 building, that you are in effect trying to off set
2 what looks like a lot of lot coverage, if you look
3 at the numbers on the page, by literally putting a
4 backyard in this building, where none existed, you
5 are not coming to us with some manufactured way of
6 attempting to use an old building and capturing
7 that?

8 THE WITNESS: No. We certainly have
9 not done those things, and the applicant, and we as
10 architects, and Mr. Matule understood that the hole
11 in the donut is very important.

12 What is different here, of course, is
13 that we're a corner, and our building would be the
14 end cap of the hole in the donut. So then the next
15 step in our design process is to think, well, how do
16 we -- what depth do we go in these two planks. So
17 here 60 feet made sense in both. It is the depth
18 that is allowed on any property within the R-2 zone,
19 just when you combine those two on the corner, the
20 result is an 84 percent lot coverage.

21 CHAIRMAN HOLTZMAN: I appreciate sort
22 of like the clean slate approach on this thing
23 personally as opposed to this manufactured thing
24 that we have seen in the past.

25 VICE CHAIR MAGALETTA: I was going to

1 say I remember the argument that, well, it wasn't a
2 hundred percent --

3 THE REPORTER: Frank, I can't hear you.

4 VICE CHAIR MAGALETTA: -- it would be
5 less than a hundred percent. You start from
6 scratch. I think in context, though, it makes sense
7 what you propose.

8 THE WITNESS: We understand when we
9 look at the zoning tabulation chart, this number
10 looks larger than it should, but the reason for it,
11 as I described it, is purely a condition of the site
12 and the adjacent buildings.

13 MR. GALVIN: Which we are going to
14 remind you on the next case that it's mid block, if
15 that percentage was because it was at the end of the
16 block.

17 THE WITNESS: Yes.

18 MR. GALVIN: Okay? So just be
19 prepared.

20 THE WITNESS: Yes.

21 (Laughter)

22 COMMISSIONER DOYLE: Well, Mr.
23 Minervini, if this L, as you described it, it's a 60
24 foot thick L, at 84.1 percent lot coverage, if you
25 made it a 50 foot L, I understand it wouldn't match

1 up with either of the two properties, that I have
2 been sort of scribbling here.

3 That would get you about 75 percent lot
4 coverage, and so then I took off another five feet
5 just to, you know, understand where, if you went to
6 a 45 foot deep L, and then that would get you to
7 70 -- 69 point something percent. And you clearly
8 have ample space for at least 16 cars, if you don't
9 do the tandem.

10 You know, bringing it in ten foot
11 wouldn't lose you the ability to park. You know,
12 your density here still is going to be 15 regardless
13 of the thickness of the L, and that would
14 necessitate you to spend some time making some of
15 these 2400 square foot apartments into maybe 20, you
16 know, 2000, or a little bit smaller.

17 But, you know, I'm just -- I think the
18 84 percent -- I am sympathetic to the corner lot.
19 You are kind of screwed because you have the hatch
20 mark coming from both directions, and there is an
21 overlap there, and the 60 percent really doesn't
22 work for the corner. I grant you that, but --

23 THE WITNESS: I think our response
24 would be to design it as you are suggesting, we
25 would do it, if we didn't have those two adjacent

1 buildings, or what is coming on one side and what is
2 adjacent to our south or without the knowledge of
3 what is going on further to the south on the street.

4 I think to design it without context,
5 that's exactly what we would do. 50 feet, 50 feet,
6 call it a day, whatever the lot coverage percentage
7 is. But here it is, we think certainly there is
8 more lot coverage. Again, I don't deny that, but
9 this is a better response considering its location
10 and its site and context.

11 COMMISSIONER DOYLE: But the external
12 99 percent of what the people in Hoboken will see
13 will not change because most people don't live in
14 this building as far as the esthetics.

15 The change would be that you'd have
16 instead of having a five foot bump-out at the
17 eastern corner of that, you would have -- if you
18 went with 50 foot instead of 60, you would have a 15
19 foot wall in the backyard on the east corner, the
20 other east --

21 THE WITNESS: Yeah. So I was trying to
22 just draw this line because what you are suggesting
23 is that we cut it back here to somewhere --

24 COMMISSIONER DOYLE: Well, yeah, I am
25 not suggesting that you -- I am just trying to --

1 the 84 percent troubles me.

2 THE WITNESS: Yeah.

3 COMMISSIONER DOYLE: I think a 50 foot
4 deep building is certainly something that I think
5 one could work with, with four stories of
6 residential on top of it.

7 THE WITNESS: Understood.

8 CHAIRMAN HOLTZMAN: Thank you,
9 Councilman.

10 We don't need to --

11 COMMISSIONER DOYLE: Okay.

12 CHAIRMAN HOLTZMAN: Thank you.

13 Perhaps, I think the Councilman's
14 point is well taken. I think you have laid out some
15 interesting proposals. Maybe while we take -- we
16 have some additional --

17 MR. MATULE: Witnesses.

18 CHAIRMAN HOLTZMAN: -- witnesses as
19 well, maybe there is some offsetting neighborhood
20 component that would perhaps sway the Councilman in
21 terms of the lot coverage.

22 But are there any other questions for
23 Mr. Minervini from the Board at this point?

24 THE WITNESS: Mr. Matule has a few.

25 MR. MATULE: I just have a couple more.

1 CHAIRMAN HOLTZMAN: I'm sorry.

2 MR. MATULE: I wasn't finished.

3 CHAIRMAN HOLTZMAN: I'm sorry, Mr.
4 Matule.

5 MR. MATULE: I was just deferring to
6 the Board.

7 CHAIRMAN HOLTZMAN: Oh, I'm sorry.

8 MR. MATULE: Again, mostly for the
9 record, the project was reviewed by the Flood Plain
10 Administrator?

11 THE WITNESS: Yes.

12 MR. MATULE: And you did comply with
13 all of her comments and requests?

14 THE WITNESS: Yes, yes.

15 MR. MATULE: And you also received Mr.
16 Hipolit's reports?

17 THE WITNESS: I have.

18 MR. MATULE: No issue addressing
19 anything raised in there?

20 THE WITNESS: No.

21 CHAIRMAN HOLTZMAN: Mr. Hipolit did
22 have one or two items as a callout, though, still.

23 MR. HIPOLIT: Do you want to wait until
24 their other witnesses testify or do you want to --

25 CHAIRMAN HOLTZMAN: You can wait until

1 later, sure, because we do have a couple outstanding
2 items.

3 COMMISSIONER DOYLE: I did have one
4 more question, which I forgot to ask, if I may.

5 CHAIRMAN HOLTZMAN: Sure.

6 COMMISSIONER DOYLE: The bulkhead on
7 the roof, it's described as the staircase bulkhead
8 and the elevator bulkhead. There is a distinction
9 between the two --

10 CHAIRMAN HOLTZMAN: Did we have a
11 generator discussion also?

12 THE WITNESS: This should be it.

13 COMMISSIONER DOYLE: Should I keep
14 going?

15 The elevator bulkhead is 14 feet above
16 the roof?

17 THE WITNESS: Yes.

18 COMMISSIONER DOYLE: And what is the
19 height of the non elevator?

20 THE WITNESS: Nine feet.

21 So the stairs will be nine feet. You
22 can see the outline here pretty much covers this
23 section. So what we have done, as opposed to having
24 the elevator and the stair enter -- pardon me --
25 exit directly into the outdoors, we just simply put

1 a roof cover over this to connect the two stairs,
2 and now we can have two means of egress from that
3 roof as opposed to one.

4 CHAIRMAN HOLTZMAN: So the elevator
5 does go to the roof?

6 THE WITNESS: The elevator does go to
7 the roof.

8 CHAIRMAN HOLTZMAN: Right. I think
9 that is the difference in terms of the height that
10 we normally see.

11 COMMISSIONER DOYLE: I just wanted to
12 make sure that the entire bulkhead was not 14 feet.

13 THE WITNESS: No, it's not. And,
14 again, I think I've --

15 COMMISSIONER DOYLE: Fine. You do. I
16 saw the 14. I just didn't know what the rest of it
17 was.

18 THE WITNESS: 14 is the most
19 conservative height it would be depending on the
20 particular model.

21 It more than likely won't be 14 feet
22 high, but we think it is best to ask for that 14
23 feet, and if it winds up being 11, great.

24 MR. MATULE: I think the ordinance
25 allows 15 --

1 THE WITNESS: Fifteen.

2 COMMISSIONER DOYLE: Thank you.

3 MR. MATULE: Okay.

4 CHAIRMAN HOLTZMAN: Commissioners, any
5 questions for Mr. Minervini?

6 I can certainly circle back.

7 Did you want to ask something now,
8 Ms. Graham?

9 COMMISSIONER GRAHAM: I will wait.

10 CHAIRMAN HOLTZMAN: You'll wait. Okay.

11 We will open it up to the public for
12 questions for the architect, Mr. Minervini.

13 Are there any members of the public
14 that wish to come up and ask any questions?

15 Okay. None at this time.

16 CHAIRMAN HOLTZMAN: Mr. Matule, who is
17 up next?

18 MR. MATULE: Mr. Peregoy, our traffic
19 engineer.

20 MR. MINERVINI: Thank you.

21 MR. GALVIN: Please raise your right
22 hand.

23 Do you swear or affirm the testimony
24 you are about to give in this matter is the truth,
25 the whole truth, and nothing but the truth?

1 MR. PEREGOY: Yes, I do.

2 C R A I G W. P E R E G O Y, PE, Dynamic Traffic,
3 LLC, 245 Main Street, Chester, New Jersey, having
4 been duly sworn, testified as follows:

5 MR. GALVIN: Please state your full
6 name for the record and spell your last name.

7 THE WITNESS: Sure.

8 My name is Craig Peregoy,
9 P-e-r-e-g-o-y.

10 MR. GALVIN: Mr. Chairman, do we accept
11 his credentials?

12 CHAIRMAN HOLTZMAN: What are his
13 credentials?

14 MR. GALVIN: I don't know.

15 What are your credentials?

16 (Laughter)

17 THE WITNESS: Traffic engineer.

18 MR. MATULE: Mr. Peregoy has testified
19 before this Board in the past.

20 THE WITNESS: A little more before the
21 Zoning Board --

22 CHAIRMAN HOLTZMAN: Could you humor us
23 with your credentials, sir?

24 THE WITNESS: Sure.

25 I have a bachelor's degree in civil

1 engineering from Virginia Tech, licensed
2 professional engineer in the State of New Jersey.
3 I've been a traffic engineer for over 16 years now,
4 and I appeared hundreds of times as an expert in
5 traffic engineering.

6 MR. GALVIN: Can you give us three
7 recent appearances, but not us?

8 THE WITNESS: Last night I was in
9 Jefferson --

10 MR. HIPOLIT: I'm sorry.

11 (Laughter)

12 THE WITNESS: -- and three weeks ago I
13 was here in Hoboken.

14 MR. GALVIN: No. Give us another one
15 besides for Hoboken.

16 THE WITNESS: And I have been in every
17 municipality in Hudson County.

18 MR. GALVIN: Then name two.

19 MR. MATULE: Jersey City?

20 THE WITNESS: Jersey City, Weehawken,
21 West New York --

22 MR. GALVIN: Okay, good.

23 CHAIRMAN HOLTZMAN: Thank you very
24 much.

25 THE WITNESS: -- I've done them all.

1 CHAIRMAN HOLTZMAN: Thank you.

2 MR. MATULE: So, Mr. Peregoy, you are
3 familiar with the site and the application as
4 described by Mr. Minervini?

5 THE WITNESS: I am.

6 MR. MATULE: And your firm prepared a
7 traffic impact study, dated October 26th, 2015?

8 THE WITNESS: We did.

9 MR. MATULE: Which was submitted to the
10 Board?

11 THE WITNESS: Yes.

12 MR. MATULE: Could you go through your
13 report and give us your professional opinion
14 regarding the impact of this proposed project on the
15 surrounding traffic in the area?

16 THE WITNESS: Sure.

17 What we did was focus on the
18 intersection of Clinton and 8th Street. Obviously,
19 we are right at that corner, so that is what we
20 wanted to be particular about, and we took traffic
21 counts at that intersection during the weekday
22 morning and weekday evening rush hour time periods.
23 That is when the roadways would be the busiest, the
24 same time as this site would be.

25 Clinton Street is carrying about 300

1 vehicles per hour in the peak hour.

2 8th Street is on the order of 100 and
3 200, so it's a little bit lighter of volume --

4 CHAIRMAN HOLTZMAN: Mr. Hipolit, you
5 wanted to jump in there a second?

6 MR. HIPOLIT: Can I interrupt?

7 I know he is here because my letter
8 asked for some traffic testimony.

9 As far as the streets, I am not that
10 concerned about. I'm more concerned about hearing
11 from him to talk about the 18 parking spaces, the
12 circulation through the garage, and whether these
13 spaces are needed, and if he could reduce the
14 number -- you know, in reference to traffic, so how
15 does that blend in and what are the benefits --

16 THE WITNESS: I was going to do the
17 short version.

18 MR. MATULE: I could certainly have him
19 answer that question, but I think that respectfully,
20 sort of implicit in the question is that the 18
21 spaces that are being proposed is having a negative
22 impact on traffic as opposed to if it was only 15
23 spaces.

24 I mean, I think we can all travel on
25 the assumption that less is always going to be less,

1 but I think the testimony is that at 18 spaces,
2 there is no significant impact on the surrounding
3 traffic, so I am trying to be clear on what the --

4 MR. HIPOLIT: I don't think the 18
5 spaces has any relevant or major impact to the
6 traffic --

7 MR. MATULE: More than 15?

8 MR. HIPOLIT: Correct.

9 MR. MATULE: Okay.

10 MR. HIPOLIT: I think the issue is
11 internally the circulation --

12 MR. MATULE: Okay. So why don't you --

13 MR. HIPOLIT: -- there is just some
14 stuff in there --

15 MR. MATULE: Fine. Fair question. We
16 will see if we can get you an answer.

17 THE WITNESS: Sure.

18 The internal circulation-wise, actually
19 the way the garage lays out pretty well, we do have
20 20 foot minimum aisles actually in the entry aisle.

21 The tandem spaces will be assigned to a
22 single unit. So if somebody had two cars, just like
23 a single-family home with a driveway, you have one
24 car in front of the other, and it would operate in a
25 similar fashion.

1 I am not sure if there is any specific
2 space or anything that you wanted me to -- you know,
3 that you had some concerns with, but in terms of the
4 circulation, it actually lays out pretty well.

5 CHAIRMAN HOLTZMAN: I guess where the
6 question really arises, is the 15 was a number that
7 you guys threw out at the SSP meeting when we
8 questioned why were there 18 spaces when the
9 requirement for this is ten, and then we were
10 responded to that, well, maybe we are going to make
11 it 15. So what we are really looking at is ten to
12 18, not 15 to 18, so somebody has to take us through
13 the justification.

14 MR. HIPOLIT: And a couple quick
15 questions for Craig.

16 If you look at the plans, so look at
17 spaces 1-C, 7-C, 16 and 18, I just think at least in
18 my opinion in the garage, I'd like to hear some
19 testimony, one, I think 1-C and 7-C are --

20 THE WITNESS: They are --

21 MR. HIPOLIT: -- I mean, it is tough to
22 get into those spaces without either blocking an
23 aisle or blocking circulation.

24 And then the tandem spaces pose another
25 whole issue with moving cars around and jockeying

1 cars around --

2 MR. MATULE: May I submit the short
3 answer?

4 MR. HIPOLIT: Yes.

5 MR. GALVIN: You are going to eliminate
6 what?

7 (Laughter)

8 MR. MATULE: We will reduce the number
9 of parking spaces to 15. I don't know how that will
10 lay out, but the architect will figure it out.

11 CHAIRMAN HOLTZMAN: We still need the
12 justification why it is more than ten. Let's start
13 with that as the conversation.

14 MR. MATULE: Okay. I think the
15 architect could answer that better than the traffic
16 engineer.

17 CHAIRMAN HOLTZMAN: Because as we know
18 from our traffic engineers, who never think that any
19 proposal for anything ever has any negative impact
20 on traffic, I am still waiting for you, one of you
21 guys, to get up there and tell us, oh, yes, it's
22 going to be a mess. I'm still waiting for that one.

23 THE WITNESS: If it's going to be a
24 mess, we would have to fix it before we get up here.

25 CHAIRMAN HOLTZMAN: On the other hand,

1 we all know that this is situation that if you build
2 it, they will come. If you provide 18 spaces, we
3 will fill 18 spaces.

4 So as some of our Commissioners have
5 pointed out very frequently, if we just keep
6 building more, we are going to fill up all of these
7 spots. It will be more cars, and when are we going
8 to get to the point where urban living and
9 automobiles don't go together so well, so somebody
10 needs to start us at ten.

11 THE WITNESS: Well, I think in terms of
12 what you were saying about the traffic impact,
13 parking spaces don't generate traffic. The units
14 do, or whatever the land use does.

15 I mean, if you think about long-term
16 airport parking, there is 10,000 spaces, and hardly
17 any traffic goes in and out. Yet, at 7-Eleven, it
18 has five spaces, it has thousands of trips in and
19 out a day. So it's not necessarily the parking
20 spaces that are creating the traffic --

21 CHAIRMAN HOLTZMAN: I completely
22 disagree with you. I completely disagree with you.
23 Right now, we have nobody living in this building,

24 What you are proposing is 15 units with
25 a lot more people living in this building, and they

1 are going to bring new cars. They are going to
2 bring new cars and new people. So if we only had
3 ten cars versus 18 cars, because the other people
4 decided, you know what, maybe I will go for the zip
5 car as opposed to getting another second car, that
6 is where we are trying to understand the
7 justification.

8 COMMISSIONER GRAHAM: There is a zip
9 car right on the corner there.

10 CHAIRMAN HOLTZMAN: There is a zip car
11 right on the corner Commissioner Graham points out.

12 COMMISSIONER GRAHAM: Two of them.

13 THE WITNESS: All right.

14 COMMISSIONER GRAHAM: I mean, why
15 can't --

16 THE WITNESS: It is 15 units that are
17 going to generate the traffic, whether they keep
18 their car in the garage or not, it is generally
19 based on the number of units. That is where we make
20 our traffic projections from.

21 The extra space in a garage -- in a
22 building like this is an amenity to somebody who
23 lives there, somebody who maybe has a second car,
24 you know, a husband and a wife can each have a car.
25 It doesn't necessarily mean that it is going to be

1 the husband and wife are going to get up and leave
2 and drive to work. It is generated generally by the
3 number of units.

4 But overall, over the course of a whole
5 day or a whole year, yeah, you have three more cars
6 at 18 versus 15 that might travel around, it is
7 certainly not going to create any discernible
8 impact.

9 CHAIRMAN HOLTZMAN: Mr. Peene, you had
10 a question?

11 COMMISSIONER PEENE: Yeah.

12 Would it not be used for -- if there
13 are extra spaces there, if some unit had two spaces
14 for guest parking or something like that, to keep
15 cars off the street?

16 THE WITNESS: That is a possibility,
17 sure. I mean, any off-street parking space is one
18 less car that could be on the street, and that's
19 another problem that you face in town is the
20 on-street parking is difficult.

21 So there is kind of a balance that goes
22 on, and I think people who were looking to rent in a
23 building like this, or in town anywhere, it's going
24 to find its own level. If I am looking to move into
25 Hoboken, and me and my wife have a car, this is

1 going to be an attractive building for me. I might
2 pay a little bit more because we can both keep our
3 cars there, where somebody who doesn't have that
4 situation, doesn't even have a car isn't going to
5 want to pay extra because there's a parking space,
6 so it really fills in the different demographics of
7 the people who don't want to move into town.

8 But your point is taken regarding just
9 vehicles being in town, it doesn't necessarily
10 create traffic at peak traffic times.

11 COMMISSIONER GRAHAM: So you and your
12 wife are not going to use those cars?

13 I mean, you have two cars. Somebody
14 with two cars are going to use those cars, more than
15 likely --

16 THE WITNESS: Well, they're --

17 COMMISSIONER GRAHAM: -- or they're
18 going to get, you know, we keep talking about the
19 bus traffic. You know, people are supposed to
20 include that in their traffic studies now, but that
21 is not happening, so that is probably going to
22 increase the people on the overcrowded buses, so
23 that is another issue that nobody ever addresses in
24 this town.

25 THE WITNESS: Well, I can give you an

1 example. My wife and I did live in Hoboken a few
2 years ago, and we each had a car. But I worked from
3 home, so my car sat parked all day, and she commuted
4 to and from work. I left at night to come out to
5 these meetings at night, so it was a situation where
6 we both really needed to have a car, and we were
7 able to -- you know, we would be delighted to have a
8 building where you can have two spaces, you know.

9 COMMISSIONER GRAHAM: It may not be
10 you and your wife. It may be two people that use
11 their cars, but also the issue of addressing the
12 public transportation, people that commute to New
13 York, which we did agree, did we not, that it should
14 be addressed in these traffic studies from now on?

15 CHAIRMAN HOLTZMAN: Uh-huh.

16 MR. MATULE: Well, how many trips, when
17 your report talks about trip generation, how many
18 trips were you talking about generating a day?

19 THE WITNESS: We used the ITE trip
20 generation, and it is based on the number of units,
21 not the number of parking spaces in the building,
22 and it is on the order of five trips in the peak
23 hours, in the morning and the evening peak hour.

24 So whether you have ten spaces here or
25 18 spaces, my traffic report would still say it is

1 going to generate five trips. But the guests and
2 the visitors or the people with the second car who
3 might move into this building are going to be
4 parking on the street or be out of luck.

5 MR. MATULE: In your professional
6 opinion, is the ratio of one parking space per
7 residential unit a reasonable ratio of parking
8 spaces?

9 THE WITNESS: Yeah, absolutely.

10 Like I said, I have been all up and
11 down Hudson County, and that is typically what they
12 are looking for. Most of the towns to the north
13 want a little bit more, and Jersey City kind of
14 wants a little bit less. But one space per unit is
15 kind of par for the course.

16 In fact, ITE research in urban
17 apartment dwelling is 1.04 spaces per unit based on
18 the research there, not just in Hudson County, but
19 all over the United States in urban areas, so that
20 that is kind of where it settles in. Some people
21 have two cars. Some people have none --

22 CHAIRMAN HOLTZMAN: Mr. Hipolit, you
23 have a question or a response?

24 MR. HIPOLIT: I do, and it's more
25 directed to Craig again.

1 Forgetting the number of spaces, I know
2 the Board has an opinion, or maybe it doesn't have
3 an opinion on the number of the spaces, I still
4 think that when you look at your plan, again, one, I
5 don't think 1-C, 7-C, 16 and 18 work in this garage.
6 I think they pose points of conflict that bog down
7 your garage, so 1-C is right at the door, so if you
8 are backing up, you are blocking the whole door.

9 7-C, you're at the end. I don't
10 think -- you have to be a very good parker to get in
11 there. And then the two tandem spaces is a dead end
12 unit, so how do you back them up? Two people have
13 to be there to -- okay --

14 CHAIRMAN HOLTZMAN: Okay. I think
15 you -- Mr. Minervini?

16 MR. MATULE: I think Mr. Minervini can
17 answer that.

18 MR. MINERVINI: I got a couple
19 comments. First to Andy's point, those spaces that
20 are against the front wall, we have done on dozens
21 of buildings, and they are the last to sell because
22 it takes one extra point within the turn, but they
23 work fine. They absolutely work.

24 Does it take a bit of an extra turn?

25 Yes.

1 And as Craig described the number of
2 trips that are actually generated, that garage door
3 is not open very often, so it's not -- you can't
4 think of this as a commercial garage where it's
5 always in and out.

6 The amount of times that this one
7 person, who is parked next to the garage door, will
8 be a conflict, it can't even be counted. I know
9 this because I have lived in buildings like this.
10 We have designed many of them,

11 To the Chairman's point, 15 spaces,
12 which we reduced it to, certainly we are permitted
13 ten, but there isn't a maximum that the ordinance
14 tells us that we can have. So if 15 is the number,
15 I don't understand why this is a problem for this
16 Board.

17 I do get that the push is for less
18 parking. I think that makes sense when you are
19 asking for more necessarily. But if we reduce even
20 the lot coverage, we reduce it in the corner, we are
21 going to be at 15 parking spaces.

22 If we reduce it to 15, we remove two of
23 the tandem, we could increase the size of the major
24 run on the 8th Street side, which would probably fix
25 most of the concerns that Andy has got. Certainly

1 that one space could be wider, and we could pull it
2 off of that wall by the garage door, if that would
3 soften the blow so to speak.

4 MR. HIPOLIT: It would soften it, yeah.

5 CHAIRMAN HOLTZMAN: I also just want to
6 make sure that we're sometimes in the attempt to add
7 more parking, so that there is more than one per
8 unit, people can have two cars per household and
9 things like that, that we are not doing away with
10 and stealing space from some of these other areas,
11 like the garbage and recycling --

12 MR. HIPOLIT: Bikes.

13 CHAIRMAN HOLTZMAN: -- and everybody's
14 building needs all kinds of storage, because they
15 need stroller storage and bike storage and kids'
16 play things storage, and all of that kind of stuff,
17 that ends up becoming a complete mess in the garage
18 between cars and everything else.

19 So I am not necessarily opposed to the
20 parking. I want to hear, and I think it is
21 important for us to always get something on the
22 record as to if you are going above the requirement,
23 what is the justification for it. I am not
24 necessarily saying I am personally opposed to it,
25 but I think we should hear from you with regard to

1 it.

2 MR. MINERVINI: Understood.

3 CHAIRMAN HOLTZMAN: On the other hand,
4 I want to make sure, and I can't tell you because I
5 am not the guy with the kids, I don't live in a
6 building like this, as to how much storage stuff
7 there needs to be. But it seems to me there is an
8 almost endless need for it. So I want to make sure
9 that we are not trying to shove another three cars
10 in this place and penalizing the people that have to
11 live in here long term.

12 MR. MINERVINI: Yes.

13 To that point, we have designed it with
14 quite a bit of storage, probably more than you would
15 see in a building of this size on other projects.
16 With the reduction of the two tandem spaces, that
17 storage becomes even larger.

18 So I think -- and I can go through the
19 plan again, but we have got one, two, three storage
20 spaces, not including the bicycle parking that is
21 within the garage, and there is three areas of that
22 as well, so we did consider the other realities of
23 living in a building of this size.

24 The tandem spaces, as Bob mentioned,
25 will be removed, and that could become more storage,

1 but in my opinion, this garage with these revisions
2 works very well.

3 CHAIRMAN HOLTZMAN: You think it works
4 well with the 18?

5 I just want to make sure you understand
6 where we are.

7 MR. MINERVINI: With the revisions,
8 with 15.

9 CHAIRMAN HOLTZMAN: With the revisions
10 with 15?

11 MR. MINERVINI: Yes, to 15, which would
12 mean getting rid of the two tandem, and then
13 increasing the size of one of the other --

14 CHAIRMAN HOLTZMAN: Trash rooms,
15 recycling, storage or this is moving some of the
16 spacing -- pulling out the ones --

17 MR. MINERVINI: If you would like me to
18 pull the plan up again, I can discuss it.

19 MR. MATULE: Yes. Why don't you do
20 that, Frank?

21 MR. HIPOLIT: So if you are going to
22 take one space out on the east wall --

23 MR. MINERVINI: If we reduce these two
24 tandem spaces, this storage, which is where our
25 recycling area is, as well as the compactor can be

1 increased, so that is a very large space, and then
2 this -- this plank could --

3 MR. HIPOLIT: No. If you take one out
4 of there --

5 MR. MINERVINI: Well, we're going to --
6 yes --

7 MR. HIPOLIT: -- one out of there --

8 MR. MINERVINI: -- adjacent to the
9 garage. Take one out of here, and these will become
10 bigger, and we'll have a buffer right there, so
11 there is a buffer, where the first parking space
12 starts relative to the garage door.

13 MR. GALVIN: So how many spaces?

14 MR. HIPOLIT: 15.

15 MR. GALVIN: Subject to your review and
16 approval.

17 (Counsel confers with witness)

18 THE WITNESS: Yes, I just described
19 that, exactly as I described it.

20 CHAIRMAN HOLTZMAN: Okay. That sounds
21 like good work.

22 I am sorry. Were you -- we kind of
23 jumped in the middle of you real aggressive there.
24 Sorry about that.

25 THE WITNESS: If everybody is

1 satisfied, I will keep going.

2 (Laughter)

3 CHAIRMAN HOLTZMAN: A man who knows how
4 to read.

5 COMMISSIONER DOYLE: Well, I wanted to
6 ask, you know, you are talking about the ITE, is
7 that the --

8 THE WITNESS: Institute of
9 Transportation Engineers.

10 COMMISSIONER DOYLE: Here you got, and
11 you were talking about county statistics and the
12 average and 1.4 per unit. We have nine
13 three-bedroom and six four-bedroom units, which
14 are -- I don't know what the average assumption is
15 for the number of bedrooms in typical apartment
16 buildings are, but I don't think that 40 percent of
17 them are four-bedroom units typically.

18 So if you have four single people
19 living in this apartment rather than a family with
20 three kids of three different genders, you are going
21 to have more -- you know, I am more talking to the
22 trip calculations, not the number of spots in the
23 garage because --

24 THE WITNESS: The research that ITE
25 does is based on the number of units, not the number

1 of bedrooms.

2 Yes. Is there probably going to be
3 more people in a building with more bedrooms?

4 Of course.

5 But the ITE data source from all over
6 the country with a mix of some four-bedrooms, some
7 two-bedrooms, one-bedrooms, and it is kind of a
8 statistical meet, so there is really no way to
9 calculate whether it would be a slight increase or
10 slight decrease.

11 But the parking portion of ITE when I
12 look at the traffic portion does say that, I believe
13 it is if you have less than ten percent -- it's
14 either ten or 20 percent above or below
15 two-bedrooms, it changes the parking demand by ten
16 percent. I am not sure exactly what the number is.
17 But there is an inordinately high number of three
18 plus bedrooms.

19 You might say ten percent, but if it is
20 an inordinately number of one-bedrooms, you might
21 say a ten percent decrease. So, like I said, that
22 number for urban areas is 1.04. So maybe it ranges
23 from 1.4 to .94, depending on if you really look at
24 the minutia, but not a big change in parking --

25 COMMISSIONER DOYLE: But I am talking

1 about trips. I'm not talking about parking is what
2 I --

3 THE WITNESS: Yeah. It doesn't -- it
4 doesn't differentiate because it's such a large
5 sample size. It is a statistical average.

6 CHAIRMAN HOLTZMAN: I will let you kids
7 worry about that later.

8 Commissioner Stratton?

9 COMMISSIONER STRATTON: Sure.

10 I have a question about the pavement
11 markings for the garage in the street.

12 There is not a detail showing how wide
13 they extend past the 14 foot apron of the curb cut,
14 but I would like Andy to make sure that -- it looks
15 like it is extending like five foot on either side
16 of the curb cut. We would like to minimize that as
17 much as possible as to not to take away --

18 CHAIRMAN HOLTZMAN: While we are
19 talking about the door opening, let's get on the
20 record the door opening and the curb cut size,
21 please.

22 COMMISSIONER STRATTON: 14 feet.

23 MR. MINERVINI: This, so we are clear,
24 was submitted prior to me having direction to reduce
25 the size of some of these things, so I will reduce

1 it to the overall width of the depression to 14
2 feet.

3 COMMISSIONER STRATTON: And just to
4 make sure that the pavement markings do not extend
5 further past that curb cut than the minimum
6 requirement of our code, so as not -- so as not to
7 reduce the available on-street parking.

8 MR. MINERVINI: Understood. I can make
9 that very clear on the drawings.

10 COMMISSIONER STRATTON: Thank you.

11 The second thing I would to recommend
12 is to include a concrete curb extension at the
13 northwest corner. This is immediately adjacent to a
14 school, and it's something that we have done for
15 many other projects that relate to pedestrian
16 safety, so that curb extension would be the width of
17 the parking lane and on both sides per 25 feet
18 approaching the intersection for Clinton and on 8th
19 Street.

20 CHAIRMAN HOLTZMAN: So this is just
21 like the type of bump-out we have behind here at
22 City Hall.

23 MR. MINERVINI: Understood.

24 COMMISSIONER STRATTON: Correct.

25 MR. MINERVINI: It is a full curb as

1 Craig was just asking --

2 THE WITNESS: Sometimes you have the
3 textured pavement with bollards --

4 COMMISSIONER STRATTON: For permanent
5 infrastructure improvements, we try to program
6 concrete whenever possible.

7 THE WITNESS: We could happily make
8 that revision.

9 COMMISSIONER STRATTON: So the other
10 question I had was there's a no parking sign right
11 on the northern side of the building. I am just
12 asking why would that no parking sign remain, or is
13 there a loading zone -- are there loading zones on
14 the north or on the western side of the property
15 that need to be removed as part of this site plan
16 approval, so that you can enable on-street parking
17 in that area?

18 MR. MINERVINI: Did we show a no
19 parking sign?

20 CHAIRMAN HOLTZMAN: Where are you
21 seeing that, Commissioner?

22 THE WITNESS: I think it is from there
23 to the corner. It's one of the --

24 MR. MINERVINI: Yes. That sign is --
25 thank you, Craig -- that sign shows no parking from

1 that point to the corner.

2 COMMISSIONER STRATTON: Okay.

3 THE WITNESS: There wasn't a loading
4 zone I don't think --

5 CHAIRMAN HOLTZMAN: But we are not
6 going to have a corner because we are going to have
7 a corner bump-out.

8 MR. MINERVINI: I can remove that if it
9 is confusing. It's just a note describing an
10 existing condition.

11 CHAIRMAN HOLTZMAN: Right. And if we
12 are going to install the bump-out, let's make sure
13 we get rid of the sign. We don't need more noise on
14 the street, right?

15 MR. MINERVINI: Got it.

16 COMMISSIONER STRATTON: That is all.

17 MR. GALVIN: So all I picked up from
18 that is: The plan is to be revised to show the
19 concrete curb extension for 25 feet approaching the
20 Clinton and Willow Street intersection --

21 COMMISSIONER STRATTON: The Clinton and
22 8th Street intersection.

23 MR. HIPOLIT: In accordance with city
24 details.

25 CHAIRMAN HOLTZMAN: Just bring the plan

1 up for that, please, again?

2 So one of the things that is important
3 to consider is that on the corners also it's not --

4 COMMISSIONER STRATTON: The firehouse?

5 CHAIRMAN HOLTZMAN: -- I'm sorry?

6 COMMISSIONER STRATTON: The firehouse?

7 CHAIRMAN HOLTZMAN: I didn't consider
8 that. But what is the concern?

9 COMMISSIONER STRATTON: I don't think
10 there is a concern because there are no movements
11 that are going to conflict with that.

12 CHAIRMAN HOLTZMAN: Okay. Great. Good
13 to know.

14 But also with the curb and sidewalk
15 extension, which is not the sand, which is the curb
16 gets completely bumped out, there is often also the
17 consideration for the storm drain inlet to need to
18 be moved or extended, or I am not sure what the
19 right term is.

20 MR. HIPOLIT: They have to move it.

21 CHAIRMAN HOLTZMAN: They just have to
22 move it, right?

23 MR. HIPOLIT: You will have to move it,
24 if it is conflicted based on the bump-out.

25 CHAIRMAN HOLTZMAN: You have to move

1 it.

2 MR. HIPOLIT: That's easy.

3 MR. MATULE: That is assuming that
4 there is one there.

5 COMMISSIONER STRATTON: There is.

6 CHAIRMAN HOLTZMAN: There is.

7 MR. MATULE: Let's see what the
8 survey --

9 MR. HIPOLIT: Can you -- while you are
10 looking at that -- can we make the garage --

11 CHAIRMAN HOLTZMAN: And then, Mr.
12 Minervini, there is one more callout in terms of the
13 actual curb cut. Our municipal code has the
14 requirement of 12 feet, and is there some reason we
15 can't keep it at 12 feet, so that we again try to
16 maintain as much on-street parking as we can?

17 MR. MINERVINI: It can be 12 feet.

18 As I mentioned before, this was submitted prior to
19 having the understanding that less is more.

20 CHAIRMAN HOLTZMAN: Right. But I think
21 your testimony was previously you are going to keep
22 it at 14 --

23 MR. MINERVINI: 14 would be the actual
24 depressed area, so you've got --

25 MR. HIPOLIT: The door would be 12.

1 MR. MINERVINI: -- yeah.

2 CHAIRMAN HOLTZMAN: So the door is 12.

3 MR. MINERVINI: The door is 12.

4 MR. HIPOLIT: You need the little --

5 MR. MINERVINI: You got --

6 CHAIRMAN HOLTZMAN: You need the --

7 (Everyone talking at once)

8 MR. MATULE: Because the apron flares
9 out.

10 MR. MINERVINI: The apron flares out.
11 The door will be 12 feet, and I'll make sure that's
12 clear.

13 MR. GALVIN: That's going to be revised
14 on the plan.

15 MR. MINERVINI: Yes.

16 MR. MATULE: 14 foot apron, and 12 foot
17 door.

18 MR. MINERVINI: Yes.

19 CHAIRMAN HOLTZMAN: Commissioner
20 Graham?

21 COMMISSIONER GRAHAM: When this study
22 was done, we recently approved a lot of buildings in
23 this area. Do you take into consideration all of
24 the buildings around it?

25 The ones that are coming online are

1 massive, and all of that together, and what is going
2 to happen here?

3 THE WITNESS: Yes, we did. In our
4 traffic study we looked at all of those other
5 buildings and the traffic that they would generate.

6 Again, I said we were looking at the
7 intersection of 8th and Clinton just to give you an
8 idea, it is going to operate in the range of the
9 level of service B to C, which is pretty good. It
10 is a pretty simplified traffic pattern. It's just
11 the two one-way streets and stop sign, so it will
12 still operate with good levels of service with the
13 introduction of not only this building, but the
14 other buildings in the area.

15 CHAIRMAN HOLTZMAN: Mr. Minervini, can
16 we get you back one more time, please?

17 I think Mr. Stratton has a little bit
18 of a follow-up on the crosswalk I think.

19 COMMISSIONER STRATTON: Yes.

20 Immediately adjacent to schools, we do
21 ladder crossing, so in addition to the pavement
22 markings you have shown, there should be on each
23 side should bound the crosswalks, and those pavement
24 markings should be done in high visibility
25 thermoplastic.

1 MR. MINERVINI: So I think we have them
2 shown. Just in that location we'll change --

3 COMMISSIONER STRATTON: Just to
4 clarify.

5 MR. MINERVINI: Yes.

6 CHAIRMAN HOLTZMAN: And also the
7 technique of the painting, the application is the
8 thermal --

9 COMMISSIONER STRATTON: High visibility
10 thermoplastic.

11 MR. MINERVINI: It would be helpful if
12 I could speak to you and get some specifications
13 that the city prefers.

14 COMMISSIONER STRATTON: Of course.

15 MR. MINERVINI: Okay.

16 CHAIRMAN HOLTZMAN: Any other questions
17 for the parking or traffic engineer from the
18 Commissioners?

19 COMMISSIONER DOYLE: To follow up on
20 Commissioner Graham's question, I am sure you are
21 familiar with the Wonder Lofts 68 units and directly
22 adjacent six units at 721, but one block further to
23 the west, I don't remember whether this was Mr.
24 Matule's, a different client, but there were --

25 (Board members talking at once)

1 COMMISSIONER DOYLE: -- I get that, but
2 I am wondering how many units.

3 Did you take that into consideration
4 when you -- you know, we have approvals for --

5 COMMISSIONER GRAHAM: Massive amounts.

6 COMMISSIONER DOYLE: -- a hundred and
7 something units in that area.

8 THE WITNESS: We grow the traffic by a
9 percentage, as well as a background growth
10 percentage to take into account other developments
11 more globally.

12 I mean, when I am looking at this
13 specific intersection, I just want to look at the
14 vehicles that are going to immediately impact it, so
15 if you are two blocks away, some of that traffic is
16 going north, south, east, and west at this
17 intersection, so we publish growth rates to grow the
18 existing traffic, to account for that, and then on
19 top of that, we add any traffic that is going to
20 specifically hit this intersection that we know of
21 to take a look at it, so...

22 CHAIRMAN HOLTZMAN: Councilman, aren't
23 you also working on like a build-out --

24 COMMISSIONER DOYLE: We are.

25 COMMISSIONER GRAHAM: A what?

1 CHAIRMAN HOLTZMAN: The Council is
2 working on a complete build-out, so if you took a
3 look at the city, what the actual buildings are,
4 what buildings are proposed, and/or what could
5 potentially go on any additional sites, and that is
6 part of the kind of factoring into what is the
7 complete volume here.

8 COMMISSIONER DOYLE: Right.

9 Well, I mean, your answer I am hearing
10 is you work on a statistical analysis unless you
11 have a specific building that are you factor in.

12 I was asking you whether you factored
13 in a specific building, and I didn't hear a yes or
14 no.

15 THE WITNESS: Yes.

16 The specific buildings immediately
17 adjacent to this that are going to have a direct
18 impact here.

19 If you are one block -- if you're on
20 the other side of Willow or the other side of Grand,
21 you are going to have an impact, but it's less
22 quantifiable because the traffic disperses, and I
23 would be interested in seeing that full build-out
24 study, because I think that's an interesting thing
25 to do. But in this case, I am just looking at the

1 impact. What does this particular building do to
2 that intersection, and it barely moves the needle.

3 MR. HIPOLIT: The other thing -- the
4 other thing that you have to understand when you do
5 the traffic studies, they take the actual counts and
6 they add a factor to it. That factor usually well
7 exceeds any of your build-out unless your build-out
8 was 40-story high buildings --

9 CHAIRMAN HOLTZMAN: You know, you make
10 a really good point because one of the things that
11 we learned up on 15th Street and --

12 MR. HIPOLIT: Maxwell.

13 CHAIRMAN HOLTZMAN: -- Washington is
14 that a decade, 15 years ago when they did the
15 original traffic study, and they did their
16 calculation as to the projection, and then Maris was
17 out there doing current counts today and they came
18 back less.

19 MR. HIPOLIT: Like half, significantly
20 less than what was actually proposed. So, you know,
21 they are using today's traffic and then with the
22 factor, they're still well above what anybody could
23 propose as far as a residential structure. I know
24 it seems hard to believe, but that's what usually
25 happens.

1 THE WITNESS: Well, we're usually
2 conservative. We look at the highest possibility
3 because we want to show that this particular project
4 isn't going to have an impact. But in reality, I
5 think this is going to generate even less traffic
6 here than some of those other buildings --

7 MR. HIPOLIT: The other thing they do,
8 is they base their number on the peak, and use that
9 for the whole time so they predict a significantly
10 higher number --

11 VICE CHAIR MAGALETTA: What was the
12 peak -- what was the date?

13 COMMISSIONER DOYLE: 2014.

14 THE WITNESS: Oh, the dates that we
15 actually did the traffic counts?

16 VICE CHAIR MAGALETTA: Yeah.

17 THE WITNESS: The initial counts were
18 done in February of 2014.

19 CHAIRMAN HOLTZMAN: During the
20 blizzard.

21 (Laughter)

22 (Everyone talking at once.)

23 MR. HIPOLIT: You can't count those
24 days.

25 VICE CHAIR MAGALETTA: You can't count

1 the day before a holiday. Some people do. I seen
2 them counted on Memorial Day weekend.

3 What, are you kidding me?

4 That is not fair.

5 (Everyone talking at once.)

6 VICE CHAIR MAGALETTA: So as far as
7 what were the conditions on that date, if you have
8 them in your report, because I don't recall seeing
9 them in your report. I'm not trying to trick you --

10 THE WITNESS: We have count sheets and
11 even make them put the weather and the conditions,
12 and if there was snow, we could shut down.

13 CHAIRMAN HOLTZMAN: We'll open it up to
14 the public if there are any questions for the
15 traffic and parking engineer.

16 Any members of the public that wish to
17 ask him any questions?

18 Okay. None. All right.

19 Mr. Matule?

20 MR. MATULE: If I might, while we were
21 discussing traffic, Mr. Minervini was having
22 conversations with the applicants regarding the lot
23 coverage, and I was just inquiring if it might not
24 make more sense to find out if there has been any
25 change of plan before my planner testifies, because

1 if the lot coverage is going to change, it might
2 impact Mr. Kolling's testimony, so if I could call
3 Mr. Minervini back up.

4 CHAIRMAN HOLTZMAN: Don't get too
5 comfortable in that seat there, Mr. Minervini.

6 MR. MINERVINI: I could use the
7 exercise.

8 F R A N K M I N E R V I N I, having been
9 previously sworn, testified further as follows:

10 MR. MATULE: So, Mr. Minervini,
11 obviously during the course of your testimony, some
12 of the Commissioners, while understanding what is
13 driving the lot coverage had inquired to
14 notwithstanding that and notwithstanding the
15 context, if those numbers could be pinched at all,
16 have you had conversations with the applicant
17 concerning that?

18 THE WITNESS: Yes.

19 So we took a quick look how the
20 apartments would lay out. And if the number 75
21 percent is more palatable, I think we can make the
22 building work. I am not quite sure if one plank
23 would be 60 feet in depth, and one would be 38. I
24 would like the Board to allow us some leeway there,
25 some flexibility, but we can -- we are proposing now

1 to revise the application to 75 percent lot
2 coverage.

3 MR. MATULE: With 15 parking spaces?

4 THE WITNESS: With 15 parking spaces.

5 CHAIRMAN HOLTZMAN: So it will stay in
6 the same L shape?

7 THE WITNESS: Yes.

8 CHAIRMAN HOLTZMAN: I am assuming in
9 the same profile, but the inner walls are --

10 THE WITNESS: Yes.

11 CHAIRMAN HOLTZMAN: -- I don't know how
12 to describe that, but kind of (indicating).

13 MR. MATULE: So, for example, one
14 possibility would be each wall would be pulled back
15 to 50 feet --

16 THE WITNESS: That is one of the
17 options --

18 MR. MATULE: -- and would be
19 60 --

20 THE WITNESS: -- on either side.
21 Another option is 60 and 38 approximately, but we
22 would like the flexibility to see which lays out
23 best in terms of apartments, because one may have
24 much more impact, negative impact than the other,
25 but I think we can achieve that 75 percent and still

1 have all of the benefits that I had described for
2 your corner building.

3 COMMISSIONER PEENE: Will the bedroom
4 makeups remain the same, or that remains to be seen?

5 THE WITNESS: Likely they will be
6 changed. The unit count won't change, but my guess
7 is some of those fours will turn into threes.

8 COMMISSIONER PEENE: Some of the threes
9 will turn --

10 THE WITNESS: Yes.

11 COMMISSIONER GRAHAM: Can I just --

12 CHAIRMAN HOLTZMAN: Sure, Commissioner.

13 COMMISSIONER GRAHAM: I understand
14 economically you want 15 units, but it just seems
15 like you are cramming a lot.

16 Why can't you have 14 units or 13
17 units?

18 It seems like you are cramming a lot,
19 so that the need for the three and four-bedrooms
20 constantly, this seems to be driving how things are
21 being designed in this town, and to just cram
22 something in this small space to me seems just out
23 of -- in a crowded city, this seems to be too much,
24 and why is that happening all of the time?

25 CHAIRMAN HOLTZMAN: Commissioner?

1 COMMISSIONER DOYLE: If I may, I
2 actually would advocate the contrary to that.

3 I think because of the dynamics with
4 the change in the zoning law and the flood
5 ordinance, we are finding that people have more bulk
6 than density, and so that is why we are seeing over
7 and over 3,000, 28 -- I mean, these larger units
8 because applicants either have to go and get a
9 density variance or they make a bigger unit, so I
10 would advocate more units, because I think the
11 pendulum is swinging such that we may have more than
12 an ample supply of three and four-bedroom units.

13 You know, if they dropped it to 14,
14 then the units would get bigger and they would be
15 less perhaps available to, you know --

16 COMMISISONER GRAHAM: Well, they don't
17 have to be bigger. That is my point. I mean, this
18 building --

19 COMMISSIONER DOYLE: Well, if they went
20 to 60 percent, then they would be smaller. But I
21 think -- I am thrilled that you are considering --

22 COMMISSIONER GRAHAM: I guess I'm
23 not -- well, we'll have to discuss this --

24 CHAIRMAN HOLTZMAN: There is another
25 factor as well. I mean, in terms of from when a lot

1 of us originally moved to Hoboken, and most of us
2 worked outside of our homes, there's a tremendous
3 amount of people that also work from home. I'm one
4 of them over the last couple of years, previous to
5 having worked in an office in Midtown Manhattan.

6 So a lot of times people are also
7 looking at these things, and one of the units -- one
8 of the bedrooms is immediately, you know, taken as
9 an office space for the family, so I think there is
10 sort of a change of how these larger units are
11 sometimes used on a daily basis today as well.

12 Councilman, you wanted to add something
13 else?

14 COMMISSIONER DOYLE: No. Other than, I
15 agree. Everybody would love more space. I think
16 affordability becomes a factor at some point.

17 CHAIRMAN HOLTZMAN: Sure, of course.

18 COMMISSIONER DOYLE: If we're having
19 spaces that families can fit in and live in, but
20 can't afford to live in, it kind of defeats the
21 purpose of it, so --

22 CHAIRMAN HOLTZMAN: Commissioner Peene?

23 COMMISSIONER PEENE: Yes.

24 People want to stay in town, and when
25 you have two or three kids, you kind of hit that

1 pendulum right there, and that is why I like to see
2 more three, four-bedrooms offered.

3 I mean, right now the two-bedroom stock
4 in Hoboken kind of tops out on average at 1148, 1200
5 square feet. People want more space even in a
6 two-bedroom.

7 The more we make our units bigger, I
8 think the more desirable these places become to
9 live, and people don't have to feel like that they
10 are capped out and have to move to Summit or
11 Ridgewood. We want to keep people in town.

12 CHAIRMAN HOLTZMAN: Thank you.

13 MR. GALVIN: We are happy to have you
14 in Summit.

15 (Laughter)

16 CHAIRMAN HOLTZMAN: So we have a little
17 adjustment in Mr. Kolling's -- good evening, Mr.
18 Kolling.

19 MR. KOLLING: Good evening.

20 MR. GALVIN: Raise your right hand.

21 Do you swear or affirm the testimony
22 you are about to give in this matter is the truth,
23 the whole truth, and nothing but the truth?

24 MR. KOLLING: Yes, I do.

25

1 report reflecting on these amendments and give us
2 your professional opinion regarding the requested
3 variance relief?

4 THE WITNESS: Yes, and I'm going to try
5 to be brief and get right to the variances because I
6 think we have discussed this project a lot already,
7 so --

8 MR. GALVIN: Mr. Kolling, what are you
9 saying?

10 (Laughter)

11 THE WITNESS: I think we all understand
12 it is what I'm saying. We have a good understanding
13 of the project.

14 MR. GALVIN: Very good.

15 THE WITNESS: Just one of the things
16 that Mr. Roberts called out, too, had to do with the
17 deficient lot size, and that's because we have a
18 99.73 foot depth, which is really sort of an anomaly
19 of this, because the lots only need to be 20 by 100.
20 We have 99.73 by a hundred, but because in Hoboken
21 the lot frontage is considered on the wider street,
22 and that is Clinton, so then you measure the depth
23 from there, so we're a fringe short. I think it's a
24 de minimus deviation to not be correct. The whole
25 block is only 197 -- 199.73. It's just a quirk of

1 this particular block, so we will get that out of
2 the way quickly.

3 We are in the R-2 zoning district. The
4 purpose of that zone is to facilitate the conversion
5 of nonresidential to residential space and otherwise
6 reinforce the residential characteristics of the
7 district.

8 This is what is really point on to what
9 we are doing here. You have an industrial building,
10 an industrial use. It's being converted to a
11 residential use, so we are promoting that intent and
12 purpose of the zone plan. That is considered to be
13 a beneficial aspect and serves the general welfare,
14 so it's just something to put on and make a point.

15 The variances that we are looking for,
16 in addition to the nonconforming lot depth, I wanted
17 to bring up the rear deck. That is going to change
18 because the rear deck, the building is being brought
19 in, so there is going to be some reconfiguration of
20 that.

21 When we did have that rear deck on the
22 upper floor, the reason why we thought this would be
23 acceptable is that the buildings adjoining us moved
24 further back than the fifth floor, so it was up
25 against a blank wall. The three foot setback, I

1 believe, was to create some buffer, so that you
2 weren't out on some deck sitting in the yard and
3 looking across. You had some buffer.

4 In this case we are recessed from the
5 rear wall. We're adjacent to the building, so it
6 serves the same purpose as the three foot plantings,
7 so I think we are still meeting the intent and
8 purpose of the setback, and I think that that is a
9 reason for granting the variance.

10 To get to the others, the facade, 75
11 percent masonry, that really applies to the
12 traditional Hoboken design. Here we have an
13 industrial structure that's being replaced.

14 There is actually direct
15 recommendations in the master plan that when you are
16 in an industrial area, it should reflect on
17 different design standards, and I think the
18 architect has done a great job with taking a
19 contemporary approach to blending the residential
20 and industrial look. I think it is a better
21 approach to design, and a better approach to urban
22 design. In that case I think you fall under a C-2
23 category, where the benefits outweigh the detriment.

24 The larger variances have to do with
25 height, a two foot variance, and the rationale for

1 that is that we are in the flood plain. We are at a
2 point where we could have an eight foot ceiling
3 height to get up to the BFE.

4 That is great, but it's not enough to
5 get in your lobby. You would feel compressed, and
6 not enough to get your parking and handicapped van
7 accessibility, so you look at the topography as sort
8 of being a hardship.

9 Also, I think there is a benefit to
10 raising it up. Traditionally in architecture, your
11 ground floor is a little bit higher, or at least the
12 same height as the upper floors. If you have a
13 lower bottom floor, it's very squat, and it is not
14 esthetically pleasing, so I think that this is also
15 a better approach to design and serves no detriment
16 to the zone plan -- a detriment to the zone plan,
17 intent or to the general welfare by a two-foot
18 deviation.

19 The lot coverage in the rear yard and
20 the 70 foot distance from the street all kind of tie
21 together because of the corner property. In fact,
22 if you look at the places where we just measured
23 back from two adjoining streets, we are well below
24 the 70 feet, even as opposed, at 60 feet, as we
25 adjusted, it's going to be down to 50 or 38

1 depending on how it's done, but we are well below
2 it, and the same thing with the rear yard. We're
3 well above the 30 feet. We were at 40 as it is, and
4 it will be greater than that very likely.

5 Where the variance kicks in is because
6 when we are measuring from Clinton and going back,
7 when you have the L, technically the end of the L
8 along 8th is the rear yard, so that becomes zero,
9 and it then also exceeds the -- 30 foot, but also
10 exceeds the 70. So it is really the anomaly of the
11 corner condition, and I think this approach to the
12 design is much better. It encloses the end of the
13 donut. It continues the street scape. I think it
14 falls under the C-2 criteria. I think the detriment
15 of the additional lot coverage is also mitigated by
16 the doubling of the water retention underneath and
17 the green roof above.

18 So I think that when you add those
19 things in, the mitigation ends up resulting so that
20 you really don't have a substantial detriment to the
21 general welfare or to the public good for the
22 granting of any of those variances. We are asking
23 for 75 percent coverage now versus 84. Again,
24 that's that corner condition.

25 So we promote many recommendations of

1 the master plan. We promote the intent and purpose
2 of the zone plan and many purposes of the Municipal
3 Land Use Law. All are considered to be beneficial
4 aspects of the project, so that helps the good and
5 bolster the C-2 criteria. Then we have the hardship
6 of the flood plain and the corner condition.

7 So I think when you look at that, you
8 can probably grant this under -- most of the
9 variances under either the C-1 or the C-2 or both,
10 and that is pretty much my testimony.

11 MR. MATULE: Okay.

12 CHAIRMAN HOLTZMAN: Any questions for
13 Mr. Kolling from the Commissioners?

14 Okay. Are there any members of the
15 public that have any questions for the planner?

16 Okay. Thank you.

17 (Witness excused)

18 MR. MATULE: I have no further
19 witnesses, but I would just like to address one
20 other issue.

21 Mr. Minervini advises me while he
22 hasn't gotten there yet, by the reduction in the lot
23 coverage, the number of parking spaces will now be
24 not more than 14. We went from 18 to 15. We now
25 know the maximum will be 14. It could possibly be

1 13, but it will not be more than 14, so I just want
2 to make that clear for the record. So, you know, if
3 we say 15 and come back at 14, I don't want to
4 create a situation of amending the application.

5 VICE CHAIR MAGALETTA: Because you are
6 keeping 15 units, correct?

7 MR. MATULE: Yes.

8 VICE CHAIR MAGALETTA: Okay.

9 COMMISSIONER GRAHAM: I'm sorry. I
10 didn't understand.

11 What did you say?

12 MR. MATULE: What I am saying is that
13 we still have 15 units, but the maximum number of
14 parking spaces we will have is now 14. It could be
15 13, but it will not be more than 14, if I could make
16 that clear on the record.

17 CHAIRMAN HOLTZMAN: All right.

18 Thank you.

19 Anything else, Mr. Matule?

20 MR. MATULE: No. Just if there is any
21 public comment, and then I will just give my closing
22 remarks.

23 CHAIRMAN HOLTZMAN: Okay.

24 Commissioners, any additional questions
25 or comments?

1 Are there any members of the public
2 that have any questions or comments or opinions?

3 No.

4 MR. MATULE: Okay.

5 CHAIRMAN HOLTZMAN: Andy, we had a
6 couple of --

7 MR. HIPOLIT: Just to clarify for the
8 record, because they are making so many revisions,
9 we need to see revised calcs for the drainage,
10 although they have testified twice to North Hudson's
11 requirements, so we expect them to hold to that.

12 They did submit a Phase I. The Phase I
13 indicates historic fill and some petroleum product
14 in the ground, which is pretty much consistent with
15 historic fill. They will have to address it, but
16 it's not like some of the other sites we've seen, so
17 this is really not much of a concern.

18 CHAIRMAN HOLTZMAN: Okay.

19 Also, with the reduction in the
20 footprint in the lot coverage, we just need to make
21 sure we are obviously calculating the correct
22 balance for the roof coverage and green roof versus
23 deck coverage, and obviously there is a lot of
24 moving parts when you're making these adjustments.

25 MR. MATULE: The green roof will be a

1 minimum of 50 percent, not counting the bulkheads.

2 CHAIRMAN HOLTZMAN: We can certainly
3 take some additional questions and comments, but I
4 know Dennis has some conditions.

5 Do you want to get us started here,
6 Dennis?

7 MR. GALVIN: Yes.

8 One: The applicant is to obtain
9 permission from the City Council for any part of the
10 building encroaching into the city's right-of-way.

11 Two: The plan --

12 CHAIRMAN HOLTZMAN: And the answer is
13 that there is none?

14 MR. MATULE: We have some planters.

15 CHAIRMAN HOLTZMAN: I'm sorry. The
16 planters, right.

17 MR. GALVIN: Two: The plan is to be
18 revised to redesign and resize the roof decks
19 eliminating the use of the bulkhead.

20 Three --

21 MR. MATULE: We still may have green on
22 the bulkheads. We just won't count it towards the
23 50 percent.

24 CHAIRMAN HOLTZMAN: Right. It's a
25 calculation issue.

1 MR. MATULE: I just don't want the
2 resolution to say that we can't have a green --

3 MR. GALVIN: Right. I was only talking
4 about roof decks.

5 CHAIRMAN HOLTZMAN: Could you read it
6 again?

7 MR. GALVIN: The plan is to be revised
8 to redesign and resize the roof decks eliminating
9 the use of the bulkhead.

10 CHAIRMAN HOLTZMAN: In the calculation.

11 MR. MATULE: I think we are saying the
12 same thing differently.

13 MR. GALVIN: I added in the roof
14 calculation.

15 Does that make it right?

16 MR. MATULE: Yes, because the size of
17 the roof decks key off having a minimum of 50
18 percent green roof.

19 MR. GALVIN: So they are going to get
20 smaller to make the --

21 CHAIRMAN HOLTZMAN: Councilman, what
22 were you saying, because you had it right?

23 COMMISSIONER DOYLE: In the calculation
24 of the percentage of roof deck, I believe.

25 CHAIRMAN HOLTZMAN: But it's not just

1 the calculation of the roof, it's the percentage of
2 the roof deck.

3 MR. GALVIN: Got it.

4 Three: The plan is to be revised to
5 reduce the number of parking spaces, but will not
6 exceed 14 spaces, subject to the review and approval
7 of the Board's engineer as to layout and safety.

8 MR. MATULE: Fine.

9 MR. GALVIN: Four: The plan is to be
10 revised to show concrete curb extensions 25 feet
11 approaching the Clinton Street and 8th Street
12 intersection in accordance with the city detail.

13 MR. MATULE: Fine.

14 MR. GALVIN: Five: The storm drain
15 will be moved if it conflicts with the bump-out.

16 Six: The plan is to be revised to show
17 the garage door be limited to eight feet, and the
18 apron is to be 14 feet in width.

19 CHAIRMAN HOLTZMAN: In addition to the
20 bump-out consideration, like we're dealing with
21 traffic issues, there's also the -- oh, I'm sorry,
22 you got it further down.

23 MR. GALVIN: No problem, because that
24 is the way it came in.

25 CHAIRMAN HOLTZMAN: Yeah, yeah, yeah.

1 MR. GALVIN: All right.

2 Seven: The applicant will comply with
3 the Board Engineer's and Planner's letters.

4 Eight: The plan is to be revised to
5 show high visibility thermoplastic markings.

6 Nine: The plan is to be revised to 75
7 percent lot coverage down from 84 percent to be
8 reviewed and approved by the Board at the time of
9 the memorialization.

10 Ten: The applicant is to submit
11 revised drainage calculations to the Board's
12 Engineer for his review and approval.

13 Then Phase I, blah, blah, blah.

14 MR. HIPOLIT: So you're saying the
15 applicant submitted a Phase I. It's not really a
16 condition, but the applicant submitted a Phase I for
17 the site, and they should comply with their own
18 recommendations. They made some recommendations on
19 the petroleum.

20 CHAIRMAN HOLTZMAN: Well, in terms of
21 some remediation --

22 MR. HIPOLIT: They're going to have
23 to -- they're going to have to address it --

24 MR. GALVIN: So I'll make it: The
25 applicant has to comply with the Phase I

1 recommendations.

2 MR. HIPOLIT: That's all.

3 MR. MATULE: Just on the issue of the
4 one before the Phase I, where you talked about the
5 drainage calculations --

6 MR. GALVIN: Yes.

7 MR. MATULE: -- just that it will be a
8 minimum of two times whatever North Hudson requires.

9 CHAIRMAN HOLTZMAN: Right.

10 MR. HIPOLIT: Do we want to have the
11 striping comment in there also?

12 CHAIRMAN HOLTZMAN: There is.

13 MR. MATULE: He has that already.

14 MR. HIPOLIT: You got that. Okay. I'm
15 sorry.

16 CHAIRMAN HOLTZMAN: Yes.

17 Commissioners, any additional
18 questions, comments on the conditions as read by
19 Dennis?

20 Okay. If there are none, is there a
21 motion to --

22 MR. GALVIN: What was it, two times --

23 MR. HIPOLIT: North Hudson Sewerage
24 Authority I said.

25 MR. GALVIN: Two times. Got it.

1 CHAIRMAN HOLTZMAN: Anybody wish to
2 offer any opinions or move forward with a motion?

3 Where are we, Commissioners?

4 COMMISSIONER FORBES: I just wanted to
5 comment.

6 I appreciate that, you know, it is a
7 corner lot, so that does make it difficult, but it
8 was nice to see the adjustment to recognize, you
9 know, the other side of that.

10 CHAIRMAN HOLTZMAN: The adjustment in
11 the lot coverage.

12 COMMISSIONER FORBES: Uh-huh.

13 CHAIRMAN HOLTZMAN: Yes, I agree.

14 COMMISSIONER GRAHAM: If I could just
15 make a comment.

16 I do appreciate that, and I understand
17 that is an issue because it is a corner lot, and
18 they had to make a lot of adjustments in design, but
19 I feel that we're constantly -- I feel like I'm
20 constantly saying this, but the ordinance says 60
21 percent, and certainly we have to be flexible and
22 adjust it depending on where it is, but I feel like
23 we are planning and looking at different buildings
24 in isolation from the whole, and I think that the
25 Planning Board, we should be looking more

1 holistically, and I feel that the density, whatever
2 it is, the city is just becoming too crowded, and if
3 we are cramming every space, putting something into
4 every space that we physically can to add much more
5 density than I think the city can handle, and I
6 think it is incumbent upon us as the Planning Board
7 to really look at this, and I don't think that we
8 are, and I am concerned about that.

9 CHAIRMAN HOLTZMAN: Okay. Thank you.

10 Any questions or comments, Mr.

11 Stratton?

12 COMMISSIONER STRATTON: No.

13 CHAIRMAN HOLTZMAN: Thank you.

14 I am going to reiterate again, I think
15 this is -- I like the approach on this proposal in
16 that the applicant came to us with a clean slate,
17 and I think that is a much healthier approach in
18 allowing the building to then become ADA compliant,
19 flood hazard compliant, and I think that is a better
20 approach, and I think we end up with a better
21 result.

22 COMMISSIONER PEENE: We are also

23 repurposing an albatross in the middle of town and
24 making a beautiful building, and I think, you know
25 if it is approved tonight, it will be nicer.

1 COMMISSIONER DOYLE: Thanks for the
2 flexibility with regard to the lot coverage, and it
3 is much appreciated, as well as the roof
4 calculation.

5 (Laughter)

6 Thanks.

7 CHAIRMAN HOLTZMAN: Is there a motion
8 to accept the conditions as offered by Mr. Galvin?

9 COMMISSIONER DOYLE: I move.

10 COMMISSIONER PEENE: Second.

11 COMMISSIONER FORBES: Second.

12 CHAIRMAN HOLTZMAN: Pat, please call
13 the vote.

14 MS. CARCONE: Sure.

15 Commissioner Magaletta?

16 VICE CHAIR MAGALETTA: Yes.

17 MS. CARCONE: Commissioner Stratton?

18 COMMISSIONER STRATTON: Yes.

19 MS. CARCONE: Commissioner Forbes?

20 COMMISSIONER FORBES: Yes.

21 MS. CARCONE: Commissioner Doyle?

22 COMMISSIONER DOYLE: Yes.

23 MS. CARCONE: Commissioner Graham?

24 COMMISSIONER GRAHAM: No.

25 MS. CARCONE: Commissioner McKenzie?

1 COMMISSIONER MC KENZIE: Yes.

2 MS. CARCONE: Commissioner Peene?

3 COMMISSIONER PEENE: Yes.

4 MS. CARCONE: Commissioner O'Connor?

5 COMMISSIONER O'CONNOR: Yes.

6 MS. CARCONE: Commissioner Holtzman?

7 CHAIRMAN HOLTZMAN: Yes.

8 Great. Thank you very much

9 MR. MATULE: Thank you for your
10 consideration.

11 CHAIRMAN HOLTZMAN: Are there any other
12 items for us this evening, Commissioners?

13 If there is none, is there a motion to
14 close our meeting?

15 COMMISSIONER PEENE: So moved.

16 CHAIRMAN HOLTZMAN: Second?

17 COMMISSIONER MC KENZIE: Second.

18 CHAIRMAN HOLTZMAN: All in favor?

19 (All Board members answered in the
20 affirmative)

21 (The meeting concluded at ten p.m.)

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C E R T I F I C A T E

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I, PHYLLIS T. LEWIS, a Certified Court Reporter, Certified Realtime Court Reporter, and Notary Public of the State of New Jersey, do hereby certify that the foregoing is a true and accurate transcript of the proceedings as taken stenographically by and before me at the time, place and date hereinbefore set forth.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel to 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.

s/Phyllis T. Lewis, CCR, CRCR

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PHYLLIS T. LEWIS, C.C.R. XI01333 C.R.C.R. 30XR15300
Notary Public of the State of New Jersey
My commission expires 11/5/2020.
Dated: March 31, 2016
This transcript was prepared in accordance with
NJAC 13:43-5.9.