

CITY OF HOBOKEN
PLANNING BOARD

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REGULAR BOARD MEETING OF THE : November 10, 2015
HOBOKEN PLANNING BOARD : 7:01 pm
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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 Brandy Forbes
- Commissioner Jim Doyle
- Commissioner Ann Graham
- Commissioner Caleb McKenzie
- Commissioner Rami Pinchevsky
- Commissioner Caleb D. Stratton
- 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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9 A L S O P R E S E N T:

10 JOSEPH J. MARAZITI, JR., ESQUIRE
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1 CHAIRMAN HOLTZMAN: Okay, everybody.

2 We are going to get started here.

3 Thank you.

4 Are you ready for us, Phyllis?

5 THE REPORTER: Yes.

6 CHAIRMAN HOLTZMAN: It is 7:01. This
7 is the Hoboken Planning Board Meeting. It is
8 November 10th, 2015.

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: Commisisoner 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 Absent.

3 Commissioner Graham?

4 COMMISSIONER GRAHAM: Here.

5 MS. CARCONE: Commissioner McKenzie?

6 COMMISSIONER MC KENZIE: Here.

7 MS. CARCONE: Commissioner Pinchevsky?

8 Absent.

9 And, Commissioner Peene?

10 COMMISSIONER PEENE: Here.

11 CHAIRMAN HOLTZMAN: Thank you.

12 So the first order of business is we
13 have a memo from the mayor's office that the mayor
14 has made an appointment to the Planning Board of Ms.
15 Kelly O'Connor.

16 We are going to have Mr. Maraziti swear
17 in our new Commissioner.

18 MR. MARAZITI: Raise your right hand
19 and repeat after me.

20 I, Kelly O'Connor --

21 COMMISSIONER O'CONNOR: I, Kelly
22 O'Connor --

23 MR. MARAZITI: -- do solemnly swear --

24 COMMISSIONER O'CONNOR: -- do solemnly
25 swear --

1 MR. MARAZITI: -- that I will

2 faithfully --

3 COMMISSIONER O'CONNOR: -- that I will

4 faithfully --

5 MR. MARAZITI: -- impartially and

6 justly --

7 COMMISSIONER O'CONNOR: -- impartially

8 and justly --

9 MR. MARAZITI: -- perform all of the

10 duties --

11 COMMISSIONER O'CONNOR: -- perform all

12 of the duties --

13 MR. MARAZITI: -- of a first

14 alternate --

15 COMMISSIONER O'CONNOR: -- of a first

16 alternate --

17 MR. MARAZITI: -- to the Hoboken

18 Planning Board --

19 COMMISSIONER O'CONNOR: -- to the

20 Hoboken Planning Board --

21 MR. MARAZITI: -- for the City of

22 Hoboken --

23 COMMISSIONER O'CONNOR: -- for the City

24 of Hoboken --

25 MR. MARAZITI: -- according to the best

1 of my ability.

2 COMMISSIONER O'CONNOR: -- according to
3 the best of my ability.

4 MR. MARAZITI: I, Kelly O'Connor --

5 COMMISSIONER O'CONNOR: I, Kelly
6 O'Connor --

7 MR. MARAZITI: -- do solemnly swear --

8 COMMISSIONER O'CONNOR: -- do solemnly
9 swear --

10 MR. MARAZITI: -- that I will support
11 the Constitution of the United States --

12 COMMISSIONER O'CONNOR: -- that I will
13 support the Constitution of the United States --

14 MR. MARAZITI: -- and the Constitution
15 of the State of New Jersey --

16 COMMISSIONER O'CONNOR: -- and the
17 Constitution of the State of New Jersey --

18 MR. MARAZITI: -- and that I will bear
19 true faith and allegiance --

20 COMMISSIONER O'CONNOR: -- and that I
21 will bear truth faith and allegiance --

22 MR. MARAZITI: -- to the same --

23 COMMISSIONER O'CONNOR: -- to the
24 same --

25 MR. MARAZITI: -- and to the

1 governments established in the United States --

2 COMMISSIONER O'CONNOR: -- and to the
3 governments established in the United States --

4 MR. MARAZITI: -- and in this state --

5 COMMISSIONER O'CONNOR: -- and in this
6 state --

7 MR. MARAZITI: -- under the authority
8 of the people.

9 COMMISSIONER O'CONNOR: -- under the
10 authority of the people.

11 MR. MARAZITI: Congratulations.

12 COMMISSIONER KELLY: Thank you.

13 CHAIRMAN HOLTZMAN: Congratulations.

14 (Applause)

15 (Commissioner Rami Pinchevsky present)

16 CHAIRMAN HOLTZMAN: Thank you.

17 MS. CARCONE: Phyllis, Rami just
18 arrived.

19 CHAIRMAN HOLTZMAN: We have a couple of
20 administrative things that we are going to take care
21 of quickly here while we are getting ourselves
22 organized.

23 There are three resolutions that we had
24 from our previous meeting. The first is 631
25 Washington Street. This is for the Sprint antenna,

1 wireless antenna installation.

2 Were there any questions or comments
3 from the Commissioners?

4 None being, is there a motion to accept
5 the resolution?

6 COMMISSIONER PEENE: So move.

7 CHAIRMAN HOLTZMAN: A second?

8 COMMISSIONER FORBES: Second.

9 COMMISSIONER MC KENZIE: Second.

10 CHAIRMAN HOLTZMAN: Thank you.

11 MS. CARCONE: Ryan, you didn't vote on
12 that one.

13 COMMISSIONER PEENE: Oh, I didn't?

14 CHAIRMAN HOLTZMAN: Ryan didn't vote on
15 that one.

16 MS. CARCONE: 631 Washington.

17 COMMISSIONER PEENE: That's right.

18 CHAIRMAN HOLTZMAN: So Caleb will make
19 a motion.

20 Is there a second?

21 COMMISSIONER FORBES: Second.

22 CHAIRMAN HOLTZMAN: Thank you.

23 Pat, please call the roll.

24 MS. CARCONE: Commissioner Magaletta?

25 VICE CHAIR MAGALETTA: Yes.

1 MS. CARCONE: Commissioner Stratton?

2 COMMISSIONER STRATTON: Yes.

3 MS. CARCONE: Commissioner Forbes?

4 COMMISSIONER FORBES: Yes.

5 MS. CARCONE: Commissioner Doyle?

6 Oh, he is not here, sorry.

7 Commissioner Graham?

8 COMMISSIONER GRAHAM: I wasn't there.

9 MS. CARCONE: It says that you voted on
10 it --

11 COMMISSIONER GRAHAM: Oh, this was the
12 previous one.

13 MS. CARCONE: -- 631 Washington.

14 COMMISSIONER GRAHAM: Okay, I'm sorry.
15 Yes.

16 MS. CARCONE: Commissioner McKenzie?

17 COMMISSIONER MC KENZIE: Yes.

18 MS. CARCONE: Commissioner Pinchevsky?

19 COMMISSIONER PINCHEVSKY: Yes.

20 MS. CARCONE: And Commissioner
21 Holtzman?

22 CHAIRMAN HOLTZMAN: Yes.

23 Okay. The second item is 627
24 Washington Street. This is the New Cingular
25 Wireless antenna or AT&T installation.

1 The folks voting in favor on this are
2 Frank, Caleb, Director Forbes --

3 (Dennis Galvin, Esquire present)

4 -- Commissioner Graham, Commissioners
5 McKenzie, Pinchevsky and myself.

6 Is there a motion to accept or are
7 there any questions or comments on 627? Excuse me.

8 COMMISSIONER GRAHAM: So moved.

9 CHAIRMAN HOLTZMAN: Is that a motion to
10 accept?

11 COMMISSIONER GRAHAM: Yes.

12 CHAIRMAN HOLTZMAN: And a second?

13 COMMISSIONER MC KENZIE: Second.

14 CHAIRMAN HOLTZMAN: Thank you.

15 Pat, call the vote.

16 MS. CARCONE: Commissioner Magaletta?

17 VICE CHAIR MAGALETTA: Yes.

18 MS. CARCONE: Commissioner Stratton?

19 COMMISSIONER STRATTON: Yes.

20 MS. CARCONE: Commissioner Forbes?

21 COMMISSIONER FORBES: Yes.

22 MS. CARCONE: Commissioner Graham?

23 COMMISSIONER GRAHAM: Yes.

24 MS. CARCONE: Commissioner McKenzie?

25 COMMISSIONER MC KENZIE: Yes.

1 MS. CARCONE: Commissioner Pinchevsky?

2 COMMISSIONER PINCHEVSKY: Yes.

3 MS. CARCONE: And Commissioner
4 Holtzman?

5 CHAIRMAN HOLTZMAN: Yes.

6 And the third memorialization is
7 117-119 Harrison Street.

8 Again, any questions or comments from
9 the team on this resolution?

10 None being, is there an acceptance, a
11 motion to accept?

12 COMMISSIONER MC KENZIE: I so move.

13 CHAIRMAN HOLTZMAN: Okay. Thank you.

14 And a second?

15 MS. CARCONE: Brandy, Caleb --

16 COMMISSIONER FORBES: Second.

17 CHAIRMAN HOLTZMAN: A second from
18 Director Forbes.

19 Okay. Please call that vote.

20 MS. CARCONE: Commissioner Stratton?

21 COMMISSIONER STRATTON: Yes.

22 MS. CARCONE: Commisisoner Forbes?

23 COMMISSIONER FORBES: Yes.

24 MS. CARCONE: Commissioner McKenzie?

25 COMMISSIONER MC KENZIE: Yes.

1 MS. CARCONE: Commisisoner Holtzman?

2 CHAIRMAN HOLTZMAN: Yes.

3 (Commissioner Doyle present)

4 COMMISSIONER DOYLE: Commissioner
5 Doyle.

6 CHAIRMAN HOLTZMAN: Please let us note
7 that Councilman Doyle and Commissioner Pinchevsky
8 are now on the dais.

9 Thank you.

10 (Continue on next page)

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CITY OF HOBOKEN
PLANNING BOARD

RE: 1313 Washington Street : November 10, 2015
Block 225, Lot 2 : 7:15 pm
Review Proposed Improvements & Repairs:
At The Uptown Firehouse :
----- X

Held At: 94 Washington Street
Hoboken, New Jersey

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- Chairman Gary Holtzman
- Vice Chair Frank Magaletta
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7 A L S O P R E S E N T:

8 STEPHEN D. MARKS, PP, AICP, CFM, LEED
9 Municipal Manager for the City of Hoboken

10 QUENTIN WIEST,
11 Business Administrator for the City of Hoboken

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WITNESS

PAGE

JEFFREY SCHLECHT, AIA

18

1 CHAIRMAN HOLTZMAN: We have Stephen
2 Marks who is here. I believe he has a presentation
3 for us for some work for the firehouse up on 13th
4 Street.

5 MR. MARKS: Good evening, Mr. Chairman,
6 and Commissioners.

7 My name is Stephen Marks. I am the
8 Municipal Manager for the City of Hoboken.

9 Also here this evening is Quentin
10 Wiest, the Business Administrator for the City of
11 Hoboken, and Jeff Schlecht, an architect with
12 Rivardo, Schnitzer, Capazzi, RSC Architects.

13 So thank you very much for entertaining
14 this application this evening.

15 The City of Hoboken has a firehouse,
16 the uptown firehouse at 1313 Washington Street,
17 which is in need of repair and rehabilitation, more
18 particularly, the roof. So Mr. Schlecht is here to
19 present on that, as well as facade improvements and
20 improvements on the interior of the building.

21 So if I could call Mr. Schlecht to be
22 sworn in.

23 CHAIRMAN HOLTZMAN: Sure.

24 MR. GALVIN: Raise your right hand.

25 Do you swear to tell the truth, the

1 whole truth, and nothing but the truth, so help you
2 God?

3 MR. SCHLECHT: I do.

4 (Laughter)

5 MR. GALVIN: Do you swear or affirm
6 that what you are about to say is true?

7 MR. SCHLECHT: I do.

8 J E F F R E Y S C H L E C H T, AIA, 3 University
9 Plaza Drive, Hackensack, New Jersey, having been
10 duly sworn and affirmed, testified as follows:

11 CHAIRMAN HOLTZMAN: Thank you, Dennis.

12 MR. GALVIN: You're good both ways.

13 (Laughter)

14 MR. SCHLECHT: Thank you.

15 So, good evening.

16 Yes. As Stephen has mentioned, the
17 project at 1313 Washington, the firehouse there, is
18 experiencing some leaks in the roof that have done
19 interior damage, so we have two scopes of work that
20 are proposed there. One is to address the roof
21 leaks, repair the -- replace the roofing, so there
22 are two kinds of roofing on the firehouse.

23 There is the front portion, which is
24 shingles, actual shingles, and we are replacing on
25 the sort of cupola tower piece and a sort of a

1 sloped portion on the front.

2 And then the rear portion is a flat --
3 essentially a flat roof that will be a new built-up
4 roof, so a flat built-up roof area, with flashings
5 and other repairs associated with that.

6 The second on the scope is renovations,
7 rehabilitations to all of the areas that were
8 damaged by water that has been infiltrating.

9 So we have the floor replacement. The
10 wood floor interior is buckled, and we are replacing
11 that.

12 We have some ceilings, we are replacing
13 the ceilings on the second floor.

14 We have some plaster repairs that were
15 damaged from the water and painting associated with
16 that, and then we have some exterior -- well, a
17 brick wall, we have the interior, where there has
18 been some water damage, and we are going to address
19 the joints of those -- that brick area and repoint
20 it and refurbish the brick.

21 There is a small amount of exterior
22 work that we are proposing, which is at the
23 entrance, which is the man door as opposed to the
24 vehicle door. We plan to replace that with
25 something that is more of a traditional in

1 character, as well as the transom above that door,
2 which is currently a louver and been replaced over
3 time, and we are going to be putting in a new
4 transom window and then replacing the light fixture
5 above that.

6 MR. MARKS: So, Mr. Chairman,
7 distributed for the meeting electronically were two
8 sets of plans, one entitled "Roof Replacement at
9 1313 Washington Street Firehouse," and the second
10 set of plans entitled, "Renovation Work to 1313
11 Washington Street Firehouse."

12 I have copies for the Board, if you
13 don't have copies.

14 Were copies distributed?

15 MS. CARCONE: No. It was kind of late
16 today to get them out to the Board, so...

17 MR. MARKS: I can submit them to the
18 Board, if you so please.

19 CHAIRMAN HOLTZMAN: Sure. That would
20 be great.

21 MR. MARKS: Okay. The first one is
22 renovation work, and the second one is roof
23 replacement.

24 So, Mr. Schlecht, would you mind going
25 through the sheets?

1 MR. SCHLECHT: So there are two
2 contracts that are out for the scope of work. The
3 first one we are looking at is the Roof Replacement,
4 and both cover sheets are similar, but Roof
5 Replacement is the title.

6 And we have the top plan, the sloped
7 roof plan, that shows you the roof area, the front
8 towards Washington Street, that it will have all of
9 the shingle replacement, and then the lower plan of
10 the low slope will be the flat essentially roof area
11 towards the back and all of the flashings associated
12 with the various exhaust dunnage and mechanical
13 units. We will also be addressing all of the
14 copings and caps and flashings, a detail sheet with
15 all of the various details of the copings and caps
16 and flashings.

17 MR. MARKS: So Mr. Chairman, this is a
18 replacement of an existing roof in kind.

19 CHAIRMAN HOLTZMAN: Okay.

20 MR. MARKS: The reason why this is
21 necessary is because the existing roof leaks.

22 Are there any questions on the roof
23 replacement?

24 CHAIRMAN HOLTZMAN: Well, I believe you
25 guys also already did a review with the Historic

1 Preservation Commission. Is that correct?

2 MR. MARKS: Yes.

3 MR. SCHLECHT: We did.

4 CHAIRMAN HOLTZMAN: And you worked with
5 them to choose a suitably correct -- I think it is
6 an imitation slate style shingle or something like
7 that?

8 MR. SCHLECHT: It is an actual shingle
9 that replicates slate, yes.

10 CHAIRMAN HOLTZMAN: Right.

11 MR. SCHLECHT: We will be sharing with
12 them all of the submittals as the products come in
13 during the construction phase.

14 CHAIRMAN HOLTZMAN: Great. Thank you.

15 MR. SCHLECHT: The second scope is
16 interior renovations or the general renovations.

17 The first sheet shows the second floor,
18 which is where primarily the damage occurs.

19 The main floor area, that is the wood
20 floor area that is all buckled. We do have lockers
21 and things like that, that have to be relocated.

22 I can note that the firehouse will be
23 not occupied by the firemen. They will be storing
24 some of their nonessential vehicles and equipment in
25 the lower portions, but they will not be occupying

1 the second floor areas, so that allows us an
2 opportunity to remove and do all of the demolition
3 to the existing furnishings and to do the
4 demolition --

5 VICE CHAIR MAGALETTA: Well, will they
6 be in the firehouse?

7 MR. SCHLECHT: They will not be
8 occupying it --

9 VICE CHAIR MAGALETTA: At all?

10 MR. SCHLECHT: -- at all. The
11 personnel will not be.

12 They will have vehicles there that are
13 nonessential and things like that, that won't go out
14 on calls.

15 Then we have the ceiling plan. It's a
16 suspended ceiling, two-by-two ceiling tiles, light
17 fixtures and the HVAC system is existing to be
18 replenished and replaced in kind, and then once the
19 ceiling has been restored.

20 There are areas specifically under some
21 of the major roof leak areas, where there is some
22 plaster damage, where we have to restore that, and
23 then the painting, a full painting of the entire
24 second floor.

25 Off to the right-hand side of the

1 sheet, you can see the entrance work that is
2 proposed, as far as the door that is to be -- the
3 new door that is proposed, and then the transom as
4 well as a -- here I have -- I don't think you have a
5 cut sheet of the historic fixture that we are
6 proposing above the door that was reviewed with
7 the --

8 CHAIRMAN HOLTZMAN: In terms of the
9 door, I just wanted to make sure that we are a
10 hundred percent clear. The only door that's being
11 replaced at this time is the personnel door, not the
12 big roll-down door?

13 MR. SCHLECHT: Correct. That's
14 correct.

15 CHAIRMAN HOLTZMAN: And I think this is
16 like a mahogany door with some ironwork on it or
17 something?

18 MR. SCHLECHT: There is some
19 traditional sort of ornamentation to it that we are
20 trying to replicate as close as we can to some
21 existing photographs that we were provided.

22 CHAIRMAN HOLTZMAN: And if you are
23 going to paint that again, you will circle back with
24 the Historic Preservation Commission or --

25 MR. SCHLECHT: Absolutely.

1 CHAIRMAN HOLTZMAN: Thanks.

2 VICE CHAIR MAGALETTA: So I guess the
3 question is: Are you changing anything or you're
4 just replacing stuff?

5 MR. SCHLECHT: It's really replacing.
6 I mean, the roof leaked into the interior, so it is
7 repairing all of the damage.

8 VICE CHAIR MAGALETTA: Right. But you
9 are not moving walls around. You're simply --

10 MR. SCHLECHT: No.

11 VICE CHAIR MAGALETTA: Okay.

12 Thank you.

13 CHAIRMAN HOLTZMAN: Any questions or
14 comments from any of the Commissioners?

15 Great.

16 Was there anything else, Stephen, from
17 the scope of this?

18 MR. MARKS: I have none.

19 Under the Municipal Land Use Law, it
20 was opined by outside counsel that this qualified as
21 a capital improvement and needed the review of the
22 Planning Board. That is why we are here in case
23 anybody was wondering.

24 CHAIRMAN HOLTZMAN: Great. Thank you.

25 We will just check with the public.

1 Are there any members of the public
2 that would like to speak?

3 Oh, please come on up, Mr. Kratz.

4 MR. KRATZ: Allen Kratz, 1245
5 Bloomfield Street.

6 I am a neighbor of this property, and I
7 very much appreciate the fact that the city is
8 taking care of it. This is on the National
9 Registry. It is on the New Jersey Register of
10 Historic Places, as are all of the firehouses in
11 Hoboken.

12 This one is on -- all of them are on
13 for their own particular architectural features, and
14 the architectural characteristics of this one are
15 very important. This was designed by Robert Dixon,
16 who was from the firm of French, Dixon & DeSaldern.
17 That was the firm that designed two other very
18 important buildings also on the National Register,
19 the Columbia Club at 11th and Bloomfield, and the
20 First Baptist Church at 9th and Bloomfield.

21 I very much appreciate the work that's
22 being done sensitively. I know this was reviewed by
23 the Historic Preservation Commission, and I think
24 this is also an opportunity to correct something
25 that was an unfortunate error several years ago.

1 I talked with Mr. Marks and Mr. Wiest
2 about the former slate and tablature, which is on
3 the third floor, and I think if we can --

4 CHAIRMAN HOLTZMAN: Can we have the
5 front picture, Stephen?

6 MR. KRATZ: -- it is on the third floor
7 towards the north side of the elevation that faces
8 Washington Street, and underneath this stucco --

9 CHAIRMAN HOLTZMAN: Allen, could you
10 point it out for us on the picture?

11 MR. KRATZ: I'm pointing it out right
12 here.

13 CHAIRMAN HOLTZMAN: Great. Thank you.

14 MR. KRATZ: And I have a blowup here,
15 which I'm happy to provide to you, if you wish --

16 CHAIRMAN HOLTZMAN: Uh-huh.

17 MR. KRATZ: -- and underneath the
18 stucco -- does this need to be marked as an exhibit?

19 MR. GALVIN: No, because this isn't a
20 regular hearing.

21 CHAIRMAN HOLTZMAN: It's informal,
22 right. We are good.

23 MR. KRATZ: -- so underneath that
24 stucco were the names of the people who were
25 responsible for designing and building the building.

1 And my recommendation to Mr. Marks and Mr. Wiest was
2 that as part of this project, a conservationist be
3 engaged to explore -- remove this more recent
4 cemetitious material to expose the underlying stone
5 that has the names there.

6 And I would also further recommend that
7 on the Historic Preservations Commission, one of the
8 members, Ana Sanchez, is an expert in this sort of
9 thing, and she could be consulted on this as part of
10 the HPC review and continuing review in the
11 oversight of this project, so that is my
12 recommendation.

13 We do place a great deal of importance
14 on people's names --

15 CHAIRMAN HOLTZMAN: Hang on.

16 Mr. Marks, obviously you have gotten
17 this feedback from Mr. Kratz already previously.

18 Was this something that the city would
19 entertain?

20 It certainly sounds like a worthwhile
21 project.

22 MR. MARKS: I think it is an excellent
23 suggestion, and we will definitely pursue it.

24 CHAIRMAN HOLTZMAN: Thank you.

25 MR. KRATZ: I will just underscore that

1 and say that we do pay a lot of attention to people
2 who worked on this building.

3 This is the 1991 version of people, and
4 certainly we wanted to honor those as well and
5 restore those who preceded them.

6 CHAIRMAN HOLTZMAN: So that's currently
7 still on the building, Allen?

8 MR. KRATZ: Yes. This is currently
9 still on the building.

10 CHAIRMAN HOLTZMAN: Uh-huh. Is that in
11 fair shape, that it is good to go?

12 MR. KRATZ: Yeah. It's in good
13 shape --

14 CHAIRMAN HOLTZMAN: Okay. Great.

15 MR. KRATZ: -- and we hope everything
16 is that way, so thank you very much.

17 CHAIRMAN HOLTZMAN: Did you also have
18 an opportunity, and I would note that you are
19 certainly an expert in historic preservation, and
20 you had, I am sure, a chance to review the plans,
21 the door and the shingles, which is most of the
22 exterior work. Do you think that is within keeping?

23 MR. KRATZ: I did not provide testimony
24 tonight, and I defer to the Historic Preservation
25 Commission, which will do that, but thank you for

1 the opportunity to speak tonight.

2 CHAIRMAN HOLTZMAN: Thank you.

3 Any there any other members of the
4 public that wish to speak on the 13th Street
5 firehouse?

6 No.

7 Okay. We will close the public
8 portion.

9 Commissioners, any other questions or
10 comments for Mr. Marks, the architect or the
11 administration at large with regards to the
12 firehouse?

13 Let's keep it tight.

14 COMMISSIONER DOYLE: One question.

15 Is this -- I think this property is on
16 the agenda for an easement in the back for a
17 generator, is that --

18 MR. MARKS: Correct.

19 So last year we presented the emergency
20 backup generator plan to the Planning Board. That
21 included seven sites for emergency backup
22 generators.

23 This particular site, it turns out that
24 the existing generator that is to be replaced is
25 actually not on city property. It is on the

1 adjoining property behind the firehouse, so we need
2 an easement from the Stefano family that owns the
3 adjoining property to the rear.

4 So it was introduced at the City
5 Council meeting on November 3rd or 2nd, and it is on
6 second reading next Monday, November 16th.

7 CHAIRMAN HOLTZMAN: I know one of the
8 recommendations that the Planning Board had asked is
9 if it was possible to put the generator on the roof,
10 and I think the answer was that was going to be
11 investigated.

12 MR. MARKS: At that particular
13 location, it was not recommended by the architects
14 because of the wooden truss of the building, they
15 didn't think -- they didn't feel confident that it
16 was a strong enough of a load bearing wall for a
17 dunnage slab that would be necessary for the
18 generator.

19 CHAIRMAN HOLTZMAN: Okay.

20 COMMISSIONER DOYLE: Is it elevated at
21 least?

22 MR. MARKS: It is elevated.

23 It's not within the -- the particular
24 site of the generator is not within the area of the
25 100-year special flood hazard or the 500-year

1 special flood hazard area.

2 The 500-year special flood hazard area
3 basically comes up to the front of the building or
4 in near proximity to the front of the building on
5 Washington Street, but the rear of the building is
6 definitely not within a special flood hazard area.

7 So while there is a six-inch concrete
8 platform that it's on, we didn't think that it was
9 necessary to go above that, because that building,
10 that firehouse, did not experience flooding during
11 the Super Storm Sandy.

12 CHAIRMAN HOLTZMAN: Thank you.

13 Anything else, Councilman?

14 All right.

15 Thank you very much.

16 MR. MARKS: Thank you very much.

17 (The presentation concluded.)

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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: 11/12/15
 This transcript was prepared in accordance with
 NJAC 13:43-5.9.

CITY OF HOBOKEN
PLANNING BOARD

RE: NEUMANN LEATHER REDEVELOPMENT : November 10, 2015
PLAN, Dated October 15, 2015, REVIEW : 7:30 pm
& RECOMMENDATION :

Held At: 94 Washington Street
Hoboken, New Jersey

B E F O R E:

- Chairman Gary Holtzman
- Vice Chair Frank Magaletta
- Commissioner Brandy Forbes
- Commissioner Jim Doyle
- Commissioner Ann Graham
- Commissioner Caleb McKenzie
- Commissioner Rami Pinchevsky
- Commissioner Caleb D. Stratton
- 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
- Jessica L. Giorgianni, PP, AICP
- Patricia Carcone, Board Secretary

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1 CHAIRMAN HOLTZMAN: All right. The
2 next item on our agenda will be the Neumann Leather
3 Redevelopment presentation from Director Forbes and
4 Mr. Roberts.

5 MR. ROBERTS: Good afternoon, Mr.
6 Chairman --

7 CHAIRMAN HOLTZMAN: Good evening, Dave.

8 MR. ROBERTS: -- and members of the
9 Board.

10 Dave Roberts from the firm of Maser
11 Consulting, 331 Newman Springs Road, Red Bank.

12 This is a presentation to the Board of
13 a redevelopment plan that has been referred to you
14 by the City Council last week. My purpose this
15 evening is to just give you an overview. Hopefully
16 you had a chance to get into the plan a little bit.
17 There is quite a bit of water that has gone under
18 the bridge since we started this.

19 Just by way of some preview, and I will
20 try to make this concise because I know you have
21 other things on your agenda this evening, but
22 probably the last time we talked about this property
23 was almost a year ago, probably about eight or nine
24 months ago when we had to make a recommendation back
25 to council on -- the second time on the termination

1 of the area relief, so that happened while we were
2 working on the plan.

3 The other thing that happened while we
4 were working on the plan is the property was sold
5 from the prior long time owner to the new owners.
6 So we actually had the opportunity relatively early
7 on to meet with the new owners and talk about the
8 property and how it might be repurposed with a
9 redevelopment plan.

10 So obviously, there has been a lot that
11 has gone into it, and since then there has been
12 quite a bit of deliberation by the Council
13 Subcommittee as there was with Western Edge about
14 the details of the plan, and effectively we are at a
15 point where the City Council felt comfortable to
16 refer it to you for review and comment, and
17 obviously, your planner on this matter has also
18 prepared a very detailed review for you as well.

19 So in terms of giving you the overview,
20 just to walk you through, this is just to give you a
21 refresher on the actual area itself.

22 Initially, as you remember, when the
23 actual rehab area was delineated, it consisted of
24 all of the block except for the portions -- well, I
25 should say it included 300 Observer, 301 Newark,

1 which is the corner, which is currently under
2 redevelopment, and then 307 Newark, which is the
3 surface parking lot currently leased and occupied by
4 Jefferson Trust based on an agreement, and it also
5 included road beds of Willow up to First or up to
6 Newark, Newark itself and Observer Highway down to
7 Hudson, so basically the entire stretch of Observer
8 Highway down to the terminal.

9 The reason for that was that the
10 original rehabilitation area included an assessment
11 of the public water and sewer structure. And you
12 might remember that last year, the additional
13 information that we needed to do to bolster the
14 city's finding was not just on the age of the water
15 and sewer, but the condition of the water and sewer.

16 Remember, we talked about all of the
17 water main breaks and everything that has been
18 occurring in the city, and we documented that. We
19 made a new finding and then we continued on with the
20 plan.

21 But even though the infrastructure and
22 the road beds were part of the rehabilitation area,
23 the focus of the plan is really on the privately
24 held property within the area, which is the role of
25 the redevelopment plan, and this is really just a

1 graphic to show, and this kind shows it, this gold
2 line, the outline of the properties that were
3 involved. You can see a little bit of the existing
4 Neumann Leather buildings.

5 They consist of a variety of different
6 heights and also a little bit of the existing
7 conditions. As everybody walks by pretty much on a
8 daily basis, they're very familiar with a very
9 unique property, very much articulated in the city's
10 master plans and the 2010 Re-Examine Report for an
11 effort to preserve a lot of history that has gone
12 into this with regard to the uniqueness of the
13 occupancy level of the building by a variety of
14 tenants that probably wouldn't be able to locate
15 anywhere else because of the uniqueness of their
16 business or just because of the economics of trying
17 to find space in this area.

18 This is really just an illustrative
19 graphic that shows you the lot lines from the tax
20 maps superimposed on top of the aerial, so you can
21 see where some of the original buildings were, and
22 some of the infill that has occurred over the --
23 over time with respect to some additions, one-story
24 or two-story additions in the interior spaces, and
25 then the parking lot, which consists of the rest of

1 these lots at what would be the western end of the
2 block.

3 You also see how Grand and Clinton kind
4 of stop at Newark right across from the property, so
5 that is kind of how we started.

6 And this graphic in the upper right was
7 done by Grace Lynch's firm, who is part of our team,
8 and it shows you in different colors the various
9 heights of the different buildings that are there
10 today.

11 The bluer colors are the four-story
12 sections that you see as they wrap around from
13 Willow to Observer, and then the browner colors are
14 the higher buildings, the five and six-story
15 buildings that are at opposite ends at the north
16 side, and then the two-story building is the garage
17 that faces Newark, and then a warehouse in the rear.

18 These gold structures are the additions
19 that I was talking about. They are more like sheds,
20 and they kind of filled in some of those
21 interstitial spaces on the property, but you can see
22 the smoke stack, which is a little hard to see in
23 this graphic, is right in the center.

24 One of the early opportunities here was
25 to try to open up some of these spaces to make them

1 more active open spaces and really to invite the
2 neighborhood into the site, and that is kind of
3 how -- it was one of the goals we started with.

4 This is a graphic from one of the
5 earlier newsletters from the Neumann's Leather
6 Tenants Association, and we just show it to give you
7 an idea of the variety of different types of
8 businesses that are in the building, and even
9 earlier today when we met with the tenants
10 association to give them an overview of the plan, we
11 found out even more tenants that would add to this
12 diversity. So the diversity of the tenants has
13 certainly been sustained even with all of the
14 uncertainty with the property over the last couple
15 of years.

16 This is really the starting point for
17 the framework plan, and this was a suggestion as to
18 the buildings that would be retained, and these
19 would be the original, original substantial factory
20 building that range from the two-story garage on
21 Newark all the way up to the six-story buildings on
22 Observer, and you can see that when you remove some
23 of those or at least visualize some of those
24 interstitial buildings being removed, how it opens
25 up some of those interior spaces, and part of the

1 idea was to effectively allow that property, which
2 is now kind of fenced off from the neighborhood, to
3 be more porous and allow the neighborhood and allow
4 pedestrian traffic through the spaces to make it a
5 much more interesting experience and actually allow
6 for some shortcuts into the neighborhood.

7 This is a graphic that just summarizes,
8 and I won't go through these one by one, but what we
9 tried to do in terms of outlining the goals and
10 objectives.

11 These are really kind of condensed from
12 the plan, and obviously you have seen the plan, so
13 you know that obviously the first objective was to
14 preserve the integrity of the historic character of
15 Neumann Leathers as one of the last remaining
16 vestiges of Hoboken's industrial past and in the
17 process also retaining the unique tenant mix within
18 the building.

19 And in recognizing that, in order to do
20 that, we were probably going to need to infill the
21 property, at least the surface parking lot area that
22 I pointed out earlier, and that we are going to need
23 to also provide for more of a closer relationship
24 between the newer repurposing of the site and the
25 neighborhood.

1 And obviously, there is a lot of other
2 aspects in terms of pedestrian orientation,
3 diversifying some of the goods and services that
4 would potentially be possible on the site that would
5 serve the neighborhood and so on, and all of the
6 objectives that would go along with that in terms of
7 historic preservation.

8 Essentially some of the character that
9 we tried to -- that we tried to highlight are
10 obviously the building itself, including the smoke
11 stack. Some of the features of the building, the
12 windows, some obviously on the street side that have
13 been blocked up with the idea of trying to open
14 those back up to restore those windows, really try
15 to make the building come back alive.

16 One of the things that was very evident
17 from the meeting with the tenants earlier and from
18 our own visits and tours of the building is that the
19 building on the inside of the spaces that the
20 tenants have kind of rehabilitated is a complete
21 different situation than what you see from the
22 outside. That if there was as much attention paid
23 to the outside of the building as these tenants have
24 paid to their spaces, this building would really be
25 amazing, and that is the potential that we see in

1 terms of its future.

2 There is a lot in the plan detail that
3 Grace provided on historic rehabilitation design
4 standards, that are part of the plan that I won't
5 try to get into the weeds on tonight, but the basic
6 idea was the restoration of the building, the
7 repurposing of the outdoor spaces to make them more
8 public, and then the nature of the infill that would
9 take place in the parking lot, and that is what gets
10 us to the framework plan.

11 Because the question was: How do we do
12 that in a way that allows enough residential
13 development, and you will start to hear a familiar
14 theme here, to make the economics work, but keep the
15 scale of the new buildings in line and in character
16 with the surrounding neighborhood.

17 Obviously, we know we have a 12 or
18 13-story building next door. The building is shown
19 in black. We have a number of eight to ten-story
20 buildings across the street, so we were working with
21 that as a sort of an upper limit.

22 Effectively what we ended up doing was
23 we took, in order to try to open up these spaces,
24 and this was something that came out of the
25 involvement of the Council Subcommittee that was

1 sort of shepherding this, to try to open those
2 spaces up a little bit more, widen the connection,
3 which would be really into what was originally a
4 service road turned into an extension of Grand
5 Street, out to Observer Highway to try to restore
6 some of the grid to the extent possible, allow for
7 side loading and separate loading and parking of the
8 infill building from the rest of the site.

9 And one of the things we pointed out
10 was there was a lot of care or thought given to
11 keeping the two uses somewhat separate, but let them
12 coexist on the site, because of the fact that you
13 have some industrial -- some of the industrial
14 artists have heavy equipment. They do fairly
15 extensive work, and to try to commingle that with
16 residential uses could be problematic.

17 We actually wrote in a provision in the
18 plan that you might have -- it is probably analogous
19 to write to a farm type of provision that says that,
20 you know, you move into an area, a property like
21 this, because you think you are really attracted to
22 the uniqueness of it, and then you don't want to
23 complain about the fact that you hear a saw running
24 at night, or you know, that you are disturbed by the
25 activities of the folks who were there first, so

1 there was a lot of thought put into it.

2 One of the things that I think is worth
3 mentioning is there is a lot of references to the
4 redevelopment agreement, as you might expect, but a
5 lot of it has to do with the goal of trying to
6 retain not only the level of occupancy in the
7 building the way it has been characteristically, but
8 also the diversity, and that is an economic
9 challenge, which the plan requires to be established
10 in detail in the redevelopment agreement.

11 That has to do with while the buildings
12 are being rehabilitated, how the tenants are
13 being -- how they are able to continue to operate
14 while this renovation is going on, so they are not
15 displaced, so there is a relocation plan required,
16 if the tenants have to move around within the
17 building while spaces are being worked on.

18 It is possible that hopefully we may
19 not need to do as much of that because we have
20 learned that the tenants have spent a whole lot of
21 money on rehabilitating their own space.

22 So hopefully, most of the space would
23 be the common areas, the outside surfaces, wall
24 surfaces, roofs, things like that, that hopefully
25 will have minimal disturbance of the existing

1 tenants, but we wanted to get out in front of it and
2 make sure that the owners who thought about that
3 when they were coming in negotiating the agreement.

4 And I think probably the other last
5 aspect of this that I wanted to touch on is the
6 parking aspect, because there is, again, a dynamic
7 here. As you heard me mention, 301 Observer is
8 already under construction. It was approved under a
9 variance from the Zoning Board.

10 307 is the parking lot. That was
11 approved for a seven-story parking structure with a
12 retail on the ground floor. We retain that.

13 There is an incentive built in because
14 this garage level is sort of a higher story garage
15 to allow it to be built on top of, that we might be
16 able to increase the efficiency of the parking there
17 and allow ramping as opposed to a mechanized,
18 automated garage, which would make it more cost
19 effective, so there are incentives to encourage
20 that.

21 Also, there is a dynamic between the
22 residential parking, the parking that needs to
23 replace the roughly 90 or so parking spaces that are
24 in the surface lot for the industrial art tenants,
25 they are going to continue to need parking, and then

1 the new retail that we are hoping to introduce, the
2 parking for that.

3 That dynamic, there is some flexibility
4 allowed in the plan, but we are expecting that some
5 of the parking that is going to be generated by the
6 residential and the retail is going to be
7 accommodated by the parking garage that will be
8 built at 307 and potentially on the portion of
9 Neumann Leathers that is adjacent to 307. That is
10 pretty much it.

11 In terms of getting to how that
12 translates into a cross-section, we tried to show to
13 some extent, illustrate a section looking this way,
14 looking towards the west and a section on Grand
15 looking towards the east.

16 This would be the section looking
17 towards the east, and it would show you how the
18 building is supposed to be stepped back as you go
19 higher to a maximum of 110 feet above the design
20 flood elevation, and that the areas underneath,
21 which would be within the flood hazard area, would
22 be parking and potentially retail, if it's treated
23 according to the regs.

24 We are anticipating the potential for a
25 bus stop at this corner, where Grand Street would

1 come through the property, which is what is shown on
2 the graphic.

3 And then looking the other way, even
4 though this building is being seen from a distance,
5 which is the reason for the kind of the washout
6 version of it, it is just a visual illustration to
7 show roughly a ten-story building above the DFE,
8 which would be 110 feet roughly, whatever fit within
9 there, and how that would look in terms of the
10 stepping up along both Observer Highway with the
11 existing buildings and the sections of the new
12 building that would be fronting on Newark Street
13 with the new development at 307.

14 So, again, it is not necessarily a
15 technically accurate cross-section, but it is meant
16 to show how those would work, and part of it is we
17 would like to try to see if we could activate the
18 interior spaces with some retail and potentially
19 allow it to be a double -- a two-story retail, where
20 there would be a roof plaza over the retail that
21 would be accessed from the new building.

22 One of the things that came out of
23 this, which is worth mentioning for this Board
24 because it may be the first time that we talked
25 about it at the Board level, is that we are trying

1 to -- the economics of this were based on an
2 assumption of the ten percent affordable, which is a
3 city ordinance for all redevelopment plans, and we
4 managed to keep the bulk of the building that we
5 thought within a reasonable level.

6 We knew the parking would flex based on
7 more of the building that was going to be needed for
8 residential, the more parking would have to shift
9 over to 307 and kind of incentivize the use of that
10 parking by this property and keep the property
11 owners working together.

12 But one of the issues that came out of
13 that is that there is a gap between the ten percent
14 affordable and the market. The idea that came out
15 of the Council Subcommittee is they would be willing
16 to consider a bonus, and we have written that into
17 the plan, if that bonus was earmarked for work force
18 level housing, which is the group that gets kind of
19 lost in between. Not quite -- they can't qualify
20 for the ten percent affordable, but they can't
21 afford the market, and there's a growing -- that gap
22 is growing in Hoboken.

23 So we wrote that into the plan, that
24 that bonus would have to be deed restricted for a
25 work force, which would be 150 percent of median or

1 greater, and so that is probably the first time that
2 I know of that that has happened in a redevelopment
3 plan, so that makes this a little unique.

4 So that is really the overview.
5 Obviously, there is a lot of detail in the plan of
6 what would be covered in the redevelopment
7 agreement.

8 I know, as usual, your planner brought
9 out a lot of points. A lot of those points that we
10 think are worth bringing to the Council level, one
11 of the things that I think we would want to do is
12 there are a number of suggestions, but one has to do
13 with complete streets.

14 I know Jessica was looking at the
15 street scapes of Newark and Willow and Observer, and
16 there wasn't a lot of detail in the plan about how
17 the street scapes would be designed.

18 We knew, for example, that Observer
19 Highway was already being redesigned by the county
20 and that there was emphasis on Observer Highway in
21 the Hoboken Yards Plan, and we did suggest a little
22 bit of how Observer would work with that grass panel
23 that's along the building and how that could be
24 dressed up with sustainable, things like rain
25 gardens and so on.

1 The rest of this I think we would want,
2 even though -- because now the city has now adopted
3 complete street substandards, the suggestion would
4 be to recommend to the governing body that they
5 incorporate the city's complete street standard into
6 the plan by reference.

7 There is also a way finding that
8 Jessica had suggested that is part of the city --
9 that the city has also incorporated that we would
10 want to reference into the plan.

11 And then finally, in addition to the
12 ghost signage and some of the unique signage
13 standards that are already in the plan that have to
14 do with factory type buildings, Jessica had
15 recommended interpretative historic signage, which
16 we didn't even think of, so I think that is another
17 really good recommendation to be incorporated into
18 the plan.

19 There were a couple of other
20 suggestions that we probably would want to talk
21 about when we get into the Board deliberation. One
22 of the things has to do with the fact that this
23 plan, as opposed to, for example, Western Edge, is
24 an overlay, and it overlays on top of that existing
25 industrial zoning.

1 The purpose of that was to really
2 provide the fact that in order to preserve these
3 buildings, they would have to abide by this plan.

4 If they want to have any residential on
5 the property, they would have to abide by the plan.

6 If there was any movement, and we don't
7 believe that the new owners have any intention of
8 doing this, but obviously, it had been a concern in
9 the past, anything that would threaten those
10 buildings, the buildings that have been called out
11 for preservation in the plan would effectively
12 default to the industrial zoning, which is not
13 something that would probably be economically viable
14 for the property, so that was part of the reason for
15 the industrial overlay.

16 The other part of the reason was that
17 it is an industrial building, so we wanted to
18 continue to allow for industrial uses that are
19 permitted.

20 Now, there are a couple of things in
21 that industrial zone that may not be desirable. We
22 don't have too much of a concern that they are going
23 to be proposed here, but I think it was a good
24 callout, and I think something we probably should
25 talk a little bit about this evening as far as how

1 the Board feels about it.

2 I think those were probably the main
3 points. There were a number of suggestions
4 obviously about some of the graphics and somehow
5 they could be improved, but I think those are the
6 most substantive suggestions.

7 CHAIRMAN HOLTZMAN: Thank you very
8 much, Mr. Roberts.

9 Jessica, I know you prepared an
10 unbelievably thorough and incredible review report
11 for us.

12 I had asked Dave just in an effort of
13 trying to expedite things to kind of pull out some
14 of the more substantive highlight items and address
15 them straightaway in his presentation. I think he
16 got for the most part most of the --

17 MS. GIORGIANNI: The big ones.

18 CHAIRMAN HOLTZMAN: -- big ones, right.

19 Was there anything that you wanted to
20 specifically --

21 COMMISSIONER FORBES: I do have some as
22 well, because in going through it and having worked,
23 you know, on the plan, if you wouldn't mind, I'll go
24 through those.

25 CHAIRMAN HOLTZMAN: Please, go ahead,

1 Director.

2 COMMISSIONER FORBES: You know, as Dave
3 mentioned, one of the issues was, you know, there
4 was a lot of comments about the street scape and the
5 design, and I absolutely agree that, you know, we
6 put the complete standards in there. I think we did
7 that with the Western Edge. I think that is a good
8 recommendation to the City Council that the plan
9 incorporate the new complete street standards.

10 The same with signage, recommending
11 that the Council add the city's new way finding
12 signage. I think that addresses a lot of that with
13 the green circuit and making sure there is that
14 signage to make that connection as that keeps
15 developing and having this be a part of that, and
16 then as well for the interpretive signage.

17 Another comment was about shared
18 parking -- or car sharing, and then I think that
19 along with that, it would be helpful to have bike
20 sharing in there.

21 We did some bike racks, but I think
22 that you had made a comment about internal bike
23 parking. I think that we could make a
24 recommendation for a provision of inside bike racks,
25 and then as well encouraging the redeveloper to

1 provide bike share stations and car sharing spaces
2 for those programs.

3 Ultimately, it would be up to those
4 programs to do it, but, you know, it would be
5 something that we would be encouraging the property
6 owner to do.

7 One of the comments that you had made
8 was about the buildings to be preserved and making
9 sure that that is really clear.

10 I think in the presentation there was
11 an image that was a lot clearer, which of those
12 buildings would be retained, and I think that we
13 could incorporate that into the plan.

14 MS. GIORGIANNI: Right.

15 This image and then even your
16 introductory aerial images I think could also be
17 added to the plan just because you can't really -- I
18 am not sure that there is a real good aerial shot in
19 there, so one of your aerial images would be great.

20 COMMISSIONER FORBES: So I would
21 recommend, you know, incorporating images from the
22 presentation to clarify both the area and the
23 buildings to be retained.

24 MS. GIORGIANI: Right, that is great.

25 CHAIRMAN HOLTZMAN: As a follow-up to

1 that, what I wanted to ask is if it would be
2 possible to make an actual list.

3 Is it too much to have just those items
4 listed out as terms of the buildings that were the
5 core keeping buildings and a follow-up to that as
6 basically also some type of a list that is not
7 necessarily a 100 percent it has to keep, but let's
8 call out those items. Like the ghost signs, the
9 loading docks, the exterior ironwork or those
10 elements of that industrial building, let's at least
11 get them on a page, so that we are sort of all on
12 the same page as to what those elements are, what we
13 are looking at, and then obviously the details of
14 that whether something can be saved or perhaps moved
15 to another location. I would like to at least see a
16 list of the buildings and the historic elements, so
17 that we are all focused on the same list.

18 MS. GIORGIANNI: I think you are
19 three-quarters of the way there with both of those
20 things. You know, in terms of the buildings, even
21 just a simple numbering of the buildings one through
22 11, and then now on this plan you only see Buildings
23 8, 7, 6, 5, 4, and the other ones are clearly gone.

24 And then I recommended that you have a
25 bunch of the great historic elements shown in the

1 photos, but if you could just label what those are,
2 like a photo inventory.

3 CHAIRMAN HOLTZMAN: Director?

4 COMMISSIONER FORBES: Yes. One
5 additional thing I wanted to note. We have --
6 actually I have two more things.

7 One is we have had different feedback
8 from members of the public as well as some of the
9 Council members about the discounted rents, and it
10 was in the section, Bonuses, Repair and Relocation.

11 And perhaps how we have that spelled
12 out may be just too constrictive, and it may not
13 actually reflect what the market -- you know, how
14 best to address that in giving that discounted rent
15 and making that a fair assessment.

16 So one of the recommendations is
17 instead of the -- instead of specifying a specific
18 rent, instead of recommending that the rents be
19 determined through a financial analysis at the time
20 of negotiating a redevelopment agreement, but not to
21 exceed the regional market rate based on the use and
22 unit size.

23 So I got some, you know, draft language
24 for that, whether, you know, you want that to be
25 read into it or added to that --

1 CHAIRMAN HOLTZMAN: Sure.

2 COMMISSIONER FORBES: -- but I just
3 think that that just gives a little more
4 flexibility, but really still sends the message that
5 there is going to a discounted rent, but we want to
6 make sure that it is something that can be managed
7 instead of coming back and revising the plan,
8 because \$16 turns into 16.50, or whatever it might
9 be, you know, finding something that actually works
10 appropriately.

11 And then there was one additional
12 comment in the planner's report about parking
13 location, that it wasn't clear exactly where the
14 parking for residential and the industrial would be
15 located. I just wanted to clarify that on -- can we
16 go to where it has Sections A, B and C in the
17 framework plan?

18 MR. ROBERTS: Yes.

19 COMMISSIONER FORBES: For section --
20 let's see -- the large site, Section A will be
21 generating the majority of the parking for the
22 industrial art uses, you know, the existing
23 buildings to remain, most of the retail uses and all
24 of the residential uses, so it is going to be
25 generated from there.

1 And the owners could locate some or all
2 of that parking on Section A on the bottom levels of
3 that infill building, but if they start putting all
4 of that parking in that location, it starts eating
5 into the residential level, so it is really working
6 against the economics of the project.

7 So what we did was Section A and
8 Section B are owned by the same owner, so we wanted
9 to provide where the parking could actually be in
10 Section B, and it can have that elevated nature to
11 it, you know, where there is additional floors to
12 it, and accommodate the parking there.

13 You may still have a level of parking
14 below the design flood elevation in that infill
15 building, but we wanted to make sure that there was
16 that flexibility, as well in, you know, Sections B
17 and C, even though they are different ownership, if
18 those property owners were to work together, they
19 may actually instead of -- you know, right now the
20 size of those would end up probably being mechanical
21 garages, just because it wouldn't have the ability
22 to be a ramp system. But if they work together,
23 they could perhaps create a ramped parking garage,
24 which is a lot less expensive to construct, and they
25 could, you know, work together on that, but we also

1 wanted to make sure that the parking would be
2 provided appropriately and economically in case they
3 did not work together.

4 MS. GIORGIANNI: Right.

5 CHAIRMAN HOLTZMAN: Okay.

6 I will open it up to the Commissioners,
7 questions or comments for Mr. Roberts or --

8 VICE CHAIR MAGALETTA: Yes.

9 CHAIRMAN HOLTZMAN: Commissioner
10 Magaletta?

11 VICE CHAIR MAGALETTA: Just a couple of
12 things.

13 You know, looking at it, I was looking
14 at it from the approach of, you know, from the
15 planning side of, there's this, there's also Hudson
16 Rail across the way, so this has to service those
17 people as well. I think it's kind of like just this
18 area is whole, you know, and I was thinking about
19 there is a comment in the plan about closing Newark
20 between Jefferson and Adams, right?

21 There was a suggestion somewhere in the
22 plan.

23 MS. GIORGIANNI: Well, that is in the
24 master plan.

25 VICE CHAIR MAGALETTA: In the master

1 plan.

2 I was thinking that maybe when they do
3 the Grand Street extension, that you make that a
4 pedestrian plaza, at least part time, so that on
5 Friday it is closed to vehicles -- Friday through
6 Saturday, through Sunday in the evening after rush
7 hour, or maybe close to rush hour, that is a
8 pedestrian plaza. You have access to the lower
9 plaza underneath the building that is being built
10 there, and it is all commercial, so it becomes like
11 a gallery of sorts.

12 COMMISSIONER FORBES: To address that,
13 one of the things that -- with this we are just
14 showing that there is an extension of Grand Street.
15 We don't know what it is going to end up looking
16 like. We don't know if it is going to be just a
17 continuation of one-way traffic.

18 It is wide enough that it could
19 accommodate two-way traffic and pedestrian and, you
20 know, some bicycle, even if it is sharrows. It has
21 that width to accommodate that, but ultimately we
22 have to work with the county because Observer is a
23 county road, and we also have to look at what that
24 circulation is.

25 Ultimately -- it may be that right now

1 it is set up, and it initially starts as exactly
2 that, that pedestrian and bicycle connection
3 through, and then as Hoboken Yards develops, and we
4 start looking at how can this circulation be
5 improved, that could be changed. But we wanted to
6 set aside in this plan that connection of the grid,
7 so that whatever it ends up -- you know, it could
8 morph over time, but at least whatever it is, it is
9 there and available.

10 We knew that Clinton Street was not
11 going to be able to be continued through because of
12 the buildings, and as well we recognized that when
13 we did the Hoboken Yards, that wasn't continued
14 through in that location for exactly that reason it
15 wasn't going to keep going. But with this, we
16 really just wanted to make sure that it was set
17 aside, make sure -- but we just don't know what that
18 circulation -- I think that's an excellent idea --

19 VICE CHAIR MAGALETTA: I thought it was
20 going to be just a street, and that was it. I
21 thought it was a lost opportunity to say, you know,
22 I think on the weekend, it would be nice to have
23 just people walking around, and you know,
24 restaurants --

25 CHAIRMAN HOLTZMAN: Well, we saw the

1 success on the Garden Street Mews and things like
2 that.

3 VICE CHAIR MAGALETTA: Yeah. But even
4 more so, a lot more commercial -- you have all of
5 this retail down below. That was one thing.

6 I also think that closing Newark Street
7 would be a mistake as well, only because of the
8 firehouse right there. I think that's a -- Newark
9 Street is the very access for them to go east, so I
10 think that would be a mistake. I would recommend
11 not -- I would strike that from the plan.

12 MS. GIORGIANNI: It is not in the plan.
13 It's only in the master plan.

14 VICE CHAIR MAGALETTA: It was
15 suggested. That's why --

16 MR. ROBERTS: Frank, you know, while
17 you are on Newark Street, one thing I didn't mention
18 is that along with the parking, on-site parking, one
19 of the things that is recommended is that, assuming
20 that something happens along Newark Street in terms
21 of driveway cuts and things like that, that would
22 allow for more parking spaces, that we -- that right
23 now it is residential parking on the other side of
24 Newark Street.

25 There is no metered parking on Willow

1 or Newark, and we think with retail being introduced
2 to the site that we recommended that there be
3 metered parking wrapping around both of those sides,
4 so that it would be short-term in and out type to
5 facilitate retail, and not all of the parking would
6 have to be facilitated on the site.

7 VICE CHAIR MAGALETTA: Okay.

8 And then as far as the complete
9 streets, what would that do as far as the sidewalk
10 widths on Newark Street?

11 Would they be three feet or would they
12 be greater, because I think with cafes --

13 MR. ROBERTS: Yeah. I think a lot
14 would depend on just how -- I mean, you can't move
15 the buildings back, so we have to work with that
16 right-of-way.

17 If they reconfigure Newark Street, they
18 might be able to gain a little bit more sidewalk,
19 but we haven't gotten there yet, and that would have
20 to be designed separately.

21 VICE CHAIR MAGALETTA: Okay.

22 And as far as when you talking about
23 the interior, I have taken a tour of those buildings
24 over there, and you know, we want to open up the
25 windows again, so you have that, and I assume that

1 the windows will be insulated windows. I mean, they
2 may look architecturally appropriate, but they will
3 be modern --

4 MR. ROBERTS: Yeah. I think -- I mean,
5 that is covered in the design standards.

6 VICE CHAIR MAGALETTA: -- but what I am
7 trying to get at is: It looks like some of the
8 walls on the interior, there is a hallway, where
9 there should not have been a hallway, where there
10 should have been open space, so when you are doing
11 the renovation or when you're suggesting the
12 renovation on the inside, would those open spaces be
13 restored and those walls taken down --

14 MR. ROBERTS: It's hard to say because
15 there's a lot of spaces that are occupied.

16 VICE CHAIR MAGALETTA: I know that. If
17 you're talking about displacing tenants, you might
18 as well do it right now the correct way, the first
19 time.

20 MR. ROBERTS: Yeah.

21 Well, the idea is not to have to have
22 anybody move out of the building.

23 VICE CHAIR MAGALETTA: Right.

24 MR. ROBERTS: And part of the reason
25 why that space is so economical for them is because

1 it is very basic space.

2 What we found is that some of them have
3 actually invested a lot and specialized their --
4 there is a lot of specialized uses that would be
5 difficult to move, and we learned a lot more about
6 that tonight from some of the additional tenants, so
7 that is going to have to be something that we can't
8 really anticipate until we get into almost the site
9 plan level, where an architect gets in there and
10 really works with them, so I can't really -- it is
11 possible, but it will depend on how folks move
12 around in the building.

13 VICE CHAIR MAGALETTA: Okay.

14 What is the base flood elevation
15 roughly in this area?

16 MR. ROBERTS: I think it's around ten.

17 VICE CHAIR MAGALETTA: Okay. Because
18 it is a commercial space, so --

19 MR. ROBERTS: That would be the base,
20 right.

21 VICE CHAIR MAGALETTA: Right.

22 And is there any thought to -- I mean,
23 going back to what Jessica had written, a couple of
24 things, center for arts set aside, is that
25 contemplated --

1 MR. ROBERTS: We had the same
2 discussion in the Western Edge.

3 We did not make that a specific
4 recommendation here because the economics were very
5 delicate. We were trying to keep the building -- we
6 had several iterations, and that building was a lot
7 higher than 110 feet --

8 VICE CHAIR MAGALETTA: Oh, I understand
9 that, how you pay for it -- right --

10 MR. ROBERTS: -- and where you had to
11 push it down, and so, yeah --

12 MS. GIORGIANNI: Well, you are
13 technically supporting the arts holistically in this
14 plan, where at least there wasn't much of that in
15 the other plan --

16 MR. ROBERTS: In the Western Edge,
17 right.

18 This is all about making space for the
19 artists and making it work --

20 VICE CHAIR MAGALETTA: Right. And the
21 space in the arts would be in a plaza.

22 Is there any idea of putting a gallery,
23 an interior gallery for the arts to show their
24 showpieces --

25 MR. ROBERTS: That would be a viable

1 use for the ground floor, which is going to have
2 limitations on other uses, so, you know --

3 VICE CHAIR MAGALETTA: Okay. In the
4 existing -- will that be included?

5 MR. ROBERTS: We allow all of that in
6 the plan.

7 VICE CHAIR MAGALETTA: I wasn't sure if
8 it was interior. I know it was certainly
9 exterior --

10 MS. GIORGIANNI: Yeah, permitted uses.

11 CHAIRMAN HOLTZMAN: Okay. I would like
12 to be able to add that to our recommendations, that
13 we somehow, if it is not a percent for art, that
14 there needs to be some type of -- kind of an
15 external acknowledgement that this is an arts
16 building. Unless you are familiar with what is
17 going on on the inside, it might just look like a
18 commercial building to somebody driving by --

19 MR. ROBERTS: That is a great point.

20 CHAIRMAN HOLTZMAN: -- so we have the
21 opportunity to have these courtyards or plazas and
22 things of this nature, and as sort of a visual draw
23 into the space, I think there should be some type of
24 an art element. What that is, we will leave alone.

25 That way, somebody driving by, walking

1 by understands that, oh, there actually is this
2 artistic thing going on in here, and let me get
3 involved in it, and it follows up to Jessica's
4 recommendation on the signage and the purposing --

5 MR. ROBERTS: That is where I was
6 going.

7 CHAIRMAN HOLTZMAN: -- and the
8 repurposing of this building.

9 I think that, you know, whether -- it
10 could also be perhaps something that is on the
11 outside of the building, the sidewalks or around the
12 Observer side of the building --

13 MR. ROBERTS: Right.

14 CHAIRMAN HOLTZMAN: -- where there is
15 sort of like a catch. There is, you know, something
16 that intrigues you to go further.

17 MR. ROBERTS: You know what we can do,
18 Mr. Chairman, is take another look at the signage
19 because this is a couple of graphics from existing
20 industrial buildings that have been repurposed, and
21 how they try to brand themselves to the outside
22 world. There may be some creative ways of doing
23 that, and we just certainly don't want to stifle
24 that in the plan. We will take another look to see
25 if there are any ways we can encourage it.

1 COMMISSIONER FORBES: Yeah.

2 If I may, I think that could go a long
3 way, but we can add that into the recommendation
4 about the signage that also recalls Hoboken's
5 industrial heritage also having some kind of signage
6 or recognition --

7 MR. ROBERTS: Of the arts.

8 COMMISSIONER FORBES: -- acknowledging
9 that this is a building that's supporting the arts.

10 CHAIRMAN HOLTZMAN: Great.

11 MS. GIORGIANNI: Right now there isn't
12 any kind of tenant listing, right, on the exterior?

13 MR. ROBERTS: Well, that is partly
14 because it has been very fluid. The tenant mix has
15 been changing because they were forced to be
16 month-to-month leases for a couple of years, so --

17 CHAIRMAN HOLTZMAN: It has also been
18 terribly disorganized because you got 20 some odd
19 darn buildings over there. If you go in one door
20 over here, you can't get out to the other door over
21 there, so there is literally -- there's names
22 plastered up on six different doors.

23 MS. GIORGIANNI: Right.

24 MR. ROBERTS: So there is just going to
25 be interior way finding that will be helpful, as

1 well as exterior way finding --

2 (Laughter)

3 CHAIRMAN HOLTZMAN: Commissioner, did
4 you have anything else?

5 VICE CHAIR MAGALETTA: I don't have
6 anything else. That's it.

7 CHAIRMAN HOLTZMAN: Commissioner Peene?

8 COMMISSIONER PEENE: No.

9 Thank you. Thank you, Dave,

10 Thank you, City Council, for all of
11 your hard work on this project. It is a true
12 gateway to Hoboken, if a lot of the recommendations
13 in the plan come to fruition. But we want a
14 successful project, and I said this on Western Edge,
15 and this is a suggestion that Jessica had put in her
16 report.

17 We have the 500 foot rule in Hoboken
18 when it comes to, you know, when it comes to liquor
19 licenses, and in redevelopment areas you are not
20 going to get the mix of retail and the desirable
21 retail tenants that are necessary for economic
22 benefits for the project for the community, if you
23 don't have a restaurant row. Retail, dining, it all
24 goes together, and that is what makes a successful
25 mixed-use project.

1 I would suggest to the City Council
2 that maybe, you know, if my Commissioners agree,
3 that maybe rescind the 500 foot rule for this
4 redevelopment, so the furthest zone in need of
5 rehabilitation, because I think that's what would
6 help make a true successful project.

7 I mean, Frank was talking about, you
8 know, cafes on the sidewalks, and we are not going
9 to experience the type of growth in the project that
10 I believe the citizens would like to see, if we
11 don't include that component of the project. We are
12 not creating liquor licenses here. I mean, the
13 State ABC was very generous in the 1940s and the
14 1950s when they appropriated in the City of Hoboken
15 with as many liquor licenses as we have, but I think
16 it's very important.

17 CHAIRMAN HOLTZMAN: Thank you, Ryan.

18 Jessica had put together some language,
19 and then I am going to ask Director Forbes to follow
20 up with it. But I will read Jessica's language that
21 she put together as a preliminary thing, and then
22 the Director will explain why we can't really deal
23 with it here tonight.

24 Restaurants and bars are permitted in
25 Sections A, B and C within the plan. However,

1 Hoboken's 500 foot rule requires there to be a
2 distance of 500 feet between establishments having
3 liquor licenses. These are retail consumption
4 licenses. To successfully attract multiple
5 restaurants to the redevelopment plan area, it is
6 recommended that the plan exempt them from the 500
7 foot rule.

8 The plan should indicate, for example,
9 that premises containing a retail consumptive
10 license within the plan area may do so without
11 regard to the distance restrictions between licensed
12 premises contained in Section 68-7.

13 Unfortunately, what we have got is a
14 scenario where this is not able to be baked into a
15 redevelopment zone, but this is something that the
16 City Council, and hopefully, if Councilman Doyle
17 hears us loud and clear this time, take back to his
18 Council colleagues that that is a separate
19 regulation that we cannot regulate exempt via the
20 plan itself. It could be a recommendation that the
21 City Council consider modifying the ABC ordinance to
22 effectuate this, but the plan itself cannot override
23 that regulation to offer exceptions.

24 We had previewed this, as you're
25 correct, with legal counsel in a similar

1 recommendation for the Western Edge, so we can put
2 it in our recommendations, but we can't bake it in
3 in terms of a hard and fast one, but it's perhaps
4 something we can send Councilman Doyle back to the
5 City Council with, if the Commissioners so choose.

6 COMMISSIONER MC KENZIE: Very good.

7 CHAIRMAN HOLTZMAN: Commissioner
8 Graham?

9 COMMISSIONER GRAHAM: This may not be
10 relevant -- I mean, it's relevant to this, but it's
11 probably not relevant going forward tomorrow or
12 tonight. But I don't know, we don't know when this
13 will be done. There is a lot of construction
14 obviously, and we also are looking at across the
15 street, a lot of construction as well, sometime in
16 the future, and we don't know when that is going to
17 happen either.

18 But I am just concerned, you know, the
19 ingress and egress out of Hoboken with a lot of
20 construction on both sides of Observer Highway, and
21 if we need to -- at some point when we know more
22 about what's going to happen, that we need to take
23 that into account and how that is going to affect
24 the traffic coming in and out of the city, which is
25 also -- which is terrible, as we all know.

1 So just as a note, I think this is
2 great. I mean, I am so happy to finally see this
3 happen, but --

4 CHAIRMAN HOLTZMAN: So let's make some
5 type of a note about a phasing, and that there needs
6 to be some acknowledgement with this redevelopment
7 zone that it needs to work well with other
8 redevelopment zones and --

9 (Laughter)

10 COMMISSIONER FORBES: I think that is
11 fair.

12 If I may, a couple of things.

13 One is with this, it is that one
14 contained site.

15 With the Hoboken Yards redevelopment
16 plan, before anything can happen with that, they
17 have to do their full traffic evaluation study, and
18 that will include that part of it.

19 So you are right, though --

20 COMMISSIONER GRAHAM: It was just a
21 note of --

22 COMMISSIONER FORBES: -- we don't know
23 when -- it is going to be up to those property
24 owners, the same as it is with the New Jersey
25 Transit property, the same as with this, it is going

1 to be up to the property owner when they choose to
2 do that. I think it is a good and fair
3 recommendation to --

4 COMMISSIONER GRAHAM: And we are
5 planners, so we have to look at the whole thing
6 supposedly --

7 COMMISSIONER FORBES: Exactly.

8 As well, one of the things that the
9 city is starting to implement is we are going to
10 have software that addresses construction that's,
11 you know, city wide, so that we are making sure of
12 those conflicts, because I know that we've all seen
13 it this summer --

14 (Applause)

15 -- where those conflicts are eliminated
16 or minimized as much as possible.

17 CHAIRMAN HOLTZMAN: Commissioner
18 Stratton, did you have anything?

19 COMMISSIONER STRATTON: I am good.

20 CHAIRMAN HOLTZMAN: You are good.
21 Excellent.

22 Commissioner Doyle?

23 COMMISSIONER DOYLE: Dave, on the
24 proposed buildings to remain slide, there is --
25 there seems to be two that I don't think you intend

1 to remain. The one that is in the road that would
2 extend, that little guy --

3 MR. ROBERTS: Oh, here.

4 COMMISSIONER DOYLE: -- that one, and
5 then the one to the left of that.

6 MR. ROBERTS: Yeah. You're probably
7 right about that. That is a good catch, Jim.

8 COMMISSIONER DOYLE: That one, too,
9 right?

10 MR. ROBERTS: Right.

11 COMMISSIONER DOYLE: Those two I
12 thought -- you know, just to make it clearer, I
13 think that is also where the building will be,
14 right?

15 MR. ROBERTS: Yeah. I mean right --

16 COMMISSIONER DOYLE: They're both
17 one-story structures --

18 MR. ROBERTS: -- when you look at
19 the -- you can see that this lower cantilevered
20 portion covers -- effectively it incorporates that
21 building or replaces it.

22 COMMISSIONER DOYLE: Yup.

23 MR. ROBERTS: But, yeah, the shed over
24 in the corner or whatever that building is, that
25 would be squarely in the path of the new building.

1 COMMISSIONER DOYLE: Okay. In the
2 lobby.

3 (Laughter)

4 CHAIRMAN HOLTZMAN: So I know, Dave,
5 that you did mention not just grade level, but some
6 upper floor potential retail or consumer type uses,
7 and I know we started to see applications at the
8 Planning Board, before that we had Pino's Pallet
9 recently, which was on an upper level of a building,
10 and the Board decided it seemed like a great use for
11 an upper level in the building.

12 I think that is something that we
13 should seriously entertain here as well.

14 This is such an unusual property, that
15 there also may be the ability to not just on the
16 grade level or second floor, but maybe there is some
17 type of a rooftop restaurant, or my personal choice
18 would be that there is some kind of a crazy cocktail
19 lounge in the chimney, but I will let somebody else
20 figure that out --

21 (Laughter)

22 -- in the smoke stack. But maybe there
23 is, you know, some unusual -- we got an unusual
24 property here, and maybe there could be some kind of
25 unusual usage of the upper floors or outdoor space

1 on the roofs, because we have such a, you know,
2 concrete construction of a building, that we might
3 be able to do that without it being an encumbrance
4 on any of the tenants.

5 Commissioners, we will certainly circle
6 back, but I do want to open it up to the public, the
7 members of the public that wish to speak on the
8 proposal.

9 Sure. Come on up.

10 DR. NAYAR: My name is Dr. Nayar,
11 N-a-y-a-r. I live in the area of Neumann --

12 CHAIRMAN HOLTZMAN: Yes.

13 When folks come up, just give us your
14 name, and please spell it for reporter, and then
15 tell her where you live, and then Dennis is going to
16 swear you in quickly.

17 DR. NAYAR: So my name last name is N,
18 as in Nancy, a-y-a-r.

19 I live in the black building right next
20 to --

21 MR. GALVIN: Raise your right hand.

22 Do you swear or affirm that the
23 testimony you're about is the truth?

24 DR. NAYAR: Yes.

25 MR. GALVIN: All right. Keep going.

1 DR. NAYAR: So I just wanted to preface
2 this by just talking about when I first moved into
3 the area. This is before the current administration
4 was voted in, and the previous mayor, who lasted
5 about 20 days, walked along the Newark Street
6 entrance, and I kid you not, I heard him say, we can
7 go high here.

8 And, you know, that made me a little
9 bit sick to my stomach, but, you know, we know where
10 that story went.

11 My concern is two-fold --

12 CHAIRMAN HOLTZMAN: To jail.

13 DR. NAYAR: -- one is in 2009, I
14 received a letter by certified mail about EPA
15 research for the New Jersey Department of
16 Environmental Protection.

17 So for the Board, I would recommend
18 that you please clarify, and we discussed this
19 earlier, but through every step of the project, this
20 first and foremost is a residential area, so I was
21 hoping that we could just document as we dig and as
22 we excavate, that we look at the groundwater, and we
23 halt work, if there is an issue, you know, for a
24 minimum and a maximum, so I think that needs to be
25 in the draft.

1 More importantly is getting on the
2 height, we talked about the footprint. You know, I
3 wanted to commend you, this is an amazing plan.

4 My only issue is on Page 29 of the
5 draft, where they talk about a bonus height, so we
6 talked about two dimensions, and we didn't talk
7 about the third dimension that much at this meeting,
8 and I was hoping you could look at Page 29 and try
9 to have more finite criteria for the bonus. They
10 talked about an additional ten feet and then another
11 20 feet on top of that.

12 And what I was thinking is, you know,
13 if you could put additional residential space on top
14 of the red retail area, which is two stories to
15 begin with, could you accommodate that bonus space
16 on top of the residential --

17 MR. ROBERTS: That's actually in the
18 plan now, and it actually goes to one of Jessica's
19 questions and concerns about if we did that, whether
20 we would shadow that plaza.

21 But basically we don't know. We
22 effectively are creating a hundred-ten foot volume
23 at which the plan caps 210 units, so however they
24 fit those 210 units within that box is the base.

25 If -- in order to get that extra space

1 for the -- if they wanted to take advantage of the
2 work force bonus, one of the ways that they could
3 accommodate that extra space is to cantilever out
4 over the plaza in here.

5 If they can't do it just by going up,
6 so they don't necessarily have to go up, they
7 potentially could go out, but then that presents a
8 design issue that Jessica pointed out as far as
9 shadows and things like that, that would have to be
10 worked out by an architect.

11 DR. NAYAR: Along those lines of
12 shadows, so that is exactly my next point, which is:
13 As a resident, and you know, our building I think
14 would be affected greatly by this project for the
15 better.

16 But in terms of height, if we could go
17 out instead of going up, the shadow idea, actually
18 if you look across the street, the buildings are
19 actually about six or seven stories maximum height
20 directly across the street from Neumann Leather, and
21 you know, those buildings there, and you have a
22 strip mall. So to sort of average out to the east
23 and the west, I think we have to look to the north
24 and say, okay, well, you know, it is a residential
25 area. Those are the heights.

1 140 feet, which is the 110 plus the
2 bonus, would really shadow those buildings, so I
3 would argue if there would be some discretion in the
4 plan that says 110 feet, we will give you the X
5 units you want, but don't -- I mean, whose
6 discretion is this additional 30 feet?

7 CHAIRMAN HOLTZMAN: The Director has
8 got an answer for you.

9 COMMISSIONER FORBES: Yes.

10 There are a couple of things to address
11 your issues about the height.

12 First of all, on that Newark Street side
13 at 60 feet from the design flood elevation, it has
14 to come in another ten feet, so it starts getting,
15 you know, setting it back from the street.

16 And then at 80 feet, it's set back
17 another ten feet.

18 When it gets up to the 110, if there is
19 any bonus, if there's the one floor that you were
20 talking about in order to accommodate the
21 residential, which I think it will end up fitting
22 within this footprint, they are not going to get
23 additional units. It's just to accommodate the 210
24 that they would be allowed to do, it would have to
25 be set back another ten, and similarly for anything

1 with the work force housing, it has to be set back
2 another ten, so it keeps getting stepped back, so
3 it's much further.

4 At that point, it is, you know, 40, 50
5 in from Newark, and it is going to be about 30 feet
6 in from Observer, which isn't -- and it's also that
7 same setback is from the Grand Street extension,
8 just knowing that your building is across that Grand
9 Street extension --

10 DR. NAYAR: Almost in the middle.

11 COMMISSIONER FORBES: -- yes.

12 CHAIRMAN HOLTZMAN: Like a wedding cake
13 setback.

14 DR. NAYAR: Okay. All right.

15 But then, I guess, you know, there was
16 a little -- I mean, you had some great ideas, Mr.
17 Chairman, about the restaurants and that sort of
18 thing. But I think if we go along with that
19 mindset, maybe if we just set an upper limit and
20 then sort of incorporate all of your ideas into that
21 plan.

22 But I kind of feel like there was no
23 discretion as far as where will that bonus come
24 from, who makes it, and I know we have to fund the
25 project. You know, we are all for it, but in a way

1 that we can sort of provide that cap, you know, just
2 to give us a little reassurance.

3 That's all.

4 CHAIRMAN HOLTZMAN: Thank you.

5 MR. ROBERTS: And just to remind the
6 members of the public, too, because this is a
7 redevelopment plan, there is a redevelopment region,
8 which we kept talking about, where in order for them
9 to qualify for that bonus, they would have to
10 present a plan that the city would agree to in the
11 redevelopment --

12 DR. NAYAR: Great.

13 CHAIRMAN HOLTZMAN: Dave, the doctor
14 brought up another point as well about environmental
15 issues, EPA, DEP. Are you prepared to speak to
16 that, or do we need our engineer to have any insight
17 on that or you got it?

18 MR. ROBERTS: I think the only thing I
19 would mention, Mr. Chairman, is you remember when we
20 did the updated report, we made reference to some of
21 the EPA data that we found, and there obviously has
22 been -- we mentioned even earlier at the meeting,
23 there is going to have to be some remediation done
24 to the brick. There are various aspects of the
25 building, where there was contamination, and that

1 will be governed by the applicable statutes. I
2 believe that there was a --

3 CHAIRMAN HOLTZMAN: Here is my
4 question. I want to make sure that we get the
5 doctor an answer, which is: How do we make sure
6 that those things are addressed?

7 MR. ROBERTS: Well, I think that --

8 COMMISSIONER FORBES: I can address
9 that.

10 CHAIRMAN HOLTZMAN: Director?

11 COMMISSIONER FORBES: That is a
12 requirement in our redevelopment agreements. We
13 have our redevelopment attorney here. We have put
14 that into each of our redevelopment agreements.

15 It is the responsibility of the
16 property owner to clean it. It is their
17 responsibility. They have to clean it up to the
18 appropriate standards for the use that is going to
19 be on there. So all of that very strict language
20 goes into those redevelopment agreements. Aside
21 from that, it is their legal requirement to clean
22 that up per the DEP requirements as well.

23 CHAIRMAN HOLTZMAN: Right.

24 So where I was kind of going with that
25 is they are required to get all of the appropriate

1 EPA, DEP signoffs, correct?

2 COMMISSIONER FORBES: Correct.

3 CHAIRMAN HOLTZMAN: Right. Okay.

4 Thank you.

5 MR. HIPOLIT: The other thing I would
6 say, if they were to add a mortgage to the property
7 to be redeveloped, the bank would require that.

8 CHAIRMAN HOLTZMAN: Great. So there
9 are multiple levels of coverage to make sure that
10 gets done.

11 Great.

12 Any other members of the public?

13 Sure, Tom?

14 MR. NEWMAN: Tom Newman, 225 Garden
15 Street.

16 MR. GALVIN: Raise your right hand,
17 Tom.

18 Do you swear or affirm that the
19 testimony you are about to give is the truth?

20 MR. NEWMAN: Yes.

21 MR. GALVIN: Please proceed.

22 MR. NEWMAN: I am a tenant at Neumann
23 Leather. I've been associated with the Neumann
24 Leather Tenants Association, and I did read this
25 whole document. I don't know if I could give you a

1 quiz and see how many of you read it.

2 (Laughter)

3 CHAIRMAN HOLTZMAN: Every word, Tom.

4 Every word.

5 (Laughter)

6 MR. NEWMAN: And we passed it around to
7 the tenants, and we are very pleased this evening at
8 5:30 Brandy and David had a special meeting. About
9 15 or 20 of us came and asked all of our questions,
10 and they are the kind of things that you would
11 expect from a bunch of tenants, what are the rents
12 going to be, what about parking, what about the
13 relocation during construction, what kind of a
14 transition phase there is going to be, what are the
15 units going to be like, the ratios of different uses
16 in the building, loading docks, elevators, just the
17 kind of stuff we care about.

18 I would have to say that as a
19 generalization, there is language in this document,
20 which addresses to my satisfaction that these are
21 well stated here as concerns with recommendations
22 for how the thing should look, which all of these
23 interests are protected, and most of my fellow
24 tenants went home for dinner and didn't stick
25 around, and if they had been mad about something, I

1 think they would have stuck around.

2 So that we didn't take a vote on
3 anything, but I think they voted with their feet, by
4 not hanging around. They didn't just want to hang
5 around for another meeting.

6 So I know this is -- a redevelopment
7 plan is just kind of a statement of the city's
8 intent as guidelines, broad stroke, kind of brush
9 painting of what they really want to do here. And
10 the real action is going to come down to the
11 developer agreement, which is when the developer
12 sees what the city wants and then says, well, okay,
13 we will do our best here, and it is going to be
14 negotiation, and they may come up and say, well, we
15 can't do this, and then we dance.

16 So we are just at the beginning here.
17 This is -- we made it to the playoffs, but have not
18 won the World Series yet --

19 MR. ROBERTS: Ouch.

20 MR. NEWMAN: -- so there's going to be
21 a big negotiation, and it's going to be very
22 important, but --

23 CHAIRMAN HOLTZMAN: So, Tom, the
24 outlines that are laid out in this plan, though,
25 this is I think a really important consideration,

1 that these outlines that are put here, if they
2 wanted to deviate from this plan, they would need to
3 circle back and do this all over again. So none of
4 them want to do that either, so there is a real
5 incentive for them to want to live with what is in
6 this plan. That's really important.

7 So it is not like it goes through this
8 motion of a public hearing, goes back to the City
9 Council, and then it just goes -- you know, it
10 doesn't go off into left field --

11 MR. NEWMAN: It's negotiated.

12 CHAIRMAN HOLTZMAN: -- yeah.

13 MR. NEWMAN: No, I understand that.

14 I am just -- I have to say for these
15 owners, it has been refreshing, these owners,

16 We had, you know, sometimes difficult
17 relations with the previous owner, and I have not
18 actually met them.

19 I met the manager, who is a family
20 member, who is here somewhere, Tony La Conti. We
21 had an electrical problem in my unit, a fuse or
22 something, but that is all I met them.

23 But they -- I think they have come into
24 this with their eyes open and want to do this
25 project and want to have success, and these are

1 Hoboken guys. I understand they own other
2 properties in Hoboken, and I guess they have a
3 commitment to Hoboken, and so they are not some
4 Texas outfit coming up to, you know, tear us down,
5 you know.

6 (Laughter)

7 CHAIRMAN HOLTZMAN: Right.

8 MR. NEWMAN: So I am hopeful, and I
9 think it is going to be a great project, and we want
10 to make it something that we are all proud of, so I
11 hope this will move in an expedited way here. I
12 urge you to move forward with it.

13 CHAIRMAN HOLTZMAN: Great. Thank you.

14 Hey, Tom, I want to thank you for your
15 efforts on behalf of the Neumann Leather Tenants
16 Association. You have been one of the guys that's
17 been out in front of this, and one of the reasons
18 that a lot of people on this Board have been
19 supportive of the Neumann Leather project for, my
20 gosh, as long as most of us have been on the Board,
21 we've been kind of helping you try to fight the good
22 fight, so thank you.

23 MR. NEWMAN: Well, in the words of
24 Tommy Basetti, always a pleasure.

25 (Laughter)

1 (Applause)

2 CHAIRMAN HOLTZMAN: Anybody else from
3 the public?

4 Mr. Kratz?

5 MR. KRATZ: Thank you, Mr. Chairman.

6 Allen Kratz, 1245 Bloomfield Street.

7 MR. GALVIN: Do you swear or affirm
8 that the testimony you are about to give is the
9 truth?

10 MR. KRATZ: I do.

11 MR. GALVIN: Thank you.

12 MR. KRATZ: Tom mentioned Hoboken guys,
13 and I would just like to point out in the spirit of
14 looking at old history, that one of the Hoboken guys
15 who was involved in this property was Albert Beyer.
16 Albert Beyer was an architect, who did a lot of work
17 in Hoboken. He did residential properties. He did
18 doctors' row. That's the 900 block of Washington
19 Street. He did the Hoboken Public Library and the
20 Manual Training School, which is on the National
21 Register.

22 And just recently doing some client
23 research, I discovered in the New York Real Estate
24 Record and Builders Guide that he had the
25 commission. Albert Beyer had the commission for a

1 brick and stone leather factory at Willow and Ferry
2 Street in Hoboken for \$7,000, so that was in the
3 1898, December 12th, 1898 edition of this
4 publication, as we talk about way finding signs and
5 historic interpretation, and I will be glad to
6 provide that citation to the planner.

7 CHAIRMAN HOLTZMAN: Thank you, Mr.
8 Kratz.

9 Any other members of the public that
10 wish to speak?

11 Sure. Come on up.

12 MR. GENUARDI: Good evening.

13 My name is Joseph Genuardi,
14 G-e-n-u-a-r-d-i.

15 MR. GALVIN: Street address?

16 MR. GENUARDI: 902 Willow Avenue.

17 MR. GALVIN: Raise your right hand.

18 Do you swear or affirm that the
19 testimony you are about to give is the truth?

20 MR. GENUARDI: Yes.

21 MR. GALVIN: You may proceed.

22 CHAIRMAN HOLTZMAN: Proceed.

23 MR. GENUARDI: I am a tenant at the
24 Neumann Leather building.

25 I have been for not nearly as long as a

1 lot of people behind me. But I originally got my
2 space there because I have a two-bedroom apartment
3 that one of the bedrooms I used as a tailoring
4 workshop, where I make custom made suits, and we had
5 a baby, so I had to leave the apartment.

6 (Laughter)

7 So the point is when I --

8 MR. GALVIN: I just want to clarify,
9 just you or the whole family?

10 MR. GENUARDI: My wife had the baby.

11 MR. GALVIN: Okay.

12 CHAIRMAN HOLTZMAN: He lost, right?

13 (Laughter)

14 MR. GENUARDI: I did a lot of searching
15 for a studio space, and most of the spaces I looked
16 at were either completely unaffordable or just not
17 realistic as a place where an artist or a crafts
18 person could do their work, have their tools and see
19 clients and things of that nature.

20 I was so refreshed when I got there,
21 and the people that I was renting space from were
22 also involved in arts.

23 The spirit of the building was that
24 these were genuine artistic type people that paint,
25 sculpt, make music, real fine art type of people, as

1 well as industrial arts that do crafting, like
2 furniture and things like that.

3 It was so refreshing to actually be
4 able to be a part of that type of community, and I
5 think that this plan is very exciting for people
6 like me in the building, and also just to kind of
7 have the feeling that there is people that have our
8 back and really want us to be there and keep doing
9 what we are doing.

10 So my point is really that it's more
11 just to the spirit of the project and sort of maybe
12 the artistic side, that I don't know if there is a
13 way to write it into anything, but just going
14 forward, I would hope that people keep in mind sort
15 of the genuine nature of the people that are working
16 there and the work that they do, and that it just
17 doesn't become a parody of an art center, where as
18 you got like yoga studios and children's
19 fingerpainting classes, and not that those things
20 are bad, I just think that in terms of this project
21 giving back to the community and also to the people
22 who own the property, there is a gold mine there I
23 think in terms of like cultural recognition for the
24 town and things like that, and also just drawing
25 from the public. But I do think that a lot of it is

1 just based on the fact that there is authenticity to
2 the work that is there and also the people that are
3 involved in the planning thus far in the spaces
4 inside of the building.

5 So that is basically my comment, just
6 to bring awareness to that.

7 CHAIRMAN HOLTZMAN: Great. Thank you
8 very much.

9 (Applause)

10 MR. GALVIN: Raise your right hand.

11 State your full name for the record.

12 MS. GIROTRA: Monica Girotra,
13 G-i-r-o-t-r-a.

14 MR. GALVIN: Street address?

15 MS. GIROTRA: 415 Newark Street.

16 MR. GALVIN: All right.

17 Do you swear or affirm that the
18 testimony you are about to give is the truth?

19 MS. GIROTRA: Yes.

20 MR. GALVIN: You may proceed.

21 MS. GIROTRA: So I think I am so
22 excited to see this plan go forward.

23 I think the issue that I am having as
24 somebody who lives there is that I think most of the
25 focus have been on the people who work there, and

1 maybe not as much as I would hoped who lived there,
2 so I think of that as my home.

3 My permanent home is right next to
4 these buildings, so if anything can be thought of to
5 also, you know, not make it as, you know, commercial
6 is good, but not make it as bars, and you know,
7 there is a balance to everything.

8 I think people who chose to invest in
9 that area and live and make it their home are
10 equally important in this plan, so I would hope that
11 when, you know, decisions are made regarding what
12 goes where, and the noise level, and things like
13 that, I mean, I can see it now.

14 There is some music at night, which is
15 great, but I think it will escalate. Because we've
16 all -- I mean, there are so many residential
17 buildings in that area, and I think we all decided
18 to live there because it is quieter. We all mostly
19 have children, and I think that is part of the
20 reason why the EPA study that got sent to the
21 surrounding block was a concern to us.

22 So I just hope that when all of this is
23 sort of said and done, that some of that is taken
24 into consideration, too, that there is so many
25 people who live around the area.

1 COMMISSIONER FORBES: Which building,
2 are you in the --

3 MS. GIROTRA: The black building.

4 COMMISSIONER FORBES: Okay.

5 One of the things just to point out is
6 we have -- you know, we definitely have that buffer
7 of that residential being there instead of, you
8 know, expanding or creating a different use there,
9 and as well keeping that retail more on the streets
10 that have that rather than on Grand Street.

11 So, and bear in mind, you know, like
12 the distance from your building to this building
13 when you have that Grand Street extension, it's at
14 least a 30 foot right-of-way. It is going to be
15 residential on that side.

16 So, you know, those public uses or
17 areas are kind of in that internal rather than on
18 the external impacting the neighbors, and instead it
19 is keeping it on that internal side, where the
20 people who are living there or working there are the
21 ones that are going to hear that more.

22 MS. GIROTRA: I obviously, you know,
23 understand the balance between the height and
24 everything else, but I am glad that at least you are
25 trying to keep that, which seems okay, appropriate.

1 Thank you so much.

2 CHAIRMAN HOLTZMAN: Thank you.

3 Any other members of the public?

4 Okay. Commissioners, any additional
5 comments or questions for Director Forbes, for Mr.
6 Roberts, Jessica?

7 Well, Dave, I would like you to add two
8 more things that seem to always come back to bite us
9 afterward, which are loading docks and dog parks,
10 which nobody likes to think of this early in the
11 plan, and then nobody ever does, and then people
12 come and tell us and give us an earful about them
13 later.

14 MR. ROBERTS: Uh-huh.

15 CHAIRMAN HOLTZMAN: So I don't know
16 what we can do, but we definitely need to get it and
17 make sure it's on the list of things that are into
18 consideration to get baked into the plan initially.

19 MR. ROBERTS: Well, the one thing just
20 in response, loading docks are shown in the -- one
21 of the things we actually talked about at the
22 earlier meeting with the tenants is that the
23 existing buildings have a variety of loading spaces
24 now that they rely on, and they are --

25 CHAIRMAN HOLTZMAN: Unfortunately a lot

1 of them also are illegal, that they would cross the
2 sidewalk, and you would have to have an 18-wheeler
3 stuck in the middle of Newark Street.

4 MR. ROBERTS: Well, yeah.

5 Well, there is actually some on the
6 interior, too. So some of the design issues will be
7 how this space does double duty in terms of
8 pedestrian flow, as well as allowing them to
9 maintain some of these elevators and other things
10 that they need to get their materials in and out,
11 but that underlies -- underscores the fact that we
12 are keeping that aspect separate from this aspect,
13 that the loading comes in off of Grand Street.

14 So they're on opposite sides of the
15 site basically. They don't come into conflict with
16 each other.

17 And as far as the dog parks, I think
18 that is something we probably have to look at a
19 little more carefully --

20 MR. GALVIN: The issue that we have
21 been seeing at the Zoning Board is new residential
22 buildings, where there is no place for staging for
23 people to bring things in and out of the building.

24 CHAIRMAN HOLTZMAN: Whether it is a
25 moving truck or the Fed Ex guy or whatever it is --

1 MS. GIORGIANNI: Groceries.

2 CHAIRMAN HOLTZMAN: -- grocery
3 deliveries.

4 MR. GALVIN: Yeah. All of these
5 things. So what we are saying is some forethought
6 has to be given to that, over and above what you are
7 thinking about the commercial loading docks.

8 MR. ROBERTS: Right.

9 Again, that was intended to come off
10 Grand Street. That was originally as a service
11 drive, and we just expanded it a little bit in case
12 we can connect it all way through, if the county
13 lets us.

14 CHAIRMAN HOLTZMAN: Right.

15 But even if you have loading docks over
16 on Grand Street, it doesn't service the whole
17 facility, and we got different types of uses. We
18 got everything from somebody's residential move-in
19 to other people bringing in industrial products that
20 need to get to some of the upper floors also.

21 MR. ROBERTS: Right. Okay.

22 CHAIRMAN HOLTZMAN: Commissioners, any
23 other additional questions or comments?

24 COMMISSIONER MC KENZIE: Well, yes,
25 actually I do.

1 CHAIRMAN HOLTZMAN: Sure, go ahead.

2 COMMISSIONER MC KENZIE: Considering
3 what we went through with the project uptown, and
4 one of the permitted uses is child care.

5 Have you done any consideration about
6 dropoff in case there's Montessori and things like
7 that, because that would take up parking, maybe
8 something off the street?

9 MR. ROBERTS: Well, that may follow --
10 flow with the idea of the additional loading
11 spots --

12 COMMISSIONER MC KENZIE: Yes. That's
13 exactly why I brought that up.

14 MR. ROBERTS: -- because really the
15 other places that we could accommodate them would be
16 either off Grand or Willow.

17 So depending on how that works in terms
18 of that use, they could potentially be dropoff slash
19 loading spaces.

20 It would just mean that we are going to
21 lose parking spaces, that that's --

22 COMMISSIONER MC KENZIE: Well, maybe it
23 could be something on site instead of on street is
24 exactly what I'm saying, part of a drive-through.

25 MR. ROBERTS: Perhaps.

1 It's a little bit limited with the
2 existing buildings, but --

3 COMMISSIONER MC KENZIE: Yes, yeah.

4 CHAIRMAN HOLTZMAN: Commissioners,
5 Director Forbes has got a kind of a working list
6 here of some recommendations. Maybe she can go
7 through them for us.

8 COMMISSIONER FORBES: Okay. We are
9 going to start with the industrial arts rents.

10 I would recommend that the rents be
11 determined through a financial analysis at the time
12 of negotiating a redevelopment agreement, but not to
13 exceed the regional market rate based on the use and
14 unit size, rather than specifying the rent amount.

15 CHAIRMAN HOLTZMAN: We are going to
16 take your language. Dennis isn't going to --

17 COMMISSIONER FORBES: That's fine.
18 Perfect.

19 Hold on.

20 CHAIRMAN HOLTZMAN: Yes.

21 COMMISSIONER FORBES: Under complete --
22 for complete streets: Recommend that the City
23 Council incorporate the new complete street
24 standards and design standards into the
25 redevelopment plan, and that Grand Street be

1 considered in use of the street for pedestrians and
2 bicycles.

3 For signage: Recommend that the City
4 Council add to the plan the city's new way finding
5 signage guidelines.

6 Also with regard to signage, the City
7 Council should add provisions encouraging
8 interpretive signage in the plazas that recalls
9 Hoboken's industrial heritage and prior uses of the
10 site.

11 And art element, acknowledging that
12 this is an arts supported building should also be
13 incorporated.

14 Okay. Recommend adding to the plan
15 requirements for the provision of bike racks and
16 encouraging the redeveloper to provide bike share
17 stations and car sharing spaces for those programs.

18 MS. GIORGIANNI: Can you just clarify
19 that it's indoor bike parking?

20 COMMISSIONER FORBES: Thank you.

21 MS. GIORGIANNI: Because I thought you
22 had outdoor bike parking requirements in there, but
23 even just a room for bike parking.

24 CHAIRMAN HOLTZMAN: Yes.

25 COMMISSIONER FORBES: Yes. Got it.

1 Recommend that the --

2 MR. GALVIN: Car charging?

3 MS. GIORGIANNI: That's in there.

4 MR. ROBERTS: Yes.

5 COMMISSIONER FORBES: -- recommend that
6 the image in the presentation regarding the
7 buildings to remain to be added to the plan to
8 clarify -- to be corrected and added to the plan,
9 with a list of existing buildings, the buildings to
10 remain and a list of the elements --

11 CHAIRMAN HOLTZMAN: The historic
12 elements to save.

13 COMMISSIONER FORBES: -- historic
14 elements to preserve.

15 CHAIRMAN HOLTZMAN: Right.

16 A listing of them, so that we have like
17 a working list for that, right?

18 COMMISSIONER FORBES: Right.

19 Recommend that the plan address loading
20 docks in more specificity.

21 Recommend that the plan address pet
22 accommodations, dog parks --

23 MR. GALVIN: Dog runs.

24 CHAIRMAN HOLTZMAN: It usually comes
25 down to a dog run, yeah.

1 Cats are pretty okay by themselves.

2 (Laughter)

3 COMMISSIONER FORBES: We did call it
4 pet accommodations in prior plans, so--

5 COMMISSIONER GRAHAM: Do we have to
6 have a dog run in there?

7 CHAIRMAN HOLTZMAN: My only concern was
8 that often we have heard about these issues not
9 being addressed in the initial construction, and
10 then the answer is they don't know where to put it
11 afterwards, and people are going to have dogs --

12 COMMISSIONER GRAHAM: Well, then they
13 can go somewhere else where there is a dog run. We
14 don't have to have a dog run everywhere, in every
15 park in this town.

16 COMMISSIONER FORBES: If I may, there
17 is going to be a dog park on Block 12.

18 CHAIRMAN HOLTZMAN: I would like
19 someone to think about it, and if that is the
20 answer, then that's great, but I just want to be
21 sure we're thinking about it.

22 COMMISSIONER FORBES: How about instead
23 City Council consider accommodation of dog parks?

24 CHAIRMAN HOLTZMAN: Yeah, that is fine.

25

1 COMMISSIONER GRAHAM: How about do not
2 consider --

3 COMMISSIONER MC KENZIE: You're going
4 to get nasty letters.

5 COMMISSIONER GRAHAM: I don't care.
6 I'm beyond worrying about it.

7 (Board members talking at once.)

8 (Laughter)

9 CHAIRMAN HOLTZMAN: And then I will ask
10 one more time, if we can send a message perhaps to
11 our City Council about what is needed to create some
12 type of a restaurant row scenario.

13 COMMISSIONER FORBES: Recommend that
14 the City Council modify the ABC ordinance to
15 accommodate a restaurant row atmosphere.

16 CHAIRMAN HOLTZMAN: Right. Okay.
17 Uh-huh.

18 COMMISSIONER GRAHAM: Are you going to
19 add my concern about the overall construction
20 issues?

21 COMMISSIONER FORBES: Oh, thank you.
22 I didn't get that one.

23 Recommend that implementation of this
24 plan be coordinated with implementation of other
25 plans --

1 CHAIRMAN HOLTZMAN: Specifically the
2 rail yard and other redevelopment zones.

3 COMMISSIONER FORBES: -- yeah, other --
4 regarding construction.

5 CHAIRMAN HOLTZMAN: Yeah. So it is
6 sort of like a phasing consideration, or you know,
7 that this is not an island onto itself, and we need
8 to make sure it is coordinated at the county level
9 with Observer, with the rail yards, the southwest
10 area, maybe even our friends in Jersey City, but
11 that's a stretch.

12 (Laughter)

13 Any other considerations or --

14 VICE CHAIR MAGALETTA: This is the
15 preliminary stage. Basically you're saying, look,
16 generally this is a good idea --

17 CHAIRMAN HOLTZMAN: Absolutely.

18 VICE CHAIR MAGALETTA: -- that we are
19 doing it, so I think generally this is a good idea.

20 MS. GIROTRA: I'm so sorry. Can I ask
21 one quick question?

22 MR. GALVIN: I usually say, we don't
23 allow twosies, but go ahead.

24 What is the question?

25 CHAIRMAN HOLTZMAN: Come on up. If

1 we're going to do it, we got to do it.

2 MS. GIROTRA: Only because you
3 mentioned dogs.

4 THE REPORTER: What is your name?

5 MS. GIROTRA: Monica G-i-r-o-t-r-a.

6 I'm so sorry, only because you
7 mentioned the dogs, there is so many children in
8 that area. Are there any -- I guess the southwest
9 park --

10 CHAIRMAN HOLTZMAN: We're building a
11 new park.

12 COMMISSIONER GRAHAM: No children --

13 CHAIRMAN HOLTZMAN: No dogs, no
14 children.

15 (Laughter)

16 COMMISSIONER GRAHAM: -- I like
17 children.

18 COMMISSIONER FORBES: Yeah.

19 You know, with that exactly, we are
20 addressing that the lack of park space in that area,
21 with a park in the southwest as well. The City
22 Council is evaluating another space very close by on
23 First Street, and you know, so this is something
24 that the City Council is very aware of and working
25 towards.

1 COMMISSIONER DOYLE: There is a
2 commitment to expand the southwest park of one acre
3 to something bigger over time, so they are breaking
4 ground this fall on that park, so --

5 CHAIRMAN HOLTZMAN: Okay.

6 Thanks, Monica.

7 Mr. Maraziti, I know you are here this
8 evening and haven't had an opportunity to address
9 us. Is there anything that you wish to add or --

10 MR. MARAZITI: No, nothing at all.

11 CHAIRMAN HOLTZMAN: -- counsel us if
12 we're going off the rails or --

13 MR. MARAZITI: Keep doing what you are
14 doing. You are fine.

15 (Laughter)

16 CHAIRMAN HOLTZMAN: Thank you.

17 Is there a motion to accept the
18 recommendations as read by Director Forbes?

19 COMMISSIONER PEENE: So move.

20 CHAIRMAN HOLTZMAN: Is there a second?

21 COMMISSIONER GRAHAM: Second.

22 CHAIRMAN HOLTZMAN: Great.

23 Pat, please call the vote.

24 MS. CARCONE: Commissioner Magaletta?

25 VICE CHAIR MAGALETTA: Yes.

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: Yes.

7 MS. CARCONE: Commissioner Graham?

8 COMMISSIONER GRAHAM: Yes.

9 MS. CARCONE: Commissioner McKenzie?

10 COMMISSIONER MC KENZIE: Yes.

11 MS. CARCONE: Commissioner Pinchevsky?

12 COMMISSIONER PINCHEVSKY: Yes.

13 MS. CARCONE: Commissioner Peene?

14 COMMISSIONER PEENE: Yes.

15 MS. CARCONE: And Commissioner

16 Holtzman?

17 CHAIRMAN HOLTZMAN: Yes.

18 Thank you very much.

19 We are going to take a little break

20 here to reorganize.

21 (Recess taken at 8:40 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: 11/13/15
This transcript was prepared in accordance with
NJAC 13:43-5.9.

CITY OF HOBOKEN
PLANNING BOARD

- - - - - X
 RE: 536 Washington Street :
 Block 204, Lot 24.02 : November 10, 2015
 Applicant: Grace & Lily, Inc. :
 Conditional Use Approval : 9 p.m.
 - - - - - X

Held At: 94 Washington Street
Hoboken, New Jersey

B E F O R E:

- Chairman Gary Holtzman
- Vice Chair Frank Magaletta
- Commissioner Brandy Forbes
- Commissioner Jim Doyle
- Commissioner Ann Graham
- Commissioner Caleb McKenzie
- Commissioner Rami Pinchevsky
- Commissioner Caleb D. Stratton
- 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
 CERTIFIED SHORTHAND REPORTER
 CERTIFIED REALTIME REPORTER
 Phone: (732) 735-4522

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

2 DENNIS M. GALVIN, ESQUIRE
3 730 Brewers Bridge Road
4 Jackson, New Jersey 08527
5 (732) 364-3011
6 Attorney for the Board.

7 JAMES J. BURKE, ESQUIRE
8 235 Hudson Street
9 Hoboken, New Jersey 07030
10 Attorney for the Applicant

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1 CHAIRMAN HOLTZMAN: Okay. Please
2 assume the position.

3 Thank you. Let's go.

4 CHAIRMAN HOLTZMAN: Mr. Burke, are you
5 ready for us?

6 MR. BURKE: I am, Mr. Chairman.

7 CHAIRMAN HOLTZMAN: Phyllis, are you
8 set?

9 THE REPORTER: Yes.

10 CHAIRMAN HOLTZMAN: Pat, we are good?

11 MS. CARCONE: Good.

12 CHAIRMAN HOLTZMAN: Mr. Peene, are you
13 done messing around, or can we get started?

14 COMMISSIONER PEENE: We can get
15 started.

16 CHAIRMAN HOLTZMAN: Thank you.

17 Mr. Burke, we are here for 713-715
18 Monroe Street.

19 Why are the guys in the back of the
20 room still talking so loud?

21 MR. GALVIN: We're talking about 536
22 Washington first, right?

23 CHAIRMAN HOLTZMAN: Yes. Mr. Burke's
24 other client, that's correct.

25 We have received -- no, you didn't get

1 a copy of this unfortunately. I don't think it was
2 distributed.

3 But, Dennis, please read the note from
4 Mr. Burke.

5 MR. GALVIN: "With reference to the
6 above-captioned resolution of approval, conditional
7 use permit Paragraph 4.B states: No food will be
8 prepared, served or sold in the tea shop.

9 "My clients are requesting an amendment
10 to this provision to allow the sale of sandwiches,
11 cookies and cakes in the tea shop. None of this,
12 however, will be prepared in the tea shop.

13 "The clients would also like to only
14 add a microwave oven, no gas or electric, to reheat
15 prepared food.

16 "Please advise how the change to this
17 resolution will be reviewed by the Planning Board
18 and whether an appearance is required."

19 CHAIRMAN HOLTZMAN: Mr. Burke, can you
20 give us a quick recap as to reminding us who this is
21 and the scope?

22 MR. BURKE: This was that Kung Fu
23 Tea --

24 CHAIRMAN HOLTZMAN: Kung Fu Tea, right.

25 MR. BURKE: -- and they had a

1 franchise. And when the applicants appeared, they
2 were very enthusiastic and stated on the record that
3 they would only serve teas, hot and cold, and
4 various drinks of that nature.

5 I recall the Chairman did ask them
6 point blank, "Will there be any food served? Are
7 you sure?"

8 And they said, "No, we are not
9 interested in serving food."

10 And now they are getting ready to open
11 up, and they came to my office and said, guess what,
12 we want to serve some food.

13 I said, well, you know, if you are
14 going to have an oven or anything of that nature,
15 that will change the whole course of the
16 application, but if it's only going to be limited to
17 some sandwiches or cookies prepared outside and
18 brought in with a microwave oven, no venting or
19 anything else required, then I would submit a letter
20 and see what the Board would do.

21 CHAIRMAN HOLTZMAN: So, Commissioners,
22 we kind of have a decision to make. There are two
23 ways that Dennis has advised we can approach this.

24 One would be that the applicant would
25 need to make a new application and, you know,

1 everything would stay exactly the same, and they
2 would admit to the, "We would like to add some
3 food," which we kind of asked them, I don't know how
4 many darn times to think about that again.

5 But we can do that, or we can do this
6 administratively and make this type of a change, and
7 Mr. Burke can draft off some type of a scope of
8 exactly what will be entailed there. It is up to us
9 really to make a decision.

10 VICE CHAIR MAGALETTA: Did the
11 neighbors get -- are the neighbors supposed to get
12 notice of this?

13 MR. BURKE: They would not --

14 MR. GALVIN: Let me just say routinely,
15 and I don't mean to cut you off, Jim -- routinely I
16 get requests in all of my Boards to make minor
17 modifications of the conditions of approval.

18 You are right, we didn't go into the
19 how and why of the cooking, but there wasn't any
20 public on this particular case, I don't think,
21 right?

22 VICE CHAIR MAGALETTA: Well, maybe
23 there would be, if there was food being served.

24 MR. GALVIN: It is not beyond the realm
25 of possibility. I agree with you, Mr. Magaletta,

1 so --

2 VICE CHAIR MAGALETTA: That's fine.

3 CHAIRMAN HOLTZMAN: But that could have
4 been introduced at the first meeting, and it wasn't,
5 and no one did show up, so...

6 MR. GALVIN: And there's no variances
7 required. This is a use that is permitted, and
8 what we would do is we would give notice, if you
9 feel that that is necessary --

10 VICE CHAIR MAGALETTA: I am just asking
11 procedurally, should notice have been given to the
12 neighbors. That's all I want to know.

13 MR. GALVIN: It doesn't have to be. I
14 think it is a gray area call.

15 We have to decide, is this so small
16 that we can just -- like a minor modification, we
17 can do. Anything that would require a variance, we
18 absolutely could not do. Okay?

19 And if it was something that was
20 discussed at the time of the hearing, I think it was
21 discussed at the time of hearing, we kept bringing
22 up that we don't think you could make it with just
23 tea, and he kept saying no, we're just having tea.

24 But I don't know what your pleasure is,
25 if you --

1 COMMISSIONER GRAHAM: If I could ask,
2 why would you need a microwave if you serve
3 sandwiches and cookies and cake? They don't --

4 MR. GALVIN: They're going to reheat
5 stuff.

6 COMMISSIONER GRAHAM: -- but they don't
7 need to be reheated, unless you're going to have --

8 CHAIRMAN HOLTZMAN: Hot cake with your
9 hot tea.

10 COMMISSIONER GRAHAM: -- okay. Well --

11 MR. GALVIN: I mean, the other thing
12 you can require renotice and have them come back and
13 ask for an amended approval.

14 COMMISSIONER PINCHEVSKY: I don't
15 recall the specifics of this application and the
16 conversation we had, but it seems like just from the
17 faces of the members of the Board, that some of you
18 do remember it.

19 COMMISSIONER GRAHAM: Uh-huh.

20 COMMISSIONER MC KENZIE: Yes.

21 MS. CARCONE: We did vote on it.

22 COMMISSIONER PINCHEVSKY: Was this a
23 main sticking point in terms of had we said no, we
24 did want -- we do want food, we do want a microwave
25 only, would that have possibly changed people's

1 votes?

2 CHAIRMAN HOLTZMAN: The conversation
3 was unusual in that they adamantly stated: We will
4 not be serving any food.

5 And we kind of gave them a lot of rope,
6 like, Are you sure? You might want to consider
7 doing this now, because you are going to have to
8 come back again and maybe start all over from square
9 one.

10 And this guy was rather adamant about
11 it, that is what stuck in my mind. It was like he
12 was kind of foolishly standing his ground on this,
13 and we were giving him -- and I don't want to speak
14 for the total Board, I'll speak for myself -- I was
15 comfortable with giving him the scope of kind of
16 what they are recommending here, but he wouldn't ask
17 for it.

18 So because I was willing to include
19 that with the initial application, in my own mind, I
20 am kind of okay with doing it now, even though it is
21 a little --

22 COMMISSIONER GRAHAM: I don't care.

23 Let him --

24 (All Board members talking at once.)

25 COMMISSIONER STRATTON: Gary, I am

1 leaning in that direction, but my only concern would
2 be that I don't remember there being really a
3 kitchen area or a prep area or a sink and --

4 COMMISSIONER MC KENZIE: You don't need
5 it.

6 COMMISSIONER STRATTON: -- cookies,
7 sandwiches, things that don't need to be reheated
8 seem to me like you are bringing that in. That is
9 good.

10 I am thinking of like a panini at La
11 Isla or like, what's the microwave, and how far --
12 and how much further does this go, if you're
13 reheating items that were already made.

14 I am kind of more along the lines of
15 like, you can bring it in, and you don't need to
16 reheat. If you want resell it, that's okay. But if
17 you are going to put in electronics or stoves or
18 like kitchen-related items, that should be reviewed
19 by this Board --

20 CHAIRMAN HOLTZMAN: Mr. Burke, can
21 you --

22 COMMISSIONER STRATTON: -- that are
23 different health code related items --

24 CHAIRMAN HOLTZMAN: -- yes, sure.
25 Mr. Burke, can you draft off something

1 with your client as to specifically what the heck
2 this is all about?

3 MR. BURKE: Sure.

4 I mean, I don't know if a microwave is
5 essential. It's just, you know, certain things
6 might be cold when they're brought in because
7 they're frozen or something else --

8 CHAIRMAN HOLTZMAN: Or if it is, let's
9 put it on the list and say if there is a sandwich
10 press, then let's --

11 MR. BURKE: -- I will say the
12 distinction that the Board should make is that if
13 they're going to do an oven and venting and things
14 of that nature --

15 CHAIRMAN HOLTZMAN: That's a no.

16 MR. BURKE: -- that would affect the
17 neighbors, but, you know, that's not what he's going
18 to do.

19 CHAIRMAN HOLTZMAN: We got that.

20 MR. BURKE: He is saying, you know,
21 prep food outside and bring it in and add it to
22 the --

23 CHAIRMAN HOLTZMAN: We got it.

24 Commissioner Graham?

25 COMMISSIONER GRAHAM: What kind of

1 precedent does this set, if we allow him to do this
2 without reapplying?

3 Can everybody else come in and do
4 something like this, too?

5 MR. GALVIN: Well, I see it, and again,
6 I am out every night of the week doing this, and I
7 think that with a minor modification to a condition
8 of approval, and you have to determine if this is a
9 minor modification to a condition.

10 If you think this is a complete C
11 change, and the public didn't get fair notice or
12 warning of this food use, then I think you have to
13 give notice, and you have to have an amended case.

14 I think that this is kind of pretty low
15 on my radar because we did talk about food, and I
16 think that the applicant foolishly said no.

17 We all kind of know, if you are going
18 to do coffee or tea, you have to have a couple of
19 eating items to go with it, right?

20 COMMISSIONER GRAHAM: Uh-huh.

21 MR. GALVIN: And so that is why I am
22 okay, I'm comfortable giving you the advice that we
23 could modify this condition. But the second we
24 start getting into serious stuff about cooking, then
25 I think you got to have them back.

1 But generally, sometimes people tell us
2 they are going to do a certain kind of light, and
3 then we find out that they can't do that light, and
4 they have to do a different light. I don't think we
5 have to reopen and make them file an amended
6 application for that. We can make a minor
7 modification of that condition.

8 COMMISSIONER GRAHAM: It's the
9 difference between knowing that you can't do
10 something, but not knowing that you should do --

11 MR. GALVIN: Well, or you run into --
12 or you say, sure, I will put that -- I will baffle
13 the air conditioner on level five, and then you find
14 out how much it costs, and you say, we can afford to
15 do level two, is that okay, and so you change the
16 condition of approval from level five to level two.

17 CHAIRMAN HOLTZMAN: Commissioner
18 Pinchevsky?

19 COMMISSIONER PINCHEVSKY: So the reason
20 I don't remember this is apparently because I wasn't
21 here for that meeting.

22 (Laughter)

23 So the question is: Am I even allowed
24 to be part of this conversation, and if this
25 required a vote, can I vote on it?

1 MR. GALVIN: I would recommend that you
2 don't vote, but I do think you could participate.

3 COMMISSIONER PINCHEVSKY: Thank you.

4 CHAIRMAN HOLTZMAN: Commissioners, what
5 I would like to offer is that Mr. Burke get with his
6 client and get us a very detailed list this time as
7 to perhaps what the scope of this food is or isn't,
8 what equipment there is or isn't.

9 Also to Mr. Stratton's suggestion, if
10 there is food, is there now an adequate cleanup
11 area, whatever --

12 COMMISSIONER STRATTON:
13 Refrigeration --

14 MR. GALVIN: Well, here is the
15 problem --

16 CHAIRMAN HOLTZMAN: -- sink,
17 refrigeration --

18 (All Board members talking at once.)

19 MR. GALVIN: -- listen, if it is
20 simple, then we can make the modification and
21 condition.

22 If it starts to become more
23 complicated, where we have to start considering all
24 of these things that you are raising --

25 CHAIRMAN HOLTZMAN: Then we're going to

1 have to start over.

2 MR. GALVIN: -- then he has to file an
3 amended something, and then we will consider it --

4 CHAIRMAN HOLTZMAN: So you will get us
5 some details on that.

6 MR. BURKE: I will.

7 MR. GALVIN: -- so you want to keep it
8 as simple as absolutely possible.

9 MR. BURKE: Thank you, Mr. Chairman.

10 CHAIRMAN HOLTZMAN: But you understand
11 the scope of where the concerns of the Commissioners
12 are?

13 MR. BURKE: I do. I do.

14 I just want to say one thing, though,
15 because, you know, my office is off of Washington
16 Street. If you go up and down Washington, a lot of
17 these businesses, they start up, and they have the
18 best intentions and they fail, and part of it is
19 there are costs involved.

20 I will just ask the Board, and I will
21 provide a letter asking sympathy, that, you know,
22 these people are spending a lot --

23 MR. GALVIN: We are. What we're saying
24 to you is the more complicated it becomes, we are
25 not going to be able to do it.

1 MR. BURKE: Right, understood.

2 CHAIRMAN HOLTZMAN: Great. Thank you,

3 Mr. Burke.

4 (The matter concluded.)

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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: 11/11/15
This transcript was prepared in accordance with
NJAC 13:43-5.9.

CITY OF HOBOKEN
PLANNING BOARD
HOP-15-11

- - - - - X
RE: 713-715 Monroe Street :
Block 82, Lots 7 and 8 : November 10, 2015
Applicant: 713-5 Monroe Street, LLC :
Minor Site Plan Review & Variances : 9:20 p.m.
- - - - - X

Held At: 94 Washington Street
Hoboken, New Jersey

B E F O R E:

- Chairman Gary Holtzman
- Vice Chair Frank Magaletta (Recused)
- Commissioner Brandy Forbes
- Commissioner Jim Doyle
- Commissioner Ann Graham
- Commissioner Caleb McKenzie
- Commissioner Rami Pinchevsky
- Commissioner Caleb D. Stratton
- 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
CERTIFIED SHORTHAND REPORTER
CERTIFIED REALTIME REPORTER
Phone: (732) 735-4522

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

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6 Attorney for the Board.

7 JAMES J. BURKE, ESQUIRE
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9 Hoboken, New Jersey 07030
10 Attorney for the Applicant

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I N D E X

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WITNESS

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BRUCE STIEVE

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PHILLIP ABRAMSON

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E X H I B I T S

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EXHIBIT NO.

DESCRIPTION

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Rendering

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Rendering zoomed out

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A-3

Aerial Photograph

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1 CHAIRMAN HOLTZMAN: Mr. Burke, let's
2 get going with 713-715 Monroe.

3 VICE CHAIR MAGALETTA: Just for the
4 record, I am recused on this application.

5 CHAIRMAN HOLTZMAN: Oh, you are?

6 VICE CHAIR MAGALETTA: Yeah.

7 Thank you.

8 CHAIRMAN HOLTZMAN: Thank you. But
9 don't go far.

10 VICE CHAIR MAGALETTA: Oh, I shant.

11 (Laughter)

12 All right. Thank you.

13 (Vice Chair Magaletta excused.)

14 MS. CARCONE: She gets to vote now
15 since Frank is recused.

16 CHAIRMAN HOLTZMAN: I'm sorry?

17 MS. CARCONE: Our new member gets to
18 vote now that Frank is recused.

19 CHAIRMAN HOLTZMAN: Oh, okay, great.

20 (Laughter)

21 (Board members confer)

22 CHAIRMAN HOLTZMAN: All right. Mr.
23 Burke, are you ready for us?

24 MR. BURKE: Yes, I am, Mr. Chairman.

25 CHAIRMAN HOLTZMAN: Thank you.

1 MR. BURKE: James Burke, representing
2 the applicant.

3 This application contemplates seven
4 residential units and five parking spaces.

5 The site is directly across from the
6 Monroe Center, and I was walking past there today,
7 and if you notice on Monroe Center, there are two
8 restaurants that are now -- one is open and one is
9 going to open apparently, and a cheese shop, which
10 is also advertising.

11 So the Monroe Center, and this Board,
12 you know, we have been involved in that a bit, has
13 done very well. It has successfully leased up a lot
14 of the space, and the result is there is a lot more
15 activity.

16 Parking in that neighborhood is very
17 difficult, and it should become worse when a park is
18 built in back of Monroe Center because there is a
19 lot of parking that is done there. So the result is
20 that we believe that this project, parking on site,
21 is a benefit, and it would help the neighborhood.

22 I will point out the density for this
23 project is actually 7.5 units, and the applicant
24 chose not to go up, but to actually round down, so
25 it is a seven-unit project. Five spaces are not

1 required. Two spaces would be required. So some
2 parking on site would be required. In essence, he
3 is asking for three additional spots and, you know,
4 really two, if you were to round up to the 7.5 and
5 look for the minor D variance, which would not be
6 before this Board, but it would go before the Zoning
7 Board.

8 Nevertheless, several of the variances,
9 not all of the variances, but several of the
10 variances are a direct result of the parking.

11 The lot coverage variance is due to the
12 parking. There is a small height variance. It is a
13 C variance. That's also due to the level of the
14 garage partly because of the flood zone, it has to
15 be lifted, but also partly because of the inclusion
16 of parking on the ground level, and then also the
17 rear yard setback variance is a result of the
18 parking, so this project generally revolves around
19 that parking requirement.

20 I have to my right Bruce Stieve. He is
21 the architect of record.

22 Mr. Chairman, or Dennis, please swear
23 him in.

24 MR. GALVIN: Raise your right hand, Mr.
25 Stieve.

1 Do you swear to tell the truth, the
2 whole truth -- there we go. Where is my sheet? The
3 old horse wants to go to the barn the wrong way.

4 (Laughter)

5 Do you swear or affirm that the
6 testimony you are about to give is the truth?

7 MR. STIEVE: Yes, I do.

8 B R U C E S T I E V E, Marchetto, Higgins, Stieve,
9 1225 Willow Avenue, Hoboken, New Jersey, having been
10 duly sworn, testified as follows:

11 MR. GALVIN: Do we accept Mr. Stieve's
12 credentials?

13 CHAIRMAN HOLTZMAN: Yes, we do.

14 MR. BURKE: All right.

15 So, Bruce, you've heard my
16 introduction, and please walk the Board through the
17 plans and the particular issues that surround the
18 building and the site.

19 THE WITNESS: Great. Thank you.

20 First, I would like to say I'm fighting
21 a cold, so please bear with me.

22 Again --

23 CHAIRMAN HOLTZMAN: It is on the record
24 now, Bruce, so you are guilty, if we all get sick.

25 THE WITNESS: Understood. I have been

1 trying to breathe in only and not breathe out.

2 (Laughter)

3 So tonight I have got drawings that
4 were submitted to the Board. They are now on the
5 easel, and I have a few exhibits. I don't know if
6 you want to mark them in the beginning or as we
7 introduce them.

8 MR. BURKE: As we do them, I will mark
9 them.

10 THE WITNESS: Okay.

11 As Mr. Burke said, this project is
12 located in the western side of Hoboken on Monroe
13 Street. It is across the street, it's actually east
14 of the Monroe Center. Monroe Center is a vital new
15 complex. It is really starting to come into its
16 own. It is, you know, a housing, commercial, retail
17 and art facilities, and it is again a converted
18 industrial building, so there is sort of an
19 industrial character in this end of town.

20 The characteristics of the rest of the
21 block architecturally to the north, we have a
22 five-story multi-family structure, four residential
23 floors over one of parking. That is at the
24 intersection of Monroe and 8th. To the south of the
25 site, we have two -- that was constructed also about

1 in the early 2000s.

2 We have two five-story buildings at the
3 corner of Monroe and 7th Street. Those were more
4 recent in the last five or ten years.

5 And then interspersed between that are
6 a series of smaller buildings between two and four
7 stories.

8 The project is mid block. It occupies
9 the site that is 50 by a hundred feet, and the rest
10 of the information on this sheet is the zoning
11 table. On the zoning table we identify all of the
12 compliant items as well as variances.

13 The variances that we are seeking,
14 again to reiterate, is lot coverage, building
15 height, rear yard, potentially roof coverage, and we
16 can discuss that. The facade ordinance and roof
17 deck position, because we have a roof deck in the
18 front yard, and I will get to that as we go through
19 the plans, that is Sheet A-1. Sheet A-1 identifies
20 the location of the project.

21 Sheet A-2 is the ground floor and the
22 site plan, and on this plan we will discuss a little
23 bit about lot coverage.

24 The project that is directly to the
25 south of us is an existing four-story residential

1 building. At one point in time it contained an
2 artist studio as well, and that project covers 100
3 percent of the site.

4 So to the immediate north of us is
5 another residential building, and that project
6 actually goes back 88 feet into the site, so we are
7 surrounded by two buildings that cover a larger
8 percentage of the site than they are permitted to.

9 When we look at this project, we have
10 been working on other projects in this area. We
11 have been meeting with the community groups. We
12 recently held a meeting at the Jubilee Center to
13 discuss a project that's happening in this area, and
14 one of the biggest concerns we heard from the
15 residents in that neighborhood is that parking is a
16 premium.

17 And when I say "premium," it is really
18 that there's a lack of parking for the residents in
19 this neighborhood, and there are concerns about
20 development of the property behind the Monroe Center
21 into a park is going to eliminate the parking that
22 is there now.

23 So it is something that we heard and
24 it's something that we are considering as we are
25 proposing this project to you.

1 The project is again for seven
2 residential units. They are looking to make condos
3 out of these units, so it is a different building
4 than a rental building, and so we looked at ways
5 that we could provide parking on site.

6 We don't want to park in the rear yard.
7 We don't want to have uncovered parking, so we are
8 contemplating doing covered parking.

9 We came before the TRC Committee with a
10 project that matched the property to the north,
11 which was 88 feet deep.

12 We understood that there were concerns
13 about coverage, and we were looking at ways that we
14 could reduce the amount of coverage that we were
15 proposing.

16 We went back in, and we looked at our
17 core, and we looked at our access aisles. We were
18 able to take an additional five feet out of what we
19 originally were contemplating proposing, so we were
20 able to reduce the coverage that we initially
21 proposed from 88 percent down to 83 percent.

22 What that does allow us to do is it
23 allows us to get five parking spaces inside the
24 building with an access aisle behind those spaces
25 that allows us to let cars pull into the building,

1 park, and then actually turn around inside of the
2 building and pull out of the garage in a forward
3 position, so they don't have to back out across the
4 sidewalk. They are pulling out forward.

5 We are also proposing to put planters
6 on either side of the garage to actually extend the
7 view of the driver as they pull out of the garage,
8 so that it will keep the pedestrians away from the
9 immediate adjacency of the building and give a
10 little bit more notice. Again, what we are trying
11 to look at is a safer way to put parking on the
12 site.

13 MR. BURKE: Now, there is a curb cut
14 there already?

15 THE WITNESS: That's correct.

16 There's a curb cut that exists on the
17 site. We are actually looking to relocate that curb
18 cut.

19 MR. BURKE: Why would you do that?

20 THE WITNESS: Because it provides us an
21 opportunity to combine our curb cut with an existing
22 fire hydrant location and allow for an additional
23 parking space on the street.

24 So not only would we be providing -- we
25 wouldn't be providing a new curb cut, where there

1 already is one, we would just be relocating that,
2 providing the off-street spaces and the ability to
3 get an extra parking space on the street.

4 In addition to the ground floor
5 parking, we also have the residential lobby location
6 and mail room. We have an indoor bike storage
7 facility for the residents.

8 We also have an access to an upper
9 level mechanical room, where we would be able to
10 locate all of our mechanical equipment out of the
11 flood elevation.

12 In addition to that, we have a --

13 CHAIRMAN HOLTZMAN: I'm sorry, Bruce,
14 can you just follow up on that a little bit?

15 THE WITNESS: Yes.

16 CHAIRMAN HOLTZMAN: Because I remember
17 taking a look at the plan, and maybe it was an
18 earlier set of the plans that I saw.

19 Can you tell us where those utilities
20 are located?

21 Can you show us that now?

22 THE WITNESS: Right. You are not
23 incorrect.

24 We currently show gas meters and
25 electric meters in the garage location. We've since

1 had a review -- since we prepared these plans, we
2 since had a review with the Flood Plain
3 Administrator for the City of Hoboken, and the one
4 thing that was mentioned was that we need to
5 actually relocate those meters and controls to that
6 mechanical room that we have on the second floor.

7 We provided that room anticipating that
8 electrical equipment and things like that would go
9 up there.

10 They are now telling us or requesting
11 that we remove all of the equipment up into that
12 room, so we will be doing that.

13 CHAIRMAN HOLTZMAN: So it's not --
14 unfortunately, it's not currently not shown on the
15 plans?

16 THE WITNESS: That's correct. We will
17 have to modify the plans to accommodate that. And,
18 again, that happened as a comment that came in after
19 we had submitted our plans.

20 MR. HIPOLIT: That's all of the meters,
21 gas and electric?

22 THE WITNESS: That's correct. Excuse
23 me.

24 CHAIRMAN HOLTZMAN: And sprinkler
25 mains, I assume, also things --

1 THE WITNESS: The sprinkler mains will
2 come in and the equipment will be on the upper level
3 as well.

4 Along with the sidewalk improvements,
5 we will be replacing the sidewalks and curbs in
6 front of the building. We show our typical details
7 for doing that.

8 We are proposing two street trees.
9 Those street trees will need to be approved by the
10 Shade Tree Commission. We have identified the
11 species on our drawings. We would sit with them and
12 review that.

13 We have some building base landscaping
14 that would be behind an iron gate.

15 And then in the rear of the yard, we
16 have a small 17 foot deep accessible area for the
17 residents, and in that space we are proposing to do
18 a few different things.

19 There is a perimeter planter that is
20 going to be raised, and then what we are proposing
21 to do is fill that area with crushed stone to create
22 a drainage bed.

23 Then on half of the property, we will
24 have a permeable paver patio, and on the other half
25 of the property we will have a sod lawn to create a

1 green space in the back and space that's usable by
2 the tenants, but a space that is also going to
3 assist in the water retention on the property.

4 As part of that water retention system
5 that we are seeking, our client is proposing to put
6 in a detention basin below the parking level. That
7 detention basin, should this project be approved,
8 needs to be engineered at a significant cost at this
9 point. However, it is going to be proposed as a
10 closed pipe system, and that is basically a system
11 where large pipes are put underneath the floor.

12 All of the rainwater that is collected
13 from the roof drains and the yard drains and the
14 terrace drains would be directed to this system. It
15 would contain the water during the storm event, and
16 then slowly discharge the water into the storm
17 system after the event has passed.

18 CHAIRMAN HOLTZMAN: And have you done
19 any calculations on that system?

20 THE WITNESS: We have not done the
21 calculations for that system as of yet.

22 CHAIRMAN HOLTZMAN: Do you have an
23 objective for that system as to what size storm and
24 what percentage of that size storm it would capture?

25 THE WITNESS: I am not an engineer. I

1 don't know that number --

2 CHAIRMAN HOLTZMAN: Okay.

3 THE WITNESS: -- but it is a number
4 that we would need to generate and propose.

5 CHAIRMAN HOLTZMAN: Right.

6 Andy, I know this is something that we
7 kind of drilled down into much deeper lately, as
8 opposed to just having a detention or retention
9 system, but actually putting some numbers on the
10 size of the storm and the capture rate and the
11 discharge rate, as we are all learning more about
12 these things.

13 Mr. Stratton, anything that you want to
14 give us as insight on that?

15 COMMISSIONER STRATTON: I think that we
16 want to be consistent with previous requests that
17 we've made. There's some pretty specific numbers
18 for the ten-year and hundred-year storm.

19 MR. HIPOLIT: Right.

20 Then North Hudson requires very
21 specific storage requirements. In all cases you
22 have to meet those minimums, but we would, in some
23 cases, we would love you to increase it.

24 THE WITNESS: Right.

25 CHAIRMAN HOLTZMAN: But we need some

1 calculations on that, so we know where we are at.

2 MR. HIPOLIT: Yeah. We have no calcs
3 on that.

4 THE WITNESS: Right.

5 MR. HIPOLIT: It would be great to have
6 some calcs. I mean, it is a basic calc.

7 You can do, you guys, or your engineer,
8 could do a basic calc on two pieces of paper
9 literally. You don't have to redesign the whole
10 discharge system, but you can give a calc.

11 THE WITNESS: Okay.

12 CHAIRMAN HOLTZMAN: Right. We're not
13 looking for -- and that is a misconception that we
14 have often had, which is everybody thinks they need
15 to come to us with the system plan.

16 We really don't care about the fitting
17 and the piping for it. We are looking for the
18 scope.

19 THE WITNESS: Right. Okay.

20 MR. BURKE: Just a question.

21 The backyard, will that get a lot of
22 natural sunlight?

23 THE WITNESS: Well, again, I think one
24 of the things that we're -- and I'll talk about it a
25 little bit more. I have some exhibits that I want

1 to show, but there are concerns about the rear yard
2 of this project, and I will get to that as we move
3 forward.

4 I'll just run through quickly the rest
5 of the sheets, so then I can get to my exhibits.

6 On Sheet A-3, we have the --

7 CHAIRMAN HOLTZMAN: Hey, can we just
8 move the whole thing?

9 We have nobody else, so let's move
10 everything a little bit closer for everybody.

11 THE WITNESS: Sure.

12 So Sheet A-3, again, these are the same
13 drawings that you have.

14 Sheet A-3 has the second floor plan,
15 and basically this shows that we are using the roof
16 of that garage space as additional outdoor space.

17 We are doing a raised planter area
18 again around the perimeter of that. We are doing it
19 for a few different reasons. We are using it as the
20 rail system to protect people up on that roof
21 terrace from getting too close to the edge, and we
22 are also using it again to contain and to draw and
23 to hold water, stormwater. The soil is going to
24 actually retain water.

25 We have two residential units on a

1 floor.

2 Again, you can see the mechanical
3 service area up on that second floor.

4 Excuse me.

5 The third and fourth floors again are
6 duplicates of two units on a floor.

7 There is an exterior fire stair in the
8 back of the building that comes down to the parking
9 garage level.

10 Then on the fifth floor, again, we are
11 going with seven units, so two units on a floor for
12 three floors, and then we have -- the fifth floor
13 has a single unit on it.

14 One of the things that we were doing
15 when we were looking at the facades was we were
16 looking at the neighboring buildings and realizing
17 that while there is five-story buildings on the
18 block, there is also a four-story line, so we looked
19 at setting back that top floor to kind of help
20 respect that lot frontage. And when we did that, it
21 also gave us an opportunity to use that as outdoor
22 space for that top floor unit.

23 So we saw it as an opportunity. We
24 realized that, again, the roof terrace is not
25 permitted in the front of the building, but they've

1 typically put it in the back of the building, but we
2 saw it as an opportunity to use the design of the
3 building and to use that roof terrace as an
4 opportunity to address the scale of the roof.

5 Again, we are lining that roof terrace
6 with a planter, so again, it is going to do two
7 things: It is going to help keep people from
8 getting to the edge of the building, and it also is
9 going to be creating a green feature.

10 Then we get to the roof plan.

11 On the roof plan, we are proposing to
12 utilize a green roof system. It is a tray system,
13 and it is a green feature of the building, and it
14 does more than -- it is more than just a literal
15 green feature. It helps do a series of different
16 things. It reduces the heat island effect. The
17 planting material itself cleans the air and it
18 retains stormwater in the soil.

19 Another feature that we were asked to
20 look into when we were designing this was the use of
21 roof drains that help hold small storm surge on the
22 roof system itself, and these are roof drains that
23 actually would hold a small amount of water on the
24 roof and then slowly let it out --

25 (Candy handed to the witness)

1 THE WITNESS: Thank you very much.

2 (Laughter)

3 -- and it does by -- it is actually a
4 series of different drains.

5 It's got a drain that has got a
6 telescope inside of it. As the water reaches that
7 telescope, it could rush in, and then there is a
8 series of smaller openings around the base that let
9 the water release slowly. Again, our anticipation
10 is that all of that water would collect in the
11 detention system under the garage.

12 Thank you.

13 Now, we will get to Sheet A-5. This is
14 the basic elevation sheet, and I am going to
15 introduce my first exhibit. I will mark this as
16 Exhibit A-1.

17 (Exhibit A-1 marked.)

18 This is a rendering or an artistic
19 rendering of the front facade of the building and
20 basically what we have done in looking at this
21 project, we looked at a lot of different things.

22 I am going to actually go to my second
23 exhibit.

24 MR. BURKE: Okay. A-2.

25 (Exhibit A-2 marked.)

1 THE WITNESS: This is A-2.

2 This is the same exact rendering. It's
3 just zoomed out a little bit further, so you can see
4 some of the context buildings.

5 The building to the right of the image
6 represents the five-story buildings to the south of
7 the site.

8 The building to the left of the image
9 represents a five-story building to the north of the
10 site.

11 Then you can see that there is a series
12 of smaller buildings within that space.

13 One of the things that we looked at was
14 an opportunity to actually reference some of the
15 smaller buildings and the height of our building by
16 bringing the brick facade up to a height that was
17 similar to those and then setting back that top
18 floor level and using a different material at the
19 top of that to lighten the building as it went up.

20 Being that we are across the street
21 from the Monroe Center, we thought that the scale of
22 the building should probably read a little bit
23 larger than what you might do normally on a Hoboken
24 block. This isn't really a normal Hoboken block.
25 You have a large scale industrial building has been

1 converted to commercial across the street.

2 Then you got some more contemporary
3 buildings on the bookends of the block that have a
4 more modern read, so we thought that this infilled
5 building should relate more to those buildings,
6 especially because some of the smaller buildings may
7 eventually be renovated in the future as well and
8 expand.

9 So that leads to the one variance, the
10 facade ordinance variance. And basically the facade
11 ordinance variance is designed to allow new
12 buildings to fit into the structure and character of
13 Hoboken's older block frontages.

14 In a residential neighborhood, if we
15 were to design a building on Bloomfield Street, we
16 might consider a much more appropriate or a
17 differently scaled building. But because this is on
18 Monroe Street across from Monroe Center, again, you
19 think it is appropriate to adjust the scale of the
20 building and the materials of the building, and
21 therefore, we think that it's appropriate to request
22 a variance from the facade ordinance in this
23 instance.

24 So what we are proposing on the facade
25 is a series of two colored bricks. One is a darker

1 red version, and the other is a little more of a
2 terracotta version. It helps adjust the scale again
3 to the smaller scale buildings of the mid block, and
4 then we use bay windows to accent the two end sides
5 of the units, so the units will have a bay window as
6 well. And, again, all encroachments, like bay
7 windows and yards, will be approved by others.

8 The rear facade of the building is
9 going to be brick also, and the fire egress stair is
10 going to be a painted metal.

11 The north elevation is basically
12 looking at the building from the side, and from that
13 you can see how the top floor steps back, and we are
14 using that front area as a roof terrace for that
15 unit facing the front.

16 The last thing I wanted to show is our
17 last exhibit, which we will call it Exhibit A-3.

18 (Exhibit A-3 marked.)

19 This is an aerial photograph that we
20 took of the site. This was taken just about a year
21 ago in December of 2014. My business partner got a
22 new toy for Christmas, and so he was out flying
23 around and shot this photograph of the site.

24 (Laughter)

25 Basically what you can see from this,

1 property to the north extends much further into the
2 site. It extends 88 feet deep into the site, and
3 again, it has a roof terrace that looks down into
4 this property.

5 So there are some unique conditions and
6 challenges associated with this piece of property in
7 that it is, you know, you got two roof decks that
8 are going to be looking down into this space.

9 This building already creates a
10 condition, where this is in shadow much of the time,
11 so we think that, again, it is an interesting
12 condition, a unique condition, that could be
13 addressed and helped by the fact that we could
14 incorporate off-street parking and raise our deck
15 levels up to the same levels of these, so that this
16 sort of backyard that used to occur down here now
17 occurs up here at that raised level, and that is
18 about that.

19 And just regarding the other variances,
20 just a couple of sort of I guess the architectural
21 observations.

22 Again, I spoke before about how we met
23 with the people in the neighborhood, and many of
24 them think that parking is an issue, and any parking
25 that we could provide would be appreciated.

1 There is an existing curb cut on the
2 street and the ability to combine that with the
3 location of the hydrant would allow us to provide an
4 additional on-street parking space --

5 MR. BURKE: Bruce, let me ask you one
6 question, so the Board is clear.

7 But for the ground floor parking, the
8 residential component, would that require a lot
9 coverage variance?

10 THE WITNESS: No. Actually the
11 residential component is compliant. It is 60
12 percent lot coverage, and it only extends back 60
13 feet, the permitted depth for the site as well.

14 MR. HIPOLIT: Where is the existing
15 hydrant on that plan?

16 THE WITNESS: The existing hydrant is
17 right in this location here.

18 MR. HIPOLIT: Okay.

19 THE WITNESS: Again, another important
20 feature of this is that we have the ability to be
21 able to turn the cars around in the garage, so that
22 they are not backing out over the sidewalk. They
23 actually are able to pull forward across the
24 sidewalk making that a safer condition.

25 MR. BURKE: Could you squeeze any more

1 from that garage at ground level? Can you squeeze
2 any of the square feet from the ground level?

3 THE WITNESS: It would be very
4 difficult to make the ground floor smaller.

5 The only thing we could really take
6 away is the bike storage area, and that I think is
7 probably becoming a more and more important feature
8 of the building.

9 In order to get ingress and egress out
10 of this garage, the only space that we could really
11 occupy is the back area here, so I really ultimately
12 might only be able to get two spaces in that garage,
13 where as with this series of conditions, we are able
14 to adjust it and pick up five parking spaces.

15 Going to the storm -- again, I think
16 one of the benefits of this project is the
17 stormwater management. Understanding that I don't
18 have the calculation calculated appropriately for
19 it, I think that there is a whole series of
20 benefits. The benefits of using an on-site
21 detention system obviously is a good improvement.

22 Using the gravel and the pervious
23 pavers in the rear of the yard will help. It helps
24 us to do two things: It allows us to raise the rear
25 yard without bringing infill and using that gravel

1 as a filter that lets the water down into the
2 detention system. I think that's a good thing.

3 Using the telescoping flow control roof
4 drains to slow and work as a benefit in small storm
5 events, I think is even a good thing.

6 And then obviously the benefit of a
7 green roof and planting areas on the rest of the
8 roofs helps reduce the water runoff.

9 As far as the building height goes, the
10 height that we are looking for is a minor increment,
11 and part of the reasons why we need to do that,
12 again, we are required to raise the building above
13 design flood elevation. In this instance when we do
14 that, the street elevations are about six feet, so
15 we need to raise it up to 14. That is an eight foot
16 difference already.

17 If we increase that just a little bit
18 more, we can provide parking off site -- on site, so
19 we need to raise that a little bit.

20 And then also one of the other features
21 I didn't discuss earlier is that one of the other
22 green features of the building, we are looking to
23 use a system called radiant heating in the floor.
24 And one of the benefits of radiant heat flooring, it
25 is basically a hot water tube that's laid on the

1 floor, and then it's coated in a Gyp-Crete, which is
2 a lightweight concrete material, and one of the
3 benefits of that system is it's a very efficient
4 heating system.

5 So what happens is: The water heats up
6 the concrete, and the concrete acts as a heat mass,
7 which that in itself is an interesting concept. But
8 in addition to that, what you are doing is you're
9 heating the floor in the lower levels instead of
10 blowing the heat down from the ceiling, because heat
11 rises.

12 So what you're doing is you heat the
13 floor, and then the heat will dissipate up, so you
14 are really actually keeping the area, where people
15 are, warm. And then because you are heating it en
16 mass, you're heating the whole floor system, it
17 retains the heat longer so that your heating and
18 energy costs go down.

19 So it is a little bit more expensive to
20 install, but it becomes a cost savings in the life
21 cycle of the building, and in order to do that and
22 still maintain ceiling heights that you would want
23 to see in a building like this, we are adding four
24 inches to each floor to achieve that, so the
25 thickness of the material for the radiant slab is

1 four inches.

2 MR. BURKE: So part of the height
3 requirement is due to that?

4 THE WITNESS: Right. Part of that is
5 due to a green feature of the building.

6 Other green features in this building,
7 obviously among the other things that we talked
8 about, the green roof, we would be using Energy Star
9 appliances. You would be using lower water
10 consuming plumbing fixtures, and so again, I think
11 that that combined with all of the other features
12 make this a green building.

13 Going on to the rear yard. Again, the
14 rear yard variances are kind of combined with the
15 lot coverage variance that we're seeking, but we are
16 making the best of the space that we have left. We
17 created this kind of green area in the back, but it
18 also is a great drainage component.

19 With regard to the roof coverage, it
20 was mentioned also in your planner's report that if
21 the green roof occupied 50 percent of the roof as it
22 stands, then this variance might go away.

23 As we stand right now in the coverage
24 calculations that I was doing, that I did, if we
25 calculated these two areas, the green tray areas

1 were just under slightly the 50 percent requirement.
2 However, if we are permitted to put a green roof on
3 top of the stair bulkhead and elevator bulkhead
4 areas, we would be over the 50 percent coverage.

5 I don't know how it reads in the new --
6 I don't know what the consideration is, whether this
7 bulkhead, the roof of this bulkhead, if it's green,
8 is considered in that calculation. But this area is
9 2500 square feet, and we would need to -- let me
10 just tell you what we have.

11 So 50 percent coverage would be 1250
12 square feet. Right now these two components add up
13 to 1148.

14 The bulkhead above the stair and
15 elevator is 300 square feet, so if we were even just
16 to green half of that, we would be at the 50 percent
17 requirement, and we would propose, if that's
18 acceptable, that is what we would do, therefore,
19 eliminating the requirement for the roof coverage
20 variance.

21 COMMISSIONER DOYLE: Do you have a deck
22 up there?

23 THE WITNESS: We don't have a roof
24 deck, no --

25 COMMISSIONER DOYLE: So you don't --

1 THE WITNESS: -- but it's just the
2 mechanical equipment coverage, I believe that is
3 part of it.

4 If we don't provide the 50 percent
5 green roof, then we still need to match the ten
6 percent requirement. I believe that is the case.

7 COMMISSIONER DOYLE: That is not -- the
8 50 percent pertains to a roof deck. You can have as
9 of right, you can have a 30 or 35 percent roof deck.
10 And if you want to make your roof deck bigger than
11 30 or 35 percent, you would have to have 50 percent
12 of the --

13 CHAIRMAN HOLTZMAN: Right. The way you
14 bonus into the deck is to increase your green roof.

15 COMMISSIONER DOYLE: Exactly. So you
16 have no deck there.

17 THE WITNESS: That's correct.

18 COMMISSIONER DOYLE: You don't need a
19 variance for that at all.

20 THE WITNESS: Well, the bulkhead itself
21 actually counts towards roof coverage, though.

22 COMMISSIONER DOYLE: But what I am
23 saying is the bulkhead is okay, because you have to
24 have access to the roof.

25 THE WITNESS: Right.

1 COMMISSIONER DOYLE: You don't need a
2 variance for the bulkhead.

3 And if you had no green roof, which we
4 obviously very much so want you to have, I just
5 think it is an extra variance that you don't --

6 CHAIRMAN HOLTZMAN: That you don't
7 need.

8 COMMISSIONER DOYLE: -- you don't need
9 to seek that.

10 CHAIRMAN HOLTZMAN: You don't need a
11 variance for that, no.

12 THE WITNESS: Okay.

13 COMMISSIONER DOYLE: This was a change
14 in the last -- since June, so it is new --

15 THE WITNESS: Okay.

16 CHAIRMAN HOLTZMAN: Right.

17 THE WITNESS: And, again, I know we are
18 kind of working through the interpretations of that,
19 but I appreciate that.

20 CHAIRMAN HOLTZMAN: No problem.

21 COMMISSIONER DOYLE: But that is great,
22 and you keep it, though.

23 THE WITNESS: We will keep it.

24 (Laughter)

25 MR. HIPOLIT: What is your roof

1 coverage of structures on the roof, not counting
2 obviously the green part of the roof?

3 THE WITNESS: That is what we have
4 listed. It is the 15 percent --

5 MR. HIPOLIT: What is it?

6 THE WITNESS: It's 15 percent. That
7 includes the residential mechanical units, the roof
8 access stair and the elevator bulkhead, and we also
9 included the rear stair access because, again, that
10 is how we used to do that calculation.

11 MR. HIPOLIT: We will have to check
12 that.

13 THE WITNESS: Okay.

14 And then the last variance or the two
15 other variances that I will discuss, the facade
16 ordinance, again, it is my opinion that the facade
17 ordinance is really set towards typical Hoboken
18 blocks. This is an atypical block. It is a unique
19 condition, and I think deserves the unique
20 architectural solution.

21 I think that what we are really trying
22 to do -- again, I'm referring back to Exhibit A-1 --
23 by sort of letting this building work well with its
24 neighbors, kind of adjusting the scale of the
25 masonry to reflect some of the lower buildings on

1 the block, and then setting back the upper floors
2 and changing materials -- I am sorry -- on the top
3 portion of the building.

4 And then the last item is regarding the
5 roof deck in front of the building. Again, I think
6 it is an opportunity to set that top floor back. It
7 is a unique condition. I hate to see it just be a
8 roof. It is really an opportunity for people to get
9 outdoors, especially on your largest unit, and that
10 is really all that I could say.

11 CHAIRMAN HOLTZMAN: Okay.

12 MR. BURKE: Bruce, on your zoning
13 chart, you mentioned the lot coverage. You have a
14 setback of 15 feet, but you said it was ten?

15 THE WITNESS: That's correct.

16 MR. BURKE: So that will just be a
17 minor -- that was a typo on the plans?

18 THE WITNESS: There were two typos on
19 my plans, and I apologize for those.

20 One was the existing setback of five
21 feet. Initially when we contemplated this project,
22 we had a five foot setback -- a five foot front yard
23 setback. That used to be required by the R-3. When
24 that was changed, we moved it forward, and we didn't
25 adjust that number.

1 The other one, which I am very
2 embarrassed to point out, is that we called this the
3 "Madison Street" elevation on our elevation
4 drawings, and I scolded my draftsman.

5 (Laughter)

6 COMMISSIONER DOYLE: It goes all the
7 way through to the other --

8 (Laughter)

9 MR. BURKE: Close.

10 THE WITNESS: -- so I marked it on my
11 drawings here for you all to see. It's actually the
12 "Monroe Street" elevation. My apologies.

13 CHAIRMAN HOLTZMAN: Thank you, Bruce.

14 Is that sort of the presentation at the
15 moment?

16 MR. BURKE: Yes.

17 CHAIRMAN HOLTZMAN: Mr. Hipolit, I know
18 that you had a couple of specific questions for
19 Bruce.

20 MR. HIPOLIT: I do.

21 So on the site in general, you
22 mentioned the site at one point -- can you put that
23 aerial back up?

24 THE WITNESS: Yes.

25 MR. HIPOLIT: This is a great aerial.

1 You should include that in all of your
2 presentations.

3 That site was used for manufacturing,
4 and the back of it even looks like it is in
5 disrepair.

6 THE WITNESS: Yes.

7 MR. HIPOLIT: Where is the site with
8 respect to the contamination, Phase 1, Phase 2,
9 those types of items?

10 THE WITNESS: I'm not aware -- I don't
11 know of any of that.

12 I know that it was a residential --

13 MR. BURKE: I will check with the
14 applicant because when we closed on the property, I
15 believe Phase 1 was complete, but I can't say that.

16 If I could have a moment, I could check
17 with him.

18 CHAIRMAN HOLTZMAN: Sure.

19 MR. HIPOLIT: Yes. Check with him.

20 That's important.

21 (Counsel confers with applicant)

22 MR. BURKE: The applicant states that
23 the Phase I was done, and it was clean, so no Phase
24 2 was required.

25 MR. HIPOLIT: Okay.

1 MR. BURKE: This was a thread
2 manufacturing plant years ago from what I
3 understand, so even though it was manufacturing, I
4 don't think it was ever heavy industrial --

5 MR. HIPOLIT: Just for the Board's
6 purposes, if you could turn something in on that.
7 We don't need your entire Phase I, but at least
8 state it in the conclusion of that document, saying
9 Phase 1 was done, and there is no contamination on
10 the property.

11 MR. BURKE: Sure, fine.

12 MR. HIPOLIT: Great.

13 Your generator is on the roof, so we
14 are going to want that to be a Type 3 sound
15 enclosure.

16 MR. BURKE: Yes.

17 MR. HIPOLIT: What that means is it
18 will be at 70 decibels or less when the enclosure is
19 put on it.

20 THE WITNESS: Yes.

21 MR. HIPOLIT: The stormwater detention
22 system, even though you are doing a good job giving
23 us roof scuppers and storing some water on the roof,
24 we don't want you to take any credit for that, so we
25 want the system to take a hundred percent of the

1 water down below and then release it over time at a
2 minimum to North Hudson's requirements.

3 THE WITNESS: Okay.

4 MR. HIPOLIT: So if you can give us a
5 basic calc on that, that would be great.

6 If you want to email that, I can look
7 at that also.

8 THE WITNESS: I will do that.

9 MR. HIPOLIT: The last question I have,
10 and it might be jumping too far ahead, was with
11 respect to coverage of the lot, so --

12 CHAIRMAN HOLTZMAN: Let's go to the
13 utilities --

14 MR. HIPOLIT: -- okay. I can do that
15 first.

16 CHAIRMAN HOLTZMAN: -- the second
17 floor.

18 MR. HIPOLIT: Yes. The utility
19 location, if you go to the second floor, your
20 electric room is kind of halfway back on the
21 structure on the side.

22 THE WITNESS: Again, I believe part of
23 what we are going to have to do is make that room
24 bigger.

25 MR. HIPOLIT: But it is also in the

1 wrong spot. So if you are going to service that
2 room with the gas meters, you got to be on the front
3 wall.

4 THE WITNESS: Right. It's
5 approximately on the front wall. What I imagine is
6 going to have to happen is we are going to extend
7 that room forward towards the front of the building.

8 MR. HIPOLIT: Okay. That would be
9 great.

10 The last generic question I have is
11 with respect to lot coverage.

12 Could you go to the parking plan?

13 THE WITNESS: Yes.

14 MR. HIPOLIT: So my struggle with this
15 plan from an engineering perspective, I don't see
16 any reason that you need covered parking.

17 So you have parking on there, and you
18 are making a generic statement that to get five
19 spaces in instead of two, I have to have this
20 structure --

21 THE WITNESS: Right.

22 MR. HIPOLIT: -- but it is in a flood
23 zone. Hypothetically, you could have the parking
24 open. It doesn't have to be covered. It is not an
25 ordinance requirement that I know of, is it?

1 MR. ROBERTS: No.

2 MR. HIPOLIT: So I just balance why for
3 you -- the question for you is --

4 THE WITNESS: Well, it is an
5 opportunity -- it is interesting that you point that
6 out. I mean, it would seem unusual to have parking
7 in the rear yard.

8 I believe it probably could be screened
9 well. You know, you probably could do a decorative
10 wall around it and then maybe a trellis structure or
11 something like that, and that may be a good
12 compromised solution. But we also see it as an
13 opportunity to provide outdoor space for those units
14 that look out on that space.

15 So, again, it is an opportunity. It's
16 a unique condition that we are trying to find a
17 solution that works on multiple levels.

18 MR. HIPOLIT: Okay. Those are all of
19 the general questions I have.

20 CHAIRMAN HOLTZMAN: Thank you.

21 Mr. Roberts, I know you had an
22 extensive report with some serious considerations.

23 MR. ROBERTS: Yeah. I think really,
24 though, it comes down to the variances.

25 I mean, I think a couple of the other

1 points Andy already brought out as far as things
2 like the generators that we always talk about, but I
3 think it comes down to the donut, which has been a
4 consideration in every application the Board sees,
5 and the trade-off as to whether the Board feels that
6 the benefit of the parking outweighs the loss of the
7 donut in the back, and that goes to the coverage
8 variance as well, because that affects the drainage,
9 and that if the -- the Board would have to be
10 comfortable with that, I think, that the applicant
11 has gone far enough with the stormwater procedures
12 that they have implemented to justify the -- to
13 compensate for the coverage.

14 And I think what I am hearing is that
15 there is -- the donut has been compromised already,
16 on the other hand, this is a new opportunity to
17 increase the donut, so --

18 MR. HIPOLIT: But I think, if I may
19 say, the reason I asked the question about the
20 parking was if I go back to the aerial again, and I
21 am not lobbying to make your building smaller or
22 bigger, but the buildings on both sides of this
23 building are older, smaller buildings --

24 CHAIRMAN HOLTZMAN: Bruce, can you make
25 sure you point out exactly which of the buildings

1 are that you guys are dealing with?

2 THE WITNESS: Right.

3 This is our rear -- the rear yard of
4 the current structure on our property.

5 This is the building directly to the
6 south, which goes back a hundred feet.

7 This is the building to the north,
8 which goes back 88 feet.

9 MR. HIPOLIT: But to both the south and
10 the north, to the south, you have two very smaller
11 lower level buildings, and to the north you have two
12 older buildings. Realistically they are going to
13 go.

14 CHAIRMAN HOLTZMAN: Uh-huh.

15 MR. HIPOLIT: So that if you preserve
16 the donut coming down the line from the north, you
17 know, the thing the Board has to consider is: Are
18 you encroaching -- are you using two older buildings
19 or three older buildings as a basis for something
20 that will be gone. That is what you have to
21 consider.

22 CHAIRMAN HOLTZMAN: You know, it's in
23 recent history that we learned our lesson about lot
24 coverage and using the judgment or lack thereof, of
25 older buildings that abutted the building that we

1 were dealing with in an application --

2 MR. HIPOLIT: They are gone in that
3 case.

4 CHAIRMAN HOLTZMAN: -- and then in the
5 blink of the eye, one of the older buildings was
6 also gone, and we had lost the opportunity to
7 potentially recapture a significant part of the
8 donut, which would have, had we gone a different way
9 with the application, we could have doubled what we
10 were capturing in that case.

11 You know, and I think if you snapped a
12 chalk line from the larger contemporary builder to
13 the north and the larger contemporary building to
14 the south, they are both at 60 feet, but I will let
15 the Commissioners weigh in on that.

16 MR. ROBERTS: One other point, Mr.
17 Chairman --

18 CHAIRMAN HOLTZMAN: Sure, go ahead.

19 MR. ROBERTS: -- that I am thinking of
20 is that we project that out into the future, if the
21 variance were granted, and the parking lot facing
22 the other side of the block came in with a
23 development project and potentially they would use a
24 smaller donut on this side to justify a smaller
25 donut on that side, so that is another

1 consideration.

2 I don't know who owns the parking lot
3 and what the status of it is, but we actually had an
4 application very recently where it was just a
5 parking lot that was infilled.

6 CHAIRMAN HOLTZMAN: That is right.

7 MR. BURKE: Mr. Chairman, let me just
8 say one thing.

9 I know these are only C variances, but
10 we do have a planner. So Mr. Stieve has concluded,
11 so I would ask that the questions just be asked of
12 Mr. Stieve, and then we allow the planner to come
13 up.

14 CHAIRMAN HOLTZMAN: Sure.

15 Are there any questions for the
16 architect?

17 Sure, Rami.

18 COMMISSIONER PINCHEVSKY: Can you
19 explain -- thank you, Mr. Chairman.

20 Can you explain in the bike storage,
21 what -- are there any further details, other than
22 just bike storage for that room, or is it going to
23 be four walls --

24 THE WITNESS: No. At this point we
25 hadn't contemplated anything. Being that this is

1 considered as a condo project --

2 COMMISSIONER PINCHEVSKY: Uh-huh.

3 THE WITNESS: -- there may be different
4 systems available for -- we could, you know,
5 consider a wall hung system. We could consider wall
6 rack systems. However, the room itself is quite
7 big. I could tell you about the dimensions of it.

8 The room is 13 by 20.

9 COMMISSIONER PINCHEVSKY: Yeah.

10 So I guess my concern is that bike
11 storage looks good, and we're, you know, it's like a
12 flashy word to say bikes in a plan. But what is to
13 prevent the condo association, once it becomes, you
14 know, their own body, to make that something
15 completely different?

16 So is that really just a storage area
17 to be determined -- its use -- for its use to be
18 determined?

19 THE WITNESS: Again, at this point we
20 are calling it a bike room. If you want to put
21 controls to keep it a bike room, we can identify
22 rack systems that could be mounted on the walls.

23 CHAIRMAN HOLTZMAN: Well, there is also
24 usually strollers and also assorted other stuff.

25 What was your concern?

1 COMMISSIONER PINCHEVSKY: Correct.

2 Well, I was just wondering if there was
3 any further details, if there were already plans for
4 it to be, you know, because we're calling it bike
5 storage, to have -- every size -- I think --

6 MR. HIPOLIT: Cornholes.

7 COMMISSIONER PINCHEVSKY: -- did we
8 just discuss before about bike racks with locks on
9 it and things along that, so if the bike storage,
10 you know, I just wasn't sure if there was already
11 plans for that room to include those types of
12 devices, or if it's really just a storage room that
13 a possibility would be for bikes.

14 THE WITNESS: No. Again, a condo
15 building is different than a rental building.

16 COMMISSIONER PINCHEVSKY: Yup.

17 THE WITNESS: I believe in a rental
18 building, you do have to put controls in place, like
19 designated areas for people to do their different
20 things, maybe have locks on those bike racks, so
21 that they are secured. But I think in a condo, it
22 is a little bit different.

23 I do agree that there is probably going
24 to be some storage, you know, if you have got a
25 family, you are probably going to put your kids'

1 bikes down there, your strollers, scooters, things
2 like that.

3 COMMISSIONER PINCHEVSKY: Yeah.

4 Because I live in a condo, and I know
5 that things that were originally in a plan as, you
6 know, sold as something, you know, never became
7 that, so that is why I was just wondering if it was
8 really a storage area that could be used for many
9 different things, that's great. But -- or if it's
10 designated as a bike zone, and then there are plans
11 for it, but that's fine. You certainly answered the
12 question.

13 Thank you.

14 I don't know if this would be for you
15 or not, but I remember with the antennas, there
16 being a fire access issue on the roofs when they put
17 the antennas too close to the middle, so I'm
18 wondering if it's the setback of the balcony would
19 also have any sort of fire access issues for
20 firefighters trying to provide --

21 MR. GALVIN: No. The answer there was
22 they didn't want the firemen to walk in front of the
23 antennas because of the radiation.

24 COMMISSIONER PINCHEVSKY: But they also
25 said -- yeah. But they also said that the

1 firefighters needed to be -- well, of course. So
2 they didn't want to put them on the side. I believe
3 that what was mentioned was that the firefighters
4 wanted to be able to go up the middle -- well, it
5 doesn't matter. They wanted roof access, so
6 regardless of the antennas, what I got out of it was
7 they want roof access, and does the setback of the
8 outdoor space on the penthouse unit, does it prevent
9 the firefighters from gaining roof access?

10 THE WITNESS: The answer to that is no
11 because we have an internal stair that the fire
12 department will be using for access to the roof, and
13 that goes directly to the roof, so --

14 COMMISSIONER PINCHEVSKY: What if they
15 wanted access from the outside?

16 THE WITNESS: They can still access it
17 from the outside. However, whatever ladder trucks
18 they have, they can go up to the front of the
19 building --

20 COMMISSIONER PINCHEVSKY: I'm sorry.
21 So they would what?

22 They would get on to that outdoor space
23 and then there is a stair on there to get on to the
24 roof?

25 THE WITNESS: No. Ultimately, again, I

1 don't know how firefighters fight fires. But
2 building codes require us to provide roof access
3 from the interior of the building, which we have
4 done. We have met all of the fire requirements from
5 the building code perspective.

6 CHAIRMAN HOLTZMAN: The wireless issue
7 was there was metal bracing that went across from
8 parapet wall to parapet wall, so they didn't want
9 the firefighters to have to encounter that, so they
10 needed to create a walkway that went over it. There
11 is nothing like that here.

12 If the firemen still need to put the
13 ladder against the building, as long as there's
14 nothing stopping them, they are not going to care
15 about the green roof or anything else that's in
16 their way.

17 COMMISSIONER PINCHEVSKY: I know. But
18 it is set back, so the ladder can't reach the roof
19 now because it's further -- with the angle of the
20 ladder --

21 CHAIRMAN HOLTZMAN: How about this?

22 I don't think no one here, certainly
23 not Bruce, since he has denied all responsibility
24 for firefighting, knows anything about this.

25 (Laughter)

1 COMMISSIONER PINCHEVSKY: He said --

2 CHAIRMAN HOLTZMAN: How about this?

3 We are going to check with the fire
4 department to make sure they are okay with it --

5 MR. BURKE: It's part of the site plan.

6 CHAIRMAN HOLTZMAN: -- right? Because
7 nobody here can answer this accurately.

8 THE WITNESS: I do know that I met the
9 building code requirements for fire department
10 access to the roof.

11 CHAIRMAN HOLTZMAN: Throw us a bone,
12 and we are going to make sure we get it good.

13 COMMISSIONER PINCHEVSKY: Yeah. Just
14 to me, it is conflicting with something another
15 applicant said. That's why I'm just bringing it up
16 and why we're checking.

17 The parking -- I think you mentioned,
18 and you talked to a lot of the neighbors in the
19 area, and this is -- additional parking is something
20 that they would appreciate.

21 Are any of these spots being given to
22 the neighbors that you spoke with?

23 THE WITNESS: No. These spots are
24 dedicated to the building use.

25 COMMISSIONER PINCHEVSKY: So how, I

1 guess, how are they appreciating it?

2 Like if it's a benefit, how are they
3 appreciating this benefit?

4 THE WITNESS: Well, again, I think we
5 would be removing --

6 COMMISSIONER MC KENZIE: Getting cars
7 off the street.

8 THE WITNESS: -- cars for people that
9 might live in the building that might park on the
10 street would then be able to park in the building.

11 COMMISSIONER PINCHEVSKY: But you're
12 adding -- so you are adding more residential units
13 that are bringing the people, and then you're going
14 to give five of the seven parking spots, so
15 essentially you're actually -- okay. I guess I'm
16 just not seeing the math there -- but getting them
17 to the parking -- given that it is a condo, are
18 these going to be deeded spots for five out of the
19 seven units, or how will that work, or will they be
20 retained by the owner?

21 MR. BURKE: No. They would be deeded
22 spots to sell to the seven purchasers.

23 COMMISSIONER PINCHEVSKY: And sell, as
24 in not a monthly, like a --

25 MR. BURKE: Purchase --

1 COMMISSIONER PINCHEVSKY: --

2 purchase -- one time purchase --

3 MR. BURKE: -- it would either be part
4 of a unit or it would be a separate dead actually,
5 but it would be dedeed.

6 COMMISSIONER PINCHEVSKY: Okay.

7 And then I also wanted to touch on the
8 donut discussion before, but I don't know if we're
9 deferring that discussion until after the planner
10 speaks --

11 CHAIRMAN HOLTZMAN: We are going to go
12 into that with the planner.

13 COMMISSIONER PINCHEVSKY: -- right.
14 Yeah. So I will reserve my opportunity to speak on
15 that.

16 CHAIRMAN HOLTZMAN: No problem.

17 COMMISSIONER PINCHEVSKY: Thank you
18 very much.

19 CHAIRMAN HOLTZMAN: Any other questions
20 for the architect?

21 Councilman, you said --

22 COMMISSIONER DOYLE: Yeah, I had a
23 question or two.

24 You testified that the size of this 83
25 percent lot coverage first floor, we just had an

1 application within the last month, where at 70
2 percent lot coverage with a 50 by 100 foot property,
3 they had seven cars.

4 And I am mystified that an extra 13
5 percent and minus two cars, you know, even if you
6 put the bikes on the walls in the inside, which is
7 what often is the case, essentially above your car,
8 you could have a couple bike racks on the wall.

9 I am having a hard time understanding
10 the justification for this additional -- essentially
11 it's 23 percent beyond the allowed lot coverage, but
12 why you can't fit more cars in there, and that is a
13 question for you, if you want to think about that.

14 CHAIRMAN HOLTZMAN: Councilman, could I
15 ask that maybe we direct that one to the planner?

16 I think that's going to be part of
17 the --

18 COMMISSIONER DOYLE: But he is the
19 architect.

20 CHAIRMAN HOLTZMAN: No. I understand
21 that, but I think it is part of the lot coverage
22 conversation that everybody seems to be wanting to
23 have.

24 If there are no other questions for the
25 architect, maybe we will move along to the planner,

1 so we can get to those conversations.

2 MR. GALVIN: Now, Can I --

3 MR. BURKE: One thing, Mr. Chairman --

4 CHAIRMAN HOLTZMAN: Mr. Galvin?

5 MR. GALVIN: I want to give Mr. Matule
6 a chance to address the Board.

7 CHAIRMAN HOLTZMAN: Oh, Mr. Matule.

8 MR. MATULE: Yes, Mr. Chairman.

9 (Laughter)

10 CHAIRMAN HOLTZMAN: So nice of you to
11 come to one of our meetings.

12 MR. MATULE: It's always a learning
13 experience.

14 But in light of the hour and the fact
15 that my planner is still on his feet at another
16 hearing, I am wondering if we could carry our
17 matter. I know there is a meeting December 1. I
18 don't know what the availability of space is, but we
19 would like to carry it to December 1 with no further
20 notice, if that is the Board's pleasure.

21 CHAIRMAN HOLTZMAN: Pat, do we have --

22 MS. CARCONE: Yeah. Right now December
23 1st looks good. I mean, after our work session on
24 Thursday, everything is going to --

25 CHAIRMAN HOLTZMAN: It is going to go

1 south real quick.

2 MS. CARCONE: -- it's going to change.

3 MR. MATULE: That is why I want to get
4 my dibs in today.

5 (Laughter)

6 CHAIRMAN HOLTZMAN: We would like to
7 have you stay and entertain us later this evening,
8 Mr. Matule.

9 MR. MATULE: Well, I would be happy to
10 stay, but I don't think it would make sense to put
11 my architect on without my planner. Either way, I
12 am going to have to come back another night. I'd
13 rather do it all at once.

14 CHAIRMAN HOLTZMAN: If there are no
15 objections from any of the Commissioners, we will
16 carry Mr. Matule's application to December 1st.

17 MR. MATULE: Thank you very much.

18 MR. GALVIN: We need a motion and a
19 second to carry the matter to December 1st without
20 further notice.

21 COMMISSIONER FORBES: So moved.

22 COMMISSIONER PEENE: Second.

23 CHAIRMAN HOLTZMAN: Pat?

24 MS. CARCONE: Want to do all in favor
25 or vote?

1 CHAIRMAN HOLTZMAN: All in favor?

2 (All Board members answered in the
3 affirmative.)

4 MR. MATULE: Very good. Thank you. I
5 appreciate it.

6 CHAIRMAN HOLTZMAN: Good night, Mr.
7 Matule.

8 MR. MATULE: Have a good evening.

9 MR. BURKE: Mr. Chairman, before I
10 bring the planner up, the question posed by the
11 Councilman, Dave Roberts and I spoke a little today,
12 and I don't know if this is the project that you
13 were referring to, but there's some sort of --

14 MR. ROBERTS: No. I don't think Jim
15 has seen that one yet --

16 MR. BURKE: Because there was one, I
17 guess, with some mechanical lazy Susan, where the
18 cars would come in and go --

19 MR. GALVIN: The James Bond or Batman.
20 I like Batman.

21 MR. BURKE: Yes, yes.

22 THE WITNESS: Again, if I could just
23 address that a little bit, too.

24 I am not sure if you were to take an 18
25 foot space and a 20 foot drive aisle, which doesn't

1 leave you enough room for access and mechanicals and
2 mechanical access, I don't believe there would be a
3 way to fit in a 55 foot wide dimension.

4 COMMISSIONER DOYLE: I mean they did
5 it, and it was approved, but --

6 COMMISSIONER STRATTON: But --

7 CHAIRMAN HOLTZMAN: Go ahead, sure.

8 COMMISSIONER STRATTON: The mechanical
9 equipment is getting elevated to the second floor?

10 THE WITNESS: But you still have to
11 provide access to that.

12 COMMISSIONER STRATTON: Through the
13 first floor?

14 THE WITNESS: In this case we are, yes.

15 CHAIRMAN HOLTZMAN: Some of it comes
16 through the basement, like we learned about the gas
17 meters obviously.

18 THE WITNESS: Yeah. Everything still
19 comes in through the --

20 COMMISSIONER STRATTON: I actually
21 think that this is an architectural question and not
22 a planning question, so I think --

23 CHAIRMAN HOLTZMAN: Go ahead.

24 COMMISSIONER STRATTON: -- that this is
25 really a key to what we are going to be discussing

1 one of the other relief is for the front deck. And
2 you explained the shifting of the building, and why
3 that space was there. Could you explain a little
4 bit more about the size of that space?

5 I think probably one of the reasons why
6 the ordinance was avoiding front decks was to avoid
7 situations where gatherings could take place on the
8 street side of the building just to prevent
9 disturbance to the neighbors and so on.

10 I'm just curious. It looked to me
11 almost like more like a balcony --

12 THE WITNESS: It is. It is. It's
13 not -- you know, I guess by definition, it is a
14 terrace, because a balcony would be cantilevered off
15 the building.

16 It's approximately -- again, we
17 provided a three foot planting buffer around the
18 entire perimeter, so it ends up being about seven
19 feet deep --

20 MR. ROBERTS: Right. So there is --
21 what would be the square footage roughly?

22 THE WITNESS: About 300 square feet.

23 CHAIRMAN HOLTZMAN: Director Forbes?

24 COMMISISONER FORBES: Yes, I got a
25 question.

1 So it appears that you have bay
2 windows. Is it expected that those are going out
3 into the right-of-way?

4 THE WITNESS: Yes, they're cantilevered
5 to the right-of-way.

6 COMMISSIONER FORBES: Like, to me, that
7 is a concern. You know, I appreciate like the upper
8 floor and having, you know, that not impede. But
9 now you are creating an actual livable space that is
10 in the city's right-of-way. It is actually, you
11 know, expanding what livable space is there with
12 these bay windows. It is just something that is a
13 concern of mine.

14 I appreciate wanting to have, you know,
15 differing facades, so there is an interest.
16 However, you know, that bay window is something that
17 is occupying the city's right-of-way.

18 CHAIRMAN HOLTZMAN: Right.

19 In previous applications when a
20 building has encroached on the city's right-of-way,
21 what has often been offered is some type of a
22 component to the neighborhood that offsets the
23 taking of the public's property, and maybe that is
24 some type of a contribution for additional shade
25 trees for the street and the neighborhood. Other

1 people have upgraded local parks.

2 You know, if there is a taking of the
3 public property, which I think the Director is
4 rightfully pointing out, I think, you know, there
5 sometimes needs to be an offset in terms of what the
6 public gets out of that.

7 MR. BURKE: Seems like a fair trade.

8 THE WITNESS: If I could just respond
9 to that a little bit, too.

10 On Sheet A-6, we presented a street
11 front, a block elevation. There is a series of bay
12 windows that occur on that block already.

13 This building has a whole series of bay
14 windows.

15 This building has a bay window, and
16 this building has a bay window, so I don't think it
17 is out of character with the street front, and it's
18 permit -- it's -- again, it has to be approved by
19 others.

20 CHAIRMAN HOLTZMAN: It is not
21 permitted, so please don't say that.

22 THE WITNESS: I didn't say "permitted."
23 I stopped myself before I said that, but it does
24 have to be approved by others.

25 CHAIRMAN HOLTZMAN: Correct.

1 COMMISSIONER FORBES: And that is
2 something that comes up at the City Council every
3 single time that there is some encroachment in the
4 city's right-of-way, it puts the City Council in the
5 situation of having to evaluate, not knowing what
6 the Board may have considered, not understanding all
7 of that information, and then they feel like this
8 has already been approved. People are going to go
9 ahead and put -- you know, so it puts that in an
10 uncomfortable position for the City Council, and yet
11 it is an encroachment in the city's right-of-way.
12 That is the city's space, and you know, residents,
13 like that is their space --

14 CHAIRMAN HOLTZMAN: And I think it is
15 an enhancement to the look of the building --

16 COMMISSIONER FORBES: Agreed.

17 CHAIRMAN HOLTZMAN: -- but on the other
18 hand, maybe they could also default to where they
19 started with this, which was they originally
20 decided -- said that they thought of having the five
21 foot setback at which point the bays would be on
22 their property.

23 COMMISSIONER FORBES: Right.

24 CHAIRMAN HOLTZMAN: Mr. Roberts, did
25 you have anything else that you wanted to add?

1 MR. ROBERTS: Those were the main
2 things, Mr. Chairman. I think, other than that,
3 Andy covered some of the overlap in our letters.

4 CHAIRMAN HOLTZMAN: Thank you.
5 Commissioners, any other questions
6 for --

7 COMMISSIONER PINCHEVSKY: Would the
8 planters in front of the garage also be in the
9 city's --

10 COMMISSIONER FORBES: Yes.

11 CHAIRMAN HOLTZMAN: Yes.

12 (Board members confer.)

13 MR. BURKE: Can we start?

14 MR. GALVIN: Raise your right hand.

15 Do you swear or affirm that the
16 testimony you are about to give is the truth?

17 MR. ABRAMSON: I do.

18 P H I L L I P A . A B R A M S O N, PP, Topology,
19 NJ, LLC, having been duly sworn, testified as
20 follows:

21 MR. GALVIN: Okay. Tell us your name
22 and spell your last name.

23 THE WITNESS: Sure. My name is
24 spelled Abramson, A-b-r-a-m-s-o-n.

25 CHAIRMAN HOLTZMAN: Thank you.

1 MR. GALVIN: Okay. Mr. Abramson.
2 Now, you are a professional planner. Is that
3 correct?

4 THE WITNESS: Yes, I am.

5 MR. GALVIN: Now, provide us with three
6 Boards you have appeared before recently.

7 THE WITNESS: I am the Board Planner
8 for the Planning Board and Zoning Board in
9 Morristown.

10 I have appeared before South Orange,
11 Fair Lawn, Roselle, and -- that was three, right?

12 MR. GALVIN: Yes.

13 And you have a Principal Planner's
14 license?

15 THE WITNESS: Yes, I do.

16 MR. GALVIN: Do you have a number?

17 THE WITNESS: I don't, not on me.

18 (Laughter)

19 COMMISSIONER PEENE: It's right on
20 here.

21 MR. GALVIN: Never mind. That's okay.

22 CHAIRMAN HOLTZMAN: So, Mr. Peene,
23 since you are helping our planner out, did you want
24 to give us his planner's license number?

25 COMMISSIONER PEENE: No, but it was

1 reflected in his report.

2 CHAIRMAN HOLTZMAN: Okay.

3 THE WITNESS: And it is in good
4 standing with the State of New Jersey.

5 MR. GALVIN: That's really good.

6 Do we accept his credentials?

7 MR. HIPOLIT: Well, he is in
8 Morristown. That's right next to me.

9 CHAIRMAN HOLTZMAN: I think he should
10 show up with a card the next time, but we will
11 accept him, yes.

12 (Laughter)

13 THE WITNESS: Thank you again, Mr.
14 Chairman, and Board members

15 MR. BURKE: Phil, you prepared a
16 report, which was distributed, but you also heard
17 testimony tonight, and you heard questions from the
18 Board, so please give the Board the benefit of your
19 analysis, focusing on some of the items, which were
20 brought up, which was the lot coverage and the
21 parking.

22 THE WITNESS: Yeah.

23 You know, in light of the hour and the
24 fact that this Board has really gotten into so much
25 of the meat of the details, and I think also to the

1 crux of the matter in terms of the interplay between
2 coverage, the provision of parking within the
3 structure and the insufficient rear yard, I think
4 your planner was correct, it comes down to the
5 variances, so that is where I am going to start.

6 There are seven variances in total.
7 There is three feet above the design -- the maximum
8 height, 43 feet versus 40 feet.

9 Excessive lot coverage: 83 percent on
10 the ground floor versus 60 percent permitted.

11 Insufficient rear yard setback: 17
12 feet on the ground floor versus 30 feet permitted,
13 but there is 35 feet setback, rear yard setback on
14 the upper stories.

15 Excessive building depth, again, 83
16 feet versus 70 feet.

17 Excessive roof coverage, 15 percent
18 versus ten percent.

19 The roof deck in the front yard, which
20 was recently just discussed, and the insufficient
21 facade area comprised of masonry or stone versus
22 metal, which is the case here.

23 So it is my opinion that the Board, if
24 it were so inclined, could defensibly justify all of
25 these variances under the C-2 standard of the New

1 Jersey Municipal Land Use Law.

2 The C-2 standard is a flexible standard
3 as opposed to the C-1 standard, which would put the
4 burden upon us to demonstrate a hardship to this
5 Board, which is probably not the case.

6 But the C-2 variance, in short,
7 suggests that what we put forth this evening is a
8 better zoning alternative than a fully compliant
9 application would be.

10 So why do we say that, and how does the
11 statute instruct us, and how does the case law
12 instruct us to make that conclusion?

13 And it looks at basically two criteria,
14 the positive criteria and the negative criteria.

15 Positive criteria considers the extent
16 to which the variances and even as the project as a
17 whole advances the purposes of the city's master
18 plan and the purposes of zoning.

19 And then on the negative side, does
20 this harm cause substantial harm to the public, and
21 does it harm your plan and your zone plan.

22 So I am going to start with the
23 excessive height, and there is again three
24 additional feet above base flood elevation. This is
25 a result of a few design decisions that were made.

1 Number one, that there is parking on
2 the first floor. We went to a ten foot first floor
3 and the -- each story after that picked up an
4 additional two feet, than if we went to the absolute
5 minimum floor-to-floor heights, and some part of
6 that is about the radiant floor heating in between
7 the slab.

8 And so that on the positive side, you
9 know, this allows for the floors to be occupied, and
10 Purpose E of the zoning -- of the Municipal Land Use
11 Law is to promote appropriate population densities
12 to support the well-being of the community, so --
13 and this is a place that is very appropriate for
14 population density, near transit, walkable
15 neighborhood, one of the few places in the State of
16 New Jersey, where you don't need a car to get
17 around, and a desirable visual environment.

18 I always want, when I'm on your side of
19 the table, I always ask for a higher first floor,
20 because it just looks and feels better for
21 pedestrians rather than having a shorter first
22 floor. It is more expensive to construct that way,
23 and in my opinion, it is a more attractive design.

24 On the negative side, when we look at
25 excess height, we are typically concerned about

1 light and air and crowding the street, and this
2 structure will, you know, a matter of three feet,
3 will not significantly, you know, block light and
4 air at all.

5 And the fact that that rear upper story
6 is stepped back, that is a strategy that's often
7 employed to make buildings feel less tall.

8 So the real series of three variances
9 that I think are the most -- seem to be the most
10 concerning to the Board this evening is the lot
11 coverage variance, rear yard and building depth.
12 I am going to talk about them all together, because
13 they really all are related.

14 So on the positive side, this does
15 allow for the provision of parking.

16 The city's 2004 master plan talks about
17 a lot providing new parking spaces, new parking
18 spaces for residents, getting cars off the street.
19 The city is in the process of doing a public -- of
20 it's own parking master plan to start to confront
21 this issue.

22 I used to live here, and I remember
23 when they put the on-street car sharing as a way to
24 save people from needing to have cars and getting
25 cars off the street, it's been a constant concern.

1 It's a concern for everybody that drives around
2 looking for parking at night on the street, so I
3 think that that absolutely advances the public
4 interest to include parking.

5 The other -- the proposed treatment of
6 the ground floor achieves the 2004 master plan of
7 continuing to hide parking on the ground floor.
8 I think it was -- you know, the design was expertly
9 done to make the parking all but invisible from the
10 sidewalk.

11 The dimensions per Mr. Stieve's
12 testimony allow for the turn-around to occur inside
13 of the building, and that is a much safer condition
14 than the alternative of backing out, you know, one
15 way in and one way out.

16 And that advances the purposes of the
17 Municipal Land Use Law, Purpose H: Free flow of
18 traffic.

19 And it also reduces congestion along
20 Monroe Street by locating parking in the structure,
21 not on the street.

22 So then the negatives: This concept of
23 the hole in the donut and the extent to which this
24 single-story encroachment encroaches on that, the
25 hole on the inside of the block.

1 You know, as the Board discussed, there
2 is a significant encroachment already of the donut,
3 and so we think about when we are looking at the
4 negative impacts associated with design provisions
5 like this, think about what is the intent, right?

6 The intent, and from my reading of the
7 2004 ordinance is to provide light and air and open
8 space to residents.

9 So, you know, Mr. Hipolit's suggestion
10 of providing the open parking, it is one that we had
11 actually discussed, and looking at it from a
12 purely -- from a planning standpoint, if the city's
13 objective and the master plan's objective is to
14 provide open space there for residents, having that
15 terrace deck in a very beautiful, well-designed
16 terrace deck actually advances the city's objective,
17 multiple objectives, by providing outdoor space for
18 residents, as well as the other outdoor space
19 slightly below that at grade.

20 So the other one that I could think of
21 that wasn't articulated in the 2004 master plan, why
22 would you have the hole in the donut policy is
23 drainage, and Mr. Stieve has testified that this is
24 one of the more green buildings that I had a chance
25 to work on in terms of the green roof.

1 You know, on two levels, there is
2 impervious pavers in the back, so this site has been
3 designed to the maximum extent to promote
4 infiltration, while also balancing on other things
5 achieving by creating population densities and
6 taking cars off the street.

7 So I am going to move on to the roof
8 coverage variance, and that really was a result of
9 the egress, which has been discussed, and some of
10 the --

11 CHAIRMAN HOLTZMAN: We are pretty sure
12 you don't need that, so why don't you keep moving.
13 You are good.

14 THE WITNESS: Okay.

15 So two more.

16 Lower roof deck in the front yard, you
17 know, again, this was really a step back.
18 Architecturally it is an attractive thing. The only
19 reason why we are talking about it as a variance is
20 because it's being designed and proposed as
21 potentially occupiable space by one unit, by that
22 top floor unit, and it is not a common area for all
23 of the building.

24 It is, as was pointed out, really a
25 balcony that would not create that negative impact

1 on the street by creating additional noise or
2 crowding or anything like that.

3 So finally, on the facade composition,
4 the facade contains less masonry or stone than is
5 required on a percentage basis. The reason for that
6 is because of the choice to do the metal bay
7 windows.

8 And so why -- what is the positive
9 criteria?

10 Obviously, attractive buildings,
11 creative development techniques for a desirable
12 visual environment, and I think that this design --
13 and again, it is the opinion of the Board that
14 matters -- but I think it is an attractive facade.
15 It's as attractive as any I've worked on.

16 And on the negative side, you know,
17 why -- what are the things we are trying to avoid by
18 having these masonry requirements, to allow
19 buildings to fit in with the neighborhood and to get
20 a certain level of quality.

21 Maybe in sort of some of the older
22 buildings in Hoboken, sometimes you will see vinyl
23 siding and things like that, and you know, it's
24 understandable why the city would want to avoid that
25 as a facade material, but this is I think far from

1 that as a level of quality.

2 So that really concludes my testimony.

3 Again, I think the variances, if the
4 Board were inclined, can defensibly grant it per the
5 Municipal Land Use Law.

6 CHAIRMAN HOLTZMAN: Thank you, Mr.
7 Abramson.

8 Just as a standard, this Board and our
9 town is hypersensitive to flooding and all issues
10 contained about that. 80 percent of our town was
11 under water during Hurricane Sandy, and it's one of
12 the things that this Board considers on every
13 application.

14 For God's sake, I am waiting for the
15 day that we get the wireless carriers to put in a
16 stormwater retention system, but we're working on
17 it.

18 (Laughter)

19 That being said, as a standard, we
20 always, always, always start with a DFE, not a BFE.
21 And if you can make sure, should we see you before
22 our Board in the future, that you use that as your
23 standard when talking about any type of elevations,
24 that is our language, and we are comfortable with
25 that.

1 THE WITNESS: Sure.

2 CHAIRMAN HOLTZMAN: So I will open it
3 up to the Commissioners.

4 We can address the lot coverage issues.

5 Obviously, we got an applicant that is
6 proposing a building --

7 MR. GALVIN: I think you are going into
8 deliberations.

9 CHAIRMAN HOLTZMAN: I am not yet --

10 MR. GALVIN: Okay. No problem.

11 CHAIRMAN HOLTZMAN: -- so I am
12 stopping.

13 (Laughter)

14 Councilman?

15 COMMISSIONER DOYLE: I have a couple of
16 questions.

17 I guess with the height, the reason --
18 it is not clear to me why you just said
19 esthetically, but the first floor, the ground floor,
20 however you want to characterize it, why are you
21 making that ten feet instead of eight, which I
22 believe would be an allowable height for cars?

23 You know, garages can be lower, and I
24 guess that is an architectural question that wasn't
25 asked before --

1 THE WITNESS: We were responding to a
2 requirement on that.

3 COMMISSIONER DOYLE: And then maybe I
4 will add to that, the 10.5 feet, floor to floor for
5 the radiant, you know, I have radiant floors in my
6 home, and we didn't have to add four inches.

7 You know, it seems that in the
8 traditional slab, you can still get the radiant
9 floors.

10 So I don't under -- you know, your
11 three and a half foot variance for height seems like
12 it could go away, if you had an eight foot garage
13 and you had a ten foot floor to floor, then you
14 wouldn't even be here for that.

15 THE WITNESS: Right.

16 MR. HIPOLIT: The only thing I will
17 interject is in the Flood Plain Manager's letter,
18 she is saying that you are two feet above DFE.

19 Why is that?

20 Why not be added and have an eight foot
21 garage?

22 MR. STIEVE: Well, we need to provide
23 access for a handicapped van.

24 MR. HIPOLIT: Why is that?

25 You only have five spots. Technically

1 you don't even need a handicapped spot.

2 MR. STIEVE: I believe we need a
3 handicapped spot.

4 MR. HIPOLIT: At five or less? Let me
5 check that.

6 MR. STIEVE: And, again, the concept
7 behind this building and the construction type of
8 this building is a floor system that has a
9 dimension, typically it's 20 inches, 18 to 20
10 inches, so that coupled with the desire to get the
11 ceiling heights to be a ceiling height of what you
12 would typically expect to have in a condo building
13 and then four inches for the radiant floor slab.

14 CHAIRMAN HOLTZMAN: Councilman, I think
15 I would like to try to attempt to answer your
16 question, which I don't think is getting answered,
17 which is: They are adding the additional height
18 because they want to make nicer, in their opinion,
19 higher ceilings in the apartments.

20 So it is like the elephant in the room
21 that nobody wants to admit to, but that is really
22 what it comes down to.

23 If you don't think it's a worthwhile
24 thing that is a fair tradeoff for the building
25 variance height request, so be it, but let's I think

1 call it what it is, and that is what it seems like
2 it is to me.

3 Mr. Stieve, sorry to put you on a dime
4 there --

5 THE WITNESS: No, that's --

6 CHAIRMAN HOLTZMAN: -- is that pretty
7 much what it comes down to?

8 MR. STIEVE: -- I was trying to say --

9 CHAIRMAN HOLTZMAN: You were trying to
10 say it nicer, we know.

11 MR. STIEVE: -- we're trying to
12 maintain the ceiling heights that would be
13 appropriate for a condo.

14 COMMISSIONER DOYLE: But if you could
15 fit a radiant floor into the 18 to 20 inches, you
16 could still have the same height, and you wouldn't
17 have to go up a half a foot for the floor, so these
18 are not higher ceilings per floor --

19 CHAIRMAN HOLTZMAN: They can fit it in.
20 They can fit it in. They just want to have a bigger
21 ceiling.

22 (Laughter)

23 COMMISSIONER DOYLE: Well, yeah.

24 So, number two, which is not
25 architectural, I don't think.

1 I am having a hard time being
2 comfortable with, you know, the green aspects of
3 this, when we have been told you can't tell us
4 whether it's a ten-minute storm or a ten-year storm,
5 or a hundred-year storm that this detention system,
6 you know, the volume capacity, and likewise, those
7 calculations can be provided for the green roof as
8 well. I mean, it would be nice to know the whole
9 picture of how much this -- how much water --
10 rainwater this system will hold --

11 CHAIRMAN HOLTZMAN: Uh-huh.

12 COMMISSIONER DOYLE: -- and I mean,
13 obviously you can't do that on the back of an
14 envelope right now, so --

15 THE WITNESS: I can't do it at all.

16 COMMISSIONER DOYLE: -- or ever perhaps
17 and -- okay. That's it for now.

18 CHAIRMAN HOLTZMAN: We can circle back
19 at you.

20 Commissioner O'Connor.

21 COMMISSIONER O'CONNOR: If I could go
22 back to the radiant floor and the floor height
23 question --

24 CHAIRMAN HOLTZMAN: Mr. Stieve?

25 COMMISSIONER O'CONNOR: -- what would

1 the height of the floor to ceiling be, if you do not
2 add the four inches of the radiant heating?

3 MR. STIEVE: It's ten feet floor to
4 floor.

5 COMMISSIONER O'CONNOR: So --

6 CHAIRMAN HOLTZMAN: I'm sorry. Could
7 you speak up?

8 I didn't hear it.

9 MR. STIEVE: Ten feet floor to floor.

10 CHAIRMAN HOLTZMAN: Floor to floor?

11 MR. STIEVE: Floor to floor.

12 COMMISSIONER O'CONNOR: What I'm saying
13 is if you don't add the four inches, and you don't
14 have the height that you deem appropriate or
15 acceptable for a condo building, what would that
16 height be?

17 MR. BURKE: Reducing the height
18 variance?

19 COMMISSIONER O'CONNOR: No. I'm asking
20 floor to floor. So if it's not ten feet, it's nine
21 feet eight inches?

22 COMMISSIONER DOYLE: No. The ordinance
23 requires it to be ten feet, but they are doing
24 ten-four.

25 COMMISSIONER O'CONNOR: Oh, I see. So

1 then --

2 COMMISSIONER DOYLE: They are adding
3 four inches to that, so it accumulates each floor up
4 to an additional --

5 MR. HIPOLIT: Well, I can make that
6 confusing even more, because to be van accessible, I
7 believe in one space you'd be van accessible, but
8 you only need to be 98 inches --

9 MR. STIEVE: Clearance, so --

10 MR. HIPOLIT: -- so you don't need ten
11 feet.

12 MR. STIEVE: -- no, we don't need ten
13 feet, but we have also structure, and then we have
14 piping and things like that inside of that, that we
15 have to clear, so there's a safety --

16 MR. GALVIN: All right.

17 CHAIRMAN HOLTZMAN: Mr. Peene, do you
18 have something there for us?

19 COMMISSIONER PEENE: Not yet.

20 CHAIRMAN HOLTZMAN: No problem.

21 MR. GALVIN: You don't have to feel
22 like you have to ask questions. I just want to say
23 to everybody, you don't have to ask questions of all
24 the witnesses. I mean, if you have something that
25 you need to ask.

1 The other thing that I am going to tell
2 everybody is that at some point, if you start to
3 formulate in your mind whether are in favor or
4 opposed to a case, it is probably more appropriate
5 to wait until you get to your deliberations and just
6 say how you feel, rather than going back and forth
7 to try to get the expert to say, you know, to agree
8 that it is one way or the other, if that helps
9 anybody.

10 CHAIRMAN HOLTZMAN: Thank you.

11 COMMISSIONER PINCHEVSKY: Yeah. I
12 guess for Mr. Abramson.

13 When we were talking about the building
14 height, I think one of your comments was how this
15 was encouraged for areas like Hoboken, mass transit
16 areas, where you don't need a car, that we have some
17 sort of capacity rather than, I guess, other parts
18 of the state. But you specifically said areas where
19 you don't need a car.

20 But then maybe two minutes later, you
21 were talking about how having of a car or at least
22 parking is a benefit, but you just argued -- or
23 using the argument that one of the benefits is that
24 this is place where you don't need a car --

25 THE WITNESS: Yeah.

1 COMMISSIONER PINCHEVSKY: -- and then
2 on the flip side, you said one of the benefits is
3 that we have parking, and it just seems counter
4 intuitive, and I was just wondering if you agree.

5 THE WITNESS: It is counter intuitive,
6 and I think it's not uniquely Hoboken, but it is a
7 phenomena that's been addressed in a lot of the
8 planning documents and even other kind of literature
9 that I've read, where people want to have a car, you
10 know, and they will use it on the weekends or use it
11 for groceries or use it for certain things.

12 But, you know, I think that my point
13 was that it's one of the few places, where you don't
14 need it, but a lot of people still have them.

15 Being a New Jerseyan, and a lot of my
16 work occurs west of here, and one of the things I
17 find to be extremely difficult is, you know, even in
18 communities where, like Morristown, where I am the
19 town planner, I try very hard to make it a walkable
20 pedestrian, remove the auto-oriented aspects from
21 design. It is still a place where people drive to
22 work, or people drive to get groceries, you know,
23 that they can't do a lot of those daily tasks.

24 So the region is still somewhat
25 auto-oriented, and as a result, people, you know,

1 prefer and choose to get cars, and the city has
2 historically accommodated them through on-street
3 parking, and what this plan offers is an alternative
4 to at least allow us to be self sufficient.

5 COMMISSIONER PINCHEVSKY: To be
6 self-sufficient?

7 THE WITNESS: With regard to parking.

8 COMMISSIONER PINCHEVSKY: How is it
9 self-sufficient?

10 THE WITNESS: That it generates parking
11 on a per unit basis, and that it also provides
12 parking for the parking demand that it generates.

13 COMMISSIONER PINCHEVSKY: Well, so the
14 requirement is one spot for every five units. So
15 when you say it covers -- I'm sorry -- it covers the
16 parking on its own, are you referring to that ratio,
17 or are you referring to the seven units at least,
18 where possibly two people per unit, so possibly
19 let's say 14 people that it brings?

20 So are you saying that it covers 14 --
21 I am making up numbers here -- not really making
22 them up -- but, you know -- so I don't know. Are we
23 covering what is being generated in terms of
24 possibly 14 cars, or are we talking about the
25 one-to-five ratio --

1 MR. BURKE: It is not a one-to-five
2 ratio. The first five units do not require parking.
3 Each unit thereafter requires one.

4 COMMISSIONER PINCHEVSKY: I'm sorry. I
5 think I was -- one -- you're right -- one per unit
6 over five.

7 MR. BURKE: Right.

8 COMMISSIONER PINCHEVSKY: Exactly. So
9 in this case, it would be -- it's two, right?

10 So in this case, it would be two car
11 spots are needed --

12 MR. BURKE: Correct, required.

13 COMMISSIONER PINCHEVSKY: -- required.

14 I appreciate your clarification.

15 So is it meeting what it generates in
16 terms of the two over five, or in terms of the
17 number of adults that will be in there with a
18 driver's license and maybe have a car?

19 THE WITNESS: You know, it is probably
20 a market based decision, that this is something that
21 the people who inhabit these will probably have, you
22 know, that five out of seven will have one car.

23 It is -- you know, obviously, it meets
24 the minimum required by the zoning, and you know,
25 the city makes zoning ordinance decisions based on a

1 wide variety of reasons, that it is -- it might not
2 just be based on parking demand. Hoboken has a lot
3 of difficult sites, and I think that if it required
4 one per one every single site, five units --

5 COMMISSIONER PINCHEVSKY: Yeah, I
6 agree.

7 Another question I have -- and you
8 know, when we do -- this is not the area of
9 expertise, but we do have traffic studies, and we
10 have traffic engineers, of course, and they say, oh,
11 you know, this was already an "F" location, so it's
12 going to "F," so it's de minimus, and it doesn't
13 really matter.

14 The opposite end seems to be argued in
15 terms of, well, we are taking five spots off the
16 road, but if it's already an "F" parking road,
17 taking off five spots, it's still an "F" parking, so
18 I don't see how that is a benefit, right?

19 So it is not a detriment when it goes
20 from "F" to "F," so how is it a benefit when it goes
21 from "F" to "F"?

22 MR. GALVIN: I think it depends on the
23 specific facts of the specific neighborhood of the
24 specific building.

25 (Laughter)

1 COMMISSIONER PINCHEVSKY: So in this
2 specific neighborhood, in this specific --

3 MR. GALVIN: And guess who makes the
4 decision on that?

5 You do.

6 Okay. And I've seen this for years in
7 Point Pleasant Beach. We don't have enough parking.
8 On the other hand, we don't want to pave the whole
9 town, so we got to figure out when it's appropriate
10 to add a spot, and when it would not be good. When
11 you're going to lose a curb cut, you know, maybe
12 that is not good for all of the other neighbors,
13 even if you provided a couple of parking spaces on
14 the lot.

15 COMMISSIONER PINCHEVSKY: But you were
16 just arguing, I think very well spoken, about how
17 it's a benefit, and I guess my question of him is,
18 and I know --

19 MR. GALVIN: No. Listen, you can
20 conclude it two ways.

21 You can say: I have listened to the
22 argument made by the planner, and I agree with him
23 that it would be a benefit to have this additional
24 parking in this neighborhood, or you can say, I
25 listened to the planner, and although he made an

1 awesome argument, I still think that adding extra
2 parking spaces here would not be a significant
3 enough benefit to --

4 COMMISSIONER PINCHEVSKY: Okay.

5 We can defer, but -- well -- do we
6 still want to discuss -- because that's going to be
7 in the deliberation when we get to that --

8 CHAIRMAN HOLTZMAN: Yes. We'll get to
9 that in a second.

10 Did you have any additional questions?

11 COMMISSIONER PINCHEVSKY: No, I don't
12 think so.

13 CHAIRMAN HOLTZMAN: Great.

14 COMMISSIONER PINCHEVSKY: Thank you.

15 CHAIRMAN HOLTZMAN: Mr. Burke, do you
16 have any closing remarks for us?

17 MR. BURKE: Well, I would point out
18 even though -- I think we are basically up to
19 public --

20 MR. GALVIN: But there's no one from
21 the public to talk.

22 CHAIRMAN HOLTZMAN: There's no one from
23 the public to talk.

24 MR. BURKE: No?

25 MR. GALVIN: We thought they were all

1 with the groom.

2 (Laughter)

3 MR. BURKE: Okay. All right.

4 I think if you look at this from a
5 broad picture, the inclusion of parking is
6 necessary, and the question is how is that
7 accomplished.

8 We had a suggestion of an open trellis,
9 but the backyard of this property is surrounded by
10 taller buildings. Now, maybe in the future they
11 will be knocked down. I don't know. But right now
12 that backyard is dark, and the combination of
13 providing additional parking, where there is a curb
14 cut existing already, allowing a first floor deck to
15 be put on for the use of the residents, and also
16 maintaining some of the backyard, I think overall is
17 a benefit. It is across the street from a large
18 facility, which has many, many uses now.

19 It is not a rectangular block with
20 residential brownstones surrounding it with the
21 center being green space. This is a chopped up
22 block comprised of some residential buildings, some
23 industrial buildings, some old manufacturing
24 buildings, and it's going through a transformation.

25 So the one question, and I know,

1 Councilman, you raised this, I don't know how to
2 answer the idea that someone came before the Board
3 sometime ago and said they could fit seven spots in,
4 you know, 60 percent -- I just don't know what to
5 say to that.

6 I can tell you that I worked on
7 projects years ago, where they did that, and they
8 accomplished it by having a lock box, and the owners
9 had a cooperating -- had a key, so I could move your
10 car out, and you could move my car out, which always
11 struck me as chaos, you know, but that was I think a
12 developer trying to get more, you know, to slam
13 three pounds of baloney in a two pound bag.

14 I think this is better, as Mr. Stieve
15 said, that the turning radiuses would be there. The
16 parking is reasonable. I don't think you are losing
17 a lot of the donut, and I think with the inclusion
18 now of the water recapture, although we don't have
19 the specifics, I think the size of those tanks,
20 along with the green roof and so forth more than
21 offsets what is there now, and I don't think that
22 loss of the additional square footage is going to
23 mean very much in the scheme of things as far as
24 water absorption, which we are all aware of.

25 CHAIRMAN HOLTZMAN: Thank you, Mr.

1 Burke.

2 Director, any opinions or --

3 COMMISSIONER FORBES: You know, I don't
4 have as much of an issue with the height with that
5 front setback on the upper floor. However, the lot
6 coverage is a major issue for me.

7 We have seen applications, and to say I
8 don't know how, well, there are applications you
9 could look at and see how they made that work, and
10 made, you know, a decent amount of parking spaces
11 fit into a site that is, you know, two properties
12 wide.

13 I am not comfortable with that much of
14 the property lot coverage on that first floor.

15 CHAIRMAN HOLTZMAN: Thank you,
16 Director.

17 COMMISSIONER STRATTON: I have the same
18 issues as well as the necessity to receive relief
19 from the rear yard setback.

20 I don't really have an issue with the
21 height. I like the idea of setting back the top
22 story.

23 I think that, in general, I don't have
24 an issue with the masonry or the relief for those
25 other issues, but I agree with the bay window issue

1 and encroaching on the right-of-way, and I would say
2 I feel the same way.

3 COMMISSIONER GRAHAM: I feel the same
4 way.

5 CHAIRMAN HOLTZMAN: Okay.

6 COMMISSIONER PINCHEVSKY: I agree,
7 barring clarification as to fire access.

8 CHAIRMAN HOLTZMAN: Okay.

9 COMMISSIONER PINCHEVSKY: Yeah, and I
10 think you were mentioning specifically that five or
11 six months ago, we had an application come before
12 us, and they got the full setback -- or I'm sorry --
13 the full lot coverage because they were arguing
14 about their neighbors having it, and then the
15 neighbor came in later -- or I'm sorry -- that
16 neighbor had just received access a year earlier or
17 something like -- so -- yeah, it's almost like a
18 circular reference, where when this neighbor now
19 comes before us, they're going to say, oh, well,
20 we -- you know, it's a circular reference, and I --
21 and I -- you know, barring a real need for it or a
22 real improvement to the public, I don't see the
23 positives here outweighing the detriments even
24 remotely, and I agree with everything that was said
25 as well by Director Forbes.

1 CHAIRMAN HOLTZMAN: Thank you,
2 Commissioner.

3 Do you want to opine on anything or --

4 COMMISSIONER PEENE: Well, lot coverage
5 was talked about ad nauseum already. I am in
6 agreement. I would like more specifics on the
7 water, the stormwater detention system.

8 I found a lot of the reports, including
9 the application, lacking a lot of information as
10 well, and I just would like more --

11 CHAIRMAN HOLTZMAN: Councilman,
12 anything you want to offer us?

13 COMMISSIONER DOYLE: Ditto.

14 CHAIRMAN HOLTZMAN: Councilwoman?

15 COMMISSIONER O'CONNOR: Nothing
16 further.

17 CHAIRMAN HOLTZMAN: Okay. Does anyone
18 wish to make a motion on the floor based upon the
19 opinions that they have heard?

20 COMMISSIONER GRAHAM: I move that we
21 reject this.

22 CHAIRMAN HOLTZMAN: Okay. So there is
23 a motion on the floor to reject the application.

24 Is there a second?

25 COMMISSIONER MC KENZIE: Second.

1 CHAIRMAN HOLTZMAN: A second from
2 Caleb.
3 Pat, could you call the vote?
4 MS. CARCONE: Commissioner Stratton?
5 COMMISSIONER STRATTON: Yes.
6 MS. CARCONE: Commissioner Forbes?
7 COMMISSIONER FORBES: Yes.
8 MS. CARCONE: Commissioner Doyle?
9 COMMISSIONER DOYLE: Yes.
10 MS. CARCONE: Commissioner Graham?
11 COMMISSIONER GRAHAM: Yes.
12 MS. CARCONE: Commissioner McKenzie?
13 COMMISSIONER MC KENZIE: Yes.
14 MS. CARCONE: Commissioner Pinchevsky?
15 COMMISSIONER PINCHEVSKY: Yes.
16 MS. CARCONE: Commissioner Peene?
17 COMMISSIONER PEENE: Yes.
18 MS. CARCONE: Commissioner O'Connor?
19 COMMISSIONER O'CONNOR: Abstain.
20 MR. GALVIN: No, no, no. We don't.
21 It's not a good idea.
22 COMMISSIONER O'CONNOR: I can't?
23 MR. GALVIN: We don't. It's not a
24 good idea. It's not a good practice to start. You
25 have to vote yes or no. You don't have to, but --

1 COMMISSIONER O'CONNOR: Well, I only
2 abstained because --

3 MR. ROBERTS: She didn't review the
4 application.

5 CHAIRMAN HOLTZMAN: No, but she's had
6 the full testimony of the hearing.

7 COMMISSIONER O'CONNOR: But I didn't
8 review the application.

9 MR. GALVIN: Okay. I think we will
10 accept the abstention, but I need to counsel you
11 that we are judges, and we are going to make a call.

12 If you go into Hudson County, and the
13 judge doesn't want to make a call, we don't get a
14 decision.

15 COMMISSIONER O'CONNOR: I understand.

16 CHAIRMAN HOLTZMAN: It's an unusual set
17 of circumstances, right.

18 Okay.

19 MS. CARCONE: And Commissioner
20 Holtzman?

21 CHAIRMAN HOLTZMAN: Yes.

22 MS. CARCONE: Okay. Eight to deny and
23 one abstention.

24 MR. GALVIN: One abstention.

25 CHAIRMAN HOLTZMAN: Thank you, Mr.

1 Burke.

2 MR. BURKE: Thank you.

3 CHAIRMAN HOLTZMAN: Is there any other
4 business that we have this evening?

5 Mr. Galvin, anything else you have for
6 us this evening or are we done?

7 MR. GALVIN: No.

8 CHAIRMAN HOLTZMAN: Can I have a motion
9 to close the meeting?

10 COMMISSIONER PEENE: So motion.

11 CHAIRMAN HOLTZMAN: Second?

12 MS. CARCONE: Hold on to your paperwork
13 for 306-308 that was distributed for this meeting.
14 Don't throw it out.

15 CHAIRMAN HOLTZMAN: 306, don't throw it
16 out, we are going to see it in December.

17 MS. CARCONE: Yes.

18 CHAIRMAN HOLTZMAN: Is there a second
19 on that motion to close?

20 COMMISSIONER MC KENZIE: Second.

21 CHAIRMAN HOLTZMAN: All in favor?

22 (All Board members answered in the
23 affirmative.)

24 CHAIRMAN HOLTZMAN: Thank you.

25 (The matter concluded at 10:50 p.m.)

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: 11/13/15
 This transcript was prepared in accordance with
 NJAC 13:43-5.9.