

HOBOKEN ZONING BOARD OF ADJUSTMENT
CITY OF HOBOKEN

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REGULAR MEETING OF THE HOBOKEN : February 16, 2016
ZONING BOARD OF ADJUSTMENT : Tuesday 7:10 pm
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Held At: 94 Washington Street
Hoboken, New Jersey

B E F O R E:

- Chairman James Aibel
- Commissioner John Branciforte
- Commissioner Philip Cohen
- Commissioner Antonio Grana
- Commissioner Carol Marsh
- Commissioner Owen McAnuff
- Commissioner Diane Fitzmyer Murphy
- Commissioner Dan Weaver
- Commissioner Edward McBride
- Commissioner Cory Johnson
- Commissioner Frank DeGrim

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

- Eileen Banyra, Planning Consultant
- Jeffrey Marsden, PE, PP
Board Engineer
- Patricia Carcone, Board Secretary

PHYLLIS T. LEWIS
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1 CHAIRMAN AIBEL: Good evening,
2 everyone.

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

11 Please join me in saluting the flag.

12 (Pledge of Allegiance recited)

13 CHAIRMAN AIBEL: Thanks.

14 We are a Regular Meeting of the Hoboken
15 Zoning Board of Adjustment.

16 Pat, do a roll call.

17 MS. CARCONE: Commissioner Aibel?

18 CHAIRMAN AIBEL: Here.

19 MS. CARCONE: Commissioner Branciforte?

20 VICE CHAIR BRANCIFORTE: Here.

21 MS. CARCONE: Commissioner Cohen?

22 COMMISSIONER COHEN: Here.

23 MS. CARCONE: Commissioner Grana?

24 COMMISSIONER GRANA: Here.

25 MS. CARCONE: Commissioner Marsh?

1 COMMISSIONER MARSH: Here.

2 MS. CARCONE: Commissioner Murphy?

3 COMMISSIONER MURPHY: Here.

4 MS. CARCONE: Commissioner McAnuff?

5 COMMISSIONER MC ANUFF: Here.

6 MS. CARCONE: Commissioner Weaver?

7 COMMISSIONER WEAVER: Here.

8 MS. CARCONE: Commissioner McBride?

9 COMMISSIONER MC BRIDE: Here.

10 MS. CARCONE: Commissioner Johnson?

11 COMMISSIONER JOHNSON: Here.

12 MS. CARCONE: Commissioner DeGrim?

13 COMMISSIONER DE GRIM: Here.

14 MS. CARCONE: All right. We got

15 everybody.

16 CHAIRMAN AIBEL: Terrific. Full house.

17 We have a couple of administrative
18 matters that we actually are going to carry. We had
19 a resolution of approval for 100-108 Paterson on,
20 and that has been moved to the 23rd.

21 MS. CARCONE: To the 23rd, next
22 Tuesday's meeting.

23 CHAIRMAN AIBEL: And we also have
24 review of appointments of our professionals, and we
25 are going to defer that to next week as well, so

1 that is going to lead us right into 302 Garden.

2 Mr. Matule?

3 MR. MATULE: Good evening, Mr.
4 Chairman, and Board members.

5 Robert Matule.

6 This matter was carried to tonight's
7 meeting just for scheduling purposes. If it is
8 possible, I would like to schedule it out maybe
9 for -- I don't know what the March agenda is like.

10 I think the matter is going to be
11 withdrawn. Everything is going to be withdrawn, but
12 I am just not in the position tonight to make that
13 commitment to the Board, so if we could -- but I
14 don't want to carry it to the next meeting and then
15 pull it and blow up your schedule, so maybe I will
16 consent to the time within which the Board has to
17 act, and maybe we can carry it to the April meeting
18 with the understanding that I will probably withdraw
19 it sooner.

20 MS. CARCONE: Okay. So April 19th is
21 our Regular Meeting.

22 MR. GALVIN: That is a great plan.
23 It's good for us also.

24 CHAIRMAN AIBEL: Excellent.

25 So I guess we need a motion to carry to

1 April 19th without further notice.

2 VICE CHAIR BRANCIFORTE: Motion.

3 MR. MATULE: And the applicant consents
4 to the time within which the Board has to act to
5 April 19th.

6 COMMISSIONER GRANA: So motioned.

7 CHAIRMAN AIBEL: Second?

8 VICE CHAIR BRANCIFORTE: Second.

9 MS. CARCONE: Okay. Are we doing an
10 all in favor or do you want a vote?

11 MR. GALVIN: Yes, do an all in favor.
12 That works.

13 All in favor?

14 (All Board members answered in the
15 affirmative)

16 MR. GALVIN: Anyone opposed?

17 (No response)

18 MR. MATULE: Thank you.

19 MR. GALVIN: Ready to go.

20 CHAIRMAN AIBLE: Good. Thanks, Mr.
21 Matule.

22 (Continue on next page)

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HOBOKEN ZONING BOARD OF ADJUSTMENT
CITY OF HOBOKEN
HOZ-15-9

- - - - - X
RE: 75-77 MADISON STREET :
Block: 17, Lots 13 and 14 :
APPLICANT: Smith-George, LLC : February 16, 2016
Minor Site Plan Review and :Tuesday 7:15 p.m.
C & D Variances :
- - - - - X

Held At: 94 Washington Street
Hoboken, New Jersey

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WITNESS

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FRANK MINERVINI

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KENNETH OCHAB

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1 CHAIRMAN AIBEL: Okay. We have next up
2 75-77 Madison Street.

3 MR. MATULE: While Frank is setting up,
4 I will just make my appearance.

5 Robert Matule, appearing on behalf of
6 the applicant.

7 Just as an overview, this is an
8 application for the property at 75-77 Madison
9 Street. It is a 50-by-100 lot in the R-3 zone. The
10 applicant is proposing a four-over-one building,
11 parking on the ground floor, and four residential
12 floors with two units per floor.

13 We are asking for a density variance.
14 We are at 7-point-something, and we are asking for
15 8, just to keep the size of the apartments as
16 proposed.

17 There are also a couple of C variances,
18 I think a minor lot coverage variance and a minor
19 height for a design flood elevation variance, but
20 Mr. Minervini will go through that in more detail.

21 MR. GALVIN: Raise your right hand.

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

25 MR. MINERVINI: I do.

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

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

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

7 MR. GALVIN: Mr. Chairman, do we accept
8 Mr. Minervini's credentials?

9 CHAIRMAN AIBEL: We do.

10 THE WITNESS: Thank you.

11 MR. MATULE: All right.

12 Mr. Minervini, if you could, please
13 describe the existing site and the surrounding area
14 for the Board.

15 THE WITNESS: The existing site is a 50
16 foot wide by 100 foot deep lot on the east side of
17 Madison Street between First and Newark.

18 Currently on the site is a three-story,
19 two-family building at the front part of the
20 property, and towards the rear and south is a
21 one-story garage.

22 We are proposing to raze those two
23 buildings and construct a four-story above design
24 flood elevation eight-unit residential building.

25 For context, and this is the same as

1 your Sheet Z-9, except that it is colored, but it is
2 the same photograph board. The photograph taken was
3 in a combination of my office as well as Google
4 Earth.

5 Photograph number two shows the site as
6 it looks finally. There is our three-story
7 residential building, which covers about 25 feet of
8 the lot width. The empty part of the lot is on the
9 southern side, and that also acts as a drive aisle
10 to the rear garage, and when I get into the plans, I
11 will show the survey to show that in more detail.

12 The adjacent building to our north is a
13 four-and-a-half-story residential building, and the
14 same for the building to our south.

15 Looking down the street and across, of
16 course, so on photograph number four we are showing
17 directly across the street from us, and we have
18 blocked in where two changes that have occurred
19 since this photograph was taken.

20 We got an approved five-story building,
21 and that has been mostly constructed, and this
22 building has been razed.

23 So for context to the rear, there is in
24 our aerial view number five, which shows this best,
25 there is a six-story building to our rear that

1 covers about 125 feet in width, the same drawing
2 that you got or the same photograph that you got.

3 So, as I said, we are proposing a
4 four-story residential building above design flood
5 elevation with eight residential units. Those units
6 are sized between 1270 square feet and 1310 square
7 feet, all three bedrooms, two per floor.

8 I will go to the drawings now.

9 So Sheet Z-1 has our vicinity map, so
10 you get a sense of the depth of all the buildings
11 that are in the neighborhood.

12 The important drawing on the bottom is
13 our Madison Street elevation. You can get a sense
14 of the context in terms of height of our building
15 relative to the adjacent buildings all the way from
16 Newark to First Street.

17 Sheet Z-2, the drawing on the top left,
18 is the actual survey. So as I described, this is
19 the three-story residential building that contains
20 two apartments, and the one-story brick garage
21 towards the rear. The macadam driveway is
22 delineated here as well, and we are proposing, of
23 course, that to be removed, and our proposed site
24 plan blocks in where the building is we are
25 proposing.

1 So our project -- our construction
2 would be at zero lot line in the front to extend 60
3 feet to the rear.

4 This drawing also shows our new
5 driveway, that we are going to relocate the
6 driveway. There is an existing driveway on the
7 southern portion of the property that acts as the
8 rear garage. We are going to have our driveway in
9 the center of the building.

10 Z-3, another site plan, showing our
11 parking layout, as well as our water retention
12 system, and again, there is more detail on the
13 actual layout of the larger plans.

14 Z-4, specifically in this drawing, we
15 show the flood panel system. This project was
16 initially submitted prior to the revision, so if
17 approved, of course, the flood panel system will be
18 removed. The garage area will be wet flood proofed
19 and have flood vents, and the lobby area will be dry
20 flood proofed.

21 So Z-5 shows in large scale, in
22 quarter-inch scale, our ground floor layout and the
23 first floor layout.

24 As I mentioned, the garage entry is in
25 the center. You got five parking spaces all along

1 the southern wall. Each parking space has a wall
2 mounted bicycle storage rack. There is also a
3 bicycle storage closet on the back, which would be
4 the northeastern corner of the building.

5 Our residential entry, two doors, one
6 is the second means of egress and one is the main
7 lobby, is at the northern portion of the facade.

8 Our refuse and recycling is here beyond
9 the elevator. The building is served by an
10 elevator, ADA compliant, and this space number four
11 is our ADA compliant parking space.

12 Going up to the second floor, this is
13 the same floor as all of the residential floors.
14 You have a three-bedroom unit in the front of 1285
15 square feet, and a three-bedroom over here at 1270
16 feet.

17 The second floor only, we are proposing
18 a deck of five feet in depth by seven feet in width
19 with access to the rear yard via a spiral stair.

20 And moving to Sheet Z-6, the third
21 floor and fourth floor plans are identical. They
22 have the same units -- the same unit breakdown, but
23 in this case the sizes are 1325 square feet in the
24 front, 1310 square feet in the back, and that
25 difference is accounted for by the meters, which are

1 on the second floor, which I forgot to mention, that
2 our gas and electric meters are up on the second
3 floor raised out of the flood plain.

4 Floors two, three, and four, and not
5 five, we are proposing a 12 foot gate wide by five
6 foot deep cantilevered balcony, 64 square feet.
7 That accounts for the 1.3 -- 1.28 percent lot
8 coverage variance, so this area is why we are asking
9 for the lot coverage variance. Very simply, we are
10 proposing a small outdoor space for use by each of
11 these rear apartments on floors three and four.

12 On the fifth floor, which I will get to
13 now, we are not proposing that rear deck because the
14 fifth floor will have access to one of the roof
15 decks. So as permitted by the ordinance revision,
16 we are proposing two private outdoor rear decks, one
17 towards the rear and one towards the front, each 280
18 square feet.

19 The remaining part of the roof is an
20 extensive green roof, which is not walkable, but it
21 is a green roof tray system, that we described many
22 times, and here is the detail showing that.

23 We have our fire department access here
24 and two spiral stairs that allow for private access
25 to the roof decks from the apartments below.

1 The fifth floor is different from the
2 fourth floor. No outdoor space is proposed on the
3 back of the building, again, because they got access
4 to this roof deck.

5 The building elevations, I have a
6 rendering that I think describes this a bit better.

7 MR. MATULE: Let's mark that A-1 and
8 just describe it for the record.

9 (Exhibit A-1 marked.)

10 THE WITNESS: It is a computer
11 generated rendering placed on top of the site
12 photograph prepared by my office.

13 We are using a combination of
14 materials, terracotta rain screen. These two
15 portions and metal cladding here, so for color and
16 for a better sense of what it looked like relative
17 to the adjacent buildings, these two pieces in the
18 center of the rain screen are brick, metal above,
19 and you can get a sense of our site, the building
20 context and our height with this photograph --
21 rendering, I should say. I will pass this around if
22 you want to look at it more closely.

23 COMMISSIONER GRANA: Please.

24 MR. MATULE: Frank, while you are on
25 that subject, one of the variances you are asking

1 for is a facade masonry variance.

2 THE WITNESS: Yes.

3 MR. MATULE: 53.1 percent, is that
4 generated by that design?

5 THE WITNESS: It is generated truly by
6 the architecture. Certainly if the Board didn't
7 like this design and wanted to remove that variance,
8 we could replace some of this metal cladding with
9 masonry material. We think this is a better use of
10 combination materials, but it's not something that
11 we wouldn't be open minded to changing, if the Board
12 so wanted.

13 Also, speaking of the height, we are
14 asking for a height variance of one foot ten inches,
15 one foot ten inches, and what that is driven by is a
16 ten foot floor-to-floor proposed height in our
17 garage space.

18 That is another case in which, if the
19 Board had an issue with this height, we could drop
20 this floor down 12 inches, so we would minimize the
21 floor-to floor height in the garage. It would be
22 nine feet from the ground floor to the second floor
23 level, and we would still meet the requirements in
24 terms of the van access and an eight-foot-two
25 clearance.

1 Also, we now as part of this design,
2 have proposed a 42-inch parapet in the front of the
3 building.

4 In retrospect, and this building was
5 designed quite a while ago, in retrospect perhaps
6 another way to handle this would be to lessen this
7 parapet, maybe remove two feet off of it and provide
8 a fire department railing setback, so you wouldn't
9 see it.

10 The initial context here is that this
11 parapet would also act as a fire department railing,
12 which is a requirement in any of these buildings,
13 front, rear and sides. So if the Board wanted, we
14 certainly could reduce the appearance in height by
15 two feet and provide a simple railing five feet or
16 so back off the front of the building.

17 I think it fits in terms of the
18 contest, fits contextually with the other buildings
19 on the street, but again, if the Board did not agree
20 with me, we could certainly lessen the visual
21 height.

22 We are here really, as Bob said, for
23 three different reasons. One for the eight units.
24 To do the calculation, we are at 7.58. In this case
25 it allows -- with this variance, it allows for eight

1 units of a more reasonable size, and I say
2 "Reasonable" relative to the units that this Board
3 has seen in the recent past certainly from our firm
4 and other developers.

5 This allows for apartments that are in
6 the 12 to 1300 range, eight of them. I don't think
7 the intensity is any more than if we duplexed this
8 top floor and had seven units.

9 The other variance we are here, and Ken
10 Ochab will describe these more in detail, is for the
11 lot coverage. The lot coverage is driven by those
12 small six-foot-four balconies as I described on the
13 rear of the building, and the last is the height
14 variance to allow -- to accommodate the full garage,
15 which can be lessened, if the Board wanted.

16 We are proposing, of course, all new
17 sidewalks, two street trees. The building is as
18 designed ADA compliant, and we would be removing I
19 think a very odd condition as it exists with the
20 front building and the rear building, and the rear
21 building being a garage. So this structure would
22 certainly conform more with the ordinance and in
23 context with the other buildings on the street.

24 MR. MATULE: Frank, did you get the H2M
25 review letters of May 14th and November 7th?

1 THE WITNESS: Yes, yes.

2 MR. MATULE: No issues complying with
3 them?

4 THE WITNESS: No issues.

5 MR. MATULE: And you also got a review
6 letter from the Flood Plain Administrator?

7 THE WITNESS: Correct.

8 MR. MATULE: And obviously you
9 commented earlier in your testimony that the garage
10 would now be wet flood proofed?

11 THE WITNESS: Yes.

12 MR. MATULE: So you have no issue
13 complying with that?

14 THE WITNESS: No.

15 Again, this was originally submitted
16 prior to those revisions being permitted. It was a
17 time when we had to provide the barriers, and now
18 that is no longer the case, so if approved, we will
19 revise the drawings.

20 MR. MATULE: Okay.

21 I have no further questions of Mr.
22 Minervini.

23 CHAIRMAN AIBEL: Okay, Board members.

24 Mr. Branciforte?

25 VICE CHAIR BRANCIFORTE: Do you have an

1 elevator?

2 THE WITNESS: Yes.

3 VICE CHAIR BRANCIFORTE: Do you show
4 any equipment on the roof that we can see from
5 the --

6 THE WITNESS: The roof plan I think is
7 Sheet Z-7.

8 The darker shaded area is all of our
9 extensive green roof.

10 These two rectangles are the decks.

11 These two squares are the spiral
12 stairs.

13 This bulkhead is our emergency -- is
14 our second means of egress that -- well, it is the
15 fire department access, which is a more accurate
16 term, because the fire department has to have access
17 to the roof via a stair and a ladder, and that's
18 what that is, and then these are the condensing
19 units for the building.

20 VICE CHAIR BRANCIFORTE: But the
21 bulkhead on your drawing of the front elevation --

22 THE WITNESS: Yes.

23 VICE CHAIR BRANCIFORTE: -- you don't
24 see any bulkhead there. Does that mean it's
25 completely hidden?

1 THE WITNESS: It is shown here.

2 VICE CHAIR BRANCIFORTE: Oh, is it?

3 THE WITNESS: And it's dotted and
4 described.

5 VICE CHAIR BRANCIFORTE: Oh, yeah. I
6 can see from it.

7 THE WITNESS: And we dotted it because
8 obviously, if we drew a solid line, we don't want
9 you to think that it is at the front of the
10 building. It is set back in the middle of the
11 building.

12 VICE CHAIR BRANCIFORTE: Okay.

13 Now, how are we going to keep noise
14 from that elevator that is attached to the wall from
15 disturbing the neighbors next door?

16 THE WITNESS: Well, the noise has been
17 in the past generated by a piston elevator. This
18 will be an electric motor, more of a green type
19 elevator. Kone is the specific manufacturer in this
20 case. It's a 30 amp motor, very quiet, unlike the
21 piston elevators of the past, and these work better
22 in flood plain areas, because if it floods, the
23 piston would be ruined. In this case, all the
24 equipment is up high or part of the --

25 VICE CHAIR BRANCIFORTE: So there is no

1 vibration or anything as the elevator goes back, up
2 and down?

3 THE WITNESS: No, it's incredibly
4 quiet.

5 VICE CHAIR BRANCIFORTE: And there's no
6 like equipment or rails or tracks attached to that
7 common wall?

8 THE WITNESS: It is. It's attached --
9 yes. There is a guide rail on that side. It is
10 attached from the top, but there are guide rails,
11 but that surround would be concrete.

12 VICE CHAIR BRANCIFORTE: Gotcha.

13 THE WITNESS: Most of the -- and I have
14 been around long enough to remember some of the
15 comments people had about elevators.

16 Generally in the past, it was when the
17 elevator was a piston elevator and built within a
18 wood or steel stud enclosure. That is not the case
19 here, and we don't do that any longer anyway.

20 VICE CHAIR BRANCIFORTE: Okay. I think
21 I'm good now, Mr. Chairman.

22 THE WITNESS: I'm sorry, John. If I
23 may, I forgot to mention, that the parking stations,
24 each will have an electric car charging station.

25 VICE CHAIR BRANCIFORTE: Thank you,

1 Frank.

2 THE WITNESS: I should have mentioned
3 that.

4 (Laughter)

5 CHAIRMAN AIBEL: Board members?

6 COMMISSIONER GRANA: Mr. Minervini, so,
7 Frank, I am looking at Z -- well, we can just look
8 at Z-6 as an example.

9 I am looking at Z-6, and I am seeing
10 the three-bedroom, two-bath configuration, but I
11 just noticed that the actual plans of the units are
12 not drawn to this plan.

13 Was there a particular reason for that?

14 THE WITNESS: I am not understanding
15 the question.

16 COMMISSIONER GRANA: I was just trying
17 to figure out where the three-bedrooms are going to
18 go, because there are two windows in the front of
19 the building, and so I assume you need two
20 bedrooms -- three bedrooms and a living space. I
21 was just trying to figure out how it works with the
22 three-bedroom.

23 THE WITNESS: Very simply, this will be
24 carved up into four sections. That 50 foot swath
25 will be carved up in --

1 COMMISSIONER GRANA: So it will be
2 sliced one, two, three, four --

3 THE WITNESS: Yes, approximately --

4 COMMISSIONER GRANA: -- bed, living,
5 bed, bed kind of scenario --

6 THE WITNESS: -- yes. The bedroom
7 would probably be a bit smaller than the living room
8 would be, and one bedroom might be larger than the
9 other.

10 COMMISSIONER GRANA: Okay.

11 THE WITNESS: None of our plans, nor do
12 any plans that are submitted to this Board have the
13 interior layouts shown, so it allows us for some
14 flexibility within that three-bedroom later on.

15 COMMISSIONER GRANA: Thank you.

16 CHAIRMAN AIBEL: Okay.

17 Mr. Weaver?

18 COMMISSIONER WEAVER: Yes.

19 I was going to build on my question
20 about the implication that it was a common wall.

21 The concrete wall on, you know, any of
22 these plans on the left-hand side, that's
23 actually -- well, I am assuming that's concrete --
24 you're saying it's concrete.

25 Is it a concrete wall?

1 THE WITNESS: The surround for the
2 elevator will be concrete, and the remaining will be
3 concrete block.

4 COMMISSIONER WEAVER: And then what is
5 the stand up on the enclosure wall of the elevator
6 and the other property?

7 THE WITNESS: If -- I am looking at
8 Sheet Z-6, for example.

9 COMMISSIONER WEAVER: Sure.

10 THE WITNESS: And I am assuming this is
11 the wall you are talking about.

12 COMMISSIONER WEAVER: Yeah.

13 THE WITNESS: This section and this
14 section will be concrete block.

15 This section will be concrete.

16 Concrete block is filled with concrete,
17 so it's solid.

18 COMMISSIONER WEAVER: Yeah.

19 What's the expansion drawing between
20 your building and the next building?

21 THE WITNESS: We will build
22 approximately up to that building, and the actual
23 expansion -- I am not exactly sure if that building
24 comes to the property line or it's set back. A lot
25 of these older buildings moved or have moved.

1 COMMISSIONER WEAVER: Yeah.

2 THE WITNESS: We will build to our
3 property line.

4 COMMISSIONER WEAVER: But there is
5 nothing -- if there were vibrations in that elevator
6 enclosure, they will be transmitted into the
7 adjacent structure, if they're touching --

8 THE WITNESS: Certainly.

9 There are vibrations, as I described,
10 especially with projects in the past, and they are
11 touching, yes.

12 Generally there is a small air gap
13 kept, and then we would continue with a roof over to
14 a small extent from our building to their building.

15 COMMISSIONER WEAVER: But you are not
16 planning on doing that here?

17 THE WITNESS: No. We are happy to do
18 that.

19 COMMISSIONER WEAVER: Okay.

20 THE WITNESS: Yeah.

21 CHAIRMAN AIBEL: Anybody else?

22 COMMISSIONER GRANA: I have one more.

23 CHAIRMAN AIBEL: Go ahead.

24 COMMISSIONER GRANA: Just going back,
25 earlier with respect to the parapet, is the purpose

1 of the parapet functional in terms of protection, or
2 is it visual for architectural enhancement?

3 THE WITNESS: In this case, it was
4 both. We thought that the taller parapet helped to
5 cap the building a bit better. It also then would
6 serve as the railing for the fire department. I
7 don't think it would hurt the architecture
8 necessarily, if we shrunk that down and constructed
9 that railing behind.

10 I think this makes sense, but again, if
11 the Board has an issue with it, we can certainly
12 make use out of it.

13 COMMISSIONER GRANA: If the parapet
14 is -- "installed" is not the right word -- if you
15 build this with the parapet, how do you believe that
16 the appearance of the height of the building will
17 now be relative to the other buildings on the block?

18 So I know you have the height as
19 described on Z-1.

20 THE WITNESS: Z-1, yes.

21 COMMISSIONER GRANA: Does the height
22 that you have described on Z-1 include the parapet?

23 THE WITNESS: Yes, it does.

24 COMMISSIONER GRANA: Thank you.

25 CHAIRMAN AIBEL: Mr. Marsden?

1 MR. MARSDEN: Frank, the things that
2 are very clearly addressed on my memo is -- one is
3 the -- you are going to provide soil and sediment
4 control approval?

5 THE WITNESS: Yes.

6 MR. MARSDEN: You will do that.

7 And the other one was to provide a
8 letter from North Hudson Sewerage Authority
9 indicating that they approved the detention center.

10 THE WITNESS: Of course. That's not
11 part of the construction office approval --

12 MR. MATULE: Yes, but we generally --

13 MR. MARSDEN: Yeah, and --

14 THE WITNESS: Absolutely, yeah.

15 MR. MATULE: -- we provide the approval
16 of the design to Mr. Marsden's office.

17 THE WITNESS: Understood.

18 MR. MARSDEN: Okay.

19 COMMISSIONER MC ANUFF: I have a
20 question for you.

21 If you are providing bike storage in
22 each parking spot, was there any consideration to
23 removing this common bike storage and making that a
24 sixth parking spot?

25 THE WITNESS: It doesn't work for a

1 sixth parking spot, because it wouldn't have the
2 proper back-up space.

3 COMMISSIONER MC ANUFF: Okay.

4 VICE CHAIR BRANCIFORTE: Frank -- I'm
5 sorry, Owen.

6 COMMISSIONER MC ANUFF: I'm done.

7 VICE CHAIR BRANCIFORTE: Oh.

8 Frank, usually when you give us your
9 calculations for height, you only go to the roof
10 line --

11 THE WITNESS: Yes.

12 VICE CHAIR BRANCIFORTE: -- but you are
13 saying this time you went to the top of the parapet?

14 THE WITNESS: No. Our calculation goes
15 to the roof line. The actual parapet is 42 inches
16 taller than that, which is what I am proposing we
17 could reduce.

18 MR. MATULE: Z-8.

19 THE WITNESS: Yeah, Z-8.

20 Thanks, Bob.

21 COMMISSIONER GRANA: But just to
22 clarify, the specifications are the height of the
23 building, but the picture on Z-1 includes visually
24 the parapet?

25 THE WITNESS: Yes. The picture on Z-1,

1 the drawing on Z-1 is the same as Z-8, which
2 includes the parapet.

3 COMMISSIONER GRANA: Great.

4 Thank you.

5 COMMISSIONER MC ANUFF: If you could
6 hold up the rendering for a second.

7 If we remove or shorten the parapet,
8 you are saying it is going to come down to that
9 first line?

10 THE WITNESS: Approximately that first
11 line.

12 COMMISSIONER MC ANUFF: Okay.

13 And then the railing would be set
14 further back --

15 THE WITNESS: We would set that back,
16 so it wouldn't be visible.

17 COMMISSIONER MC ANUFF: -- so you
18 wouldn't need the -- okay.

19 COMMISSIONER DE GRIM: Can I?

20 CHAIRMAN AIBEL: Yes.

21 COMMISSIONER DE GRIM: If you reduced
22 the parking garage by you said a foot --

23 THE WITNESS: Uh-huh.

24 COMMISSIONER DE GRIM: -- where -- how
25 far down would that come then?

1 THE WITNESS: That is a very good
2 question. But if I used the drawing, it would be
3 better described.

4 COMMISSIONER DE GRIM: Okay.

5 THE WITNESS: So if we reduced the
6 garage by 12 inches and dropped the parapet by
7 comfortably two feet, you are looking at a three
8 foot drop, which would take us to right about that
9 line, so the entire building would come down to this
10 line just slightly above the adjacent building.

11 COMMISSIONER DE GRIM: The top of the
12 parapet would come down to that line?

13 THE WITNESS: Correct, yes.

14 COMMISSIONER DE GRIM: Okay.

15 And the backyards, you have the
16 backyards split between Unit 2 and which other unit?

17 THE WITNESS: The two units on the
18 first floor.

19 So the backyard would be used by --
20 direct access would be Unit 2, and Unit 1 would go
21 through the common stair through the garage access.

22 COMMISSIONER DE GRIM: Okay. They
23 would be the only ones to have access?

24 THE WITNESS: Correct.

25 COMMISSIONER DE GRIM: Okay.

1 And I take it, that is all permeable
2 material?

3 THE WITNESS: Yes. I have that
4 described in our landscaping plan.

5 Yes, all permeable concrete pavers.

6 COMMISSIONER DE GRIM: Okay.

7 Thank you.

8 COMMISSIONER MURPHY: So if you dropped
9 the garage and the parapet doesn't matter, would you
10 need the variance?

11 THE WITNESS: For 12 -- for ten inches.

12 COMMISSIONER MURPHY: Okay.

13 MR. GALVIN: Can I follow up on that?

14 COMMISSIONER MURPHY: Go ahead.

15 MR. GALVIN: Just the one thing is
16 sometimes from functionality, and I watch Boards
17 everywhere do this. When you're reducing the garage
18 height from nine feet to eight feet, what is the
19 effect --

20 COMMISSIONER COHEN: Ten feet to nine
21 feet.

22 MR. GALVIN: -- ten feet to nine
23 feet --

24 THE WITNESS: Ten feet to nine feet.

25 MR. GALVIN: Right.

1 THE WITNESS: The effect here is in
2 terms of construction, it makes it a bit more
3 difficult to run lines.

4 Normally when you are building a
5 building of this type, and you have got a ten foot
6 ceiling, your plumbing lines could be directly
7 attached to the bottom of the concrete slab, which
8 is your second floor.

9 In this case if we drop it, and we're
10 willing to do it, everything would have to be
11 designed, so it is brought over to the sides.

12 MR. GALVIN: The only thing I would say
13 to the Board is you are doing the right thing by
14 trying to bring the building into the greatest
15 conformity as possible, but sometimes one foot from
16 a practical standpoint -- you know, get what you
17 can, but -- you didn't really give me the answer I
18 was thinking about.

19 I was thinking more about the cars
20 traversing in and out of the garage, that it was
21 better to have a higher height.

22 THE WITNESS: Sure.

23 MR. GALVIN: I didn't want to make it
24 less functional. You know what I am saying?

25 By trying to achieve that one foot of

1 reduction, sometimes what you are doing to the
2 actual plan is negative.

3 COMMISSIONER GRANA: So the
4 functionality is key, and we're not deliberating
5 yet, but I suspect a debate about height, you know.

6 COMMISSIONER MC ANUFF: For height?

7 COMMISSIONER GRANA: Yeah.

8 COMMISISONER MC ANUFF: I agree.
9 I think it is better to have the one
10 foot in the garage --

11 COMMISSIONER GRANA: In the garage.

12 COMMISSIONER MC ANUFF: -- for your
13 sprinkler and everything else, rather than trying to
14 pull it out. I think the height they give you is
15 based on just the vehicle only and not the framework
16 stuff.

17 THE WITNESS: Yes.

18 COMMISSIONER WEAVER: Why couldn't the
19 floor of the garage be lowered?

20 THE WITNESS: It's not permitted. DEP
21 does not permit us to drop a new building slab
22 beneath the highest point of the sidewalk.

23 MR. GALVIN: Good question.

24 MS. BANYRA: Mr. Chair, can I ask one
25 question?

1 CHAIRMAN AIBEL: Sure.

2 MS. BANYRA: Frank, the planter that
3 you have is now four feet. How does that match up
4 with the adjacent properties?

5 THE WITNESS: So the adjacent property
6 to our -- actually in both cases to our north and
7 south has a railing -- pardon me -- this is the
8 wrong side of the street.

9 Here we go. We are mimicking what was
10 there, and we match the building to the south, not
11 the north.

12 We match approximately the building to
13 the north's stoop. It could be reduced by 12 or
14 so --

15 MS. BANYRA: No, I'm just curious.

16 I just wanted to make sure that we are
17 not creating a see-saw type of thing, and you know,
18 and also that it doesn't stick out further than the
19 other ones, and you still have to get City Council
20 approval --

21 THE WITNESS: Yes.

22 MS. BANYRA: -- but I think just for
23 this Board's knowledge, it probably should line up
24 or -- and not, you know, not be the furthest one
25 out.

1 THE WITNESS: Understood.

2 And our drawing, Sheet Z-2, describes
3 that exactly. So it describes the fence, the gate
4 line of the building to our south coming out seven
5 feet nine inches, where ours is kind of squeezed
6 into that at four, so we are still buffered by the
7 adjacent building to the south's railing.

8 MS. BANYRA: So then my next question
9 was relative to what Dennis had asked.

10 So do you have problems getting a
11 vehicle into the garage, if the Board chose to lower
12 that?

13 THE WITNESS: We could meet the 8.2
14 foot requirement for a handicapped van.

15 MS. BANYRA: Okay.

16 And then the last question I have is
17 relative to the parapet height and the massing, the
18 look of the massing of the building.

19 You said that it was an earlier design
20 here. Is there a reason to lighten that up, like
21 you suggested, because I think you started on that
22 before the Board even got there.

23 THE WITNESS: Yeah.

24 MS. BANYRA: I am talking about that
25 parapet, maybe reducing that mass on that.

1 THE WITNESS: That is because of
2 certainly my -- since this has been submitted and my
3 recent experience with the Board, I know the height
4 is very sensitive.

5 I think that as designed, it makes
6 perfect sense contextually, but if the Board has an
7 issue with it, and I would understand, we can reduce
8 that parapet height. That --

9 MS. BANYRA: But the parapet height is
10 not the height that we are worried about in terms of
11 the measurement is to the roof --

12 THE WITNESS: Of course.

13 MS. BANYRA: -- you know, so -- but in
14 terms of reducing that mass, is there an opinion
15 that by knocking a foot off of that, that that might
16 lighten up the look of the --

17 THE WITNESS: Knocking a foot off the
18 parapet?

19 MS. BANYRA: Yes, yes, and using the
20 railing as you suggested.

21 THE WITNESS: No. I don't think it
22 would make any difference honestly,

23 MS. BANYRA: Okay. Thank you.

24 CHAIRMAN AIBEL: And I take it you'd
25 hide the mechanicals a little bit better with the

1 parapet?

2 THE WITNESS: Absolutely, as well as
3 the railing that I described in the prior plan.

4 CHAIRMAN AIBEL: So the last question
5 for me is: Is there any reason that you couldn't
6 design a perfectly beautiful duplex, if you were to
7 maintain the density?

8 THE WITNESS: No, we certainly could.

9 COMMISSIONER GRANA: Well, one last
10 question, Frank.

11 The lot coverage variances is one
12 percent and some change, about 1.2 percent.

13 THE WITNESS: Yes.

14 COMMISSIONER GRANA: Is that variance
15 the same on two, three, and four floors, two, three
16 and four, is it the same variance?

17 THE WITNESS: Yes, correct.

18 COMMISSIONER GRANA: Thank you.

19 CHAIRMAN AIBEL: Okay.

20 All finished?

21 Great. Let me open it up to the
22 public.

23 Anybody wish to ask questions of the
24 architect?

25 COMMISSIONER GRANA: Seeing none,

1 motion to close public.

2 CHAIRMAN AIBEL: It's a quiet public
3 tonight.

4 Second?

5 COMMISSIONER MC ANUFF: Second.

6 CHAIRMAN AIBEL: All in favor?

7 (All Board members answered in the
8 affirmative)

9 MR. MINERVINI: Thank you.

10 MR. MATULE: Hi, Mr. Ochab. You're up.

11 MR. GALVIN: Good evening.

12 Do you swear or affirm the testimony
13 you are about to give in this matter is the truth,
14 the whole truth, and nothing but the truth?

15 MR. OCHAB: I do, yes.

16 K E N N E T H O C H A B, having been duly sworn,
17 testified as follows:

18 MR. GALVIN: State your name full name
19 for the record and spell your last name.

20 THE WITNESS: Ken Ochab. That is
21 O-c-h-a-b.

22 MR. GALVIN: Mr. Chairman?

23 CHAIRMAN AIBEL: We do.

24 MR. GALVIN: Okay.

25 MR. MATULE: Mr. Ochab, you have some

1 photo boards there?

2 THE WITNESS: Yes.

3 MR. MATULE: Let me mark them.

4 How many do you have, two?

5 THE WITNESS: Two.

6 MR. MATULE: We will mark that A-2, and
7 that is the one with the four photographs of the
8 site.

9 Why don't you tell us just for the
10 record what A-2 is and what A-3 is?

11 (Exhibits A-2 and A-3 marked.)

12 THE WITNESS: A-2 is again four
13 photographs. Again, all of the photographs were
14 taken by me on the site, so we have four photographs
15 of the site.

16 The upper left photograph is a photo of
17 the site itself showing the existing building on the
18 left and the vacant parcel on the right.

19 You can see the garage building sort of
20 in the rear of the property.

21 This is the adjacent property to the
22 south of us on the right side of that photograph.

23 The upper right photograph is showing
24 again the property. The yellow building is on the
25 site, and the building to the north is to the right

1 of that, which is a four-story brick building.

2 The lower left is a little bit more of
3 Madison Street going to the northerly direction, so
4 again, the yellow building is on our site, this
5 building to the north, and there's several buildings
6 north of that.

7 And then the lower right photograph is
8 again looking from our site in a southerly direction
9 showing the buildings in that particular area.

10 A-3 -- that was A-2, right?

11 MR. MATULE: Yes.

12 THE WITNESS: A-3 is again a series of
13 photographs showing the site.

14 This is basically the rear corner of
15 the existing building, and particularly, I am
16 looking at the buildings that are on the opposite
17 street to the east showing the rear there with a
18 five-story building there.

19 The upper right photograph is showing
20 the accessory garage building, which as you can see,
21 is in very bad condition, unusable. But it also
22 shows the larger five-story building to the rear of
23 our property on the adjacent piece.

24 The lower left is showing the street
25 scape looking in a southerly direction, and the

1 lower right is showing the street scape looking in a
2 northerly direction. These are typical photographs
3 that I usually take with each application.

4 So in terms of the variances here, we
5 have one D variance, which is a variance for
6 density, where we have a site that is 5,000 square
7 feet, which allows us to construct 7.58 units, using
8 a fraction. We are proposing eight units, so we are
9 again a little bit more -- a little bit less than
10 half of a unit in excess of the density provision
11 under the ordinance.

12 When we have a density variance, we
13 typically need to discuss the Coventry criteria,
14 because this is a D variance or what is also known
15 as the Grubbs case criteria.

16 This requires us to look at the
17 neighborhood that we are located in to see if what
18 we are doing is consistent with the densities in the
19 neighborhood, particularly adjacent pieces as well
20 as the surrounding properties as well, and it also
21 requires us to identify any problems that would be
22 associated with the increase in density, and more
23 particularly, looking at the -- well, typically it
24 is called the negative criteria, so we look at the
25 impact of the additional one unit in this case.

1 So with respect to the consistency of
2 the neighborhood and how we stack up relative to the
3 surrounding area, in my report I typically do a
4 chart analysis of the density we are proposing and
5 then looking at the adjacent and surrounding
6 properties as well.

7 So in summary, what we have is I am
8 looking at basically 15 properties that are -- I am
9 looking at basically 15 properties that are along
10 the east side of Madison, and another three to four
11 along the west side of Jefferson. These are the
12 properties that are most acutely surrounding the
13 property itself and also concentrate on the street
14 scape along Madison.

15 So of those 15 properties, we have
16 eight of those that exceed the density requirements
17 of the R-3 ordinance, and we have obviously seven of
18 those that meet the requirements.

19 Of the ones that exceed the
20 requirements of the density provision, seven of
21 those are post 1990 approvals.

22 So we are using that as a benchmark
23 because over the course of time now, we have learned
24 that we don't want to be comparing -- in the
25 abstract comparing structures that were built in the

1 1800s and using that density to argue that our
2 density is consistent with that.

3 So, in particular, if you look at,
4 again, the street scape analysis here, we have two
5 adjacent properties, one -- the two adjacent pieces
6 are just slightly above the proposed density or the
7 allowable density, where on each of those three
8 units are proposed or are permitted, and we have six
9 units, so we have actually a doubling of the density
10 on each of those. But that is this brick building
11 here and this brick building here as well to the
12 south and to the north, so we have twice the density
13 provision there.

14 Our deviation here is calculated at
15 like five and a half percent, so we are five and a
16 half percent over the allowable density, where these
17 two structures are at 58 percent over the allowable
18 density.

19 If we look at some of the newer
20 development along Madison, if we go in a northerly
21 direction we have, particularly where we have larger
22 properties, we have 17 and 18 -- I'm sorry -- 18 to
23 20. That is this building here sort of at the
24 northern edge of the photograph here, at 7500 square
25 feet in size. 11 units are permitted there, and 25

1 are constructed, so we have a deviation there of 120
2 percent, so they are extremely over the density
3 provision as well.

4 The other building that comes really
5 into play here is this rear building, which is a
6 property again on the street -- on Jefferson Street
7 to the east, and that building is -- there are two
8 buildings there. One is on a lot that's 7500 square
9 feet. Again, it allows 11 units, and they have 15
10 units, one just to the north of this one.

11 And on the one that you are looking at
12 in the upper photograph here, it is 10,000 square
13 feet, allows 15 units, and there are 23 units there.
14 So, again, between those two buildings the
15 deviations are 32 percent on the building just to
16 the north, and 52 percent on the building directly
17 behind the property.

18 So if you are looking at this in that
19 particular manner by using the calculation, what the
20 deviation is from the allowable density, we are
21 certainly within the range of what would appear to
22 me to be reasonable in the context of looking at the
23 newer development, particularly on the lots that are
24 larger than 2500 square feet where we have
25 deviations that generally average from 32 percent to

1 120 percent, and our deviation here is 5.5 percent.
2 So I think within a planning context, that is a
3 reasonable density to allow the additional unit on
4 this particular property.

5 With respect to problems associated
6 with the additional density, we don't have any
7 additional height being required to provide the
8 unit. We have sufficient parking on site. We don't
9 have any lot coverage issue that is caused by the
10 additional unit, so we have 60 percent coverage with
11 all of our building mass and our building height, so
12 within the context of the mass of the building
13 permitted within this property, we can get the eight
14 units constructed without any additional deviation
15 with respect to the zoning ordinance.

16 With respect to the negative criteria,
17 here, again, the one additional unit doesn't impact
18 light and air and openness, and it is within the
19 mass that would be permitted anyway. We don't
20 extend beyond the -- to the rear beyond our adjacent
21 building to the north, so there is no impact in
22 terms of light, air, blockage of sunlight, what have
23 you.

24 We still provide, I think it is 40 feet
25 to the rear building line, which would provide

1 sufficient open space in the rear yard. Again, we
2 are consistent with the master plan's objective of
3 providing that mid block open air, open space
4 concept that is so important to Hoboken development.

5 So within that context, I think there
6 would be certainly sufficient evidence here to look
7 upon granting the D variance with respect to the
8 density.

9 With respect to the other two variances
10 involved, they are both C variances.

11 The height variance would obviously be
12 a C2 variance with respect to getting the garage
13 elevation at a point, where it would be more
14 efficient, get larger vehicles perhaps or taller
15 vehicles to safely get under the building and
16 provide utilities, a ten-foot ceiling or a nine-foot
17 ceiling, as Frank indicated, it is certainly within
18 a reasonable height with respect to that.

19 And with respect to the lot coverage,
20 again, on the plans you see on the second, third and
21 fourth floors, there is a small walk-out balcony,
22 which is five feet by 12 feet, so it is five feet
23 wide by 12 feet in length. Those balconies are set
24 back 18 feet from the side property lines, and
25 again, only allow for the occupants of those units

1 to walk out and survey the openness below them as
2 they look at the mid block open space area.

3 Again, I don't believe that that
4 creates any substantial --

5 MR. GALVIN: You used "survey" in this
6 context as to be seen, right?

7 THE WITNESS: Yes.

8 MR. GALVIN: Okay. Not as to delineate
9 the limits of the property.

10 THE WITNESS: To behold what is below
11 you.

12 MR. GALVIN: Okay.

13 THE WITNESS: So in that context, my
14 view is that's a serious variance, but certainly --

15 MR. GALVIN: Well, they are all
16 serious, but you feel it's less important.

17 THE WITNESS: Not substantial, let's
18 put it that way.

19 So with that, then I will conclude and
20 basically say that I think both C variances can be
21 granted based on the C2 criteria because there is no
22 hardship here obviously, so it could be a solution.

23 And with respect to the density, I
24 think there is certainly enough data and evidence
25 here to support the granting of that variance as

1 well.

2 MR. MATULE: Thank you, Mr. Ochab.

3 CHAIRMAN AIBEL: Board members,
4 anything from Mr. Ochab?

5 VICE CHAIR BRANCIFORTE: Well, go
6 ahead, Phil. I'm sorry.

7 CHAIRMAN AIBEL: Phil.

8 COMMISSIONER COHEN: Mr. Ochab, just a
9 question for you.

10 You heard the testimony of Mr.
11 Minervini with respect to the parapet and the
12 possible reduction of two feet to the parapet.

13 THE WITNESS: I did.

14 COMMISSIONER COHEN: And he sort of
15 left it to the Board's pleasure, but I am wondering
16 as a planner, do you have any view as to whether --
17 I am just having a little hard time envisioning what
18 difference it would make in terms of the
19 neighborhood and the way it fits in and from a
20 planning perspective, do you have a perspective on
21 whether you would prefer to see it as submitted or
22 with the two foot reduction in the parapet?

23 THE WITNESS: Well, my view would be I
24 would like to see it as it is initially proposed
25 because the parapet would provide a little bit more

1 screening, not only from the street, but from the
2 opposite side of Madison because right behind this
3 application is another application that has a roof
4 deck, and so from that roof deck, which is going to
5 be lower than this building, that extra four feet
6 would add that much more --

7 COMMISSIONER COHEN: Do you have a
8 board that would show that other building?

9 THE WITNESS: I do not, no.

10 COMMISSIONER COHEN: Okay. Thanks.

11 THE WITNESS: I hadn't actually
12 considered it until you just asked the question.

13 (Laughter)

14 CHAIRMAN AIBEL: John?

15 VICE CHAIR BRANCIFORTE: I'll wait.

16 COMMISSIONER GRANA: Mr. Ochab, I am
17 looking at the report for reference, a long time
18 ago, February of 2015.

19 But you have referenced that the
20 properties to the north and to the south are not
21 impacted by the lot coverage, and then I think you
22 referred to the balcony, so it is specifically the
23 balconies that you are saying do not provide an
24 impact and --

25 THE WITNESS: Yeah, because they are

1 small. They are five feet in width, 12 feet wide,
2 and I believe they're set back 18 feet from each
3 side property line, so it is not like some of the
4 older balconies that go right to the side line.
5 Plus, on the building to the north, there are no
6 balconies.

7 COMMISSIONER GRANA: So by virtue of --
8 which is the side -- but by virtue or the fact that
9 there is an 18 foot setback on each side, there
10 should be no impact to the adjoining properties?

11 THE WITNESS: I believe not.

12 COMMISSIONER GRANA: Thank you.

13 VICE CHAIR BRANCIFORTE: My question is
14 actually for Eileen Banyra.

15 Eileen, when did the City Council last
16 sort of downsize the density requirements?

17 MS. BANYRA: 2002.

18 VICE CHAIR BRANCIFORTE: 2002?

19 MS. BANYRA: Right. So it went from
20 1999, it used to be divided by 500 square feet, and
21 then in 2002 it was changed to dividing the lot area
22 by 660 square feet. So I think relative to Mr.
23 Ochab's testimony, he indicated that when he looked
24 at things that were built in the nineties. So, you
25 know, I think the late '90s would be a better --

1 VICE CHAIR BRANCIFORTE: A better
2 comparison.

3 MS. BANYRA: -- method. And then the
4 change really occurred to the 660, which was in
5 2002, so I don't know what new buildings are there,
6 but --

7 VICE CHAIR BRANCIFORTE: That's kind of
8 what I was getting at.

9 I was wondering why you chose 1990 as
10 your base here for your comparison.

11 THE WITNESS: Only because in my
12 experience here before the Board, there has been
13 some questions about post 1990 development, and
14 whether or not that should be used as part of an
15 analysis for density.

16 So at that point then, I adjusted my
17 thinking to think of -- I don't want to call it the
18 modern era -- but, you know --

19 (Laughter)

20 VICE CHAIR BRANCIFORTE: It seems like
21 the modern era for now for density would be 2002,
22 right?

23 I mean, would that be a better
24 comparison?

25 I think our planner feels that way.

1 THE WITNESS: That is certainly a
2 comparison that you can use to be sure. So if we
3 are going to adjust the thinking again, I will be
4 sure that I will concentrate on 2002.

5 (Laughter)

6 VICE CHAIR BRANCIFORTE: And you don't
7 know which buildings were built after 2002?

8 THE WITNESS: I don't. I don't know.

9 VICE CHAIR BRANCIFORTE: That is fine.
10 Is there -- I think you were already
11 asked the question. I think the question has been
12 asked.

13 Is there any detriment to going from
14 eight units down to seven?

15 THE WITNESS: From a public standpoint
16 or a planning standpoint?

17 VICE CHAIR BRANCIFORTE: From a
18 planning standpoint. No?

19 THE WITNESS: I mean, the only issue
20 that prevails is because you have two units per
21 floor, than does the one unit become an oversized
22 unit, and how do you feel with that, but that is
23 more architectural than --

24 VICE CHAIR BRANCIFORTE: So how
25 about -- so do you think it would be okay, if you

1 ahead, Carol.

2 COMMISSIONER MARSH: I do have a
3 question.

4 How did you ascertain that the
5 buildings were built after 1990?

6 THE WITNESS: I'm sorry?

7 COMMISSIONER MARSH: You said you were
8 comparing the buildings built after 1990.

9 How did you decide -- how did you --
10 how do you know that they were built after 1990?

11 THE WITNESS: Tax records.

12 COMMISSIONER MARSH: So you just didn't
13 write down when they were built. Is that -- you
14 said you didn't know which ones were built after
15 2002 --

16 THE WITNESS: No. I have post 1990 and
17 pre '90, but I don't have the actual dates of the --

18 COMMISSIONER MARSH: So you didn't
19 write that down, is that what you are saying?

20 THE WITNESS: No, but I will now.

21 (Laughter)

22 CHAIRMAN AIBEL: Let me open it up to
23 the public.

24 Does anybody have questions for the
25 planner?

1 Seeing none.

2 COMMISSIONER MC ANUFF: Motion to close
3 public portion.

4 VICE CHAIR BRANCIFORTE: Second.

5 CHAIRMAN AIBEL: All in favor?

6 (All Board members answered in the
7 affirmative.)

8 MR. MATULE: I have no more witnesses
9 if you want to open it up to the public for any
10 comment, and I will make my summation then.

11 CHAIRMAN AIBEL: Good.

12 Now is the time for anybody in the
13 public who wishes to comment on the application, to
14 come forward.

15 Seeing none.

16 COMMISSIONER MC ANUFF: Motion to close
17 public portion.

18 VICE CHAIR BRANCIFORTE: Second.

19 CHAIRMAN AIBEL: All favor?

20 (All Board members answered in the
21 affirmative)

22 CHAIRMAN AIBEL: Okay.

23 MR. MATULE: Okay.

24 Well, just very briefly, while we do
25 not believe that the additional unit is really --

1 you know, a density variance is not an insignificant
2 variance. But on the other hand, we think it works
3 in this building in the context of the neighborhood.

4 You know, frankly, if it is a deal
5 breaker, so to speak, obviously the applicant would
6 be willing to duplex one of the units and bring it
7 within the conforming density. But, again, we think
8 it is a better design, but, you know, that is just
9 our thinking.

10 As far as the other two variances go,
11 you know, the esthetics with the parapet is sort of
12 one-half of the whole overhaul type of thing, even
13 though it is not part of the height as defined in
14 the ordinance, the height is only for the roof slab.
15 We are asking for one foot ten inches above the
16 design flood elevation.

17 I personally think it is a better
18 alternative, and I don't think that the additional
19 12 inches is really going to have any significant
20 impact. I don't think someone who was driving or
21 walking down the street, they would know whether
22 that building was 41 feet tall or 42 feet tall.

23 So if the Board has a concern about
24 the, quote, unquote, overall impact of the building,
25 I would certainly suggest that we would prefer to

1 see that addressed by reducing the height of the
2 parapet rather than reducing the height of the
3 garage, because I think that it would just be a
4 better project to have that additional height in the
5 garage.

6 That is pretty much it.

7 CHAIRMAN AIBEL: Thanks, Mr. Matule.

8 Okay. Let me open it up.

9 Board members, do you wish to comment?

10 COMMISSIONER GRANA: Well, Eileen, are
11 you done?

12 MS. BANYRA: The only -- if the Board
13 sees fit to approve this, there are two projections
14 into the right-of-way that will require City Council
15 approval, and that is the awning that comes off the
16 front of the building as well as the fencing.

17 CHAIRMAN AIBEL: Anybody care to kick
18 off?

19 VICE CHAIR BRANCIFORTE: Well, you
20 know, Mr. Chair, you brought up the question of
21 whether a duplex unit might work better and lower
22 density at the same time, and I am wondering the
23 same thing, because, you know, this idea of just
24 give us one more unit, just give us one more unit, I
25 think back to all of the time we said that and

1 approved it, and I think by now we probably -- I
2 don't even know how many dozens of new apartments we
3 have approved, and you know, everyone keeps saying
4 it's de minimus, it's de minimus, and don't worry
5 about it. But I can't worry about it -- I can't let
6 it slide any more, so I would like to see one of the
7 units go.

8 I am still open to hear everyone else's
9 comments about the height and -- especially the
10 height, yeah, so I am good.

11 CHAIRMAN AIBEL: And just on the point
12 of density, I would just like to add -- just on the
13 point of density, I would just like to add -- you
14 don't want me to add?

15 MR. MATULE: Well, I could just try to
16 cut to the chase on the issue of density.

17 The applicant is willing to amend the
18 application to duplex one of the units, so we could
19 take that off the table.

20 I don't know if that saves any mental
21 torture or not.

22 (Laughter)

23 CHAIRMAN AIBEL: It spares me some,
24 but --

25 MR. GALVIN: You said to duplex the

1 units. That's not what you mean. You are going to
2 combine one of the -- one solid unit --

3 MR. MATULE: Well, I don't know
4 whether they will take a fourth and fifth unit and
5 combine them in the front or back of the building --

6 MR. GALVIN: Right. But there will be
7 seven units at the end of the day.

8 MR. MATULE: One way or the other,
9 there will be seven units in the building, seven
10 residential units.

11 MR. GALVIN: No problem. No problem.
12 That's all.

13 COMMISSIONER GRANA: I admit -- I admit
14 I'm torn on the height here.

15 I actually -- I have a reaction to --
16 maybe it is just the way that the rendering has it,
17 the massing and the height that is with the parapet.

18 Yet, we can speak about architecture.
19 I actually think it makes it look better, and I
20 usually don't vote in favor of height.

21 It is a strange -- I would be
22 interested in other opinions. It is a strange
23 quandary. I think it makes it look bigger and more
24 massive, and yet architecturally, more streamlined
25 by having the height in place.

1 CHAIRMAN AIBEL: Board members?

2 Phil?

3 COMMISSIONER COHEN: From my looking at
4 that Exhibit A, the parapet actually looks kind of
5 big for me. And when I look at the profile of the
6 block, I think the way it is designed, it looks like
7 it fits right in. Like it seems to be appropriate
8 to the height.

9 But when I look at that angle, it
10 appears like it's too big to me, so I think I would
11 be in favor of reducing the parapet by two feet just
12 on that rendering.

13 You know, I appreciate that the
14 applicant was willing to reduce it down to seven
15 units, and it is already done, but I would just say
16 anyway, you know, we're talking about a .38
17 difference, I don't really think that that is a
18 significant difference in having balance in the
19 building rather than have one unit that's double
20 where everything else is single.

21 It doesn't really bother me, but it
22 does bother other Commissioners, so I think it's
23 probably a good thing that you chose to do that.
24 But in my mind, it really doesn't matter. But I
25 think I would reduce the parapet by two feet.

1 CHAIRMAN AIBEL: I will respond quickly
2 and take the prerogative to respond to Mr. Cohen on
3 that one.

4 I don't think your math is quite right.
5 It is 4.2 or whatever the difference is between 8
6 and 7.58.

7 MR. MATULE: 7.58.

8 CHAIRMAN AIBEL: But beyond that, you
9 know, what we called de minimus in the past is still
10 a fraction of that. You know, 3.79 is something
11 that I recall where in the right circumstances we
12 would round up as opposed to down here. We almost
13 have half a unit, so I stand by my feeling that the
14 applicant's offer is welcomed to me.

15 COMMISSIONER MC ANUFF: I have to ask a
16 question of the architect about the parapet.

17 If the parapet is reduced in height,
18 does anything on the roof become visible, the
19 mechanicals or anything like that?

20 MR. MINERVINI: Certainly not from the
21 street, but possibly from a building of equal height
22 across the street.

23 COMMISSIONER MC ANUFF: Okay.

24 MR. MINERVINI: I don't think there are
25 any, you know, four and a half stories. I don't

1 know what the proposal for tonight's project is
2 that's after us.

3 COMMISSIONER MC ANUFF: So potentially
4 it could be?

5 MR. MINERVINI: Potentially.

6 COMMISSIONER DE GRIM: When you said
7 mechanicals, that includes where the elevator goes?

8 MR. MINERVINI: Yes.

9 COMMISSIONER DE GRIM: Okay.

10 MR. MINERVINI: Of course, the higher
11 the parapet is, the less of condensing units for the
12 penthouse, for the stairs and deck, as well as the
13 fire department stair access.

14 COMMISSIONER DE GRIM: Okay.

15 COMMISSIONER GRANA: So now we're
16 debating the public view versus the private view.

17 It will not be seen from the street,
18 correct?

19 MR. MINERVINI: No.

20 COMMISSIONER MC ANUFF: For me, I don't
21 really know if you are going to notice a
22 one-foot-ten or two foot difference from street on
23 the parapet.

24 I know it looks -- on the rendering it
25 looks a little -- maybe it is just the angle of the

1 rendering, but on Z-1 I am looking at, it looks like
2 it fits perfectly in.

3 COMMISSIONER GRANA: I would agree. On
4 Z-1, it fits right in.

5 COMMISSIONER MC ANUFF: Yes.

6 COMMISSIONER GRANA: On Z-1 it fits
7 right in.

8 COMMISSIONER MURPHY: But part of the
9 rendering is if this building sticks out, it's to
10 the lot line, as where this one is back, so it's
11 also kind of like towering over the shorter
12 building.

13 COMMISSIONER MC ANUFF: I think if you
14 cut down the parapet and it starts to -- right now
15 to me, it looks like a cap to the terracotta
16 pieces --

17 COMMISSIONER GRANA: Yeah, exactly.

18 COMMISSIONER MC ANUFF: -- and I think
19 if you cut it down, it's just not going to look
20 right.

21 I certainly wouldn't reduce the
22 building to reduce the garage height. I have that
23 problem in the building I am in now.

24 COMMISSIONER WEAVER: And what's your
25 problem been?

1 COMMISSIONER MC ANUFF: With reducing
2 the garage height --

3 COMMISSIONER WEAVER: Yeah.

4 COMMISSIONER MC ANUFF: -- is that it
5 is not only the floor-to-ceiling height, it's then
6 when you put the sprinklers in and the plumbing in,
7 I mean, if we have to do a repair on the building, a
8 service man comes, and they can't even get in our
9 garage. They wind up double parking outside.

10 I don't see -- I know it says
11 eight-foot-two from floor to ceiling, but you have
12 to figure all of the piping and the sprinkler system
13 and everything that's going to be there below that.

14 VICE CHAIR BRANCIFORTE: Well, they
15 said they would move the mechanicals to the sides.

16 COMMISSIONER MC ANUFF: Well, I don't
17 think you are going to be able to move the sprinkler
18 lines or the light fixtures.

19 COMMISSIONER WEAVER: Well, his
20 testimony was that he could do it.

21 COMMISSIONER MC ANUFF: The plumbing he
22 said, not the sprinkler. Well --

23 COMMISSIONER MURPHY: I don't think
24 that's a slippery slope --

25 (Board members talking at once.)

1 COMMISSIONER GRANA: I would just say,
2 to me the debate really goes back to the parapet
3 because without the parapet, I mean, I am now
4 leaning, I'm actually sold that parapet -- it looks
5 better with the parapet. But the actual variance,
6 with the extra garage height, is a foot that's being
7 sought to accommodate the utilities.

8 COMMISSIONER MC ANUFF: One foot, yeah,
9 yeah.

10 COMMISSIONER GRANA: So I confused the
11 additional height is being considered to account for
12 the utilities versus the esthetic debate on the
13 parapet, it's two different things.

14 COMMISSIONER MC ANUFF: Right.

15 COMMISSIONER GRANA: But, again, you
16 know, it's tough, because if you go back to Z-1, it
17 conforms with at least a third or more of the block.

18 CHAIRMAN AIBEL: Well, actually I find
19 myself on the unusual side of a mass argument, but a
20 50 foot wide building is a large building, and I
21 think cutting off the parapet might make it look
22 squat, so I guess I would be favor of the taller --
23 allowance of the taller parapet.

24 VICE CHAIR BRANCIFORTE: Well, I'm just
25 going to throw my two cents in on the parapet.

1 I think it's a very long line. I think
2 it's a 50 foot line width -- the lot is 50 feet
3 wide, and I'm a little worried that the parapet
4 might be too long of a monolithic line, but I'm
5 willing to go with the parapet.

6 I have no other comments on that.

7 COMMISSIONER GRANA: So I guess if
8 we're in debating positions, I'd be in support of
9 that, too, with the modification of the D variance
10 impact by reducing the density.

11 VICE CHAIR BRANCIFORTE: Oh.

12 CHAIRMAN AIBEL: Anybody else, Board
13 members?

14 COMMISSIONER MC ANUFF: I'm sorry.
15 What did you say, Antonio?

16 COMMISSIONER GRANA: I said I'm in
17 support of the application, but I am siding with the
18 same concern about can we minimize the impact that's
19 presented by the D variance and reduce the density.

20 COMMISSIONER MC ANUFF: Oh, so -- okay,
21 bringing it down to seven units, okay. I didn't
22 hear the last part.

23 COMMISSIONER MURPHY: You only have to
24 make one unit be a duplex.

25 COMMISSIONER MC ANUFF: Right. I

1 didn't hear the last part.

2 COMMISSIONER MURPHY: You could make
3 two units be a duplex --

4 COMMISSIONER GRANA: Whatever they
5 want, as long as it is --

6 COMMISSIONER MURPHY: -- you know, they
7 can figure it out.

8 CHAIRMAN AIBEL: Everybody is okay with
9 the facade variance?

10 COMMISSIONER MURPHY: Uh-huh.

11 CHAIRMAN AIBEL: Anything else, Board
12 members?

13 Ready for a motion?

14 COMMISSIONER MC ANUFF: Motion to
15 approve.

16 COMMISSIONER GRANA: Motion to approve
17 with conditions.

18 COMMISSIONER MC ANUFF: Oh, we didn't
19 do the conditions.

20 MR. GALVIN: Well, I am not really
21 sure. Did we move the parapet down at all or are we
22 leaving it alone?

23 COMMISSIONER MC ANUFF: No. The
24 parapet stays. I think the only thing is that we go
25 down to seven units, correct?

1 COMMISSIONER DE GRIM: Yes.

2 COMMISSIONER MARSH: Yes, between the
3 two buildings --

4 MR. GALVIN: Say that again. What did
5 I miss?

6 COMMISSIONER WEAVER: An isolation gap
7 between the --

8 COMMISSIONER GRANA: The two buildings.

9 COMMISSIONER WEAVER: -- elevator
10 concrete enclosure, you know, the hoist way
11 enclosure and the adjacent property.

12 MR. GALVIN: Okay. Got that.

13 COMMISSIONER MC ANUFF: I have a
14 question on that.

15 How are we going to verify that it's
16 done?

17 MR. GALVIN: Do you know?

18 MS. BANYRA: That would be a
19 construction official, right?

20 That would be a construction official.

21 COMMISSIONER MC ANUFF: Well, are we
22 going to ask Frank --

23 MR. GALVIN: Whoa, whoa. Time out for
24 a second.

25 Go ahead.

1 MR. MATULE: What I was going to
2 suggest is Mr. Minervini, when he revises the plans,
3 because he is going to have to revise them to show
4 the wet flood proofing, could certainly show it on
5 the plans and on the site plan and put a note on the
6 plan, you know, sufficiently significant that the
7 building department would pick it up when they
8 looked at the plan.

9 COMMISSIONER MC ANUFF: And we are
10 saying now that that's going to be possible to
11 construct --

12 MR. MINERVINI: Yes.

13 And specifically, the elevator is what
14 we are talking about.

15 COMMISSIONER MC ANUFF: Right.

16 MR. MINERVINI: The majority of the
17 wall section would be at the lot line, where we can
18 move it and have an isolation gap --

19 COMMISSIONER WEAVER: Yeah, just a
20 hoist way --

21 VICE CHAIR BRANCIFORTE: By reducing
22 density, do we need to change the parking at all, or
23 just leave the parking as is, right?

24 The only other thing I would say is if
25 they do decide to go to seven, and for any reason,

1 and for any reason they changed the roof
2 configuration and lower -- lessen the deck, the
3 decks on top, that I would want it to be a green
4 roof.

5 MR. MATULE: You would want what?

6 VICE CHAIR BRANCIFORTE: If you
7 decreased the decks on the top of the roof -- on the
8 roof, you would have to increase it equally to a
9 green roof.

10 MR. MATULE: Well, I believe we're at a
11 50 percent green roof now. That is the reason why
12 we can have more than 30 percent deck up there.

13 But I think the plan is to keep the
14 bulk of the building the same, and just do the
15 combining internally --

16 VICE CHAIR BRANCIFORTE: The point is
17 being missed, but it's okay. Let's just move on.

18 MR. MATULE: No. I don't think the
19 point is being missed. I'm just responding.

20 (Laughter)

21 MR. GALVIN: Okay.

22 COMMISSIONER GRANA: So do we have
23 conditions, Denins?

24 MR. GALVIN: Listen.

25 I have: The plan is to be revised to

1 reduce the number of units to seven and is to add
2 the note to the plan that there is going to be an
3 isolation gap with the adjacent property. I will
4 get the right wording when I look at the transcript.

5 But that the revisions to the plan are
6 to be reviewed by our planner and our engineer.

7 They are minor, right? They're minor
8 changes. Get them done, and we'll review them.

9 Okay. Is there anything encroaching in
10 the right-of-way?

11 MS. BANYRA: Yes. City Council
12 approval is required for the awning as well as the
13 landscaped area.

14 MR. GALVIN: I just put the applicant
15 is to obtain City Council approval of anything
16 encroaching in the city's right-of-way.

17 MS. BANYRA: Okay.

18 VICE CHAIR BRANCIFORTE: And then you
19 also said two trees, right?

20 MR. MATULE: Two street trees.

21 MS. BANYRA: It is on the plan. It's
22 on the plan.

23 COMMISSIONER MC ANUFF: And the
24 isolation gap is only at the elevator.

25 MR. GALVIN: The isolation gap is only

1 at the elevator.

2 COMMISSIONER MC ANUFF: Correct.

3 COMMISSIONER GRANA: Ready?

4 CHAIRMAN AIBEL: Okay, Antonio.

5 COMMISSIONER GRANA: Motion to approve

6 75-77 Madison with said conditions.

7 COMMISSIONER MC ANUFF: Second.

8 MS. CARCONE: Commissioner Branciforte?

9 VICE CHAIR BRANCIFORTE: Yes.

10 MS. CARCONE: Commissioner Cohen?

11 COMMISSIONER COHEN: Yes.

12 MS. CARCONE: Commissioner Grana?

13 COMMISSIONER GRANA: Yes.

14 MS. CARCONE: Commissioner Marsh?

15 COMMISSIONER MARSH: Yes.

16 MS. CARCONE: Commissioner Murphy?

17 COMMISSIONER MURPHY: Yes.

18 MS. CARCONE: Commissioner McAnuff?

19 COMMISSIONER MC ANUFF: Yes.

20 MS. CARCONE: Commissioner Aibel?

21 CHAIRMAN AIBEL: Yes.

22 MR. MATULE: Thank you.

23 CHAIRMAN AIBEL: Thanks, Mr. Matule.

24 (The matter concluded)

25 (Recess taken)

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: 2/18/16
 This transcript was prepared in accordance with
 NJAC 13:43-5.9.

HOBOKEN ZONING BOARD OF ADJUSTMENT
CITY OF HOBOKEN
ZBA-14-10

- - - - - X
RE: 76 MADISON STREET :
Block: 16, Lot 31 :
APPLICANT: Brian & Alana Jermanok : February 16, 2016
C Variances : 8:45 p.m.
- - - - - X

Held At: 94 Washington Street
Hoboken, New Jersey

B E F O R E:

- Chairman James Aibel
- Commissioner John Branciforte
- Commissioner Philip Cohen
- Commissioner Antonio Grana
- Commissioner Carol Marsh
- Commissioner Owen McAnuff
- Commissioner Diane Fitzmyer Murphy
- Commissioner Dan Weaver
- Commissioner Edward McBride
- Commissioner Cory Johnson
- Commissioner Frank DeGrim

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

- Eileen Banyra, Planning Consultant
- Jeffrey Marsden, PE, PP
Board Engineer
- Patricia Carcone, Board Secretary

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I N D E X

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WITNESS

PAGE

MICHELLE DROLLETTE

82

1 CHAIRMAN AIBEL: Okay. Good evening.

2 We're back on the record.

3 We have 76 Madison Street.

4 Ms. Fisher, how are you?

5 MR. GALVIN: Bob, are you in time out?

6 MR. MATULE: Yes.

7 (Laughter)

8 CHAIRMAN AIBEL: Counsel, do you want
9 to make an appearance?

10 MS. FISHER: Good evening.

11 My name is Laura Fisher on behalf of
12 the applicants, Brian and Alana Jermanok at 76
13 Madison Street, and we are seeking a C variance
14 approval to construct a one-story addition on top of
15 the existing structure.

16 The property is located at Block 16,
17 Lot 31 on the west side of Madison Street between
18 Observer Highway and First Street, across the street
19 from the previous applicant.

20 The property is located in the R-3
21 zone, where we are requesting a variance for an
22 expansion of a nonconforming structure for lot
23 coverage, rear yard and building depth.

24 The architect is Michelle Drollette.

25 If you could describe the --

1 MR. GALVIN: All right. Let's stop
2 there.

3 Michelle, raise your right hand.

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

7 MS. DROLLETTE: Yes.

8 M I C H E L L E D R O L L E T T E, R.A., having
9 been duly sworn, testified as follows:

10 MR. GALVIN: State your full name for
11 the record and spell your last name.

12 THE WITNESS: Michelle Drollette,
13 D-r-o-l-l-e-t-t-e.

14 MR. GALVIN: Michelle, could you give
15 us three Boards you have appeared before recently?

16 THE WITNESS: I only appeared before
17 two other Boards.

18 MR. GALVIN: Well, tell us what they
19 are.

20 THE WITNESS: Both in Pennsylvania, in
21 Bethlehem and Freemansburg.

22 MR. GALVIN: No, that's okay. It is
23 all right.

24 You are a licensed New Jersey
25 architect?

1 THE WITNESS: Yes.

2 CHAIRMAN AIBEL: Are you an RA or an
3 AIA?

4 THE WITNESS: RA.

5 MR. GALVIN: Do we accept the
6 credentials?

7 CHAIRMAN AIBEL: We do.

8 MR. GALVIN: Good.
9 So Hoboken is your first New Jersey
10 one. That's good.

11 (Laughter)

12 THE WITNESS: Yes.

13 MR. GALVIN: The only thing I'm going
14 to ask you both is that you guys have to speak up.
15 I am having trouble hearing you, okay?

16 Belt it out like it is behind me, all
17 right?

18 THE WITNESS: Okay.

19 MR. GALVIN: Go ahead.

20 MS. FISHER: Michelle, if you could
21 please describe the existing property and the
22 proposed plans.

23 THE WITNESS: So we have property
24 directly across the street from the applicant that
25 you just heard, and it is an existing -- it's a

1 three-unit building. There is a unit on each floor
2 shown here in the center of the street scape.

3 Our client occupies the top floor, and
4 they are looking to build up an additional floor
5 with a roof deck.

6 They are not going to increase the
7 density. It will still remain a three-unit
8 building, and we will only be doing work on the top
9 floor, and then whatever repair work needs to happen
10 on the sidewalk and curb and that kind of thing.

11 These are some existing photographs of
12 the street scape, both sides north and south of the
13 building. Some of this has changed a little bit.
14 These photos were originally submitted about a year
15 ago. There's now a building to the south of ours.

16 The building directly to the south is a
17 four-and-a-half story building, new construction.

18 Ours will be a four-story building.

19 The one directly to the north of ours
20 is a three-story building, all existing.

21 So on drawing Z-3, we show in the lower
22 left corner what the existing street scape looks
23 like with our building in the center, a new building
24 to the south, and then the existing building to the
25 north.

1 Drawing 4 right above that shows what
2 we are proposing to do with our building. By adding
3 a floor, we are going to keep the existing look of
4 the building.

5 These are sort of a horizontal piece
6 that would demarcate the existing cornice of the
7 building, so the new brick can be built up. It
8 doesn't have to match exactly, but it still
9 maintains the masonry that's required in Hoboken.

10 Our building sections that we have,
11 Drawing 3 on this, Drawing 2 is the existing,
12 showing a section of the profile of our building
13 with a new building, 74, which is directly to the
14 south of us.

15 And section number 3 shows our built up
16 floor and a bulkhead for our stair to access the
17 roof deck on the top.

18 Our Sheet Z-4 shows the detailed floor
19 plan of what we are proposing just for our owner's
20 unit.

21 So this is the -- Drawing 3 is the
22 existing top floor of the building, which we are
23 mainly leaving as is. We are going to obviously be
24 adding a stair that will go up to the additional
25 floor.

1 Drawing number 2 shows our built-up
2 floor, which is the bulk of what we are adding to
3 the building. A large portion of the front will be
4 a double height space with skylights, and we are
5 adding two bedrooms and two bathrooms.

6 Then the drawing number 3 shows our
7 proposed roof deck that is set back significantly
8 from the front, so it won't be visible from the
9 street.

10 This floor -- the roof deck is just
11 really the, you know, the roof deck area with the
12 stair, full stair access from the floor below, and
13 nothing else existing on that floor.

14 We have set -- we have pulled back the
15 deck from the north side because the adjacent
16 building has skylights in the top of their roof, so
17 we pulled this back, so that you won't be able to
18 see into their space, and we also pulled it back
19 significantly from the front of the building, so
20 that you won't see it from the street.

21 MR. GALVIN: Any questions from the
22 Board?

23 COMMISSIONER GRANA: Ms. Drollette, I
24 am going to refer back to Z-1.

25 On the plan I have, I just see no

1 variances are requested, and is that because if this
2 was a conforming structure, you would not be seeking
3 a variance?

4 I mean, I can see where the
5 nonconformity is on the first floor --

6 THE WITNESS: Correct.

7 COMMISSIONER GRANA: -- right, so that
8 is where the nonconformance comes in.

9 But is the reason you are saying that
10 there are no variances is because if we were in
11 compliance on the first floor, what we were doing
12 here would require no variances?

13 THE WITNESS: Correct.

14 COMMISSIONER GRANA: Thank you.

15 (Board members confer)

16 MS. BANYRA: Antonio, can you repeat
17 that again?

18 I'm sorry. I didn't hear --

19 COMMISSIONER GRANA: Okay.

20 So I guess my question was, I see on
21 the zoning table on Z-1, I don't see a request for
22 variances, okay?

23 And my question was: Is the reason
24 that we have been given that information is because
25 what we are seeking is a modification to a

1 nonconforming structure, but if the structure were
2 conforming, and I see the problem is on the first
3 floor, this application would actually not be asking
4 for any variances.

5 MS. BANYRA: If it was conforming.

6 I mean, my take on that is that all --
7 you actually require variances because you are
8 expanding a nonconforming structure --

9 COMMISSIONER GRANA: Right.

10 MS. BANYRA: -- so each one of these
11 that has a one, to me, I have a variance next to.
12 It is not that it has gotten bigger. It's just that
13 you are touching it.

14 MR. GALVIN: But the question was -- I
15 want it also --

16 MS. BANYRA: Yes.

17 MR. GALVIN: -- if the first floor was
18 at 60 percent, not 84 percent, and they were adding
19 this addition on --

20 MS. BANYRA: That's correct. Then you
21 wouldn't need a variance.

22 COMMISSIONER GRANA: Then there would
23 be no variance requested.

24 MR. GALVIN: Okay.

25 COMMISSIONER GRANA: Yeah, okay.

1 COMMISSIONER MARSH: I'm sorry.

2 Could you repeat that?

3 COMMISSIONER COHEN: If the first floor
4 was built at 60 feet instead of 83 --

5 MR. GALVIN: 60 percent instead of 85
6 percent.

7 COMMISSIONER COHEN: -- what they would
8 be putting on top of a conforming structure, if it
9 were conforming, would not require a variance.

10 MR. GALVIN: Would be conforming.

11 COMMISSIONER MARSH: Okay.

12 VICE CHAIR BRANCIFORTE: So what is in
13 existing Unit 1 right now?

14 THE WITNESS: It is an apartment. It's
15 a condo --

16 UNIDENTIFIED VOICE: A two-bedroom
17 condo.

18 THE WITNESS: -- a two-bedroom condo.

19 VICE CHAIR BRANCIFORTE: Does that
20 trigger any problems here now that -- does that
21 trigger any problems with flood plain stuff, that
22 they are modifying the building and now --

23 MR. GALVIN: You know, funny you should
24 say that. What triggers it is -- you can make an
25 improvement to a building --

1 COMMISSIONER BRANCIFORTE: Right.

2 MR. GALVIN: -- as long as it is not
3 more than 50 percent of the value of the building.

4 So you already have three floors, and
5 you are working on a fourth floor. It is unlikely
6 that that one floor would be more than 50 percent of
7 the value of the existing improvement. But if it
8 is, but if it is, then they would have to comply
9 with that.

10 VICE CHAIR BRANCIFORTE: Use the
11 apartment on the first floor?

12 MR. GALVIN: Or elevate the building,
13 which would significantly change the proposal. It
14 would probably change everything.

15 But I think at this point somebody has
16 made an assessment that it's not going to be more
17 than 50 percent of the value of the -- not the
18 property, but of the improvements.

19 COMMISSIONER WEAVER: Do we know that
20 to be true, or do you just --

21 MR. GALVIN: I don't. I don't. But if
22 it turns out that they are, they're going to have to
23 comply with FEMA.

24 MS. BANYRA: Yeah.

25 The Flood Plain Manager actually

1 checks. That's her thing. If she's -- and you will
2 probably hear some testimony to that on other
3 applications this evening, but I know that the Flood
4 Plain Manager does evaluate whether or not it's 50
5 percent or more.

6 So what Dennis just indicated, and Jeff
7 and I were talking about it, and we agree with what
8 Dennis has indicated in terms of if it is not more
9 than 50 percent, then it is okay. And if it's more,
10 then they are going to have to do something else.

11 VICE CHAIR BRANCIFORTE: Gotcha.

12 Just one other quick point. It really
13 doesn't have a lot to do with the application, but
14 the windows on the front facade, do you have any
15 sort of drawing of what they are going to look like?

16 Because what you show in the drawing is
17 really kind of cool looking. It sort of looks like
18 industrial, loft style factory, but what's in the
19 picture is completely different.

20 THE WITNESS: Well, we have not
21 finalized what the construction materials would be.
22 We were really trying to get this approved before we
23 did too much more.

24 This is the look that we could come to
25 with our client, so I imagine it would be something

1 in this language.

2 VICE CHAIR BRANCIFORTE: It's fine. I
3 don't think we really have any way to say what the
4 windows look like anyway.

5 COMMISSIONER WEAVER: Well, except that
6 they don't match.

7 VICE CHAIR BRANCIFORTE: Yeah,
8 that's --

9 THE WITNESS: You mean match from the
10 existing floor?

11 VICE CHAIR BRANCIFORTE: Well, from the
12 second -- well, the first -- the second floor, at
13 the first floor over the garage and the other top
14 two, you know, it just looks a little bit odd.

15 (Board members confer)

16 THE WITNESS: It is what is existing
17 now in terms of the divided lights, is that what you
18 are referring to?

19 VICE CHAIR BRANCIFORTE: Well, I wish I
20 had a better picture of what's existing now than
21 what we have in front of us.

22 COMMISSIONER MURPHY: It's right here.

23 COMMISSIONER GRANA: It's on Z-2.

24 VICE CHAIR BRANCIFORTE: Yeah,
25 basically --

1 COMMISSIONER MC ANUFF: It's on Z-2,
2 John --

3 THE WITNESS: This is a little larger,
4 but --

5 COMMISSIONER MC ANUFF: -- John, Z-2 is
6 a better drawing --

7 CHAIRMAN AIBEL: I think Mr.
8 Branciforte is simply suggesting that you make them
9 uniform.

10 THE WITNESS: Make them all uniform in
11 the entire building?

12 VICE CHAIR BRANCIFORTE: Yes.

13 COMMISSIONER GRANA: But --

14 VICE CHAIR BRANCIFORTE: What do you
15 call the little wooden pieces that go -- come on, we
16 have two architects on this Board.

17 COMMISSIONER WEAVER: Muntins.

18 VICE CHAIR BRANCIFORTE: Like the
19 second floor doesn't have any muntins and the
20 second --

21 COMMISSIONER WEAVER: Well, they are
22 fake muntins really.

23 VICE CHAIR BRANCIFORTE: Well, they're
24 still --

25 THE WITNESS: On the third floor, they

1 are between the slats, so they're not --

2 VICE CHAIR BRANCIFORTE: Right.

3 Can we make this uniform throughout the
4 building? Is it possible?

5 I mean, it is a condo building, so how
6 do you force the people downstairs to do it?

7 THE WITNESS: We can present it to the
8 Board and we can encourage the Board to grant that.

9 COMMISSIONER MC ANUFF: But just as
10 a --

11 COMMISSIONER COHEN: But --

12 COMMISSIONER MC ANUFF: -- just let me
13 interrupt for a second.

14 Just on the elevation on Z-3, you have
15 five windows on the top floor, and on the plan on
16 Z-4 you have four windows.

17 So there are going to be the same
18 amount of windows on each thing. It is just going
19 to be a different --

20 THE WITNESS: Well, this is actually
21 the double height space, so this is the existing
22 floor.

23 So, yes, this should have been drawn
24 with the five windows across the front --

25 COMMISSIONER MC ANUFF: Okay.

1 THE WITNESS: -- but this is how we
2 intended it to look.

3 COMMISSIONER MC ANUFF: I think it
4 actually looks better on the plan version with the
5 four windows, but --

6 COMMISSIONER WEAVER: I'm sorry. What
7 was that?

8 COMMISSIONER MC ANUFF: The plan on Z-4
9 shows four windows on the top floor, but the
10 elevation shows five.

11 THE WITNESS: The reason for that, that
12 was a change in the elevation that wasn't carried
13 through to the plan to maintain the window area
14 required by Hoboken, so that in that fifth window on
15 the top floor, we get our 25 percent --

16 COMMISSIONER MC ANUFF: Oh, you need it
17 for -- got it, okay.

18 THE WITNESS: -- because it was below
19 the requirement for Hoboken previously, so adding it
20 there was the easiest place to add it.

21 (Board members confer)

22 COMMISSIONER MC ANUFF: I am going to I
23 think --

24 MR. GALVIN: Hey, guys, I am having a
25 problem with this. I just want to make sure

1 everybody is together.

2 I did not realize this is a condo.
3 Condos have to be represented by an attorney. You
4 know, you have to make sure you have the consent of
5 the condo association, and we are not going to
6 parcel those cases out. So if the windows don't
7 look right in that first unit, they got to get
8 fixed. How else -- we're never going to fix that.

9 You know, you're approving the
10 building. That's what a condo is. It's a solid,
11 one single building. It's owned by two different
12 people, but if the Board feels it is important
13 esthetically that that look right, you need to make
14 that a requirement. They'll have to go back and
15 work that out with the other property owner.

16 You have counsel, so --

17 MS. FISHER: Would a consent from the
18 condo association be sufficient?

19 MR. GALVIN: Yeah, that will solve part
20 of the problem.

21 But I don't want the Board thinking,
22 it's not like -- you don't own two houses. There is
23 not two houses there. There's one house from our
24 standpoint.

25 So, you know, you have to have proof.

1 We have to have reasons for why we approve
2 something, and the best way for you guys to get your
3 approval is for you to say what you are doing is
4 attractive, and you know, it is not going to have
5 any negative impact on the surrounding property
6 owners.

7 So if the Board doesn't think the way
8 the windows are currently look right, then they
9 might be okay with it. I am not telling them how to
10 decide it, but I don't want them to think that they
11 can't do this because you have one condo, and they
12 have the other condo.

13 CHAIRMAN AIBEL: Can you make that a
14 condition?

15 MS. BANYRA: Can I just ask a question,
16 though?

17 Ms. Drollette, this has been around for
18 a while now in review, and I guess I thought at some
19 point in time that there was a discussion that we
20 had approval or the condo association had evaluated
21 this, because there is only one other property
22 owner, correct?

23 THE WITNESS: Two.

24 MS. BANYRA: Two others.

25 Okay. So there are three units in

1 here, and now we are moving to two units?

2 THE WITNESS: It will remain three
3 units.

4 COMMISSIONER COHEN: No. They are
5 adding two floors to one of three units --

6 MS. BANYRA: Okay. Wait. Then there
7 was something on the plan I think -- hold on a
8 second.

9 COMMISSIONER MC ANUFF: You just look
10 at it as a certain section on Z-3.

11 MS. BANYRA: I guess I thought that
12 there was a condo association approval already,
13 because like I said, this has been around for at
14 least a year or two, and I thought that at some
15 point there was a discussion of did you not have
16 condo approval for what you are doing, and/or, you
17 know, something to that effect, that we had had a
18 discussion on this.

19 MS. FISHER: May I take a moment to ask
20 my client a question?

21 MR. GALVIN: Yes.

22 MS. BANYRA: Sure.

23 (Counsel confers with client)

24 MS. FISHER: We actually have a letter
25 approving -- from the condo association approving

1 the project, and the muntins are plastic and can be
2 inserted into the windows to change the appearance
3 at any time.

4 MS. BANYRA: I am sorry. I couldn't
5 hear that. Jeff was telling me something.

6 MR. GALVIN: What they are saying is
7 they have -- you call them muntins?

8 MS. BANYRA: Muntins.

9 VICE CHAIR BRANCIFORTE: Munsons, like
10 Thurman Munson?

11 (Laughter)

12 COMMISSIONER MC ANUFF: Call them
13 grills.

14 MS. BANYRA: Grills, yeah.

15 MR. GALVIN: So if we require the
16 grills to be placed on the first floor, you guys can
17 make that happen?

18 THE WITNESS: Yes, absolutely.

19 MR. GALVIN: So if we would like all of
20 the windows to be -- if the Board wanted all of the
21 windows to be uniform, you can make that happen,
22 right?

23 THE WITNESS: Correct.

24 MR. GALVIN: The other thing I point
25 out to you, too, when you increase the size of the

1 building, you are changing the percentage of
2 interest in the condo association possibly, right?

3 MS. FISHER: Right.

4 MR. GALVIN: That has nothing to do for
5 us, but just so you know.

6 MS. FISHER: Right.

7 MS. BANYRA: And I have a question for
8 the architect.

9 Between floors three and four, what is
10 the architectural detail on your left side, top
11 left, right there, what is your water -- I am going
12 to call it a watermark, but it's not.

13 What is that band there?

14 THE WITNESS: This band here?

15 MS. BANYRA: Yeah.

16 THE WITNESS: Again, it has not been
17 completely hashed out.

18 Our intention was to leave a decorative
19 band there similar to what is existing now and build
20 up from there --

21 MR. GALVIN: Let me just -- time out
22 again also.

23 When we do things before the Zoning
24 Board, what you put up is what you build. There is
25 no later on we decided not to do the band, you know.

1 (Laughter)

2 THE WITNESS: We do intend to do a band
3 there.

4 MS. BANYRA: So it would be like, I'm
5 going to say, concrete or masonry --

6 THE WITNESS: Masonry band.

7 MS. BANYRA: -- solid band that breaks
8 the third and fourth floor. It makes a distinct new
9 floor.

10 THE WITNESS: Correct.

11 MS. BANYRA: And is that floor set
12 back? It's not set back at all, is it?

13 THE WITNESS: No.

14 MS. BANYRA: Okay.

15 Thank you.

16 CHAIRMAN AIBEL: Questions for the
17 architect?

18 COMMISSIONER MC ANUFF: I don't.

19 COMMISSIONER DE GRIM: I have some.

20 CHAIRMAN AIBEL: Okay, Mr. DeGrim.

21 COMMISSIONER DE GRIM: You have three
22 HVAC units shown on the roof on Z-4.

23 Is that -- with -- where are the HVAC
24 units currently located?

25 THE WITNESS: They are kind of

1 sprinkled on the roof over here. They are all
2 existing on the roof right now.

3 COMMISSIONER DE GRIM: Okay.

4 Is there any plan to put any kind of
5 sound buffering barrier around them?

6 THE WITNESS: There is not, but it
7 could be added, if it was requested.

8 COMMISSIONER DE GRIM: Okay. All
9 right.

10 And there are currently three HVAC
11 units?

12 THE WITNESS: Yes, that is my
13 understanding.

14 COMMISSIONER DE GRIM: Okay.

15 They are not going to add another one
16 because they are adding a floor?

17 THE WITNESS: No. I believe that we
18 can use a single four or five-ton unit to cool the
19 new space, because with the new construction, it
20 will also have a lot better insulation.

21 COMMISSIONER DE GRIM: Okay.

22 Do you have a four-ton unit there now,
23 or are you going to have a bigger unit?

24 THE WITNESS: It will probably be
25 bigger than what is there now.

1 COMMISSIONER DE GRIM: Okay. Thank
2 you.

3 CHAIRMAN AIBEL: Mr. Weaver?

4 COMMISSIONER WEAVER: So just a few
5 questions.

6 As far as the investigation, there has
7 been a lot of talk about the masonry and the water
8 table relief and some material of the building.

9 Do we know what the material of the
10 building is to the south that has been approved for
11 70 -- 74 maximum?

12 THE WITNESS: 74?

13 It is masonry with metal panels.

14 COMMISSIONER WEAVER: Okay. And your
15 clients didn't want to use metal panels, they want
16 to continue the masonry?

17 THE WITNESS: Hum, I mean, to get the
18 percentage that was required with Hoboken, we had to
19 continue the masonry.

20 MR. GALVIN: Well, let me jump out
21 there and assist you.

22 One of the thoughts that I already had
23 was that I don't know if you liked the five windows
24 on the top floor, but if you don't, they did the
25 five windows so that they could comply with the

1 glass, right?

2 THE WITNESS: Correct.

3 MR. GALVIN: And they asked for any
4 other variance that may be required at the time of
5 the hearing.

6 So if we want to drop out a window, I
7 think we could do that and grant them a variance.

8 And if you have an idea that it would
9 make this look nicer, you know, a slight change in
10 the masonry would be okay, too, as part of the, you
11 know, it would require a variance, but --

12 COMMISSIONER WEAVER: Yeah, I mean --

13 MR. GALVIN: -- what do you think?

14 It is up to you. It is not my area.

15 COMMISSIONER WEAVER: Well, I mean,
16 personally I don't think there is anything
17 particularly -- we're thinking about putting more
18 masonry on top of it, and it is also an existing
19 structure, so it is more weight on the structure.
20 It might be, you know, just the expense of a wash
21 between metal and masonry.

22 It just might be something to
23 investigate with the clients.

24 I mean, I know you're trying to -- I'm
25 sympathetic to you trying to stay within the rules

1 and ask for as little as possible, but sometimes,
2 you know, as you see, we are kind of open to be
3 working with you, just so it is an amenity for the
4 community as opposed to just, you know, what
5 complies.

6 THE WITNESS: Okay.

7 COMMISSIONER WEAVER: Now, there is no
8 garage door? There's no screening for the parking?

9 THE WITNESS: Correct. There's a metal
10 gate.

11 COMMISSIONER WEAVER: The metal gate is
12 just open?

13 THE WITNESS: Yes, it is an existing
14 gate.

15 COMMISSIONER WEAVER: And what is
16 stored inside in?

17 It looks like there's trash cans
18 outside. Are those the clients' trash cans?

19 THE WITNESS: Yes. Those are for the
20 building.

21 COMMISSIONER WEAVER: And there is --

22 THE WITNESS: Two-car parking.

23 COMMISSIONER WEAVER: Yeah. We
24 generally like -- I hope I am not overstepping, but
25 we generally like to see all of the plans of the

1 building, not just the ones that you're
2 contemplating renovating.

3 Likewise, you know, an amenity for the
4 community might be to take the trash cans off the
5 street, if there is a way to store them inside the
6 building.

7 Also screening for the parking, I don't
8 know what is inside, but a lot of times, you know,
9 we like to screen the parking because it becomes
10 storage space, and it becomes a catchall for
11 everything, and you know, we try to dress it up a
12 little bit.

13 THE WITNESS: Okay.

14 VICE CHAIR BRANCIFORTE: So when you
15 say there's a metal gate, you just mean a three foot
16 metal gate, or do you mean a metal --

17 COMMISSIONER MC ANUFF: Z-4, the
18 picture on the left.

19 COMMISSIONER WEAVER: It's a very open
20 metal gate --

21 THE WITNESS: It's a tall gate that
22 swings open, and it is typically locked.

23 VICE CHAIR BRANCIFORTE: Oh, okay. I
24 see it there.

25 COMMISSIONER WEAVER: I mean, I am also

1 sensitive to -- I mean, there is a threshold and all
2 of these things, a lot of what I, you know,
3 suggested are adding to the budget of the project,
4 and those are costs which then need to be addressed
5 by the Flood Plain Manager in her assessment, and
6 there will be a breaking point, right?

7 So there is a balance between that, so
8 we need to be careful that we are still hoping to
9 move the project forward, but at the same time we're
10 not adding such a burden, that it just becomes a
11 completely different application.

12 MS. BANYRA: To answer that point, will
13 you then be potentially pushing it over the 50
14 percent threshold?

15 COMMISSIONER WEAVER: Exactly. That is
16 what I am saying.

17 You know, if it's more expensive
18 windows, or you know, if it's, you know, a more
19 expensive parking screening, if we are changing part
20 of the ground floor layout to have some garbage
21 storage, I mean all of these things, I'm cognizant
22 of it, that we are not pushing the applicant over
23 into a scenario where they may have to deal with the
24 50 percent.

25 We don't have an assessment. It is

1 just speculation at this point, that they are even
2 under the 50 percent. We haven't had that analysis
3 yet.

4 MS. BANYRA: Well, we don't get that
5 analysis. I mean, that's really not something that
6 we end up getting. It is a part of the Flood Plain
7 Manager's review.

8 COMMISSIONER WEAVER: So we could go
9 through all of them -- hypothetically, we could go
10 through all of this, and the applicant goes to the
11 Flood Plain Manager --

12 MS. BANYRA: No, no.

13 We usually get a letter from the Flood
14 Plain Manager prior to -- and I forget now -- this
15 has been around literally for probably two years.

16 MS. CARCONE: I know.

17 MS. BANYRA: Yeah. Typically we have a
18 Flood Plain Manager's review letter in the file, and
19 it comes as part of the application.

20 Since this was on the third and fourth
21 floor, you know, maybe that didn't happen.

22 I really don't know the answer, Dan, to
23 that. But we typically don't get the answer to that
24 until, you know, when it is on the first floor, we
25 have a letter in the file from the Flood Plain

1 Manager, so I don't know the answer.

2 COMMISSIONER WEAVER: It still needs
3 to -- the check still needs --

4 MS. BANYRA: It is going to happen, and
5 it has to happen, and everything is conditioned upon
6 her approval anyway.

7 COMMISSIONER WEAVER: I'm just trying
8 to help them -- I'm just trying to help them
9 facilitate, you know, if they are going through all
10 of this, and we need to make sure that they are
11 aware that there can be a big problem.

12 MS. BANYRA: Well, you are aware that
13 you are going to the Flood Plain Manager, correct?

14 THE WITNESS: Correct.

15 MS. BANYRA: Yeah.

16 And have you had discussions with her
17 yet?

18 MR. GALVIN: Dan, I am going to add in
19 the conditions, the applicant was made aware that
20 FEMA would require the building to be elevated, if
21 the cost of the renovation exceeds 50 percent of the
22 value of the building.

23 Based on my experience with this kind
24 of a structure, I am just not feeling it that this
25 portion of that floor is going to be more than 50

1 percent of the whole building.

2 It could be, but I don't think it is
3 going to be.

4 CHAIRMAN AIBEL: Okay.

5 VICE CHAIR BRANCIFORTE: Where are the
6 mechanicals now?

7 There are no mechanicals on the roof
8 from what I see, so where are the air conditioning
9 units?

10 Is there central AC in there now?

11 THE WITNESS: On the second floor, it
12 is --

13 VICE CHAIR BRANCIFORTE: Oh, on the
14 floor of the extension?

15 No, it can't be.

16 COMMISSIONER MC ANUFF: On the roof of
17 the first floor?

18 VICE CHAIR BRANCIFORTE: All of the
19 mechanicals, can it be possible?

20 (Board confers)

21 MS. FISHER: The unit for the third
22 floor is located on the roof, and the units for the
23 first and second floors are located on the second
24 floor extension.

25 VICE CHAIR BRANCIFORTE: Okay. So you

1 are moving everything to the roof then, to the new
2 roof?

3 All of the new compressors are going to
4 the new roof?

5 THE WITNESS: I understand we will just
6 be moving the one. Just having the one unit for
7 this floor.

8 VICE CHAIR BRANCIFORTE: Okay. You
9 show three compressors.

10 THE WITNESS: Yes, it will be one.

11 VICE CHAIR BRANCIFORTE: And then the
12 other thing, too, on that green roof, you don't
13 really show any pathway to walk across the green
14 roof to get to the compressors for maintenance.

15 THE WITNESS: We can add pavers.

16 VICE CHAIR BRANCIFORTE: Yeah.

17 CHAIRMAN AIBEL: Anybody else?

18 COMMISSIONER COHEN: Just one thought.

19 I mean, I am just not sure how many
20 conditions we should be placing on a condo owner on
21 common spaces of units that they don't own.

22 I mean, to the extent that we are
23 talking about putting in the muntins that are
24 removable, that are not burdensome, I think that is
25 fine. But I think redesigning their common garage

1 and their trash receptacles and all of that, without
2 having the other condo units present, I mean, you
3 know --

4 MR. GALVIN: I understand your
5 sentiment, and I don't think we should overdo it,
6 because I do think there are problems presented, and
7 it is kind of a small application.

8 But, on the other hand, I don't think
9 that you should be afraid to make what you would
10 make in any other building.

11 In other words if you had asked Mr.
12 Minervini to move the garbage cans or move the air
13 conditioning units -- you weigh is what I'm saying,
14 but you have to have proofs.

15 Like that is why I was saying about the
16 windows, making four windows instead of five
17 windows, if you think that makes it look more
18 esthetically pleasing, because at the end of the
19 day, the proofs here have to be something, and it is
20 going to have to be the esthetics and the
21 improvement to the building.

22 COMMISSIONER COHEN: Right.

23 But I'm just talking about the
24 conditions for units that are owned by people that
25 are not represented in this hearing today.

1 MR. GALVIN: But I'm saying, they will
2 have to resolve that issue.

3 In other words, if you felt that
4 putting all of the AC units on the roof would make
5 it quieter for the neighbors, that would be a
6 special reason that justifies the approval, so you
7 would want to do that, if that was important.

8 But if it's not that important, why
9 burden this couple with that cost and expense,
10 whether there are multiple people here or one
11 person?

12 COMMISSIONER COHEN: I understand.

13 But I just think putting conditions on
14 the roof in this circumstance would be fine because
15 that is part of their unit.

16 My concern is putting conditions on
17 units of other unit owners that they are going to
18 have to seek some sort of consent when they are not
19 having an opportunity to be heard this evening. Or,
20 you know, we're doing this sort of on the fly
21 without --

22 VICE CHAIR BRANCIFORTE: Maybe I could
23 clear this up, Phil.

24 I am not asking them to move all of the
25 units on the roof, if that's what you're after.

1 I was just curious where they were now.
2 I thought it might be a benefit if we were moving
3 them from the backyard up to the roof. I thought it
4 would be a good benefit for the neighborhood to get
5 them off the ground and move them to be higher.

6 COMMISSIONER COHEN: Okay.

7 But that was one of the conditions we
8 were talking about. The other ones had to do with
9 the swinging gates for the garage and placement of
10 the gates for the garbage, and these are common
11 elements for a property that they are only
12 percentage owners of.

13 MR. GALVIN: I am not so sure that they
14 should be in front of us. The association should be
15 in front of us. I really want, you know, we need to
16 think about this. We get people coming in for just
17 a single unit for a condo association, I want the
18 whole condo association to appear before us.

19 We have had several instances, where we
20 are taking, you know, one unit owner, and that is
21 your point.

22 COMMISSIONER COHEN: Right.

23 MR. GALVIN: The whole group should be
24 here, and then we should do what we have to do for
25 the property. But if you are going to advance by

1 yourself, then you have to go back and get the
2 consent of others. I mean, it's unfortunate, but --

3 CHAIRMAN AIBEL: That's where we are.

4 MR. GALVIN: I'm sorry.

5 MS. BANYRA: So, Dennis, haven't in the
6 past, though, received letters?

7 That's what I thought we were doing is
8 getting the condo association's approval --

9 MR. GALVIN: Let me just say this, and
10 I am a little cranky --

11 (Laughter)

12 -- but what I am basically saying --
13 Grandpa is cranky -- what I am saying is, yeah, I
14 think having the authorization of the condo
15 association is fine, but look at how it is jamming
16 us up.

17 The jam-up is if we want to make
18 improvements to this building, we are concerned that
19 we can't do that. We shouldn't have our hands tied
20 behind our back. We should make whatever
21 improvements we need to make for the structure as
22 proposed --

23 CHAIRMAN AIBEL: We can, and we can
24 make them conditions, and if they can't get
25 consent --

1 MR. GALVIN: Then they can't have the
2 project.

3 CHAIRMAN AIBEL: -- they're going to be
4 back here, so --

5 MR. GALVIN: Right.

6 CHAIRMAN AIBEL: -- can we move on now?

7 MS. BANYRA: Maybe.

8 Go ahead.

9 MR. MARSDEN: Did you receive my review
10 letter?

11 THE WITNESS: Yes.

12 MR. MARSDEN: Okay.

13 Have you evaluated it, and can you
14 address all of the issues, because on your sheet, I
15 think it is Z-3, Z-03 --

16 THE WITNESS: Yes.

17 MR. MARSDEN: -- okay. It shows in the
18 upper left-hand corner -- right-hand corner, it
19 shows a sample or a designation of the survey that
20 you have.

21 The survey you have shows a rear wooden
22 deck that encroaches on the rear and probably the
23 side property line, and it also shows a fence that I
24 assume is yours, that goes -- encroaches on the side
25 and rear property line.

1 And yet, your floor plan does not
2 show -- oh, and it shows the building is set back, I
3 don't know how far, but the floor plan doesn't show
4 the property line. It shows the building on the
5 property line.

6 MS. BANYRA: Is the deck there is the
7 question.

8 THE WITNESS: The deck is existing.

9 MR. MARSDEN: Then shouldn't it be
10 shown on your section in the bottom right of Z-03
11 because there is nothing shown?

12 THE WITNESS: I can add that to the
13 section.

14 MS. BANYRA: So then that changes. So
15 your rear yard setback that you have is 15 feet, and
16 your lot coverage at 85 percent then is actually not
17 probably correct.

18 THE WITNESS: If that is measuring to
19 that existing fence, you are correct. It probably
20 is a little shorter.

21 MR. MARSDEN: Not the fence, but the
22 deck, because the deck generates coverage.

23 THE WITNESS: Correct.

24 MR. MARSDEN: Okay. So I think that
25 has to be modified.

1 As I said, did you have any issues
2 where you couldn't address my letter?

3 THE WITNESS: Hum, adding the block and
4 lot numbers is something that I intend to do when we
5 submit.

6 MR. MARSDEN: None of the drawings that
7 I have were signed and sealed.

8 I presume that the plans that went to
9 the city were signed and sealed?

10 THE WITNESS: Yes.

11 COMMISSIONER MARKS: I will need a set
12 of final signed and sealed plans, and all of the
13 signature plans will have to be signed and sealed.

14 THE WITNESS: Correct.

15 MR. MARSDEN: Okay.

16 You should also show the base flood
17 elevation and the design flood elevation on your
18 elevation views, so that it is very clear where your
19 floors are with respect to that.

20 MR. GALVIN: Hey, Jeff, was that raised
21 at the ARC meeting?

22 MR. MARSDEN: Yes.

23 MR. GALVIN: Okay. So was it done?

24 THE WITNESS: On Z-3, we have, on the
25 sections we show the design flood elevation.

1 On the elevations, we don't call out
2 the elevations. We just indicate where they are.
3 It might be a little hard to see on the smaller
4 plans.

5 MR. GALVIN: So you agree to comply --

6 COMMISSIONER GRANA: So I see on Z --

7 (Everyone talking at once.)

8 MR. GALVIN: Wait a minute. Time out,
9 everybody.

10 So you agree you are going to comply
11 with the engineer's comments, correct?

12 THE WITNESS: Correct.

13 MR. MARSDEN: Okay. Thank you.

14 CHAIRMAN AIBEL: All right.

15 Let me open it up to the public.

16 Questions for the architect?

17 VICE CHAIR BRANCIFORTE: Motion to
18 close.

19 COMMISSIONER MC ANUFF: Second.

20 CHAIRMAN AIBEL: All in favor?

21 (All Board members answered in the
22 affirmative)

23 CHAIRMAN AIBEL: Do you have anything
24 else?

25 MS. FISHER: Just in summary --

1 CHAIRMAN AIBEL: You know what --

2 MR. GALVIN: Hold on one second. We
3 have to open it up to the public first.

4 CHAIRMAN AIBEL: Yes. We are going to
5 open it up to the public first.

6 Now is the time --

7 COMMISSIONER MC ANUFF: Do they have a
8 planner?

9 MR. GALVIN: No. In a C variance, we
10 are not used to these --

11 COMMISSIONER MC ANUFF: Okay.

12 (Laughter)

13 MR. GALVIN: -- but -- just okay.

14 CHAIRMAN AIBEL: Teach them. Go ahead.

15 MR. GALVIN: No. I mean, let me ask
16 you this.

17 Ms. Drollette, I am going to ask you a
18 couple of quick questions.

19 THE WITNESS: Okay.

20 Do you think the plans that you have
21 drawn are attractive?

22 THE WITNESS: Yes.

23 MR. GALVIN: Do you think it will
24 improve the look of the street scape and improve the
25 housing stock of Hoboken?

1 THE WITNESS: Yes.

2 MR. GALVIN: Okay. Will there be any
3 negative impact on the surrounding property owners?

4 THE WITNESS: No.

5 MR. GALVIN: Okay. You are not
6 blocking anyone's light or air by this proposal?

7 THE WITNESS: No.

8 MR. GALVIN: All right.

9 So we have the proofs that we need.

10 Now we should open to the public to see
11 if anybody wants to comment on this case.

12 CHAIRMAN AIBEL: Does anybody wish to
13 comment?

14 Seeing nothing.

15 COMMISSIONER COHEN: Motion to close
16 the public portion.

17 VICE CHAIR BRANCIFORTE: Second.

18 COMMISSIONER MC ANUFF: Second.

19 CHAIRMAN AIBEL: All in favor?

20 (All Board members answered in the
21 affirmative)

22 MR. GALVIN: Counsel, now you can close
23 up.

24 MS. FISHER: Thank you.

25 In summary, the plans that we are

1 proposing, none of the plans themselves require a
2 variance. The only variance we are looking for is
3 the expansion of the already existing nonconforming
4 use.

5 So as far as the impact that these
6 plans are making, it seems that overall, they are a
7 very minor change because nothing that we are
8 proposing is outside of what is already allowed in
9 the R-3 district.

10 CHAIRMAN AIBEL: Thank you.

11 Okay. Let me open it up, Board.

12 Anybody want to kick off?

13 COMMISSIONER MC ANUFF: I will kick
14 off.

15 I think this got a little more
16 complicated than it needs to be. Assuming that the
17 condo board is okay with everything as far as this
18 addition, I am fine with it.

19 The only thing I would want to see
20 changed, as I mentioned before, is I think the
21 fourth floor should have four windows on the front
22 rather than five, just to keep with the character of
23 the building, and I am fine with that other
24 condition about putting the grills back in the
25 existing windows on the second floor. But other

1 than that, I support the project.

2 CHAIRMAN AIBEL: Anybody else wish to
3 comment?

4 VICE CHAIR BRANCIFORTE: I am okay with
5 the way the windows are drawn now with five, and I
6 appreciate that they want to give some uniformity to
7 all of the windows on the facade.

8 I think we do get one shot, only one
9 shot here to improve the street scape, and that
10 would be putting a nicer garage door on, but I am
11 going to let it slide, so that is all I have to say.

12 COMMISSIONER COHEN: Yeah.

13 I think that this is not an impactful
14 addition. It fits in with the heights of the
15 neighboring buildings. It doesn't require a height
16 variance. It doesn't require a density variance.

17 I think if they put the muntins in to
18 match, it's fine.

19 I agree with Commissioner Branciforte
20 that the five windows on the top floor is fine. I
21 don't think it needs to be reduced to four.

22 COMMISSIONER MC BRIDE: And it looks
23 better.

24 COMMISSIONER COHEN: And I think adding
25 the muntins to all of the windows would be the only

1 condition I would add.

2 CHAIRMAN AIBEL: Okay.

3 COMMISSIONER GRANA: I am generally in
4 agreement.

5 I just would say that I think that the
6 applicant has made a very conservative application
7 here, and we are adding a few conditions.

8 They got to prove them -- counsel has
9 stated that they have approval from their
10 condominium association, and I am prepared to
11 support it with the said conditions.

12 I would also make sure, Dennis, we have
13 to validate whether or not we are improving 50
14 percent of the property or not, correct?

15 MR. GALVIN: Yeah, no. I really
16 think -- Ann is going to take a look at this. We're
17 going to send it to the Flood Plain Administrator.
18 Ann and I have talked about those kind of things in
19 the past. I think she will be able to pick right up
20 on it.

21 COMMISSIONER GRANA: So no action
22 required on our part?

23 MR. GALVIN: They are going to the
24 Flood Plain Administrator.

25 COMMISSIONER GRANA: Okay.

1 MR. GALVIN: When they do --

2 COMMISSIONER GRANA: Good enough.

3 MR. GALVIN: -- they're going to
4 discuss what the -- Ann is going to ask them about
5 the improvements. But I am adding a warning to the
6 applicant, that if they exceed 50 percent, the
7 building has to be elevated, so --

8 CHAIRMAN AIBEL: Okay. So I guess it's
9 time for conditions.

10 MR. GALVIN: The applicant is to supply
11 authorization from the condo association.

12 Two: All front facade windows are to
13 match and have muntins.

14 Three: The plan is to be constructed
15 as shown to the Board including the banding.

16 Four: The applicant was made aware
17 that FEMA will require the building to be elevated
18 if the cost of renovation exceeds 50 percent of the
19 value of the building.

20 Five: The applicant is to obtain the
21 review of the Flood Plain Administrator.

22 Six: The applicant is to comply with
23 the engineer's letter.

24 Seven: The plans are to be revised to
25 show the deck and showing muntins on all windows on

1 the front facade of the building,

2 MS. BANYRA: And to correct the zoning
3 table to reflect the accurate coverage and setbacks.

4 COMMISSIONER GRANA: Right, of Z-1,
5 yes.

6 MR. GALVIN: Coverage and setbacks?

7 MS. BANYRA: Yes.

8 MR. GALVIN: That's it.

9 COMMISSIONER MC ANUFF: I would just
10 make one note. In front of the word "banding," just
11 put the word "masonry" because the banding is going
12 to be masonry.

13 CHAIRMAN AIBEL: I think we are ready
14 for a motion.

15 COMMISSIONER COHEN: Motion to approve
16 with the conditions.

17 COMMISSIONER MC ANUFF: Second.

18 MS. CARCONE: Commissioner Branciforte?

19 VICE CHAIR BRANCIFORTE: Yes.

20 MS. CARCONE: Commissioner Cohen?

21 COMMISSIONER COHEN: Yes.

22 MS. CARCONE: Commissioner Grana?

23 COMMISSIONER GRANA: Yes.

24 MS. CARCONE: Commissioner Marsh?

25 COMMISSIONER MARSH: Yes.

1 MS. CARCONE: Commissioner Murphy?

2 COMMISSIONER MURPHY: Yes.

3 MS. CARCONE: Commissioner McAnuff?

4 COMMISSIONER MC ANUFF: Yes.

5 MS. CARCONE: Commissioner Aibel?

6 CHAIRMAN AIBEL: Yes.

7 Thank you very much.

8 Approved.

9 MS. FISHER: Thank you.

10 (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: 2-18-16
 This transcript was prepared in accordance with
 NJAC 13:43-5.9.

HOBOKEN ZONING BOARD OF ADJUSTMENT
CITY OF HOBOKEN

- - - - - X
 RE: 604-606 BLOOMFIELD STREET :
 Block: 193, Lots 47 and 48 :
 APPLICANT: Demetri Sarantitis : February 16, 2016
 C Variances : Tuesday 9:15 p.m.
 - - - - - X

Held At: 94 Washington Street
Hoboken, New Jersey

B E F O R E:

- Acting Chairman Antonio Grana
- Chairman James Aibel (recused)
- Commissioner John Branciforte (recused)
- Commissioner Philip Cohen (recused)
- Commissioner Carol Marsh (recused)
- Commissioner Owen McAnuff
- Commissioner Diane Fitzmyer Murphy
- Commissioner Dan Weaver
- Commissioner Edward McBride
- Commissioner Cory Johnson
- Commissioner Frank DeGrim

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

- Eileen Banyra, Planning Consultant
- Jeffrey Marsden, PE, PP
Board Engineer
- Patricia Carcone, Board Secretary

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I N D E X

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WITNESS	PAGE
DEMETRI SARANTITIS	137

E X H I B I T S

EXHIBIT NO.	DESCRIPTION	PAGE
A-1	Rendering	140
A-2	Same as A-1 on 11-by-17	147
A-3	A-100 revised 2/16/16	147
A-4	A-202 revised 2/16/16	147

1 CHAIRMAN AIBEL: Before we break, we
2 have 604 Bloomfield up next, and I know we have a
3 couple of administrative issues here. We may have
4 to send this applicant to Union City to get a
5 quorum, but there are a number of us who will not be
6 able to sit tonight, so I don't know whether you
7 need to go through each of our issues or whether we
8 can simply walk.

9 MR. GALVIN: No. I think when I make a
10 determination when a Board member has to recuse
11 themselves, I generally don't go in public and
12 explain what each Board member's situation is.

13 I have them recuse themselves and
14 leave, so that is what I think should occur here.

15 If anybody wants to discuss potential
16 recusal, I will set up my confessional over there
17 and I'll take you one at time.

18 (Laughter)

19 CHAIRMAN AIBEL: We will take a
20 ten-minute break.

21 (Recess taken)

22 (Chairman Aibel, Commissioners
23 Branciforte, Cohen and Marsh are recused and are not
24 present for the meeting)

25 ACTING CHAIRMAN GRANA: All right.

1 We're back on the record.

2 MR. GALVIN: Pat, could you call the
3 roll?

4 MS. CARCONE: Okay.

5 Commissioner Aibel has left --

6 MR. GALVIN: Has been recused.

7 MS. CARCONE: -- recused.

8 Commissioner Branciforte is recused.

9 Commissioner Cohen is recused.

10 Commissioner Grana is here.

11 Commissioner Marsh is here --

12 MR. GALVIN: She's recused.

13 COMMISSIONER DE GRIM: She's recused.

14 MS. CARCONE: -- oh, Commissioner Marsh
15 is recused. I'm sorry. I am looking at Diane, and
16 I'm thinking --

17 (Laughter)

18 COMMISSIONER DE GRIM: It's been a
19 while since --

20 MR. GALVIN: Hey, listen, if we go to
21 court, it is important. We have to get it right.

22 MS. CARCONE: Commissioner Murphy?

23 COMMISSIONER MURPHY: Here.

24 MS. CARCONE: Commissioner McAnuff?

25 COMMISSIONER MC ANUFF: Here.

1 MS. CARCONE: Commissioner Weaver?
2 COMMISSIONER WEAVER: Here.
3 MS. CARCONE: Commissioner McBride?
4 COMMISSIONER MC BRIDE: Here.
5 MS. CARCONE: Commissioner Johnson?
6 COMMISSIONER JOHNSON: Here.
7 MS. CARCONE: Commissioner DeGrim?
8 COMMISSIONER DE GRIM: Here.
9 MS. CARCONE: Okay. So we have one,
10 two, three, four, five, six, seven members.
11 MR. GALVIN: All right. You can't do
12 better than that.
13 Now, I would like to, since both our
14 Chair and Vice Chair are not here, I would like to
15 ask for nominations for an Acting Chair.
16 COMMISSIONER DE GRIM: I nominate Mr.
17 Grana.
18 COMMISSIONER MURPHY: Second.
19 COMMISSIONER MC ANUFF: Second.
20 (Laughter)
21 MR. GALVIN: Roll call.
22 MS. CARCONE: So who nominated?
23 COMMISSIONER DE GRIM: I did.
24 MR. GALVIN: Mr. DeGrim.
25 MS. CARCONE: And who was the second?

1 COMMISSIONER MURPHY: I was.

2 MS. CARCONE: We'll give it to Ms.

3 Murphy.

4 MR. GALVIN: Ms. Murphy.

5 MS. CARCONE: Okay. So should we not

6 start with Mr. Grana then?

7 MR. GALVIN: It doesn't matter. You

8 can.

9 MS. CARCONE: Commissioner Grana for --

10 MR. GALVIN: You can vote for yourself.

11 You are not getting paid.

12 MS. CARCONE: -- Chairman?

13 ACTING CHAIRMAN GRANA: Yes.

14 (Laughter)

15 MS. CARCONE: Commissioner Murphy?

16 COMMISSIONER MURPHY: Yes.

17 MS. CARCONE: Commissioner McAnuff?

18 COMMISSIONER MC ANUFF: Yes.

19 MS. CARCONE: Commissioner Weaver?

20 COMMISSIONER WEAVER: Yes.

21 MS. CARCONE: Commissioner McBride?

22 COMMISSIONER MC BRIDE: Yes.

23 MS. CARCONE: Commissioner Johnson?

24 COMMISSIONER JOHNSON: Yes.

25 MS. CARCONE: Commissioner DeGrim?

1 COMMISSIONER DE GRIM: Yes.

2 MS. CARCONE: Congratulations.

3 ACTING CHAIRMAN GRANA: Thank you.

4 (Laughter)

5 Okay. Do we have everything we need?

6 Okay. So it is your case, Mr. Matule.

7 MR. MATULE: Robert Matule, appearing
8 on behalf of the applicant.

9 This is an application for property at
10 604-606 Bloomfield. We are here for an application
11 for a facade masonry variance.

12 The architect will go into more detail,
13 but the applicant resides at 604 Bloomfield, and
14 they have now purchased 606 Bloomfield, and they are
15 seeking to combine the two properties into one. And
16 as part of that renovation, they are incorporating
17 significant green features into 606, including a
18 green facade on the building, a green screen, a
19 green wall.

20 We have our architect, Demetri
21 Sarantitis here, who is going to walk you through
22 it, so if we can have him come up and be sworn.

23 It is my understanding that the
24 jurisdictional proofs have previously been submitted
25 to the Board Secretary, so that shouldn't be an

1 issue.

2 MR. GALVIN: Raise your right hand.

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

6 MR. SARANTITIS: I do.

7 MR. GALVIN: State your full name for
8 the record and spell your last name it.

9 D E M E T R I S A R A N T I T I S, having been
10 duly sworn, testified as follows:

11 THE WITNESS: Demetri Sarantitis,
12 S-a-r-a-n-t-i-t-i-s.

13 MR. GALVIN: And could you give us
14 three Boards you have appeared before?

15 THE WITNESS: I haven't appeared before
16 this Board for four or five years --

17 MR. GALVIN: Give me two others.

18 THE WITNESS: Pardon?

19 MR. GALVIN: Give me two others.

20 THE WITNESS: New York City twice.

21 MR. GALVIN: But you are a licensed New
22 Jersey architect?

23 THE WITNESS: Yes, I am.

24 MR. GALVIN: All right.

25 MR. MATULE: And licensed in New York

1 as well?

2 THE WITNESS: Correct.

3 MR. GALVIN: Yes, but we do not care
4 about that. We do not care, okay?

5 MR. MATULE: Okay. No, I understand.

6 MR. GALVIN: For anybody who is out
7 there listening, we do not care about New York
8 licensure.

9 Do we accept his credentials?

10 ACTING CHAIRMAN GRANA: We will.

11 MR. GALVIN: Okay. Thank you.

12 You may proceed.

13 MR. MATULE: Okay. Now, just if we are
14 going to refer to any exhibits, we just need to mark
15 them before you start discussing them.

16 So please describe for the Board
17 members the existing building and take the Board
18 through the proposed renovations.

19 THE WITNESS: Well, to sort of
20 introduce myself, I would like to say that I am a
21 Hoboken resident for many years, and I had
22 particular sensitivity to the issues of planning and
23 design, and preservation, having been a member of
24 the Historic Preservation Commission and the
25 Planning Board for the last administrations.

1 As Bob has said, the project consists
2 of 604 and 606 Bloomfield, which the owners that are
3 here, Jim and Alice Kocis, would like to convert to
4 a single-family residence.

5 One of the most logistical problems
6 with the design was the fact that none of the floors
7 of 606, as you can see here, lined up to the floors
8 of 604. So, therefore, we could not use the
9 structure of 604 -- I mean of 606 and simply break
10 through and combine the two units.

11 So basically they have to gut the
12 inside of the structure. And when we do so, we are
13 going to be attempting -- we're going to save some
14 brick on either side of the 604 -- on either edge of
15 the 606 --

16 THE REPORTER: Can you keep your voice
17 up, because I can't hear you good.

18 THE WITNESS: I'm sorry.

19 Is this better?

20 MR. GALVIN: Yes, as loud as you can.

21 ACTING CHAIRMAN GRANA: We're not shy.

22 (Laughter)

23 MR. MATULE: All right. Let me just
24 stop you for a minute, though, Demetri. So this
25 is --

1 MR. GALVIN: Hey, Bob, why don't we do
2 this. There is nobody in the room that way. Pull
3 him over a little bit closer.

4 MR. MATULE: Come a little bit closer
5 to the reporter.

6 This rendering of the building, I just
7 want to mark it for the record as A-1, so we know
8 for the record what you are talking about when you
9 refer to that.

10 I will go stand on the other side.

11 (Exhibit A-1 marked)

12 THE WITNESS: Okay.

13 So we were -- I will just get into a
14 little spiel about the approach of this.

15 We are interested in the environmental
16 and sustainable approaches to urban planning.

17 Ever since Hurricane Sandy, we felt it
18 was incumbent on us to approach it as a part -- the
19 design of the facade as a part of holistic project
20 design, which would take into account stormwater
21 management, heat island effect, energy efficiency
22 and air quality.

23 We understand that the problem of --
24 specifically in terms of flooding and stormwater
25 management is a city-wild problem, and it is being

1 addressed by the city as a whole. But to maximize
2 the impact of the management of the stormwater
3 runoff, we need a significant volume of property
4 owners willing and able to invest in implementing
5 green approaches to their own properties, and that
6 is what we are trying to do here.

7 We feel that the proposed design moves
8 us into alignment with the city's recent attempt to
9 address these issues in the current master plan and
10 the recent amendments to the zoning code.

11 In the planning and consideration of
12 this project, we made a very, very -- we made every
13 effort to balance the environment and approach it
14 with the local context and surroundings.

15 The street in question, as you can see
16 the whole facade here of the street -- the street in
17 question -- I'm sorry -- excuse me -- is -- changes
18 to the north of our property basically. This is our
19 property. The street is set -- this property is set
20 back six point -- six feet one inches from the rest
21 of the facade here, and therefore, it is kind of an
22 anomaly to the -- to the block.

23 We studied various approaches to the
24 site, and we feel strongly that if we were to do
25 something along the lines of extending this facade,

1 basically the 604 facade to 608 here, that it would
2 be -- it would not be -- it would be out of scale
3 with the rest of the community, meaning that it
4 would become more commercial or an institutional
5 look, meaning one large brick facade, and with a
6 stoop in the middle, it would look more like a
7 school than a residence.

8 We wanted to achieve a tightly built
9 envelope for one thing for the new work. We did not
10 want the tight envelope to produce a dark interior,
11 and we did not want to end up with the center of the
12 house having little or no natural light.

13 So we are proposing a passive house
14 rated enclosure, but using it tightly built and
15 thermally broken and highly insulated triple glazed
16 fenestration.

17 We have set back the fenestration, as
18 you can see, four feet behind this street facade.
19 This is our facade. The fenestration is set back
20 four feet, and at each floor there is basically a
21 balcony or a grating to -- between the two surfaces.

22 So the proposed street facade spanning
23 across both properties is a fully integrated facade,
24 and it keeps all of the existing brick and some of
25 the brick that you can see, which is beyond where

1 the windows were of 606, and between these two brick
2 elements here, 606, we have introduced this green
3 wall.

4 The green screen will shade the
5 fenestration of the 606 portion and to minimize some
6 of the heat gain, which is a component of energy
7 efficiency, and it will also screen it visually from
8 the street. More importantly, it will slow down the
9 rate of stormwater runoff, contribute to local air
10 quality and minimize the urban -- at least in this
11 local property, minimize the heat -- urban heat
12 island effect.

13 Some of the green screen and highly
14 insulated wall system are part of the overall
15 attempt to sustainability on the site, which along
16 with this screen -- this screen includes replacing
17 all of the existing concrete paving with permeable
18 paving, extensive planting and new green roofs.
19 This should assist dramatically to improve site
20 runoff. Green roofs alone have been shown to reduce
21 the runoff by approximately 50 percent.

22 The removal of concrete, et cetera,
23 takes us from approximately ten percent permeable
24 surface in the 606 portion to about 80 percent
25 permeable.

1 In considering how to integrate these
2 green technologies into the facade and surrounding
3 context, we laid out the green screen and the
4 structures, so that individual sections of the
5 screen -- it's separated this way vertically, and
6 these are basically the same pattern as the
7 fenestration of 604 and most of the other building
8 of the facade. So we maintain the scale, and then
9 the openings in the green screen, which are full
10 windows with railings, are basically lined up with
11 the windows in 604. So we feel it is tying this
12 together, and the brick on either side, the green
13 screen, the remaining brick will be painted.

14 And this is a painted facade. We are
15 going to paint it to match -- paint this to match
16 that facade.

17 Now also, there being both reasonable
18 quality brick that we are removing and some not so
19 good quality brick, we are going to attempt to save
20 the good quality brick by taking the facade apart,
21 not by a sledgehammer, but by hand, so it will be
22 taken apart by hand, and we're going to try to
23 offer -- we're going to offer the brick to a local
24 salvage company.

25 Now we have been asked to -- I don't

1 know if we should hand these out maybe.

2 MR. MATULE: Well, why don't you, if
3 you can, take the Board through the actual floor
4 plans, just so they can get a sense of how the
5 screen is going to work.

6 But if you have handouts, that's fine.
7 We can mark them and hand them out.

8 MR. GOULD: They are actually
9 replacement sheets -- the set that's already in the
10 record --

11 MR. MATULE: They're replacement
12 sheets?

13 MR. GOULD: Yeah. One is a color
14 version to one of the sheets that you already
15 have --

16 MR. MATULE: Sheet Z-005?

17 MR. GOULD: Correct. And the next
18 one --

19 THE WITNESS: These are in response to
20 the planner's comments.

21 MR. MATULE: So then why don't we do
22 this. You have sheets marked Z-005, A100 and
23 A-202 --

24 THE WITNESS: We have these
25 basically --

1 MR. MATULE: All right. So why don't
2 you just, before we hand them out, just for the
3 record, tell the Board what it is that has been
4 updated, and we can pass them out.

5 THE WITNESS: Okay.

6 One of them is this rendering that you
7 are looking at, which is actually an updated version
8 of what you have, which is only -- there is nothing
9 substantial that's been changed. We actually tried
10 to show what was happening in this, like before the
11 vegetation was blocking this view of these railings,
12 which we are trying to show are related to the
13 railings, just adding to 606, so it is really just a
14 graphic change in there.

15 The other two drawings, one of them is
16 a --

17 MR. MATULE: Is that Sheet A-100?

18 THE WITNESS: -- A-100 is a plan --
19 it's something that Eileen asked us to amplify, and
20 that was the planting of the site and the trees that
21 we are saving and the trees that we are adding.

22 MR. MATULE: Okay. And A-200?

23 THE WITNESS: A-200 -- she suggested, I
24 believe to show the rear facade as well, so those
25 are the updates here.

1 MR. MATULE: All right.

2 Pass these out.

3 MS. CARCONE: So we are marking these?

4 MR. MATULE: We will mark these A-2,
5 A-3, and A-4.

6 (Exhibits A-2, A-3 and A-4 marked.)

7 MS. CARCONE: You can keep going.

8 THE WITNESS: The -- so one of the
9 reasons we are here in terms of the materials
10 variance that we have reached -- we have reached --

11 MR. MATULE: Hang on. Let everybody
12 get one before you --

13 THE WITNESS: Pat said I had to
14 continue.

15 MS. CARCONE: What?

16 THE WITNESS: I am sorry. I am joking.

17 MS. CARCONE: Oh, okay.

18 MR. MATULE: Okay.

19 THE WITNESS: So --

20 MR. GALVIN: I was going to say it is
21 only funny if we can hear you.

22 (Laughter)

23 THE WITNESS: Oh, okay. Am I speaking
24 loudly enough now?

25 THE REPORTER: Not really.

1 (Laughter)

2 MR. GALVIN: The court reporter said
3 no.

4 ACTING CHAIRMAN GRANA: You have to
5 keep the reporter happy.

6 THE WITNESS: Okay. All right.
7 So one of the things that I meant to
8 notice --

9 MR. GALVIN: I was going to say you are
10 when there is no paper moving, but everybody is
11 looking at the new drawings you handed out, so now
12 it is going to be harder.

13 THE WITNESS: Right. So one of the
14 drawings is this, but, you know.

15 So the reason we are here basically is
16 because we have gotten to 62 percent brick overall,
17 where as 75 is what is required by the ordinance, so
18 that is basically the main reason we are here.

19 But we felt that that 62 percent gave
20 us what we needed in terms of the appropriate
21 pattern of this green screen and the design in terms
22 of the -- if we had added 75 percent, it would have
23 been far less successful, in our opinion, if we had
24 added more brick to the 606 property.

25 I think I should go through some of the

1 drawings now.

2 MR. MATULE: I think that would be a
3 good idea, just so the Board can get a sense of how
4 the whole building is going to lay out.

5 COMMISSIONER WEAVER: Eileen?

6 ACTING CHAIRMAN GRANA: Do you have a
7 question?

8 Time out for questions. Okay.

9 THE WITNESS: You have that drawing --
10 this drawing in front of you right there.

11 ACTING CHAIRMAN GRANA: Can we just
12 pause for a second.

13 Do you have a question, Mr. Weaver?

14 COMMISSIONER WEAVER: Sorry.

15 So just for clarification on the
16 masonry requirement, is that based on the frontage
17 on the street?

18 MS. BANYRA: Yes.

19 MR. MATULE: Yes, the facade.

20 COMMISSIONER WEAVER: So the facade
21 that turns does not count?

22 THE WITNESS: Doesn't count, right.

23 So this Z-001 is just zoning
24 calculations. The thing here --

25 THE REPORTER: I can't hear you.

1 THE WITNESS: I'm sorry. The table,
2 the zoning table here, the zoning table, if anybody
3 has any questions, ask them.

4 This other sheet is 003, and that is
5 the elevation showing the proportions of the green
6 screen versus existing brick.

7 MR. GALVIN: So is the facade of 604,
8 is that going to remain unchanged?

9 THE WITNESS: Exactly the way it is.
10 Nothing at all.

11 The next one, 004, has a diagram that's
12 indicating some of the proportions of the permeable
13 and impermeable, the green roof, et cetera --

14 MS. BANYRA: Mr. Sarantitis, can you
15 just indicate where the permeable and impermeable is
16 with your finger? Maybe you could point for the
17 Board what is existing and what is proposed --

18 THE WITNESS: Sure.

19 MS. BANYRA: -- and give us the
20 percentages, because I think this is part of your
21 argument, as you indicated earlier, that it is
22 about, you know, the green attributes that you are
23 proposing --

24 THE WITNESS: Right.

25 MS. BANYRA: -- to offset the variance

1 request. So do that, and then maybe you should go
2 through some of the percentages again. So on that
3 sheet might be helpful --

4 THE WITNESS: Right. So this is the
5 606. This is the 606 rear yard, and this is the
6 front yard.

7 MS. BANYRA: Those are existing
8 conditions?

9 THE WITNESS: All of these are
10 existing, so the gray area is impermeable basically.

11 The green is permeable, so you can see
12 just glancing at it, we knew this is a far greater
13 percentage of permeable.

14 What we're showing just here is the
15 green roof at 505 and the yard -- this is the yard
16 and the another green roof in the lower portion of
17 606, and this is the green -- I mean, in other
18 words, we are going to do everything permeable in
19 the front yard and everything permeable in the
20 backyard, too, and in addition there is a new piece
21 of green roof on a single story addition in the
22 back, this piece here.

23 So there is an existing green roof
24 here. So basically we are going to be ten
25 percent -- ten percent impermeable -- I mean

1 permeable to 80 percent permeable.

2 MS. BANYRA: That is for both lots?

3 THE WITNESS: No. For 606.

4 MS. BANYRA: For 606.

5 THE WITNESS: 604 is already permeable.

6 The whole thing is basically permeable.

7 MS. BANYRA: Okay, great.

8 THE WITNESS: These are some examples
9 of what we have looked at around the city of things
10 that have been proposed that were different than
11 some that had -- like this is a green screen, which
12 I think is actually not as good as what we are
13 proposing. I will show you later what the green
14 screen is like.

15 This, everybody is in love with, the
16 Third Street piece, which I have for years and
17 years, and it's been my favorite piece in Hoboken.

18 And this is one that has a lot of wood,
19 and here is another one that has another -- it
20 doesn't seem to be anything growing in it. It looks
21 like a green screen, and you are probably all
22 familiar with this one, too, which is doing a facade
23 at street level and setting it back, the
24 fenestration behind it.

25 So the green screen system that we are

1 using is a very sophisticated system. It has
2 planters on every level, and it has a catwalk, and
3 the planters are irrigating it and heat traced tape
4 making maintenance very readily accessible -- in
5 other words, it is very readily accessible. At each
6 floor you can get to the screen green and maintain
7 the planters and material.

8 This is some of the examples of -- the
9 company is called G Sky, and the -- and they have
10 done stuff around the world basically. They have
11 done a lot of research on the -- I'm trying to think
12 of -- in other words, the sustainability of the
13 system and climate and other issues regarding its
14 appropriateness in particular applications.

15 In other words, they will be suggesting
16 and proposing a material that would be appropriate
17 for this climate, and we maintain it as such.

18 MS. BANYRA: So they will be involved
19 in the installation?

20 THE WITNESS: Yes. Oh, definitely,
21 yeah, yeah, right. That's the main thing.

22 But it is really critical that the
23 access to each of these levels, I mean, as opposed
24 to some of the other images we saw, where the wall
25 goes up the entire building, and you can't really

1 get to it, plus you have to account for any growing
2 from the ground level up, and they are actually
3 preplanted. The material is preplanted in these
4 planters grown up on a vine here.

5 As you see, this is happening in the
6 factory, and they bring the material, and they put
7 it on to the trellis at the site, and the material
8 of the trellis is fiber coated, shop-like finish, to
9 blend in with the wood and plant material.

10 COMMISSIONER MC ANUFF: Are the
11 catwalks purely for maintenance or are they meant to
12 be used by the residents as a balcony?

13 THE WITNESS: They will be also used --

14 COMMISSIONER MC ANUFF: As a balcony?

15 THE WITNESS: -- as a balcony, and
16 particularly on two floors.

17 One of the floors, they are not as
18 interested in it, because it's a children's floor,
19 so they probably can be accessed, but limited.
20 There is a parlor floor that has -- so I can walk
21 you through some of the plans, if you would like.

22 MR. MATULE: Yes, I think if you go to
23 A-106, I think --

24 THE WITNESS: Oh, here is the thing
25 that Eileen was asking about, our plan for planting.

1 This is a schematic planting and
2 pavement plan, and it shows the existing trees.
3 This one is existing with a Japanese maple and an
4 existing Amelanchier Canadensis -- it's hard to
5 pronounce it -- Amelanchier Canadensis, an existing
6 Chamaecyparis.

7 MS. BANYRA: Plants.

8 (Laughter)

9 MR. GOULD: A service barrier.

10 COMMISSIONER MURPHY: There you go.

11 ACTING CHAIRMAN GRANA: Okay. One at a
12 time, please.

13 THE WITNESS: Then we are proposing a
14 new tree, but there is an existing 40-inch
15 Anelanchier. I'm not sure of the species of this
16 tree, but we are obviously going to save it. We're
17 going to save it. It's growing over the neighbor's
18 property, and they like it for shade as well, so you
19 can see we shaped our addition in the back to
20 accommodate this tree and make every effort to save
21 it.

22 In the front, there is a beautiful
23 cherry tree and a shrub, and I don't know the
24 species of either here, and we are adding another
25 one of these Amelanchiers here -- I mean in the

1 front, I'm sorry.

2 So all of this is permeable. At the
3 moment this is existing permeable here, but we are
4 going to be actually redoing this and making that
5 permeable.

6 These are the planting areas.

7 As you can see, they're hatched that
8 way, and this is the paving area, which is
9 generically hatched that way, so --

10 COMMISSIONER MC ANUFF: Before we move
11 forward, I have a couple of questions regarding the
12 green screen, if you go back to that G Sky.

13 THE WITNESS: Sure.

14 COMMISSIONER MC ANUFF: Can you just
15 take us through the materials that the components
16 are made of?

17 THE WITNESS: It's all steel basically.
18 On the other hand, actually this is their generic
19 drawing. We are custom making the front part of it.
20 We are not custom making the grills. They are
21 making them, and they are the powder coated material
22 that I was talking about.

23 The rest of it is not as heavy as this.
24 You can see it in our drawings. It is much lighter
25 than that. And in between we have some other

1 elements of the green screen, which you see
2 existing, and that is some wood, and these are very
3 thin aluminum supports, and there is beams behind
4 this, so you can't see the beams. They are behind
5 supporting the decking.

6 COMMISSIONER MC ANUFF: Okay.

7 My concern is what we are going to look
8 at when it is not green during the periods of the
9 year.

10 THE WITNESS: Well, it would be --
11 well, the idea is we are going to maintain -- we're
12 going to use a particular plant material that is
13 appropriate for most -- for as long of a period of
14 time as possible, but it will be there. It won't be
15 an annual. It will be a perennial.

16 So, in fact, in theory, you probably
17 could use even a vine that would be year-round
18 green. It is possible. We would like to do that,
19 too. We have not gotten into the details of the
20 specifics, but this company has a lot of experience
21 with that kind of thing.

22 COMMISSIONER MC ANUFF: Well, is it the
23 intention to keep it green all year round or --

24 THE WITNESS: We would like to.

25 COMMISSIONER MC ANUFF: -- or is it

1 going to be a period that's not going to be, and we
2 are going to see the screening material?

3 THE WITNESS: Well, you wouldn't see
4 just the screening material. You will see the trace
5 of the --

6 COMMISSIONER MC ANUFF: The vine, yeah.

7 THE WITNESS: -- the vine, yeah.

8 On the other hand, if we could, we
9 would do it. I'm not sure. That would be the goal,
10 yes.

11 COMMISSIONER MC ANUFF: To have it
12 green all year round?

13 THE WITNESS: Yes, yes, yeah.

14 I mean, we know we have a vine on the
15 site and Jim knows that, and it stays green all year
16 round. We could use that or a combination of a
17 couple of things, you know, but I mean, we do want
18 it to be beautiful. We don't want it to be just
19 looking at a metal screen.

20 COMMISSIONER MC ANUFF: Right.

21 My concern is the examples that you
22 showed earlier, where either it is not in bloom, or
23 it may have died, and you are stuck looking at the
24 screen, and I just wanted to see if that is
25 something we would expect here, or is it going to be

1 the expectation to maintain it year round and keep
2 it green.

3 THE WITNESS: The expectation would be
4 to maintain it year round, yeah.

5 COMMISSIONER MC ANUFF: Okay.

6 MS. BANYRA: Mr. McAnuff, just also to
7 amplify that a little bit, a lot of the green
8 screens, and I think the architect has testified to
9 this, but I'm familiar with this, is that a lot of
10 them grow from the bottom up, so it takes a very
11 long time to get up there, or they have a system
12 that attaches to the outside of the screen, and this
13 is a little bit different. It sounds like a much
14 more sophisticated system with the heat traced tape
15 and the --

16 THE WITNESS: There's irritation.

17 MS. BANYRA: -- and the irrigation, and
18 the fact that you can maintain it on both sides --

19 THE WITNESS: Plus it's --

20 THE REPORTER: Wait a second.

21 ACTING CHAIRMAN GRANA: One at a time
22 for the reporter.

23 THE WITNESS: I'm sorry.

24 MS. BANYRA: -- right. So it is
25 different than what we have seen before, and I think

1 different than what we have seen in the city before
2 quite honestly.

3 MR. MATULE: Just a suggestion, this is
4 the generic drawing. Why don't you just show them
5 this, A-201, and explain the different materials.
6 Maybe it will give them a better sense of what it is
7 going to look like in the absence of plants.

8 THE WITNESS: Yeah.

9 In other words, if you were having no
10 plants at all, it would look like this.

11 And this would all be wood like you saw
12 in the rendering.

13 This would be the metal screen you are
14 talking about, but it actually would not be an ugly
15 screen. We are hoping to make it pretty -- I mean,
16 a nice color that would blend in with the wood
17 that's here, and whenever the green material
18 hopefully is there, you would be fine with that,
19 too, so it is kind of a warm color, maybe towards
20 green. But there's no heavy steel structure or
21 anything like that in the front. These are very
22 thin double layered aluminum bars that go up and
23 down.

24 MR. MATULE: You also have some kind of
25 a grill work there?

1 THE WITNESS: The grill work is behind.
2 That is right. It is like a grating from the
3 grating --

4 MR. MATULE: Right.

5 COMMISSIONER DE GRIM: And the planters
6 would be where on the drawing?

7 THE WITNESS: The same as this diagram
8 on the G Sky drawing. They would be behind the
9 screen you just saw.

10 COMMISSIONER DE GRIM: I understand
11 that, but they would be all the entire way across
12 the --

13 THE WITNESS: No, it actually would
14 be --

15 COMMISSIONER DE GRIM: I see some
16 outlines.

17 THE WITNESS: An outline here, right.

18 COMMISSIONER DE GRIM: Okay.

19 THE WITNESS: There is some down here,
20 too.

21 COMMISSIONER DE GRIM: Okay. I just
22 wanted to make sure I was seeing the correct one.

23 THE WITNESS: Yes.

24 ACTING CHAIRMAN GRANA: We have three
25 conversations going on.

1 THE WITNESS: So how about --

2 MR. MATULE: Sure.

3 COMMISSIONER MC ANUFF: The drawing to
4 the right, where it says the facade is removed, the
5 screen is removed, what are the materials of the new
6 facade?

7 THE WITNESS: That is basically a
8 curtain wall, but we are trying to screen it with
9 this material.

10 We know that Hoboken doesn't like
11 curtain walls in residential, I guess, except that I
12 showed you one that has curtain walls set back eight
13 feet --

14 COMMISSIONER MC ANUFF: Right.

15 THE WITNESS: -- but we are going to
16 screen it even more in this case.

17 COMMISSIONER MC ANUFF: So the pink is
18 going to be clear glass, and the gray is going to be
19 opaque?

20 THE WITNESS: Right.

21 COMMISSIONER MC ANUFF: Okay.

22 COMMISSIONER DE GRIM: And where the
23 glass is, are those going to be floors to access --

24 THE WITNESS: These are.

25 And this is kind of a giant sliding

1 door.

2 COMMISSIONER MC BRIDE: How wide are
3 the catwalks?

4 THE WITNESS: They are about four feet
5 in the front. They're about three foot six -- I'm
6 sorry --

7 MR. GALVIN: No, no. Please proceed.
8 Go ahead.

9 THE WITNESS: -- and they're about
10 three and a half feet approximately.

11 COMMISSIONER MC BRIDE: And you said you
12 would use those as a balcony. That's is not very
13 wide.

14 THE WITNESS: No. But it's not -- the
15 primary purpose -- it is the kind of thing you would
16 walk out, like you might do in a French door, you
17 know, and have a railing.

18 COMMISSIONER MC BRIDE: Juliet.

19 THE WITNESS: Yeah, right.

20 No. It wasn't like a major concern in
21 that case. We are not going to be having people's
22 furniture out. There will not be any furniture.
23 It's just going out there and leaning up against the
24 railing, like Juliet.

25 COMMISSIONER MC BRIDE: Not in three

1 and a half feet anyway.

2 THE WITNESS: Right, right, exactly,
3 yes.

4 Hum, do you have any more?

5 ACTING CHAIRMAN GRANA: Do we have any
6 further testimony, Mr. Matule?

7 MR. MATULE: Well, why don't you just
8 go through like that drawing A-106, just so we can,
9 you know, show that -- I mean, I think on your
10 drawing you are showing the dimensions of three feet
11 three and a quarter inches on the width of that
12 catwalk, you know, just so the Board can have a
13 sense that, you know, that it is primarily for
14 maintenance of the planters because in that -- and
15 then, you know, a person could walk out there and
16 whatever, smoke a cigar, but it is not like they are
17 going to sit out there with a picnic bench.

18 THE WITNESS: Right. Exactly.

19 MR. MATULE: And that is consistent on
20 all of the levels --

21 THE WITNESS: Right.

22 MR. MATULE: -- with that three foot
23 three and a quarter inches?

24 THE WITNESS: Our thinking is that
25 there's plenty of outdoor space, and now it's double

1 with the gardens, and some greenery over here, you
2 know, on this level here -- I mean, above --

3 MR. MATULE: And then also you are
4 showing here, this is the actual -- is this the
5 extension of the building in front of you?

6 THE WITNESS: No. This is kind of a
7 little quirk here. All right?

8 We have -- there is a stoop here right
9 now. We have to cut that stoop down to kind of a --
10 something that is becoming a sculptural element as
11 opposed to a function element. There will be plant
12 material on the top of it, but underneath it we are
13 going to put the garbage cans, and they will be
14 hidden there.

15 MR. MATULE: But I am talking about
16 these hatch marks, and most of the buildings on the
17 street to the south of you -- to the north of you
18 all stick out approximately six and a half feet.

19 THE WITNESS: Right, right.

20 MR. MATULE: So this whole thing is set
21 in approximately six and a half feet from, if you
22 will, the facade line from the rest of the street.

23 THE WITNESS: Right. So it is an
24 anomaly.

25 MR. MATULE: Yes. I just wanted to get

1 it across to the Board that this is really kind of a
2 one off, but it's also set off by itself, so it is
3 not like it is in the middle of a consistent block
4 frontage, where you are just sticking this green
5 screen on the building in the middle of the block.

6 COMMISSIONER DE GRIM: But the two
7 facades are equally off --

8 COMMISSIONER MURPHY: Set back.

9 THE WITNESS: See, this is the existing
10 brick here, and this is the existing brick here --

11 COMMISSIONER DE GRIM: And then the
12 existing of the -- the other buildings goes straight
13 down --

14 MS. BANYRA: Goes straight down.

15 COMMISSIONER DE GRIM: Okay.

16 MR. MATULE: Can we just flip this over
17 to Z-001? I think that would give you a better
18 sense of where we're at.

19 THE WITNESS: Here you see the setback.

20 MR. MATULE: Okay.

21 That is 001, and notwithstanding all of
22 this green screen, you are still at approximately --

23 THE WITNESS: 62.

24 MR. MATULE: -- 62 percent masonry?

25 THE WITNESS: Correct.

1 MR. MATULE: All right. So that is it,
2 unless the Board has questions.

3 ACTING CHAIRMAN GRANA: Does that
4 conclude --

5 MR. MATULE: I think that concludes his
6 testimony unless the Board has questions.

7 ACTING CHAIRMAN GRANA: Okay.

8 So let's open it up to the
9 Commissioners who may have other questions or who
10 have not asked questions.

11 MR. GALVIN: Sure.

12 Anybody have questions?

13 ACTING CHAIRMAN GRANA: Mr. Weaver?

14 COMMISSIONER WEAVER: Thank you.

15 What wood were you thinking about
16 using?

17 THE WITNESS: We were thinking of using
18 a treated wood, but not -- there is something called
19 Thermory, which is -- it gives it -- it's a
20 harder -- it is a very dark colored wood, but it is
21 a wood color. I mean, it's not --

22 COMMISSIONER WEAVER: It's natural?

23 THE WITNESS: Oh, yeah, natural color,
24 but it is treated with heat, so it becomes -- like
25 if you use charcoal, it would be much more resistant

1 to any further -- you know what I'm saying?

2 COMMISSIONER WEAVER: Yeah. It's
3 almost black, right?

4 THE WITNESS: Well, it's not black, but
5 it's a darker color, a dark wood color. I should
6 have brought a sample. It's basically --

7 COMMISSIONER WEAVER: But a natural
8 color --

9 THE WITNESS: -- like the color of the
10 bookcase back there, almost exactly. Yes, it's a
11 natural color.

12 COMMISSIONER WEAVER: And then what is
13 the material of both of the floor and --

14 THE WITNESS: I'm sorry. Which?

15 COMMISSIONER WEAVER: -- the material
16 of the balcony and the floor walking surface?

17 THE WITNESS: It is a grating. It's
18 like one by one or something equivalent to that,
19 one-by-two. It's a steel grate basically.

20 COMMISSIONER WEAVER: And then the
21 actual growing panel that these grow onto, the
22 vertical panel?

23 THE WITNESS: That's the powder coated.

24 COMMISSIONER WEAVER: Powder coated
25 steel?

1 THE WITNESS: Uh-huh, which I was
2 mentioning before that with the color that would go
3 with the wood and with the plant material as well,
4 so I will try to come up with kind of a natural
5 color.

6 COMMISSIONER WEAVER: And then is there
7 exposed metal on the storefront system on the
8 curtain wall?

9 THE WITNESS: Yes, there is, and we
10 think -- can I ask you?

11 MR. GOULD: The color that matches the
12 existing windows on the front of 604.

13 MR. GALVIN: All right. Stand up.

14 ACTING CHAIRMAN GRANA: Hold on. Now
15 you have to stand up.

16 MR. GALVIN: Raise your right hand.

17 Do you swear or affirm the testimony
18 you are about to give in this matter is the truth,
19 the whole truth, and nothing but the truth?

20 MR. GOULD: Yes.

21 MR. GALVIN: State your full name for
22 the record.

23 MR. GOULD: Jason Gould, G-o-u-l-d.

24 MR. GALVIN: Okay. And everything you
25 just said, was it true?

1 MR. GOULD: Yes.

2 THE REPORTER: But I didn't hear what
3 you said, so what did you say?

4 MR. GOULD: I said the color we were
5 intending to use is matching an existing color on
6 the windows on 604.

7 ACTING CHAIRMAN GRANA: Okay.

8 Any other questions from the
9 Commissioners, or is that line of questioning done?

10 Are you finished?

11 COMMISSIONER MURPHY: He is not done.

12 ACTING CHAIRMAN GRANA: Keep going.

13 COMMISSIONER WEAVER: So it looks like
14 the windows at 604 appear to be white?

15 MR. GOULD: Yes. I apologize.

16 Not all of the windows, but the lower
17 windows we have steel on the ground level.

18 Currently there is an entry door and a new window --

19 THE WITNESS: And the garage --

20 MR. GOULD: -- from a previous project
21 and the garage door, and that is the metal color,
22 which will be matched.

23 COMMISSIONER WEAVER: And you say it
24 looks like a tan?

25 THE WITNESS: It's a dark color.

1 COMMISSIONER WEAVER: It's like a
2 bronze?

3 MR. GOULD: Yes.

4 COMMISSIONER WEAVER: Okay.

5 And then it looks like you have
6 existing metal work on the lower windows of 604,
7 which then you --

8 THE WITNESS: Repeat.

9 COMMISSIONER WEAVER: -- repeat?

10 THE WITNESS: Uh-huh.

11 COMMISSIONER WEAVER: I think that is
12 very nice.

13 THE WITNESS: That is a dark color
14 similar to -- it's almost black actually.

15 COMMISSIONER WEAVER: All right. So
16 that detail carries across the facade?

17 THE WITNESS: Right. We tried to tie
18 into 604.

19 COMMISSIONER WEAVER: What's the
20 relationship of the height of 606, how far to the
21 neighbor to the north?

22 THE WITNESS: It will be higher. You
23 can see from the -- this is existing here. See
24 that?

25 They are the same height basically. It

1 looks like it is lower, but it is not lower. It's
2 the same height as 608, and the rendering shows it.
3 Here it is. We are going to maintain that height at
4 this brick here. The brick is going to come
5 across --

6 COMMISSIONER WEAVER: Oh, that's the
7 existing brick --

8 THE WITNESS: Right.

9 COMMISSIONER WEAVER: -- and is that
10 brick then painted?

11 THE WITNESS: Yes. We were going to
12 try to tie it together by painting it, since this is
13 painted already, we're going to try to match that.

14 We are not sure about the color of
15 that. At the moment, we have a very nice salmon
16 color, which we might use, but it's weathered
17 nicely, and I am not sure we could really match the
18 weathering, which looks really nice, but we might
19 try it and see how it comes out.

20 COMMISSIONER WEAVER: And then the --
21 before we were talking about the facade on A-201,
22 where you can see the repeating pattern in the
23 grillage to the bottom level of the first floor of
24 604, and that repeats over. And then this large
25 band of glass, like somebody was pointing out

1 before, if you go to the --

2 THE WITNESS: I'm sorry. I missed that
3 part.

4 COMMISSIONER WEAVER: -- the storefront
5 envelope, the drawing on the right, that band of
6 glass, which is continuous up to the left-hand
7 side --

8 THE WITNESS: Oh, this, right.

9 COMMISSIONER WEAVER: -- that is
10 actually -- what is behind that?

11 THE WITNESS: It's open space. It is a
12 four-story space that I could show you on the plan,
13 105 that we are talking about.

14 This happens at every floor. This is
15 what we are calling an atrium. It's a very narrow
16 atrium. It's only three and a half feet, so that is
17 what you are looking at in the elevation is the
18 green -- the glass thing that goes all the way up.

19 So this is the item which I kind of
20 made very loose reference to, not wanting the inside
21 of the house this wide to be dark, so we are
22 bringing in the skylights from above down this space
23 here, and we are kind of taking advantage of new
24 technologies and using glass bridges across from
25 here to the existing house, so there will be links

1 to the house as shown here in glass to let light
2 through on the different levels.

3 COMMISSIONER WEAVER: That translates
4 all the way up to --

5 ACTING CHAIRMAN GRANA: Any more
6 questions?

7 COMMISISONER WEAVER: -- I'm sorry.

8 THE WITNESS: All the way to the top.

9 COMMISSIONER WEAVER: All the way up to
10 A-109, where as the skylight wraps around.

11 THE WITNESS: Right. There is only one
12 or two, and this is another floor, and this is again
13 a glass floor, and this is a private entrance to an
14 office and kid's room and --

15 COMMISSIONER WEAVER: You said you were
16 doing passive house --

17 THE WITNESS: Well, we're not doing
18 passive house --

19 COMMISSIONER WEAVER: -- standards?

20 THE WITNESS: -- we are using passive
21 house materials. I mean, like the walls. All of
22 the fenestration is triple glazed, highly insulated,
23 thermally broken, of course, and if we were -- if we
24 could achieve passive house, but we wouldn't be able
25 to have as much light coming in, that's all, and

1 also we have an existing house, which is not passive
2 house. Marvin windows, you know, so we are trying
3 to improve on the overall quality.

4 Oh, in fact, we are using the same new
5 windows in the back. We are replacing -- replacing,
6 hum, the windows to the backyard.

7 COMMISSIONER WEAVER: On 604?

8 THE WITNESS: On 604, right here,
9 on these.

10 Here is 604, and we're extending it
11 around here, so we are replacing those with the same
12 triple glazed. This is the existing one-story
13 addition here -- I mean, the old existing one-story
14 addition.

15 ACTING CHAIRMAN GRANA: Any more
16 questions from the Commissioners?

17 COMMISSIONER MC ANUFF: I am okay.

18 ACTING CHAIRMAN GRANA: You're okay?

19 COMMISSIONER MC ANUFF: Yes.

20 ACTING CHAIRMAN GRANA: I have a few
21 questions.

22 THE WITNESS: Sure.

23 ACTING CHAIRMAN GRANA: We -- I think
24 you started your testimony by saying that the floors
25 between 604 and 606 do not align, correct?

1 THE WITNESS: Correct.

2 The floors in 604 are almost three feet
3 higher than the floors on 606.

4 ACTING CHAIRMAN GRANA: So just so I
5 understand, and I realize we are looking at the
6 facade variance, but so I understand, is any part of
7 606 being retained or --

8 THE WITNESS: 60 -- I'm sorry --

9 ACTING CHAIRMAN GRANA: 606.

10 THE WITNESS: No, the walls, the
11 foundations, the brick over here and in the back, I
12 guess we have it here, don't we?

13 I will show you the back. The rear
14 elevation, which Eileen asked us to include, and I
15 have not talked about it yet, so your question is
16 pertinent to that.

17 ACTING CHAIRMAN GRANA: Okay.

18 THE WITNESS: This -- well, this is
19 existing brick, and it turns the corner and goes
20 back 13 feet, so this is as high as it goes in the
21 existing building. It is in addition to the
22 existing building.

23 We are removing this part of the brick
24 to let light in from the south and the west, and
25 this becomes a stair and elevator well, so we don't

1 have to worry about it. See, the openings are
2 nowhere near being appropriate to the floors, but we
3 don't care here because it is a stairwell, and there
4 is no floor line here.

5 ACTING CHAIRMAN GRANA: Okay.

6 So just from a facade perspective, we
7 would retain a portion of the rear wall and are
8 retaining kind of two slices of the front wall.
9 Those are the parts that we are saving?

10 THE WITNESS: Right. The parts that
11 don't involve fenestration.

12 COMMISSIONER MC ANUFF: And a portion
13 of the stoop on the front.

14 ACTING CHAIRMAN GRANA: And a portion
15 of the stoop, which would be turned into an
16 architectural element. Okay.

17 THE WITNESS: Right.

18 ACTING CHAIRMAN GRANA: As I heard it.
19 Okay.

20 Was there any thought to the -- the
21 cornice line does not extend obviously from 604 to
22 606?

23 THE WITNESS: No.

24 ACTING CHAIRMAN GRANA: It will be new
25 material.

1 What material is that on the top --

2 THE WITNESS: Well, in back it's the
3 same --

4 ACTING CHAIRMAN GRANA: -- on the
5 front, excuse me, on the front of the property?

6 THE WITNESS: Right.

7 It is the same. It's the glazing
8 material. It's set back four feet, and basically
9 would not be visible from below. From above it
10 would be.

11 In other words, this is grating
12 materials, so it is above the screen. The screen is
13 going to be four feet lower, let's say, than here
14 and the material behind it.

15 ACTING CHAIRMAN GRANA: I'm sorry.
16 What is the material of the screen?

17 THE WITNESS: Glass.

18 ACTING CHAIRMAN GRANA: It is glass.
19 It is glass, okay.

20 THE WITNESS: You have this envelope,
21 it is the fenestration, the glazing.

22 COMMISSIONER WEAVER: The back end --
23 I'm sorry. Is it opaque glass or is it transparent?

24 THE WITNESS: No. Some of it, somebody
25 noted before, this is transparent. The gray -- no,

1 I'm sorry, the opposite. I'm going backwards.

2 COMMISSIONER MC ANUFF: The pink is
3 clear --

4 THE WITNESS: The pink is clear, and
5 the gray is -- yeah, so it is opaque up at the top,
6 but some of it is transparent. I'll make sure --

7 ACTING CHAIRMAN GRANA: I'm sorry. I
8 just have a question for our professionals.

9 Eileen, I don't think we have seen --
10 at least I have not seen this kind of a structure
11 before.

12 MS. BANYRA: No.

13 ACTING CHAIRMAN GRANA: So on the
14 front, I just want to be clear, are we looking -- I
15 am looking at Z-007. There is a structure. There's
16 a catwalk. It was described somewhat as a balcony.

17 I just want to be sure what we're
18 looking at. Are we looking at a facade or are we
19 looking at a structure?

20 Do we have an opinion on this?

21 MS. BANYRA: I mean, hum --

22 THE WITNESS: This is a generic
23 system --

24 ACTING CHAIRMAN GRANA: I mean, I
25 understand --

1 MS. BANYRA: -- I know what you are
2 saying. You know what --

3 MR. GALVIN: It is a structural --

4 MS. BANYRA: Yeah. It is a structural
5 element attached to the facade.

6 ACTING CHAIRMAN GRANA: Okay.

7 MS. BANYRA: I think that is -- I mean,
8 to me, you know, it is acting as a facade, but is it
9 actually the facade of the building?

10 I think what is behind it is the actual
11 face of the building, but it is acting as its own
12 facade, you know.

13 MR. GALVIN: Right. I think the
14 setback should be from there and --

15 MS. BANYRA: Oh, yeah, yeah, yeah, yes.
16 As far as that, it is a structure, so it is not -- I
17 think it was originally said that it would act as a
18 deck -- no, you know, it is too small for that.

19 I think the way it has been described
20 and when you look at the components, it really is
21 there to serve the plant material and to maintain
22 the plant material.

23 COMMISSIONER WEAVER: And to shade the
24 facade.

25 MS. BANYRA: And to shade and/or allow

1 light into the facade, yeah.

2 ACTING CHAIRMAN GRANA: So I am looking
3 for clarity. I mean, essentially we are looking at
4 a facade variance and how does this attachment
5 relate to the facade variance, is it --

6 MS. BANYRA: So the facade -- what the
7 ordinance calls for is a certain amount of masonry
8 material and a certain amount of glazing, and they
9 don't meet that requirement, and they don't meet it
10 because they have too much glass behind it, and they
11 also have a metal material, which isn't masonry, in
12 front of it. So any way you cut it, they don't meet
13 the ordinance, so it is a completely different
14 animal than we have seen before.

15 ACTING CHAIRMAN GRANA: Exactly. So
16 understood, although I just heard testimony that we
17 are meeting 68 percent of the masonry requirement.

18 THE WITNESS: 62 --

19 MS. BANYRA: He's maintaining -- his
20 testimony was that he is maintaining some of the
21 brick work down like I'm going to say piers on
22 either side.

23 Is that correct, Mr. Sarantitis?

24 THE WITNESS: Yes, that's correct.

25 MS. BANYRA: Right.

1 So that he is maintaining some of that.

2 THE WITNESS: Plus -- plus --

3 MS. BANYRA: And he has glazing behind
4 it, so there's some glazing there. He is
5 maintaining some of it. You know, the testimony is
6 whatever it is --

7 ACTING CHAIRMAN GRANA: The testimony
8 is what it is, that we are at 60 percent -- 58
9 percent, okay --

10 MS. BANYRA: I can't -- I didn't
11 calculate that. I wouldn't even attempt to
12 calculate that.

13 COMMISSIONER WEAVER: So is that the
14 average across the entire facade at 604 and 606
15 combined?

16 MS. BANYRA: You have to ask him.
17 That's not my --

18 ACTING CHAIRMAN GRANA: That's --

19 THE REPORTER: Can you repeat your
20 question because you were talking when they were
21 talking.

22 COMMISSIONER WEAVER: I'm sorry.

23 My question was, I was wondering if
24 that was the combined, right, masonry of 604 and 606
25 together that gives you the 60 percent.

1 THE WITNESS: Correct. 62 percent.

2 COMMISSIONER WEAVER: 62 percent.

3 ACTING CHAIRMAN GRANA: Okay.

4 So when these two structures are
5 combined, you will meet 62 percent of the masonry
6 requirement?

7 THE WITNESS: Right.

8 MS. BANYRA: And I think the testimony
9 is that it is a single-family home. So if it was
10 not, and there were two independent units, then I
11 think we would be calculating that differently.

12 ACTING CHAIRMAN GRANA: Okay. That
13 makes sense.

14 Those are my questions. Are there any
15 others?

16 Jeff?

17 MR. MARSDEN: When you were discussing
18 the permeable surface materials, whether green roof
19 or paver, is it your intention to use that as a
20 detention stormwater, or will the stormwater just
21 pass through the media and then go right into storm
22 sewer system?

23 THE WITNESS: You mean do something
24 below to retain -- to collect the water?

25 I'm not sure what you are saying.

1 MR. MARSDEN: Yeah. There are two ways
2 of doing this.

3 Typically the rain comes into a
4 permeable material, such as the pervious pavers that
5 goes into a stone base and then goes directly out
6 and gets very little, quote, unquote, detention or
7 retention time.

8 The other way is to build a control
9 structure with a deeper amount of gravel or whatever
10 medium used to hold the water and the control
11 structure to slowly release it, so you are, you
12 know, detaining water to try to meet some sort of --
13 or improve the total runoff from the site.

14 THE WITNESS: Well, we are not
15 intending to do anything more than to provide a
16 permeable material that would go into the soil.

17 I mean, the soil is going to be moved
18 and all of that, so it's going to be -- ostensibly
19 going to be receding, and then we're going to have
20 gravel and sand and whatever else we need. We have
21 the spec shown on here, but --

22 MS. BANYRA: What's the depth of that
23 material, Mr. Sarantitis, approximately?

24 THE WITNESS: Probably six inches,
25 something like that, I guess.

1 MR. MARSDEN: So what you are saying
2 then is it's designed so the water will go through
3 the media and then --

4 THE WITNESS: Into the ground.

5 MS. BANYRA: Eventually.

6 MR. MARSDEN: -- well --

7 THE WITNESS: Eventually.

8 MR. MARSDEN: -- the pavers, yes. But
9 the green roof --

10 THE WITNESS: Oh, the green roof?

11 MR. MARSDEN: Right.

12 THE WITNESS: Right, right.

13 The green roof -- one of the green
14 roofs is a real planted -- I mean, there's one on
15 the extension of the first floor, and the other one
16 is on the top of the roof, and that is going to be
17 just a green roof, meaning probably three inches or
18 maybe four inches of soil.

19 MR. MARSDEN: And you will collect the
20 water and discharge it into the existing sewer
21 system?

22 THE WITNESS: More or less. We were
23 kicking around the idea of collecting water, but no,
24 we're not going to do that. At the moment we are
25 not showing anything.

1 MR. MARSDEN: Okay. I just wanted to
2 clarify that.

3 THE WITNESS: Sure.

4 MR. MARSDEN: And I think that is it.
5 Thank you.

6 ACTING CHAIRMAN GRANA: Okay.

7 Mr. DeGrim, do you have a question?

8 COMMISSIONER DE GRIM: I have a
9 question.

10 You have HVAC units on the roof of the
11 new building?

12 THE WITNESS: We have -- so far we are
13 proposing two small units for the addition part of
14 it. Just whatever they are -- they are set back, so
15 you can't see them unless you are higher.

16 COMMISSIONER DE GRIM: But are they --
17 the building next to you, which --

18 THE WITNESS: 608 to the north?

19 COMMISSIONER DE GRIM: -- 608, are they
20 going to be higher than 608?

21 THE WITNESS: Yes. Higher by about
22 five feet.

23 MS. BANYRA: They are going to have to
24 be screened, and that would be a requirement, that
25 the HVAC I think has to be screened.

1 THE WITNESS: That is okay. We can do
2 that for sure.

3 MS. BANYRA: And I believe they have to
4 be three feet off the property line.

5 THE WITNESS: We can do that. That's
6 easy.

7 COMMISSIONER DE GRIM: The screening,
8 is that just for sound or --

9 MS. BANYRA: Hopefully sound
10 attenuation and -- yeah.

11 COMMISSIONER DE GRIM: Okay.

12 THE WITNESS: Okay.

13 MR. MARSDEN: If I may, I just have one
14 additional question.

15 Have you met with the Flood Plain
16 Manager of the city?

17 THE WITNESS: I will leave that to Bob
18 Matule.

19 MR. MATULE: Yes, we have, and we are
20 actually waiting for a response from her, if this
21 property is in the X zone. We just sent her a
22 survey, a new survey, which they overlaid the flood
23 maps, the new flood maps. This is not in an AA
24 zone, it is in an X zone, and heretofore her
25 position has been if it is an X zone, the new flood

1 ordinance does not apply, so I am waiting for a
2 response from her on that.

3 Like 901 Bloomfield, she said if it was
4 in the X zone, it did not apply.

5 I am waiting for a response from her
6 for that. If her response is in the negative, then
7 we are going to have a discussion about the cost of
8 the renovations, because we do not believe it
9 triggers -- even if it did apply, we do not believe
10 the cost is triggering it, so I mean, that is going
11 to be an issue, you know, but she is going to have
12 to decide one way or the other.

13 Our position for purposes of this
14 hearing is that if she decides the ordinance does
15 apply, and we exhaust whatever field remedies we
16 have on that issue, then the building would have to
17 be made to comply. Basically right now, I think the
18 ground floor is at about elevation 11 or 11 and a
19 half.

20 MR. MARSDEN: Yeah, 11 or 11.2.

21 MR. MATULE: So it is very close.

22 MR. MARSDEN: She might base it on the
23 design flood elevation, which is 14 in that area,
24 12, plus two for the clearance and stuff.

25 MR. MATULE: Right.

1 MR. MARSDEN: Either way, I would
2 suggest that you get a JD from DEP, which is very
3 easy to obtain, a Jurisdictional Determination, and
4 that would help your cause actually I think.

5 MR. MATULE: We could do that, yes.

6 ACTING CHAIRMAN GRANA: Any more
7 questions for this witness?

8 So then if not, let's open it up to the
9 public.

10 Does anybody in the public have any
11 questions for this witness?

12 The big public out there?

13 (Laughter)

14 MR. GALVIN: Okay.

15 COMMISSIONER DE GRIM: Seeing none, I
16 move to close the public portion.

17 COMMISSIONER MC ANUFF: Second.

18 ACTING CHAIRMAN GRANA: Okay.

19 Mr. Matule, do you have any other
20 witnesses?

21 MR. MATULE: That is my only witness.

22 I have the --

23 COMMISSIONER MURPHY: You forgot to ask
24 all in favor.

25 ACTING CHAIRMAN GRANA: I'm sorry.

1 All in favor of the motion to close
2 public portion?

3 (All Board members answered in the
4 affirmative)

5 ACTING CHAIRMAN GRANA: Mr. Matule, do
6 we have any other witnesses?

7 MR. MATULE: No, I don't.

8 I have the property owners here, if the
9 Board has any specific questions for them, but I
10 think their architect has pretty much answered all
11 of the questions.

12 ACTING CHAIRMAN GRANA: I don't see
13 that we have any public that would actually --

14 MS. BANYRA: Just one.

15 ACTING CHAIRMAN GRANA: Do we have one
16 public person that would like --

17 MR. GALVIN: Do you want --

18 ACTING CHAIRMAN GRANA: -- does anybody
19 want to speak to this application?

20 This is the time to give your opinion.

21 MR. GALVIN: It's opinion time. If you
22 want to put your opinion on the record, I have to
23 put you under oath, okay?

24 ACTING CHAIRMAN GRANA: But you have to
25 come on up.

1 MR. GALVIN: Raise your right hand.

2 Do you swear or affirm the testimony
3 you are about to give in this matter is the truth,
4 the whole truth, and nothing but the truth?

5 MS. MARSH: Yes.

6 MR. GALVIN: State your full name for
7 the record and spell your last name.

8 MS. MARSH: Jennifer Marsh, M-a-r-s-h.

9 MR. GALVIN: Okay.

10 COMMISSIONER MARSH: I live at 608
11 Bloomfield, so I am just north of the new part, and
12 I met with them and talked all about it, and I'm
13 really excited about it.

14 I happen to be an architect as well and
15 work on brownstones all over Hoboken as well, so I
16 am intimately familiar with renovation and the
17 challenges and the opportunities, and I think it is
18 a bold move, but I think it is very -- I think it's
19 really insightful, and I think where we kind of kind
20 of go in town. So I have full -- I give my full
21 support for it, and yeah, and it's educated support,
22 too, so we know what kind goes into all of that.

23 And I really appreciate the comments
24 about like the greenery, and it being something that
25 could be year round, and I think that is definitely

1 an asset to the approach, and -- but even if it's
2 not, I think it can be beautiful in and of itself,
3 which is fantastic as well.

4 I have one comment, which I haven't
5 talked to you guys about.

6 I am not excited about the stoop, the
7 relic of the stoop. Since we are on the north side,
8 and that part is kind of up against us, I would much
9 rather just see it removed and well waterproofed,
10 and we don't know what kind of stuff is going on
11 back there from however long ago.

12 If you want to make some kind of a
13 thing that you hide your trash cans and all of that,
14 but I would more -- it's just the stair to nowhere
15 kind of looks depressing to me.

16 THE WITNESS: I was just going to say
17 that we weren't planning to leave the stoop the way
18 it was. I mean, I know it is a pretty ugly stoop.

19 (Laughter)

20 We were planning to treat it in a way
21 that it was a nice finished product, and to dress it
22 up in a way that's pleasing to the eye, and also we
23 are trying to avoid getting up against your wall
24 because we don't know what is down there, and that
25 is part of your --

1 MS. MARSH: Well, so I would like to
2 say, if it's something that we can continue to
3 discuss, and it's not like it's part of that
4 somebody loves that, and they want to keep it, and
5 you don't get it unless you have it --

6 THE WITNESS: Sure.

7 ACTING CHAIRMAN GRANA: It will come
8 down to what's in the plan.

9 MR. GALVIN: It will be the Board's
10 call. Sorry.

11 ACTING CHAIRMAN GRANA: It will be the
12 Board's call.

13 MR. GALVIN: That is the truth.

14 ACTING CHAIRMAN GRANA: Thank you.
15 Thank you.

16 MS. MARSH: That was my two cents.

17 MR. GALVIN: Thank you.

18 ACTING CHAIRMAN GRANA: Thank you.

19 MR. GALVIN: Seeing no one else from
20 the public?

21 COMMISSIONER MC ANUFF: Motion to close
22 the public portion.

23 MR. GALVIN: Is there a second?

24 MR. MC BRIDE: Second.

25 ACTING CHAIRMAN GRANA: Mr. Matule,

1 would you like to close this out?

2 MR. MATULE: I think certainly in all
3 of the years I have been doing this, this is
4 unusual. I think it is very interesting, and I
5 think it speaks to a lot of the new initiatives
6 we're trying to get into town, the green things and
7 water savings things and energy savings things.

8 I think what makes it work particularly
9 here is the way these two buildings are set back.
10 The building on the corner fronts on the side
11 street, so the rear of that building comes on our
12 south side, and then the neighbor, who is here on
13 the north side, her building is out six feet, and
14 the rest of the block is out six feet, so we sort of
15 have this little cutout in there, which we're in,
16 which I think makes it work even more.

17 Notwithstanding how sort of
18 contemporary and different this is, we still are at
19 60-some percent masonry. So while the ordinance
20 requires 75 percent, the deviation isn't that great,
21 and I guess I would point out that when this was
22 originally put in the ordinance, I called it the
23 anti-driveway ordinance, where people were using the
24 synthetic stucco and just making big ugly buildings
25 with it.

1 So I mean, this really is, while it
2 doesn't comply a hundred percent, I think it is not
3 the harm the ordinance was trying to combat, so I
4 guess we have to, in a classic C2 variance fashion,
5 when you look at the benefits versus any negative
6 detriment and see if the Board feels that the
7 benefits outweigh any of that negative detriment.

8 ACTING CHAIRMAN GRANA: Okay. Thank
9 you.

10 All right. Do any of our professionals
11 have any guidance before the Board -- we do have
12 some new members here, and I am going to open it up
13 to deliberations unless you have any guidance.

14 MR. GALVIN: Yes. Why don't you let me
15 just do ten seconds worth.

16 ACTING CHAIRMAN GRANA: I think it
17 would be helpful.

18 MR. GALVIN: When we have a C variance,
19 what we are looking to do is we want to find special
20 reasons. Special reasons are generally found in the
21 purposes of zoning, and there is like A through O of
22 them.

23 One of them is when something is
24 attractive, that's a good way -- like it's an
25 enhancement. You are taking down an old crummy

1 building and putting up a new building, it has to be
2 a public benefit. It can't just be a benefit to the
3 neighbor themselves.

4 I think the green wall technology has
5 other benefits also under special reasons. I think
6 you can look to the --

7 MS. BANYRA: General welfare?

8 MR. GALVIN: -- well, there is the
9 general welfare. (A) is the public health, safety
10 and welfare, and by putting trees and plants, we
11 could be cooling down the street in the summertime,
12 providing more shade, you know, making the area more
13 livable. Those would be possible special reasons
14 that you can find.

15 Then you have to balance out the
16 improvement versus -- and that requires a
17 variance -- and then you have to put it against the
18 negative impact, which is generally for a C
19 variance, what is the negative impact on the
20 surrounding property owners. Is there some -- like
21 we are going to put an addition on a property. It
22 is going to elevate the fourth floor. It's not
23 going to block someone's light and air. They're not
24 going to get sun in the afternoon. That's sometimes
25 a significant factor, and then what we do is we do a

1 balancing between the positive and the negative,
2 okay?

3 I think one of the things that is
4 interesting is normally in a D variance, which this
5 is not, in a use variance, you look to what the
6 governing body thought. Like if they leave a use
7 out of the zone, like if it is a commercial zone,
8 and it has got a certain kind of restaurants, if a
9 use came up that they didn't know about, they might
10 not have included that in the list of businesses
11 that go there. Like, you know, an internet cafe --

12 MS. BANYRA: Self-storage.

13 MR. GALVIN: -- self-storage, that they
14 didn't know about it. They didn't know about
15 self-storage ten years ago.

16 So the Court usually says, but if you
17 think that the governing body might have allowed
18 that, that mitigates in its favor.

19 The same thing here, I think that Mr.
20 Matule's argument, the green walls and things are
21 generally looked on in favor in Hoboken, but they
22 weren't really given as an opportunity, you know, so
23 is it something that the governing body overlooked,
24 or is it something that they don't want, and I think
25 you guys have to grapple with that, and the C

1 variance only requires four affirmative votes.

2 ACTING CHAIRMAN GRANA: Eileen, do you
3 have anything to add?

4 MS. BANYRA: Yeah.

5 The only thing I wanted to add is on
6 the C variance, on any variances, so you look at
7 first the localized negative impact, and then you
8 see if it has any impacts on your zoning ordinance
9 or zone plan, which is your master plan.

10 So the master plan identifies green
11 elements. It talks about green screens, green
12 walls, cisterns and water capture. So to the
13 effect -- to the extent that this addresses
14 affirmatively the master plan, that is a positive
15 thing.

16 If it is doing something that is
17 counter to the master plan, that is a negative
18 thing. And, again, going back to what Dennis said,
19 you know, you have to balance that.

20 MR. GALVIN: The other thing is I have
21 a couple of conditions here. One of the conditions
22 I am going to suggest to you is we don't want to
23 wind up in a situation, where you have the facade
24 without the planting, so I am going to recommend
25 that we do a deed restriction for both the green

1 roof and the green wall, and that if it ever gets
2 into disrepair or falls on hard times, that the city
3 could require it to be replanted.

4 I am not thinking about the next two
5 years. I'm thinking ten years down the road. And
6 at the Planning Board, I am doing the same thing.
7 Any time we have a green roof, we started in the
8 last couple months of putting a dead restriction, so
9 that we can make sure that we get what we're --

10 ACTING CHAIRMAN GRANA: Great
11 suggestion.

12 Okay, Commissioners?

13 COMMISSIONER MURPHY: Okay.

14 So generally I like it, and I
15 appreciate the green thing, but I also struggle with
16 the opposite side of this, with the master plan
17 speaking about keeping our Hoboken look and feel.

18 And my only real concern is that it is
19 Bloomfield Street, and its saving grace may be the
20 fact that it is pushed back a little bit, but I am
21 kind of in a quandary about it, because you could
22 also do green things on the back of a building that
23 would do all of these wonderful environmental
24 things, so that is kind of where I am with this.

25 I love the idea of blending these two

1 homes together, but I'd just be anxious to hear what
2 everybody else has to say.

3 ACTING CHAIRMAN GRANA: Okay.

4 Any other Commissioners?

5 Deliberation?

6 COMMISSIONER MC ANUFF: I typically
7 have an issue with green screens, and to emphasize
8 that point, if you look on Z-6, where you have The
9 Edge Lofts with the extensive green screen on a
10 facade of the building, that facade has the
11 appropriate amount of masonry and the green screen
12 is more of just an applique over it.

13 My concern with this building is that
14 if the green screen does fall into disrepair, or
15 doesn't grow for some reason, or has other problems,
16 the facade behind it is not even the correct facade.
17 It is a curtain wall, and to echo Diane's point, I
18 just don't think it fits in with the neighborhood.
19 I think the character of Bloomfield Street, I just
20 don't think supports this application.

21 ACTING CHAIRMAN GRANA: Okay.

22 COMMISSIONER WEAVER: I would actually
23 take the opposite stance. That, you know, just
24 because you have brick doesn't mean -- I mean, you
25 said about The Edge, you know, this building just

1 because it has brick doesn't mean -- I mean, it
2 meets the letter probably of the law, you know, the
3 intent, but I think that was, you know, it is kind
4 of like the applicant we just had, who came in here
5 and she put brick up because she thought that we had
6 to have brick. Clearly, you know, we approved other
7 materials. It is not always the best way to go.

8 I do think what helps this application
9 is the fact that it is pulled back, and these two
10 structures are sort of a -- I don't want to call
11 them a hiccup, but they're a one off on this block
12 of Bloomfield, especially the fact that there is an
13 open space between 604, right, 604, and the building
14 which occupies the corner lot, which helps these two
15 to sort of stand apart from the rest of the
16 Bloomfield.

17 It is -- when you look at the elevation
18 that they are proposing, if we go to 6 -- I'm
19 sorry -- even 201, the middle facade, I mean, I just
20 think that is an attractive facade, period, when you
21 consider the wood and the metal and behind that, the
22 depth with the reflective -- I mean, the beauty of
23 the glass is actually -- not only is it just glass,
24 but the dual nature of this facade in my mind is
25 that in the daytime, it is going to be more or less

1 reflective behind this screen -- you know, the
2 actual screen wall, which will now be populated by
3 greenery, so it is a vertical living thing.

4 And then at night, it is going to have
5 a really different character to it, where it is
6 going to sort of start to glow from behind, and I
7 could only imagine with, you know, proper lighting,
8 you know, that you can light up just like a
9 theatrical screen, but you could light up some of
10 the greenery on the front, depending on how you're
11 lighting it, and sort of get that depth of character
12 with the living spaces behind it.

13 It could be, I mean, architecturally, I
14 think this is something that Hoboken needs, that we
15 rarely, if ever, see in probably all of Hoboken.
16 I mean, there are few projects of architectural
17 merit really in my mind, and this would potentially
18 be one of them.

19 Now, we have serious questions about,
20 you know, what if it is not this owner. You know,
21 when I was on the Planning Board, we had that
22 problem, too.

23 Yeah, we like the restaurant that might
24 move in, but, you know, you could move out tomorrow
25 and somebody else could move in. So, yeah, if we

1 were to approve it, we would have to put, you know,
2 some things on here about, yes, the maintenance of
3 the planters, that you can't have storage on these
4 Juliet balconies that, you know, we could put
5 something in about lighting, but I don't even know
6 what I would do with the lighting at this point.

7 I don't know how we would handle the
8 stair, the question of the tracery of the original
9 stair, which I think is intriguing. The idea that
10 you sort of have some sort of a remnant of the
11 previous structure, sort of understanding what was
12 there before, but I don't know how we could address
13 that in particular.

14 I just think this is a very -- I think
15 it is a worthy application, but that is just me.

16 ACTING CHAIRMAN GRANA: Okay.

17 Any other deliberations?

18 COMMISSIONER MC BRIDE: I think it is
19 interesting. It takes a little getting used to
20 because it isn't what Bloomfield is today. So there
21 is greenery on the 04 building. Does that exist
22 now?

23 COMMISSIONER DE GRIM: I think that is
24 just the architectural rendering. If you look at --

25 COMMISSIONER MURPHY: No, no. It

1 has --

2 MS. BANYRA: No. They testified that
3 there is actually green growing on the building now.

4 COMMISSIONER MURPHY: Ivy-like.

5 COMMISSIONER DE GRIM: Yeah. If you
6 look, it is there. It just doesn't have leaves on
7 it at the moment.

8 MR. SARANTITIS: Right.

9 ACTING CHAIRMAN GRANA: Okay. That's
10 it.

11 Well, I will add a few -- I'll add a
12 few comments.

13 In a C variance like this, I think the
14 question I have is, you know, is it really a better
15 design solution for this property.

16 We have heard from the applicant's
17 professional's testimony, that this is going to
18 become a single-family structure. The structure is
19 going to have to be modified regardless because the
20 floors do not match up.

21 So the question is, you know, what is
22 there and a facade variance is being asked for.

23 This is something new and different,
24 and my normal opinion on this would be that it is
25 Bloomfield Street. I feel, you know, fairly

1 conservative in terms of what should be changed.
2 But at the same time, there are a lot of things that
3 could be built here that would meet the code that
4 might not be as really good as this application that
5 has the potential to be.

6 I think that the green elements, I
7 think the applicant has made it very clear that
8 their intention is to really improve through this
9 application the general welfare by increasing the
10 amount of permeable space from ten to 80, by not
11 just putting the facade here, by putting the green
12 elements.

13 I think if we have that combined with
14 the recommended conditions, while I am normally
15 conservative in the R-1, I think that this would --
16 this is a worthwhile application for the city, so I
17 will lean in support of it. Okay.

18 Seeing no other discussion, would
19 somebody like to make a motion in favor?

20 COMMISSIONER WEAVER: I make a motion
21 in favor to accept the application with the --

22 ACTING CHAIRMAN GRANA: Okay. I'm
23 sorry. Let's listen to the conditions first.

24 MR. GALVIN: Is there a second?

25 ACTING CHAIRMAN GRANA: I think we want

1 to hear the conditions first.

2 MR. GALVIN: Okay.

3 One: The applicant is to file a deed
4 restriction requiring the green roof and the green
5 wall to be maintained as shown on the plans. In the
6 event the green roofs or walls should fail, the
7 owner of the property must, at the written request
8 of the zoning officer, replant in accordance with
9 the plan.

10 If the owner fails to replant the wall
11 within 30 days of such a request or to provide a
12 reasonable time frame when compliance will occur,
13 the city may undertake to replant the roofs or wall.
14 The cost of replanting shall be filed against the
15 property as a lien, together with the city's
16 attorney's fees imposed on it.

17 The deed restriction is to be reviewed
18 and approved by the Board's Attorney prior to its
19 recording, and it must be recorded prior to the
20 issuance of the first certificate of zoning.

21 Two: The building is to be constructed
22 as explained to the Board at time of the hearing.

23 Three: The applicant is to comply with
24 the Board's professionals' letters.

25 Four: The HVAC must be three foot from

1 the property line and must be screened to the
2 satisfaction of the Board's Planner.

3 Five: The applicant is to seek
4 comments from the Flood Plain Administrator.

5 Six: There is to be no storage on the
6 Juliet balcony.

7 That is what I have.

8 COMMISSIONER DE GRIM: No storage or
9 furniture, right, I mean --

10 COMMISSIONER MURPHY: It can't be used
11 as a balcony.

12 COMMISSIONER DE GRIM: Yeah.

13 MR. GALVIN: No storage or furniture is
14 to be placed --

15 COMMISSIONER WEAVER: Or rather, we can
16 go the opposite route and say what is permitted, and
17 it's only what's required for the, you know, the
18 green wall.

19 COMMISSIONER MURPHY: For maintenance.

20 COMMISSIONER DE GRIM: For maintenance
21 of the green wall.

22 COMMISSIONER MC ANUFF: That is not
23 what was testified to before that someone --

24 MS. BANYRA: I think it's no storage.
25 It means nothing really. You are not going to be

1 storing soil out there, if someone is planting --

2 COMMISSIONER MC ANUFF: Right. So
3 somebody can stand out there --

4 MS. BANYRA: -- they can stand out
5 there and fix the plants. They're going to water
6 the plants.

7 COMMISSIONER MC ANUFF: Well, somebody
8 can stand out there and have a cigar. That's what
9 was testified to before.

10 MS. BANYRA: Yeah.

11 MR. GALVIN: There is to be no storage
12 or furniture on the Juliet balcony. So if they put
13 it on, then the zoning officer can issue a notice of
14 violation. You know, the white plastic chair goes
15 out there and bothers somebody --

16 (Laughter)

17 ACTING CHAIRMAN GRANA: Okay.

18 Having heard the conditions, would
19 somebody like to make a motion?

20 COMMISSIONER WEAVER: I'll make a
21 motion --

22 (Everyone talking at once).

23 ACTING CHAIRMAN GRANA: Second to the
24 motion?

25 (Laughter)

1 MR. GALVIN: Anyone want to make a
2 second?

3 MS. CARCONE: Commissioner Murphy?

4 ACTING CHAIRMAN GRANA: Did we have a
5 second?

6 MR. GALVIN: No. Did somebody --

7 ACTING CHAIRMAN GRANA: We need a
8 second to the motion.

9 COMMISSIONER MC BRIDE: Second.

10 MS. CARCONE: I thought you made the
11 second.

12 MR. GALVIN: No. The Chair shouldn't
13 make the second.

14 MS. CARCONE: Oh, I did not say that.
15 (Laughter)

16 MS. BANYRA: Second he said.

17 MR. GALVIN: Thank you.

18 ACTING CHAIRMAN GRANA: Pat?

19 MS. CARCONE: Commissioner Murphy?

20 COMMISSIONER MURPHY: Yes.

21 MS. CARCONE: Commissioner McAnuff?

22 COMMISSIONER MC ANUFF: No.

23 MS. CARCONE: Commisioner Weaver?

24 COMMISSIONER WEAVER: Yes.

25 MS. CARCONE: Commissioner McBride?

1 COMMISSIONER MC BRIDE: Yes.

2 MS. CARCONE: Commissioner Johnson?

3 COMMISSIONER JOHNSON: No.

4 MS. CARCONE: Commissioner DeGrim?

5 COMMISSIONER DE GRIM: Yes,

6 MS. CARCONE: Commissioner Grana?

7 ACTING CHAIRMAN GRANA: Yes.

8 MS. CARCONE: Okay. So we have five
9 yeses.

10 MR. MATULE: Thank you very much.

11 MR. GALVIN: You guys did a good job.
12 Thank you.

13 ACTING CHAIRMAN GRANA: Okay. Great.
14 I don't believe we have any more
15 business tonight, do we?

16 MS. CARCONE: No.

17 MR. GALVIN: We have time, though.

18 ACTING CHAIRMAN GRANA: We got to get
19 back to our --

20 MR. GALVIN: No one is watching, so we
21 could change things --

22 (Laughter)

23 MR. GALVIN: -- no, I'm only kidding.

24 ACTING CHAIRMAN GRANA: Seeing no
25 further business, I will accept a motion to adjourn.

1 COMMISISONER MURPHY: Motion to

2 adjourn.

3 COMMISSIONER WEAVER: Second.

4 MS. CARCONE: See you all next week,
5 next Tuesday.

6 MR. GALVIN: Let the record reflect
7 it's 10:43.

8 (The meeting concluded at 10:43 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: 2-18-16
This transcript was prepared in accordance with
NJAC 13:43-5.9.