

HOBOKEN ZONING BOARD OF ADJUSTMENT  
CITY OF HOBOKEN

----- X  
SPECIAL MEETING OF THE HOBOKEN : March 22, 2016  
ZONING BOARD OF ADJUSTMENT : Tuesday, 7:05 p.m.  
----- X

Held At: 94 Washington Street  
Hoboken, New Jersey

B E F O R E:

- Chairman James Aibel
- Vice Chair John Branciforte
- Commissioner Philip Cohen
- Commissioner Antonio Grana
- Commissioner Owen McAnuff
- Commissioner Diane Fitzmyer Murphy
- Commissioner Dan Weaver

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

- Kristen Russell, Planning Consultant
- Jeffrey Marsden, PE, PP  
Board Engineer
- Patricia Carcone, Board Secretary

PHYLLIS T. LEWIS  
CERTIFIED COURT REPORTER  
CERTIFIED REALTIME COURT REPORTER  
Phone: (732) 735-4522

1           A P P E A R A N C E S:

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

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

## I N D E X

1		
2		
3		PAGE
4		
5	Board Business	1
6		
7	Withdrawal of 601-619 Newark	5
8		
9	HEARING:	
10		
11	507 & 525 River Street	7
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1                   CHAIRMAN AIBEL: Good evening,  
2 everyone.

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

11                  Please stand and join me in saluting  
12 the flag.

13                  (Pledge of Allegiance recited)

14                  CHAIRMAN AIBEL: Good evening,  
15 everyone.

16                  We're at a -- I believe we are at a  
17 Special Meeting --

18                  MS. CARCONE: A Special Meeting.

19                  CHAIRMAN AIBEL: -- a Special  
20 Meeting --

21                  MR. GALVIN: Yes, we're special.

22                  (Laughter)

23                  CHAIRMAN AIBEL: -- of the Zoning Board  
24 of Adjustment.

25                  Pat, do you want to do the roll call?

1 MS. CARCONE: Commissioenr Aibel?  
2 CHAIRMAN AIBEL: Here.  
3 MS. CARCONE: Commissioner Branciforte?  
4 VICE CHAIR BRANCIFORTE: Here.  
5 MS. CARCONE: Commissioner Cohen?  
6 COMMISSIONER COHEN: Here.  
7 MS. CARCONE: Commissioner Grana?  
8 COMMISSIONER GRANA: Here.  
9 MS. CARCONE: Commissioner Marsh is  
10 absent.  
11 Commissioner Murphy?  
12 COMMISSIONER MURPHY: Here.  
13 MS. CARCONE: Commissioner McAnuff?  
14 COMMISSIONER MC ANUFF: Here.  
15 MS. CARCONE: Commissioner Weaver?  
16 COMMISSIONER WEAVER: Here.  
17 MS. CARCONE: Commissioners McBride,  
18 Johnson and DeGrim are absent.  
19 CHAIRMAN AIBEL: Good. A couple of  
20 quick items of business.  
21 We have on the agenda the annual report  
22 of zoning variances for 2014 and '15. That will be  
23 reviewed at our next meeting. We still have some  
24 comments coming in.  
25 We have one withdrawal, a preliminary

1 site plan application of Winsor Eden, 601-619  
2 Newark.

3 Is there anything else on that, Pat?

4 MS. CARCONE: No. I think they are  
5 withdrawing their application, and I hear that they  
6 are going -- they are in the Southwest Area, and  
7 they are going to, I guess, apply to the Planning  
8 Board under the Southwest Redevelopment Plan  
9 whenever that is ready.

10 CHAIRMAN AIBEL: Good.

11 Do you need a motion?

12 MR. GALVIN: Yes. Let's get a motion  
13 and a second, and then we will do an all in favor.

14 CHAIRMAN AIBEL: Okay.

15 Do I have a motion?

16 COMMISSIONER MURPHY: Motion to accept  
17 the withdrawal.

18 VICE CHAIR BRANCIFORTE: Second.

19 CHAIRMAN AIBEL: All in favor?

20 (All Board members answered in the  
21 affirmative.)

22 (Continue on next page)

23

24

25

HOBOKEN ZONING BOARD OF ADJUSTMENT  
CITY OF HOBOKEN  
HOZ-15-31

- - - - - X  
RE: 507 River Street & 525 River : March 22, 2016  
Street, Hoboken : Special Meeting  
Block 234, Lot 1, portion of Block : Tuesday, 7:05 p.m.  
257, Lots 2 & 3 (the "Property") :  
Block 258, Lot 1 and a portion of :  
Block 259, Lot 2 (The "Griffith Lot") :  
Zone: Higher Education Subdistrict :  
(R-1(E)) Zone :  
Applicant: Stevens Institute of :  
Technology a/k/a The Trustees of the :  
Stevens Institute of Technology :  
Summary: Amended preliminary & final :  
major site plan approval with variances:  
- - - - - X

Held At: 94 Washington Street  
Hoboken, New Jersey

B E F O R E:

- Chairman James Aibel
- Vice Chair John Branciforte
- Commissioner Philip Cohen
- Commissioner Antonio Grana
- Commissioner Owen McAnuff
- Commissioner Diane Fitzmyer Murphy
- Commissioner Dan Weaver

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

- Kristen Russell, Planning Consultant
  
- Jeffrey Marsden, PE, PP  
Board Engineer
  
- Patricia Carcone, Board Secretary

PHYLLIS T. LEWIS  
CERTIFIED COURT REPORTER  
CERTIFIED REALTIME COURT REPORTER  
Phone: (732) 735-4522

## 1           A P P E A R A N C E S:

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

7                   GIBBONS, PC  
8                   One Gateway Center  
9                   Newark, New Jersey 07102  
10                  BY: JASON R. TUVEL, ESQUIRE  
11                  Attorneys for Applicant.

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

13                   MILLER, PORTER & MULLER, PC  
14                   One Palmer Square  
15                   Princeton, New Jersey 08542  
16                   609-921-6077  
17                   BY: GERALD J. MULLER, ESQUIRE  
18                   Attorneys for Fund for a Better Waterfront.

19

20

21

22

23

24

25

I N D E X

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

WITNESS

PAGE

RICHARD KING

28

LEONARD SAVINO

101

CHARLES D. OLIVO

114

1                   CHAIRMAN AIBEL: Okay. We have one  
2 agenda item. Our hearing this evening is 507 River  
3 Street and 525 River Street, and more commonly known  
4 I guess as the Babbio Garage.

5                   Mr. Tuvel?

6                   MR. TUVEL: Good evening, Mr. Chairman,  
7 and Members of the Board.

8                   Do we even need this?

9                   I don't need it.

10                  MR. GALVIN: Did you guys bring it?

11                  MR. TUVEL: I think we brought it just  
12 in case, but I don't think we need it.

13                  MR. GALVIN: You don't need it.

14                  (Laughter)

15                  MR. TUVEL: Jason Tuvel from the Law  
16 Firm of Gibbons, PC, attorney for the applicant,  
17 Stevens Institute of Technology.

18                  It's good to be back, everybody.

19                  Dennis, did you want to say something?

20                  MR. GALVIN: No, no. I was thinking  
21 that we did need that in the other location --

22                  MR. TUVEL: That's why. We were trying  
23 to be safe and have it just in case, because we  
24 remember the first couple of meetings over there.

25                  MR. GALVIN: So that is the Boy Scout

1 motto, you know, "Be prepared."

2 (Laughter)

3 MR. TUVEL: There you go.

4 So it is good to be back, everybody.

5 We are here on the application for the  
6 Babbio Garage, which is Block 234 and Block 27, Lots  
7 2 and 3, and Lot 1 on Block 234.

8 I know everybody is familiar with this  
9 property, but just for the record, I will briefly  
10 describe what we are doing here.

11 The Babbio Garage --

12 MR. GALVIN: Let me just stop you for a  
13 second. We want that, and desperately we need that.  
14 I don't think you should assume that we understand  
15 what happened before.

16 MR. TUVEL: I'll go through all of  
17 that.

18 MR. GALVIN: You and I had  
19 conversations, where I kind of got an idea of what  
20 is going on. You need to tell them what you were  
21 telling me, okay?

22 MR. TUVEL: That's fine.

23 MR. GALVIN: All right. Go ahead.

24 MR. TUVEL: So the Babbio Garage is  
25 located on the property that is very interesting.

1 It fronts on Sinatra Drive. It has frontage on  
2 Fifth Street, and it also has frontage on River  
3 Terrace above where the garage is currently located.  
4 So it is an interesting property, and our architect  
5 and site engineer will go through that in more  
6 detail and describe that in more detail.

7 The garage that's currently there, it  
8 is an actual structure that is there. It has been  
9 operating, but its facade is not completed, as we  
10 all know, and the actual build-out of the garage has  
11 not been constructed, as we all know, and let's just  
12 say what it is. It is an eyesore right now along  
13 Sinatra Drive. Let's just be honest, and that is  
14 what it is, and that is why we are here.

15 So presently the garage has 140 spaces  
16 within it, within the structure itself. It has 30  
17 spaces of surface parking right in front of it along  
18 Sinatra Drive, so there is a total of 170 spaces.

19 Upon final approval, the garage would  
20 have 436 spaces, so you have an uptake of 266 spaces  
21 upon the final build-out.

22 So as your attorney, Mr. Galvin,  
23 mentioned, there is a long procedural history of  
24 approvals in front of this Board, and looking at the  
25 transcripts and the resolution, I don't think

1 anybody, any of the Board members were here.

2 I think, Mr. Chairman, you might have  
3 been appointed right after the approval was -- by  
4 the Board --

5 CHAIRMAN AIBEL: I was not involved.

6 MR. TUVEL: -- yeah, right, in 2009, so  
7 I don't think any of the Board members or Board  
8 professionals were a part of that application.

9 So just to give you a procedural  
10 history, in 2004, there was an approval for a 710  
11 space garage, no building, no academic building  
12 whatsoever, 710 spaces. I guess Stevens decided not  
13 to build that.

14 They came back in 2009 and Stevens  
15 amended the approval for the 436 parking space  
16 garage with an academic building called the Center  
17 for Engineering and Science Innovation.

18 What you will hear, we will call that  
19 the wrap-around building, because that building is  
20 proposed to wrap around the garage, so you do not  
21 see the front of the garage from Sinatra directly in  
22 front of the river.

23 So that is what we will call the  
24 wrap-around building, but its actual name, if you  
25 look at the prior approvals, is the Center for

1       Engineering and Science Innovation. That  
2       building -- and that was accounted for by the way in  
3       the parking study that we provided for this  
4       application as well as for Gateway. That is  
5       approximately 45,000 square feet, so a lot smaller  
6       than the Gateway building that was approved, about  
7       less than half of the size.

8                   The 2009 approval, and this is  
9       important I think, contemplated phasing of the  
10      construction, and the reason why we are here is  
11      because if you look back at the resolution, and you  
12      look back at the plans, the phasing was not very  
13      detailed in terms of what the site improvements were  
14      supposed to be, where access was going to occur, and  
15      what was really supposed to go first, second and  
16      third, okay?

17                   So we thought it would be prudent to  
18      come back to the Board and outline what exactly is  
19      going to occur in each one of the phases, and we are  
20      contemplating two phases as part of the  
21      construction, and I will get to what is comprised of  
22      both in a minute.

23                   What is also interesting to note is  
24      that the 2009 approval, and if you read the  
25      transcripts, they did contemplate a vinyl facade for

1 the garage, because the garage was contemplated to  
2 be finished first in the first phase before the  
3 wrap-around building, and also which is also an  
4 important issue here, the ultimate access to the  
5 garage in the final phase will be off of Fifth  
6 Street. Actually you can drive up off Sinatra or  
7 take Fifth Street, but the actual opening to the  
8 garage will be on Fifth Street, where you enter the  
9 second level, and our architect will go into that in  
10 some more detail.

11 Another important aspect of the 2009  
12 approval and another reason we are here to seek some  
13 clarification from the Zoning Board is that there  
14 were several parking conditions that were also  
15 unclear, and we would rather just perfect them here  
16 and determine all of the details associated with  
17 them, so there are really two issues that I want to  
18 discuss and let the Board be aware of.

19 Issue number one: There were 50 spaces  
20 that were supposed to be allocated either in the  
21 garage or what is called the physical plant lot or  
22 the Griffith lot, which is the parking lot directly  
23 across the street east of this property, and again,  
24 our professionals will describe to you where it is  
25 and show it to you.

1                   So we were supposed to provide 50  
2 spaces between the two. It didn't say how you divvy  
3 it up or anything like that. We were supposed to  
4 provide 50 spaces for users of the little league  
5 field and soccer fields during off-peak hours for  
6 Stevens, whatever that means.

7                   It didn't specify dates, times or  
8 anything like that. It just said off-peak times,  
9 and those were supposed to be for free, no charge to  
10 the public, and it was only supposed to be used  
11 during little league and soccer field sponsored  
12 events. Again, I'm not really sure what that means,  
13 but that is what the resolution says.

14                   Another thing that was contemplated in  
15 the approval, and this wasn't laid out as a specific  
16 condition at the end of the resolution, where, you  
17 know, I'm sure the Board is aware, you enumerate all  
18 of the conditions, but it was in the resolution  
19 itself, and it was in testimony, so we are not  
20 ignoring it.

21                   There was supposed to be some public  
22 parking in the garage at a charge to the public,  
23 again, during off-peak times for Stevens. It is  
24 really unclear when that was supposed to be. But  
25 what is clear about it is that the intent was to

1 provide members of the public access to the  
2 waterfront. That is spelled out unequivocally in  
3 the resolution. So those are the two parking issues  
4 that we are here to discuss and seek clarification  
5 on.

6 So let me just sum up procedurally why  
7 we are here, because although we are not asking for  
8 a change to the ultimate approval, it is a little  
9 bit just procedurally confusing, so I hope that I  
10 can clarify it.

11 So we are seeking, I guess, an  
12 amendment to the preliminary and final site plan as  
13 to Phase I of this project, so we ask the Board to  
14 grant amended preliminary and final as to Phase I of  
15 the project, and I will describe exactly what Phase  
16 I is in a minute.

17 In addition to that, there were D  
18 variances associated with the initial project. We  
19 are not really changing the scope of those, but  
20 since we are changing the phasing and some of the  
21 issues associated with it, we think it is prudent to  
22 testify again on those D variances, and we will do  
23 that.

24 Okay. So, again, playing it really  
25 conservative here, just making sure that we dot all

1 of our "I"s and cross all of our "T"s with the  
2 Baord, and everybody is aware of the phasing.

3 So in terms of Phase I, this is what we  
4 are proposing, and obviously our design  
5 professionals will go into this in more detail: So  
6 the completion of the garage, the 266 more spaces to  
7 be added. The surface parking along Sinatra Drive  
8 will be eliminated. It will all be contained within  
9 the parking structure itself. There will be new  
10 sidewalks and curbing along the property's frontage.

11 There will be a Phase I facade that  
12 will esthetically - we know it needs it -  
13 esthetically improve the outside of the Babbio  
14 Garage, and our architect will show you what that  
15 will look like.

16 There is going to be a landscaped area  
17 in front of the garage as well.

18 There is going to be a new staircase.  
19 I know everybody is familiar with the wooden  
20 staircase at the bottom of the Sinatra that leads up  
21 to the campus. That is going to be completely  
22 ripped out and replaced with a safer staircase,  
23 modern staircase, with lighting, safe lighting, so  
24 that people walking up and down it whenever, it is  
25 open 24 hours a day now, it will be open 24 hours a

1 day in the future, so there will be proper access  
2 lighting there.

3 There will also be a method to roll  
4 bikes up and down the sidewalk, so people who had  
5 their bikes on Sinatra or on River Terrace can  
6 easily wheel their bikes down the staircase.

7 We are going to realign the entrance to  
8 the garage. Right now, if you are familiar with it,  
9 Fifth Street kind of comes together with the  
10 entrance of the garage. It is kind of a  
11 free-for-all right there, and we are going to move  
12 the garage entrance further away, and our engineer  
13 and architect will explain this, further away from  
14 Fifth Street, creating a proper separation between  
15 Fifth Street and the opening to the garage.

16 There will be better sight lines  
17 because of this, better turning movements, and just  
18 better for pedestrians that are also walking in the  
19 area.

20 There is going to be a rooftop plaza  
21 off of River Terrace that will contain --

22 (Cell phone ringing)

23 MR. GALVIN: Really?

24 (Laughter)

25 MR. GALVIN: How did you get into the

1 city?

2 (Laughter)

3 MR. TUVEL: -- so there will be a  
4 rooftop plaza at the top of River Terrace, so people  
5 can access.

6 There will be furniture there, and  
7 there will be scenic views of the Hudson, so there  
8 will be a rooftop plaza there.

9 In addition to that, there will be an  
10 installation of a green roof, and we think that's  
11 going to be probably one of the largest green roofs  
12 in the City of Hoboken, and we will explain that in  
13 further detail.

14 So that is really the modifica -- those  
15 are the Phase I improvements. This is not changing  
16 drastically from the initial approval, but that is  
17 what we want to do in Phase I. We want to make sure  
18 that the Board is comfortable with that as part of  
19 the Phase I application.

20 The modification to the parking that I  
21 described above, those two issues concerning little  
22 league parking and public parking, I will just  
23 explain what our proposal is for that. Again, there  
24 was no specificity as to what the Zoning Board  
25 intended in terms of times, and days and things of

1       that nature.

2                       So what Stevens proposes to do is to  
3       have 50 spaces available to the public in the  
4       Griffith lot, which again is the lot across the  
5       street. Stevens prefers to have those spaces in  
6       that lot and not in the Babbio Garage itself for  
7       security purposes -- security purposes, patrolling  
8       purposes, there is access to the Babbio building  
9       through elevators in that garage, so we would like  
10      to allocate 50 spaces in the Griffith parking lot  
11      for the general public.

12                      So in the past, if you read the prior  
13      resolution, it talks about off-peak times. It says  
14      when Stevens is not in season.

15                      What we are proposing are definitive  
16      time frames. So Monday through Friday, there will  
17      be 50 spaces available to the public from 4 p.m. to  
18      11 p.m. This is 365 days a year, so there is going  
19      to be no confusion about off-peak times or anything  
20      like that.

21                      So Monday through Friday 4 p.m. to 11  
22      p.m., the spaces will be properly signed, so it is  
23      easy for the public to identify what is a public  
24      space and what is a Stevens' space. And on the  
25      weekends 7 a.m. to 11 p.m. the spaces will be

1 available.

2 We think that accomplishes the intent  
3 of the resolution, which was to provide access to  
4 the public from -- I'm sorry -- access to the  
5 waterfront to the public, and they are also both in  
6 close proximity to the soccer field and little  
7 league field. There's no confusion as to what dates  
8 and what times.

9 Another thing with respect to that is  
10 initially there was going to be a charge to the  
11 public, other than the little league and soccer  
12 fields members who go there. There will be no  
13 charge for any of the parking. It's just going to  
14 be free parking during those dates and times, so  
15 that is the modification. It is really a  
16 clarification that we are asking the Board to rule  
17 on.

18 Phase II, and we really are not going  
19 to talk a lot about Phase II, because it's not  
20 changing. We're not changing the ultimate plan that  
21 was approved in 2009, but that will be the  
22 wrap-around building that will go around, wrap  
23 around the garage, as well as the improvements to  
24 Fifth Street in order to provide access to the  
25 garage, so that is the final phase, and that would

1 be done after this first phase.

2 So, again, just to recap the reasons  
3 why we are doing this, it gets the garage completed,  
4 which is something that I know this Board asked for  
5 in prior proceedings. It is something that the  
6 public has asked Stevens to do for many years, and  
7 it is something that Stevens wants to do, because as  
8 I said, quite frankly, it doesn't look that great  
9 right now.

10 The 266 spaces will alleviate parking  
11 along residential streets that are being added, so  
12 we obviously believe that that is an important  
13 factor here. It provides the parking for the  
14 recently approved Gateway, as this Board is fully  
15 aware of, and it cleans up the site in general with  
16 landscaping, the rooftop plaza, the new staircase  
17 and the Phase I facade that we are proposing.

18 I have five witnesses that I plan on  
19 calling. I don't think any of them are going to  
20 take that long. I think the architect will be the  
21 longest. So I have our architect, Richard King,  
22 from WRT. All of these people -- all of these  
23 experts are the ones who testified for the Gateway  
24 project, and I'll just recap who they are.

25 Our architect, Richard King from WRT;

1       our civil and geotechnical engineer, Lenny Savino  
2       from Langan Engineering; Charles Olivo will be our  
3       traffic engineer.

4                       We should note, too, that there was a  
5       traffic report done in 2008 and '9 when this project  
6       was approved, but we redid all the num -- we went  
7       out there and did counts again to ensure that there  
8       are no issues with access, and that it is still  
9       going to function safely and efficiently, so we  
10      re-did counts taking into consideration present  
11      times as well as future developments and recent  
12      developments in the City of Hoboken. So we re-did  
13      all of the traffic numbers because I assume the  
14      Board would have wanted to do that anyway.

15                      Robert Maffia, Vice President of  
16      Facilities and Operations, will also testify, and  
17      then finally Betsy McKenzie, who is our professional  
18      planner will testify last, so that's our lineup.

19                      I just want to say one more thing, and  
20      I appreciate the Board's time in letting me go  
21      through that, because I know it is a lot of  
22      information to digest. I have been contacted by  
23      counsel for the Fund for a Better Waterfront. We  
24      have been speaking, and it has been a very nice back  
25      and forth. He is present today. His name is Jerry

1 Muller. He represents the Fund for a Better  
2 Waterfront.

3 They have some questions or concerns  
4 regarding the application. We have agreed to meet  
5 next week to discuss those questions, so I would  
6 like to go forward, and Mr. Muller can correct me if  
7 I am wrong, but I think our suggestion to the Board  
8 is that we move forward with the testimony, and Mr.  
9 Muller will reserve his right to cross-examine my  
10 witnesses in the event we can't come to a resolution  
11 on any of their issues, and I have agreed to bring  
12 them back, in the event that is the case, but that  
13 has to be, of course, okay with the Chairman and the  
14 Board.

15 MR. GALVIN: So that means your intent  
16 is not -- if we were able to complete the case  
17 tonight, you want to hold it?

18 MR. TUVEL: I guess we could finish our  
19 entire -- all of our testimony, but, yeah, I don't  
20 think it would be fair based on my discussions with  
21 Mr. Muller.

22 MR. GALVIN: I win my bet. I didn't  
23 think we could finish in one night.

24 CHAIRMAN AIBEL: Okay. Board members,  
25 are we okay with that?

1                   Okay.

2                   MR. TUVEL: Great.

3                   Thank you, Mr. Chairman.

4                   So with all of that, unless there are  
5 any procedural questions for me, I'd be happy -- can  
6 I call my first witness, Mr. Chairman?

7                   CHAIRMAN AIBEL: Please.

8                   MR. GALVIN: Just one second.

9                   Mr. Muller, do you want to put your  
10 appearance on the record?

11                  MR. MULLER: Yes.

12                  Gerald Muller of Miller, Porter &  
13 Muller, representing the applicant, and Mr. Tuvel  
14 accurately expressed where we are in terms of our  
15 discussions.

16                  MR. GALVIN: All right.

17                  And is there a Mr. Weinstein here?

18                  Okay. I intercepted your message,  
19 okay, so you can just tell us --

20                  MR. WEINSTEIN: I just had one  
21 question. I thought that the evaluation by the  
22 zoning consultant from the city mentioned there was  
23 a request for an extension, so this variance  
24 approval --

25                  MR. GALVIN: Aha, but I didn't -- but

1 one of the things is I didn't see it was -- I don't  
2 want to address that. As any good -- as a jurist,  
3 and we are quasi-judicial, and you don't have to  
4 reach an issue we don't have to reach. So if we  
5 were to grant an approval here, we don't have to  
6 reach the question of extending the prior approval.

7 If we deny it, then we will have to  
8 take up the issue of whether or not we grant an  
9 extension of time to the prior approval.

10 MR. WEINSTEIN: I understand what you  
11 said. I don't know if I agree, but it is on the  
12 record.

13 MR. GALVIN: Yeah. I would love to put  
14 it on the record. The judge knows what I am talking  
15 about.

16 MR. TUVEL: Okay. The first witness I  
17 would like to call, Mr. Chairman, is Richard King  
18 from WRT, our professional architect.

19 We can swear him in and we can go  
20 through his qualifications again, if the Board would  
21 like.

22 MR. GALVIN: No, we would not like.

23 (Laughter)

24 MR. TUVEL: All right.

25 MR. GALVIN: We respect your

1           credentials.

2                         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. KING:   I do.

7           R I C H A R D   K I N G, AIA, LEED, AP BD+C, from  
8           WRT, 1700 Market Street, Philadelphia, Pa., having  
9           been duly sworn, testified as follows:

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

12                        CHAIRMAN AIBEL:  We do.

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

15                        THE WITNESS:  Richard King, K-i-n-g.

16                        MR. GALVIN:  All right.

17                        Please proceed.

18                        MR. TUVEL:  Thank you.

19                        Mr. King, very briefly, can you just  
20           explain how you prepared for this application, what  
21           you examined in order to come up with the site plan  
22           and the configuration of the building?

23                        THE WITNESS:  Yes.

24                        As Jason identified in his opening  
25           remarks, we reviewed extensively the submission, the

1 previous submission that was made in 2009, including  
2 transcripts, the Zoning Board resolution, et cetera,  
3 so we were familiarizing ourselves with that  
4 information.

5 We also studied the neighborhood,  
6 studied its characteristics. It is a complex site,  
7 so we spent quite a bit of time at the site looking  
8 at those conditions, and of course, because of the  
9 severe topography, looking at the grading conditions  
10 on the site as well, and of course, we reviewed all  
11 the ordinances for the city and the master plan and  
12 also initiatives for projects in and around that  
13 site.

14 MR. TUVEL: Okay.

15 And just for the record, your firm was  
16 the architect of record in 2009, but you were not  
17 the person that testified, correct?

18 THE WITNESS: Correct.

19 That person has since retired. We are  
20 all jealous.

21 (Laughter)

22 MR. TUVEL: All right.

23 So let's just jump right into the  
24 location of the site and what features of the  
25 property are important for this Phase I application.

1 THE WITNESS: Sure.

2 So Jason spent a little bit of time  
3 looking -- talking about the site, and I'll just  
4 take a few minutes to walk everyone --

5 MR. TUVEL: So just for the record,  
6 Richard, just explain what you are pointing to and  
7 let's identify the exhibit.

8 THE WITNESS: Sure.

9 So there is a -- there is a question of  
10 exhibits that we have for tonight that are different  
11 from what was in the submission. Those are Exhibits  
12 100 through 119. We have copies of those as well  
13 that we can hand in this evening for everyone.

14 This is Exhibit 100, which is an aerial  
15 map of the area. So this is the -- just for  
16 reference, north is to the right, and west is  
17 straight up. So across the top of the map we have  
18 Hudson Street, the site of our beloved Gateway  
19 project here, which we all know so well.

20 Fifth Street -- excuse me -- Sixth  
21 Street here, and then Fifth Street and the park.

22 The site in question for the project is  
23 the Babbio building at the center of the image.

24 Other buildings on the site include  
25 McLean Hall. McLean Hall is primarily a laboratory

1 building for the campus, but also has some  
2 classrooms and offices.

3 The Babbio building includes classroom  
4 and office space as well.

5 The rest of that site includes a  
6 parking lot, a small service and storage building,  
7 and then a parking lot in front of the Babbio  
8 building between the building and Sinatra Drive.

9 Another element that I think is  
10 important to mention here is Fifth Street and  
11 Sinatra Drive. So here is Sinatra and Fifth right  
12 now comes east, and then in order to tie into  
13 Sinatra, it then turns north and then becomes a bit  
14 of an on-ramp, I will call it, because I'm not sure  
15 how else to describe it, as it leads to Sinatra in  
16 kind of a funky condition here, which is not great.

17 Other elements just for reference,  
18 Jason mentioned the Griffith lot. That is the lot  
19 that is here just to the north of the soccer field.  
20 The Griffith building which is a facilities building  
21 on the campus sits on that site as well.

22 The site is fairly central to the  
23 academic core of the campus, which from the  
24 standpoint of proximity of this for parking makes a  
25 lot of sense, in terms of it providing easy access

1 for faculty -- faculty and staff.

2 MR. TUVEL: Okay.

3 Can you describe the existing Babbio  
4 garage structure itself and what is there now?

5 THE WITNESS: Yes.

6 So the existing structure, as I  
7 mentioned -- maybe we can use the slide. That  
8 would help with some images, so --

9 MR. TUVEL: So this is Exhibit 101.

10 THE WITNESS: -- Exhibit 101. We are  
11 looking at a series of photographs of the site.

12 Along the top you will see images of  
13 the Babbio building.

14 The top left image you can see there is  
15 a large retaining wall in the front section. That  
16 is the retaining wall that holds up the ramp that  
17 connects Fifth Street down to Sinatra.

18 In the center image on -- on the upper  
19 center image, you can see what is the lower four  
20 floors of the Babbio garage are parking decks, two  
21 of which are currently accessible. So the ramp from  
22 the grade parking lot in front of it can access up  
23 to the second floor.

24 The third level and the fourth level of  
25 that garage are currently not accessible, so the

1 project that we are doing will complete those ramps  
2 and allow all of the spots in the building to be  
3 accessed.

4 Then above that, you will see at that  
5 level where it switches from a parking structure to  
6 an academic building, there is really the level --  
7 current level of Sixth Street, which you will see in  
8 the image right below it.

9 So this is taken looking at River and  
10 Sixth. So here is Sixth Street, and you can see the  
11 Babbio building, and there is a terrace on the west  
12 side of the Babbio building.

13 So it is really a tale of two buildings  
14 here. We got a garage up to the fourth floor, and  
15 then the next floors are all academic space.

16 MR. TUVEL: Just briefly describe the  
17 wooden staircase that currently exists on the site.

18 THE WITNESS: So the wooden staircase,  
19 as charming as it is, connects Sixth Street down to  
20 Sinatra. It is quite a ride to ride on that  
21 staircase as you walk down it. It has some movement  
22 in it, and we will be replacing that staircase as  
23 part of the first phase of the project.

24 MR. TUVEL: Okay.

25 So just -- I know I did an overview of

1 the 2009 approved project, but can you just go  
2 through for the Board and show them a plan of what  
3 was approved in 2009, both phases, because I think  
4 it would be important for them to visually see that.

5 THE WITNESS: Yes.

6 So just again for orientation, this is  
7 in the same orientation as the aerial map. So River  
8 Street here across the top, Sixth Street here at the  
9 north edge of the site, and Fifth Street at the  
10 south edge of the street, and Sinatra Drive along  
11 the bottom.

12 So the addition to the project, here is  
13 the Babbio building, the existing Babbio building.  
14 The bump-out here is the glass atrium on the outside  
15 of the building. There are two parts of the  
16 project. As Jason mentioned, there is a parking  
17 structure, which essentially occupies the lower four  
18 floors in this area --

19 MR. TUVEL: Richard, just for the  
20 record, this is Exhibit 102?

21 THE WITNESS: I'm sorry. Yes, 102.

22 MR. TUVEL: It's just easy when we read  
23 the transcript, so we know what exhibit it is.

24 THE WITNESS: And so there's -- the  
25 first portion closest to the building connecting

1 into the existing parking structure is the parking  
2 addition, and then there is an academic building  
3 that wraps the south and east edge. The majority of  
4 that is three floors along Sinatra Drive, and then a  
5 portion of it on the south end is four floors, and  
6 that's pushed back from Sinatra Drive, and that  
7 allows a connection into the upper level or the  
8 ground -- the main level of the Babbio building's  
9 lot.

10 Also, as part of that initial project  
11 was a realignment of two streets, so Sinatra Drive  
12 as part of the project is realigned, and it is  
13 rotated in what I call a counter clockwise rotation  
14 in order to provide enough footprint to fit the  
15 academic building. That is part one.

16 The second is Fifth Street. As I  
17 mentioned earlier, Fifth Street currently comes east  
18 and then turns into an on-ramp that runs parallel to  
19 Sinatra and connects with Sinatra Drive here right  
20 about at the corner of the building.

21 That road was proposed to be realigned,  
22 and instead the road turns just to the east of  
23 McLean Hall, runs along the back side of McLean  
24 Hall, and then turns and runs -- excuse me -- and  
25 runs east towards Sinatra, so it is a 90-degree

1 connection with Sinatra Drive.

2 Part of the application also included  
3 the entrance to the parking structure was off of  
4 this new realigned Fifth Street because there was a  
5 desire at that time to keep the driveway entrance  
6 for the parking structure off of Sinatra Drive, so  
7 that was a way for us to tuck it back into -- away  
8 from Sinatra Drive.

9 MR. TUVEL: So that is the final plan.  
10 The intent is not to change that, but the intent is  
11 just to phase it, correct?

12 THE WITNESS: Yes. We are only here  
13 talking about moving forward at this point with this  
14 first phase.

15 So just to give you a little more  
16 detail on that plan, you can see here is the parking  
17 structure addition. This is the lower level --

18 MR. TUVEL: We are on Exhibit 103 for  
19 the record.

20 THE WITNESS: -- the existing parking  
21 structure here, here is the core with elevators and  
22 stairs, and then there is another staircase here on  
23 the north side, and so the addition will continue  
24 the ramps that come up here and then wrap around, so  
25 that the ramps are continuous all the way up through

1 the garage.

2 And then the academic building wraps  
3 along Sinatra Drive with classrooms, office spaces  
4 and some lab space, and then classrooms and offices  
5 on the south side as well, and you can see here is  
6 the entrance ramp up into the second level of the  
7 garage.

8 So in the final scheme, the ramp  
9 entrance to the garage is partway up the slope at  
10 the second level.

11 And at the top of the garage at the  
12 level of the existing roof terrace on Babbio, and  
13 here is the entrance to the Babbio building, you can  
14 see this is the shape of Babbio at that level.

15 This is the existing entrance, so there  
16 will be a roof terrace that includes paved space and  
17 planted space up at that top level that covers both  
18 the top of the parking structure, which is here, and  
19 the top of the academic building that fronts on  
20 Sinatra, a portion of the building, and comes up  
21 again at the fourth floor, as we said, which  
22 includes lobbies, elevators, and a connection into  
23 the existing Babbio building.

24 So I think what is important to  
25 understand about this building is that it is a bit

1 inverted. Unlike most buildings, where you enter at  
2 the grade, this building, because we are trying to  
3 connect it to the campus and the campus is 50 feet  
4 higher, we are actually entering the building at the  
5 top and going down for the academic space instead of  
6 where you typically enter at the bottom and go up.  
7 There will be an entrance at the bottom, but most of  
8 the students and faculty will be coming from the  
9 top.

10 MR. TUVEL: Richard, what you described  
11 in Exhibit 104, that is the vinyl rooftop plan --

12 THE WITNESS: Correct. This is the  
13 Phase II rooftop plan.

14 MR. TUVEL: -- once it is all  
15 completed?

16 THE WITNESS: Correct.

17 So, again, just to give you a visual  
18 understanding, the section drawing at the bottom is  
19 slicing through both the existing and the proposed.

20 This is the parking structure below,  
21 and you will see this is the line between existing  
22 and proposed. So you see the levels of parking  
23 below grade, the rest of the parking garage here  
24 that is extended.

25 You see the existing plaza for Babbio

1       that's just taken right across the top of the new  
2       garage, and then the three-story portion of the  
3       academic building here that fronts on Sinatra Drive  
4       would conceal the face of the garage.

5               The upper image is just included to  
6       give you a sense of how the one section of the  
7       building would bump up that extra floor right up  
8       against the side of Babbio and gives you a sense of  
9       the road that slopes up, and the entrance to the  
10      garage would be tucked back here.

11             MR. TUVEL:  Those are cross sections in  
12      105?

13             THE WITNESS:  This is a cross section  
14      on 105 at the bottom, and then a side elevation at  
15      the top.

16             MR. TUVEL:  Thank you.

17             THE WITNESS:  So Exhibit 106, this is  
18      the phasing diagram that was included in 2009  
19      submission.

20             And as Jason said, this was  
21      contemplated and described from the point of view,  
22      it wasn't clear at the time to Stevens which  
23      portions of this might be built first, or how much  
24      of it would be built first, so they identified  
25      potential areas that could be built first, including

1 the possibility of building just Section A, which is  
2 the parking structure by itself, so that is not a  
3 lot of information.

4 So it's all architectural. There  
5 wasn't really any site plan information given at  
6 that time with respect to, okay, well, if you just  
7 built a part of it, what would happen to the site  
8 plan, what would happen to the roads, et cetera, so  
9 we are going to talk about a plan for how we are  
10 going to deal with that.

11 MR. TUVEL: Yeah.

12 And this section is incorporated --  
13 this phasing plan is incorporated in the resolution.  
14 It is just, again, like you said, it is not clear as  
15 to what specific site improvements are to occur with  
16 each phase, correct?

17 THE WITNESS: So there was general --  
18 there was general -- there was general acceptance of  
19 the possibility of the phasing in general, but not  
20 much on that.

21 MR. TUVEL: So this is Exhibit 107.

22 Can you just -- it is now in color  
23 form, so can you describe that for the Board?

24 THE WITNESS: So Exhibit 107 is a site  
25 plan. Again, trying to keep this consistent between

1 the different drawings, but adding a little color,  
2 because we got to make this one, so we got to have  
3 some color.

4 So the existing Babbio building you can  
5 see here with the crosshatch on it, and you see the  
6 additional space that would be added as part of  
7 Phase I.

8 One of the things about this plan that  
9 is different from the final phase is that the plan  
10 is for the first phase for us to reduce the site  
11 impact quite a bit, so the roadwork that is proposed  
12 in Phase II, we are not doing any of that in Phase  
13 I.

14 So Sinatra Drive is not moving. Fifth  
15 Street is not moving. There is a slight change that  
16 we are making to where Fifth Street connects to  
17 Sinatra Drive mostly to improve the safety of that  
18 intersection. We can walk through that and some  
19 other folks will walk through that as well.

20 One of the significant changes because  
21 of the fact that we are not redoing the roadwork is  
22 during Phase I, we need to have the entrance to the  
23 garage in a different location.

24 So in order for us to have built the  
25 entrance to the garage that was shown in the

1 original, the approved plan off of the second floor  
2 level, we would have had to complete the road  
3 changes here for Fifth Street. Because that is not  
4 happening until a second phase, we are proposing to  
5 have an entrance here at grade at the same level of  
6 Sinatra Drive, a driveway entrance, which goes in  
7 and out in the one spot off of Sinatra.

8 We have moved that entrance as far  
9 north as we can in order to pull it away from the  
10 Sinatra -- the Fifth Street intersection in order to  
11 improve safety, so it is about 120 feet away.

12 And we have adjusted the end of the  
13 shape at the end of Fifth, so that cars will come  
14 more to a 90-degree turn making for better site  
15 lines when folks are turning from Fifth Street onto  
16 Sinatra. Fifth Street is currently a one-way street  
17 coming down the hill.

18 MR. TUVEL: So, Richard, in this first  
19 phase, you will achieve all 436 spaces?

20 THE WITNESS: Correct.

21 So the number of spaces in the garage  
22 is consistent with the initial -- with the original  
23 application.

24 MR. TUVEL: Okay.

25 So we are up to Exhibit 108. This is

1 an elevation, a colored elevation. Can you please  
2 describe it?

3 THE WITNESS: Yes.

4 So one of the things that I think is  
5 important just to mention here is the general  
6 massing, so because the existing garage is there, we  
7 have to align all floor levels of the garage and the  
8 level of the roof terrace, so the mass of the garage  
9 portion of the project is consistent with the  
10 original application because it all has to be hooked  
11 together and work together.

12 The top of the building, the height of  
13 the building up to the parapet, which would be here,  
14 is also consistent. That's about 45 feet above the  
15 grade along Sinatra.

16 The other thing to talk about here is  
17 the question of: Well, what do we do with the  
18 outside of this building for Phase I.

19 It is going to be replaced in fairly  
20 short order. Bob Maffia will talk a little bit  
21 about that I think in terms of the schedule, but  
22 eventually this whole front facade and the south  
23 facade will be covered with academic buildings. So  
24 what do we do in the interim is the question.

25 And as was mentioned during the -- when

1 we read through all of the transcripts, there was  
2 testimony given as to what that might be, and they  
3 talked about at the time a vinyl facade, which was a  
4 vinyl mesh facade, which would have a graphic on it,  
5 so we looked at scenarios for how to do that.

6 So one of the things that we were  
7 looking at is really how do we -- how can we address  
8 a facade just in vinyl and make it something that  
9 fits in with the waterfront, has some connection to  
10 the waterfront, looks attractive, but again is  
11 something that we are not -- we are relatively okay,  
12 let's say, with the fact that it will land in a  
13 landfill.

14 We looked at other possibilities for a  
15 facade, cement board and other materials like that  
16 that are more permanent, but the problem is the  
17 quantity of materials that will then be thrown away  
18 after a couple of years was untenable for a  
19 university that was trying so hard to be  
20 sustainable.

21 We can't get the project recertified  
22 because it is a garage, they won't let us, but we  
23 are trying to do things that are sustainable on the  
24 project, and the idea of throwing away a whole  
25 facade seemed really problematic, so we went back to

1 the initial idea of using a vinyl mesh. So the  
2 vinyl mesh is a fabric, and I brought a piece of it  
3 here. I tried to convince my wife to do something  
4 more creative with it before I came, but she didn't  
5 have a chance, but so --

6 MR. GALVIN: She suggested doilies?

7 (Laughter)

8 THE WITNESS: I suggested a tie.

9 (Laughter)

10 So this is the fabric. You can see  
11 this fabric in lots of different places in terms of  
12 large scale banners and graphics that are hung in  
13 many different places.

14 The intent would be for us to build a  
15 metal frame for that fabric to stretch it across the  
16 surfaces. The main graphic, of course, inspired by  
17 the river right behind us in this image, would be an  
18 image of water. We tried to make that abstract so  
19 it wasn't too literal.

20 And then a portion of the image in  
21 front of that to break the scale of the building  
22 down, pieces that look more like wood and are  
23 reminiscent of some of the piers we see along the  
24 river, so we are trying to develop something that's  
25 abstract, yet graphically visually connected to the

1 water.

2 And then as part of that also there is  
3 a small sign, a smallish sign, let's say, that  
4 includes the total sign area. It is about 20 feet  
5 wide and about five feet high, and the letters, the  
6 main letters of Stevens, which are the larger size,  
7 are probably about 24 inches high.

8 MR. TUVEL: So two quick questions.  
9 One was a question I had for you that might be  
10 obvious, but just so everybody knows, this will not  
11 be illuminated at night, correct?

12 THE WITNESS: Correct.

13 MR. TUVEL: So the sign, the Stevens'  
14 logo with the water at night, it's not going to be  
15 illuminated?

16 THE WITNESS: Correct.

17 MR. TUVEL: Okay.

18 And then from the signage, do you find  
19 the proposed sign to be proportional with the facade  
20 and the overall frontage of the structure?

21 THE WITNESS: Yes. We actually looked  
22 at different sizes for it, and this to us was really  
23 a nice scale relative to the overall facade.

24 MR. TUVEL: Okay. And then on the --  
25 I'm sorry -- one last question.



1 elements that we talked about in connection with the  
2 project, if you're done with this? I'm sorry.

3 THE WITNESS: Yes.

4 MR. TUVEL: Okay.

5 THE WITNESS: So let's start with the  
6 north end of the structure. As we --

7 MR. TUVEL: So this is Exhibit 109,  
8 just describe the angle to the Board.

9 THE WITNESS: So we are looking --  
10 we're standing just north of the garage looking  
11 south and west, so you will see on the right-hand  
12 side is the image. There is a new staircase that is  
13 proposed for the project. Instead of replacing the  
14 old wooden staircase that is currently in place, the  
15 thought is that that is a really conceived as a very  
16 generous wide stair. The narrowest width is about  
17 seven and a half feet. The widest is about 15 feet,  
18 and it has two landings.

19 The second landing is the larger of the  
20 two, which has a seating area and it's rotated to  
21 emphasize views of midtown and a nice view of the  
22 Empire State Building. It's high enough up to be  
23 over the top of any of the traffic that might be  
24 passing along Sinatra Drive.

25 It also incorporates a bicycle ramp

1 into the sidewall, so that you can carry your bikes  
2 down the side of the stairs as well.

3 And then the terrace at the top of the  
4 garage, we are installing a terrace for Phase I at  
5 the top of the garage, which includes a large  
6 portion of that to be a green roof. About 9600  
7 square feet of green roof would be on top of that  
8 garage, and then a portion of that would be paved,  
9 which is about 6800 square feet of paved area.

10 That paving would be extending, as I  
11 mentioned and showed in pictures, there is a large  
12 terrace on the west side of the building that wraps  
13 around to the entrance.

14 On the east side, we would be extending  
15 that terrace and making an open space here.

16 So the green roof -- this is an image  
17 of what that might look like.

18 So you can see this is the edge of the  
19 Babbio atrium that you can see here on the right,  
20 the city beyond. You know where that is.

21 This is the paving for Babbio, which  
22 apparently ends here, so we would be extending that  
23 paving out over the top of the garage, and then you  
24 can see the green roof that would be here would  
25 cover again 9600 square feet.

1                   MR. TUVEL: So in Exhibit 111, that you  
2                   are pointing to, the furniture that is referenced  
3                   there, is that permanent furniture, or how is that  
4                   placed along the --

5                   THE WITNESS: A large amount of this  
6                   terrace would be replaced in the second phase, and  
7                   so the thought was that we would -- that all of the  
8                   furniture we would get would be -- it would be  
9                   attached to tables and be attached, et cetera, but  
10                  it could be removable, so that we can reuse it in  
11                  the second phase, so there wouldn't be any built-in  
12                  concrete benches and things like that. It would be  
13                  all furniture that could be removed.

14                  MR. TUVEL: Okay.

15                  THE WITNESS: And you can see also the  
16                  terraces live with bollards, so there are bollards  
17                  that would be around the edges in between the  
18                  seating elements.

19                  MR. TUVEL: Okay. Can you go back to  
20                  the staircase exhibit real quick?

21                  THE WITNESS: Yes.

22                  MR. TUVEL: Because I talked about this  
23                  during the opening.

24                  Will there be lighting along the  
25                  staircase as well, even if it is not on the exhibit,

1 just can you point out where it would be located?

2 THE WITNESS: Yes. We do not have it  
3 on the exhibit.

4 Along the north wall, there would be  
5 lights built into that wall, step lights, and then  
6 there are lights at the landings on the side of the  
7 building, and then there would be a taller light,  
8 more of a pedestrian scale light right at this main  
9 landing, where the seating area is, to provide a  
10 larger wash of light at that part. So most of the  
11 light is going to be in step lights, some light  
12 coming off the building and the landings, and then a  
13 larger scale light just at that one...

14 MR. TUVEL: Okay. So now let's go to  
15 the landscape plan.

16 MR. GALVIN: You know what? Also, do  
17 you have any pictures of what the next phase, the  
18 wrap-around, is going to look like?

19 MR. TUVEL: Do you have any of those  
20 pictures?

21 THE WITNESS: I have --

22 MR. GALVIN: I mean from looking at  
23 that photo, it seems like there is very little room  
24 from Sinatra Drive to the parking garage, and you  
25 guys are putting a wrap-around, so it is a logical

1 question. How does that work?

2 THE WITNESS: Okay. Should I switch to  
3 that now or --

4 MR. TUVEL: Yeah. That was the  
5 question, sure.

6 THE WITNESS: Okay.

7 MR. TUVEL: You are taking me out of  
8 order, Dennis.

9 MR. GALVIN: Yeah, I'm doing that to  
10 mess you up.

11 (Laughter)

12 MR. TUVEL: I know. I had a good flow  
13 going, and you wanted to finish early, so don't  
14 blame me.

15 MR. GALVIN: I'm trying to manipulate  
16 the event. That is what I did last night in Summit,  
17 right?

18 UNIDENTIFIED VOICE: Yes. It worked  
19 out, too.

20 MR. GALVIN: Okay. They got their  
21 approval, and they went home early.

22 UNIDENTIFIED VOICE: That's right.

23 10:45.

24 (Laughter)

25 (Counsel and witness confer.)

1                   THE WITNESS: So this is just an aerial  
2 image that was part of the testimony in 2009.

3                   So you can see here is Fifth Street,  
4 the realignment of Fifth Street, and the realigned  
5 Sinatra, so again, Sinatra rotates slightly to I  
6 would say down the road here, it rotates and pulls  
7 away from the edge of the property here, making a  
8 wider strip along the front of the garage in order  
9 to accommodate that building.

10                  CHAIRMAN AIBEL: How deep is the  
11 building on Sinatra Drive?

12                  THE WITNESS: The building is -- I  
13 don't have the dimension off the top of my head, but  
14 it is about -- it's between 25 and 35 feet. I can't  
15 remember the exact dimension.

16                  MR. TUVEL: Okay.

17                  We are not proposing to change that  
18 obviously.

19                  THE WITNESS: That is Exhibit 117.

20                  MR. TUVEL: So --

21                  THE WITNESS: I will just jump back to  
22 the lighting plan.

23                  MR. TUVEL: Landscaping, right?

24                  THE WITNESS: Landscaping, okay.

25                  (Board members confer)

1 MR. GALVIN: Who is the engineer?

2 MR. TUVEL: Lenny Savino from Langan  
3 Engineering.

4 MR. GALVIN: You should be ready to  
5 think about the setback from the road to the Phase  
6 II wrap-around.

7 MR. SAVINO: For tonight you mean?

8 MR. GALVIN: Yeah. You are all over  
9 this case. You know it inside, outside.

10 (Laughter)

11 THE WITNESS: Okay.

12 So the landscape plan, starting with  
13 the roof terrace, a large section of that is a  
14 sedum roof terrace for the first phase, and then  
15 there is a planting plan for the buffer between the  
16 garage and the sidewalk along Sinatra Drive that  
17 includes a small bit of lawn and then planting beds  
18 closer to the building.

19 We have added -- I cannot read this  
20 graphic. I apologize. I did not memorize the tree  
21 that we have. I apologize. I don't remember the  
22 tree species, but there are four trees that were  
23 added. I know we were a little hesitant adding  
24 trees here. The planner asked us to look at adding  
25 some trees. We were hesitant only because we have

1 to take them out, but there are some trees and then  
2 large and medium scale plantings all along the  
3 front, and then you can see along the side here is  
4 the new staircase.

5 Do you want to go to the lighting plan?

6 MR. TUVEL: Sure.

7 THE WITNESS: So the lighting plan, you  
8 can see on the roof terrace, the green dots are  
9 where the light bollards would be on the roof  
10 terrace.

11 On the stairs the blue dots are lights  
12 that would be embedded into the sidewalls of the  
13 stairs for lighting.

14 The pink, that would be a post mounted  
15 pedestrian scale light, and then there are lights at  
16 the landings that would be mounted along the side of  
17 the building.

18 MR. TUVEL: The only other question I  
19 have for you, Richard, is that -- and this has  
20 nothing to do with any of the exhibits you've shown,  
21 but one of the questions I believe it was in either  
22 the H2M or the Maser report was: Would there be  
23 room for any more bike racks in the garage or near  
24 the garage itself.

25 THE WITNESS: I think there is probably

1 a way for us to put some covered racks in the  
2 garage. I think that is a question for us to work  
3 out security-wise whether we want other folks in the  
4 garage who are not parking a car, but there is  
5 certainly room up at the roof terrace level for some  
6 bike racks to be added there as well.

7 MR. TUVEL: Okay.

8 And we also can provide an electric  
9 charging station for an electric car?

10 THE WITNESS: We have to look at the  
11 logistics of that, but it seems like it would be  
12 possible, but we have to look at it.

13 MR. TUVEL: Okay. I know those were  
14 two questions that the Board had.

15 That concludes the direct.

16 CHAIRMAN AIBEL: Great.

17 THE WITNESS: The question about the  
18 width, I can take a look and try to figure out what  
19 the width is for that and how much --

20 MR. GALVIN: And if there is a setback  
21 variance there for what you are proposing to do.

22 MR. TUVEL: You mean currently or in  
23 the --

24 MR. GALVIN: No, Phase II.

25 MR. TUVEL: Whatever the variance was,

1 if there was a variance granted, we would keep that  
2 variance.

3 MR. GALVIN: That is not a good enough  
4 answer. We want to understand what is going on.

5 MR. TUVEL: Okay.

6 CHAIRMAN AIBEL: Okay. Board members?

7 VICE CHAIR BRANCIFORTE: Are we going  
8 to receive copies of these, hard copies of these  
9 exhibits?

10 MR. TUVEL: Yeah. We brought hard  
11 copies, but I can also email them to Pat as well.

12 VICE CHAIR BRANCIFORTE: You know, I  
13 would prefer if you gave it to us, at least myself,  
14 I don't know about the rest of the Board, because it  
15 is impossible for me to print them out and put them  
16 in front of me and look at them.

17 MR. TUVEL: Okay.

18 THE WITNESS: We brought five copies of  
19 this tonight. We can certainly have more sent as  
20 well just so that everybody has a copy. That's not  
21 a problem.

22 VICE CHAIR BRANCIFORTE: Can we pass  
23 them around? Is it possible to pass them around so  
24 we can see them?

25 THE WITNESS: Yes, sure.

1                   VICE CHAIR BRANCIFORTE: This question  
2 may be more appropriate for you.

3                   MR. TUVEL: Okay.

4                   VICE CHAIR BRANCIFORTE: But this  
5 concept of a garage goes back way before 2009,  
6 doesn't it? I mean, it goes back to like 1999,  
7 2000?

8                   MR. TUVEL: So the procedural history,  
9 as I understand it, is that in 2001 is when the  
10 Babbio building was approved, and I think I said in  
11 my opening, that the garage was originally approved  
12 at over 700 spaces in 2004, and then in 2009 they  
13 amended the proposal that we have here now.

14                   VICE CHAIR BRANCIFORTE: The original  
15 building way back then went much further south,  
16 almost to Fifth Street I suppose.

17                   MR. TUVEL: The 2004 approval?

18                   VICE CHAIR BRANCIFORTE: Yeah.

19                   MR. TUVEL: I am not sure.

20                   VICE CHAIR BRANCIFORTE: Okay. Because  
21 it looks like the building has shrunk since that  
22 original, very first approval way back when.

23                   MR. TUVEL: Yeah, right. I mean, the  
24 garage has obviously gotten smaller because it is  
25 going from 710 to 436.

1 THE WITNESS: Just if I could give  
2 you --

3 MR. TUVEL: Oh, Richard knows.

4 THE WITNESS: -- just for scale, that  
5 garage used to go all the way to Fifth Street.

6 MR. TUVEL: So you're right.

7 VICE CHAIR BRANCIFORTE: All the way to  
8 Fifth Street?

9 THE WITNESS: All the way to Fifth.

10 VICE CHAIR BRANCIFORTE: So it has been  
11 pushed back.

12 THE WITNESS: Yes.

13 VICE CHAIR BRANCIFORTE: Then Fifth  
14 Street, when you realign it, and you push it I guess  
15 further west and it's going to wrap around that one  
16 building and then down, how is that slope going to  
17 look?

18 I mean, it seems like the slope might  
19 be very, very severe.

20 THE WITNESS: So if you were to go  
21 straight down, it is obviously harder. By turning  
22 it, it gives us enough length for us to make that  
23 slope work.

24 VICE CHAIR BRANCIFORTE: Okay. So when  
25 it runs north-south, it's still going to be sloping

1 down?

2 THE WITNESS: It's sloping down.

3 VICE CHAIR BRANCIFORTE: Okay.

4 THE WITNESS: So it's not when it comes  
5 across -- let me switch to that drawing.

6 MR. TUVEL: I'm sorry --

7 VICE CHAIR BRANCIFORTE: I think it was  
8 106.

9 MR. TUVEL: I'm sorry. Next time we  
10 will bring more.

11 VICE CHAIR BRANCIFORTE: Okay.

12 THE WITNESS: So, right, as it turns  
13 here, it starts sloping down.

14 MR. TUVEL: Just reference the exhibit.  
15 I'm sorry to keep harping on it.

16 THE WITNESS: Yes. That's fine.  
17 Exhibit 103.

18 Going back to Exhibit 103, it starts  
19 sloping down as it turns from its current position  
20 on Fifth and wraps across the back of McLean Hall  
21 and then continues down further as it comes down to  
22 Sinatra Drive.

23 It is still challenging. It is a  
24 slope.

25 VICE CHAIR BRANCIFORTE: Okay.

1 And then could you go to 106 real fast?

2 THE WITNESS: Yes.

3 VICE CHAIR BRANCIFORTE: I'm sorry.

4 COMMISSIONER MURPHY: No, no. You're  
5 still asking.

6 VICE CHAIR BRANCIFORTE: So that  
7 Section B is going to be in Phase II?

8 THE WITNESS: So the intent is that  
9 Sections B and C would be Phase II, so there would  
10 only be one other phase after the parking structure  
11 is done.

12 VICE CHAIR BRANCIFORTE: Got you.

13 I am good.

14 Thanks, Mr. Chair. Thanks.

15 COMMISSIONER MURPHY: So in Phase II,  
16 you would be moving the entrance back to kind of  
17 that turn?

18 THE WITNESS: Correct.

19 COMMISSIONER MURPHY: And that is the  
20 entrance and exit?

21 THE WITNESS: Correct.

22 COMMISSIONER MURPHY: Okay.

23 And just kind of an afterthought, this  
24 staircase with the bike thing, I haven't seen one of  
25 those, but I'm thinking it might be a skateboarder's

1       paradise.

2                   VICE CHAIR BRANCIFORTE:   Yeah.

3                   THE WITNESS:   Well, the way -- we're  
4       happy to -- I can provide you with some images of  
5       what those look like.

6                   It is essentially a rail that you mount  
7       below the handrail, so that you can walk down the  
8       stairs, hold the bike at a slight angle --

9                   COMMISSIONER MURPHY:   Oh, okay.

10                  VICE CHAIR BRANCIFORTE:   Do you know  
11       what skateboarders call that?   A rail.

12                  So I mean, you are basically providing  
13       them a rail to drive on, is that it?

14                  THE WITNESS:   Well, we can talk about  
15       it, if there is a concern about that, and we can  
16       certainly talk about it.

17                  VICE CHAIR BRANCIFORTE:   Okay.

18                  I'm sorry, Diane.

19                  COMMISSIONER MURPHY:   No, that is okay.

20                  And also on this Phase II, and I guess  
21       maybe we will find out a little bit more about that,  
22       from the image it looks like Sinatra Drive gets like  
23       very narrow at that point.   Does that change the  
24       width of the street?

25                  THE WITNESS:   The width of the street

1 does get narrow, yes.

2 COMMISSIONER MURPHY: Okay.

3 Where in this other parking lot, which  
4 I noticed is being worked on right now, where is the  
5 entrance and exit for that going to be relative to  
6 where you are proposing to have your entrance --  
7 temporary entrance and exit at the moment?

8 THE WITNESS: I can show you on the  
9 plan.

10 MR. TUVEL: And we can also go through  
11 that with the traffic engineer, too, if you still  
12 have questions.

13 COMMISSIONER MURPHY: Okay.

14 THE WITNESS: So it's almost directly  
15 across from it.

16 COMMISSIONER MURPHY: Okay.

17 COMMISSIONER GRANA: So, Mr. King, can  
18 we look at 103 again for a second?

19 THE WITNESS: Yes.

20 COMMISSIONER GRANA: So if I look at  
21 this and the realignment of Fifth Street, so I have  
22 Fifth Street kind of curling to the back and then  
23 turning in a direct easterly direction, the land  
24 that is now -- the area that is now both south and  
25 east with the -- if you just point your finger to

1       it, it might be easier, south and east of where the  
2       new road will go -- yeah, right there -- what would  
3       will be that area, or is that part of this  
4       application? Is there any change to that area?

5                THE WITNESS: The 2009 application  
6       proposed it to be planted.

7                COMMISSIONER GRANA: So that would be  
8       green space?

9                THE WITNESS: Yes.

10               MR. TUVEL: I think it was for a period  
11       of three years in the resolution.

12               THE WITNESS: And actually in the  
13       resolution, it requested that it stay green space  
14       for I think three years.

15               COMMISSIONER GRANA: Okay.

16               MR. TUVEL: I can verify that, but  
17       there were no plans for it, I can tell you that.

18               And the second point was in the  
19       resolution, it was a condition that it be planted,  
20       like Richard said, and grass for three years. That  
21       is what was in it, and we have no intent to change  
22       it.

23               COMMISSIONER GRANA: Okay.

24               And then on slide, I think it was 112,  
25       Exhibit 112 -- yes.

1                   So I know we don't have specific  
2                   dimensions, but the area that you described here,  
3                   which is north of where Fifth Street currently cuts  
4                   down where you show the landscaped area, the area  
5                   that is not part of the proposed structure is the  
6                   landscaped area, and it includes the temporary  
7                   driveway, are we then with that again not with  
8                   dimensions, looking at the rough rooftop of where  
9                   the wrap-around building goes?

10                   Is that the location of the wrap-around  
11                   building?

12                   THE WITNESS: No. The wrap-around  
13                   building is wider than that, and it would come into  
14                   the existing Sinatra Drive.

15                   COMMISSIONER GRANA: Okay.

16                   So it is that area, but also the  
17                   reworking of Sinatra would actually expand the  
18                   footprint of that wrap-around building?

19                   THE WITNESS: Correct.

20                   COMMISSIONER GRANA: Okay. Thank you.

21                   COMMISSIONER MC ANUFF: Just a question  
22                   regarding the Phase II of the wrap-around building.

23                   The ground level, is there occupancy of  
24                   the building on the ground or is there a --

25                   THE WITNESS: For the academic

1 building, it is proposed to be an academic use, yes,  
2 at grade.

3 COMMISSIONER MC ANUFF: So that should  
4 be foot traffic when you walk under the building --

5 THE WITNESS: Correct.

6 COMMISSIONER MC ANUFF: -- so there's  
7 still a narrow piece there --

8 THE WITNESS: Correct.

9 COMMISSIONER MC ANUFF: And then the  
10 other question I had is when you answered this for  
11 Commissioner Murphy, but where was the ultimate  
12 entrance and exit for the garage going to be?

13 THE WITNESS: So the ultimate entrance  
14 to the garage would be to the second level of the  
15 garage, one floor above Sinatra off of the road that  
16 was connected to Fifth Street.

17 COMMISSIONER MC ANUFF: And the  
18 entrance off Sinatra Drive was just temporary?

19 THE WITNESS: Correct. It would be  
20 closed, and the academic building would be in that  
21 space.

22 COMMISSIONER MC ANUFF: And on Exhibit  
23 103, how far back from the edge of the sidewalk on  
24 Sinatra drive is the building, the wrap-around  
25 building?

1                   THE WITNESS: The building goes right  
2 to the sidewalk. It does step back a little bit at  
3 that level. It did include that.

4                   So at the ground level, this is the  
5 ground level plan of the building, so the building  
6 is set back at the ground level, so the sidewalk is  
7 a little wider at the ground level.

8                   COMMISSIONER MC ANUFF: Do you know how  
9 wide approximately?

10                  THE WITNESS: I believe it is a minimum  
11 of eight foot.

12                  COMMISSIONER GRANA: One more question  
13 on any of these exhibits.

14                  So the new reworked Fifth Street, which  
15 will be the means of ingress and egress for the  
16 garage, that now remains a one-way street or becomes  
17 a two-way street?

18                  Does the traffic flow change on the  
19 street?

20                  I know we are going to get traffic in a  
21 minute, but --

22                  THE WITNESS: Yes. Well, I am happy to  
23 share that with you, so I am going to go way back.

24                  So the traffic on the street is  
25 intended to be -- we can go back one more because it

1 has more information on it.

2 Okay. So the traffic is two-way up to  
3 the garage, and then it is one-way from here back,  
4 so it is only one way -- it's only two ways, so you  
5 can get up to the garage.

6 COMMISSIONER GRANA: So basically from  
7 Sinatra is a two-way approach and exit to the  
8 garage?

9 THE WITNESS: Correct.

10 COMMISSIONER GRANA: And then the other  
11 part of Fifth Street remains one-way?

12 THE WITNESS: Correct.

13 The only reason to turn right there  
14 from Sinatra would be to go into the garage.

15 COMMISSIONER GRANA: Right.

16 Okay. Thank you.

17 CHAIRMAN AIBEL: Phil?

18 COMMISSIONER COHEN: I don't know if  
19 this is a question for you.

20 But I noticed that in the original  
21 approval that the rooftop plaza referred to a  
22 temporary ice rink that was going to be maintained  
23 by the city for certain months of the year.

24 Obviously, that is not part of the  
25 presentation.

1                   Did the city abandon that?

2                   MR. TUVEL: No. The city has not  
3 abandoned that, to my knowledge, but the reason why  
4 it's not is because it is not part of Phase I. It  
5 will be part of Phase II, and there's a part of  
6 it -- the city is supposed to run the ice skating  
7 rink should it choose to do so.

8                   Richard, can you elaborate on where  
9 that would be located?

10                  THE WITNESS: So the position of the  
11 ice rink sits over the top of the garage and the  
12 academic building, so the reason we wouldn't be  
13 putting it in this phase is because its eventual  
14 location sits over both the first phase and the  
15 second phase.

16                  So we would -- it is really about a  
17 structural accommodation, so that the plaza has the  
18 capacity to hold the extra load of the rink, and so  
19 it would be done as part of the final layout for the  
20 roof, but it would be included in the second phase.

21                  MR. TUVEL: Yeah. We are not  
22 abandoning that at all.

23                  MR. GALVIN: No, we understand.

24                  He is asking if we are still getting  
25 it, and you're saying yes, we are not getting it

1 until the next phase.

2 THE WITNESS: Correct.

3 COMMISSIONER COHEN: There was a  
4 reference in the beginning of the presentation to 50  
5 parking spaces that were going to be available in  
6 the Griffith lot. Is that going to be in Phase I as  
7 well, or is that in Phase II?

8 MR. TUVEL: No. That would be in Phase  
9 I also. I don't see any problem with that. That  
10 could happen immediately, yes.

11 COMMISSIONER COHEN: Okay.

12 And then maybe I don't know if you  
13 could show it, but looking at the size of the  
14 Griffith lot, I got the sense that it is larger than  
15 50 parking spots.

16 Can you show us where the 50 public  
17 spots would be relative to the lot?

18 THE WITNESS: I do not have that  
19 information.

20 MR. TUVEL: Why don't we do that in  
21 traffic. Is that okay, Commissioner Cohen?

22 COMMISSIONER COHEN: Yes.

23 MR. TUVEL: Thank you.

24 COMMISSIONER COHEN: That's all I have.

25 MR. GALVIN: Any other Board members?

1 COMMISSIONER WEAVER: Yes.

2 VICE CHAIR BRANCIFORTE: No, go ahead,  
3 Dan.

4 COMMISSIONER WEAVER: Okay. Can we go  
5 to -- I mean, just some general questions about --  
6 can we go to Sheet number four, topographic outbound  
7 survey? It just says 4.

8 MR. TUVEL: Oh, that is --

9 THE WITNESS: We haven't testified to  
10 that --

11 (Counsel and witness confer)

12 COMMISSIONER COHEN: Dan, this one says  
13 second floor plan, that one?

14 COMMISSIONER WEAVER: No. It says  
15 topographic outbound survey.

16 COMMISSIONER MURPHY: Oh, there it is.

17 COMMISSIONER MC ANUFF: It's 4. It's  
18 not A-4.

19 COMMISSIONER MURPHY: It's like the  
20 third page in our --

21 VICE CHAIR BRANCIFORTE: The third  
22 sheet in?

23 MR. TUVEL: It is in the package. It  
24 is a survey submitted with the application.

25 COMMISSIONER WEAVER: So if you could

1 identify for me sort of who owned what.

2 So it looks like Fifth Street is a city  
3 street until it makes the 90-degree turn to go  
4 north, and that's Stevens' property?

5 THE WITNESS: Correct.

6 COMMISSIONER WEAVER: And it is  
7 Stevens' property all the way down to Frank Sinatra?

8 THE WITNESS: So this wedge, yes, that  
9 wedge of space --

10 MR. TUVEL: Lot 3.

11 THE WITNESS: -- Lot 3, that is a  
12 Stevens owned parcel, yes, as is Sinatra Drive.

13 MR. TUVEL: Yeah. They are actually  
14 tax lots. If you look them up in the tax records,  
15 they are actually tax lots, and Stevens is listed as  
16 the title owner.

17 COMMISSIONER WEAVER: So Stevens owns  
18 Frank Sinatra Drive?

19 MR. TUVEL: Yes, I believe a  
20 substantial portion, and I believe there's also an  
21 easement -- but there is an easement to the city  
22 with respect to that.

23 COMMISSIONER WEAVER: Do you have the  
24 details on that easement?

25 MR. TUVEL: I can submit them. I mean,

1 I can provide them, if the Board wants.

2 COMMISSIONER WEAVER: You should  
3 provide that.

4 MR. TUVEL: Okay.

5 COMMISSIONER WEAVER: We keep  
6 mentioning realigning Stevens -- I'm sorry --  
7 realigning Frank Sinatra.

8 MR. TUVEL: That is fine. No, and that  
9 was discussed in the prior application and the prior  
10 approval, so if the Board wants a copy of it, that  
11 is not a problem.

12 COMMISSIONER WEAVER: That would be  
13 great.

14 Counsel, you actually mentioned the  
15 rooftop garden that people can enjoy. Is that for  
16 the general public with no restrictions?

17 MR. TUVEL: It will be opened to the  
18 public like the rest of the campus is, so there  
19 won't be any barriers or restrictions, just like the  
20 rest of the open space on the campus.

21 COMMISSIONER WEAVER: Where are the  
22 rules for that?

23 MR. TUVEL: What are the rules?

24 I think actually that is a better  
25 question for Bob Maffia who is the VP of Operations

1       because if you have a specific question on how that  
2       works, he can answer that.  But I think, like I  
3       said, there would be no barriers that would restrict  
4       a Stevens' student or employee versus a general  
5       public member of the public.

6                   COMMISSIONER WEAVER:  Okay.  Thank you.

7                   Hum, on the rendering A-2 --

8                   MR. TUVEL:  A-102?

9                   COMMISSIONER WEAVER:  -- what is the  
10       material of the north face of the building, which is  
11       also noted on A-8 -- I'm sorry, not on A-8 -- on A-9  
12       as a photo printed mesh screen?

13                   Is that the same material that the  
14       water type -- on the south side --

15                   COMMISSIONER MURPHY:  Oh, you said  
16       north.

17                   COMMISSIONER WEAVER:  -- I'm sorry.  I  
18       meant the south side.

19                   COMMISSIONER MURPHY:  The south side.

20                   THE WITNESS:  So the intent for that on  
21       the south side, it would be the same screen, but it  
22       probably would be just a muted tone or a color just  
23       to reduce its visual impact and keep to the more  
24       graphic pieces on the front facade.

25                   COMMISSIONER WEAVER:  What is the

1 transparency of that product?

2 THE WITNESS: So the transparency of  
3 the product is kind of interesting. So it kind of  
4 looks like a shade you would put up in your house,  
5 maybe not in your bedroom, but you might put it up  
6 in your office space or in your living room.

7 It does allow light, so it is probably  
8 I think about 30 percent open. And how much light  
9 it transmits doesn't change, but how much you see  
10 through it changes depending on the color.

11 So, for instance, a white shade, you  
12 see a little less. And once it is dark, you can see  
13 a little bit more through it from the inside, so it  
14 depends on --

15 COMMISSIONER WEAVER: Yeah, it has to  
16 do with the --

17 THE WITNESS: -- how much contrast --

18 COMMISSIONER WEAVER: -- the lighting  
19 levels on each side. But at night when the garage  
20 is lit --

21 COMMISSIONER MURPHY: On the inside.

22 COMMISSIONER WEAVER: -- on the  
23 inside --

24 THE WITNESS: You will see some of --

25 COMMISSIONER WEAVER: -- it will

1 potentially be more transparent --

2 THE REPORTER: Wait a second. You only  
3 can talk one at a time.

4 MR. GALVIN: You guys are getting me in  
5 trouble.

6 (Laughter)

7 MR. GALVIN: Go ahead.

8 COMMISSIONER WEAVER: So at night when  
9 the garage is lit, as it is, it will be more  
10 transparent than during the day?

11 THE WITNESS: That is correct.

12 COMMISSIONER WEAVER: And we don't know  
13 what that will look like?

14 THE WITNESS: We have not done a  
15 rendering to show what that looks like. There will  
16 be -- you will see some light through this material  
17 at night. That is true, yes.

18 COMMISSIONER WEAVER: And cars and  
19 light fixtures and --

20 THE WITNESS: You won't see the cars.  
21 You will see the light sources because the contrast  
22 levels are so high, you will see some of the light  
23 sources.

24 We talked about how we can shield those  
25 light sources to reduce that, but you generally

1       won't see the cars themselves because the structure  
2       has a spandrel beam on it, so that you would  
3       probably not see the cars --

4                   COMMISSIONER WEAVER:  What is the  
5       structure that is holding up the screen?

6                   THE WITNESS:  So the screen has a metal  
7       frame behind it, but the structure of the garage  
8       itself is concrete --

9                   COMMISSIONER WEAVER:  But we will then  
10      actually see the metal frame?

11                  THE WITNESS:  You will see a little bit  
12      of the frame, yes.  You can see a little bit of the  
13      hint of that.

14                  So, for instance, here, where the  
15      portion of the screen, which is above the level of  
16      the roof, you see a little bit more through it.  It  
17      is a little bit more transparent than when it is  
18      dark behind it on the lower section --

19                  COMMISSIONER WEAVER:  Would it be  
20      possible for us to get a rendering of what it looks  
21      like at night?

22                  THE WITNESS:  It's tricky, but we can  
23      try, sure.

24                  COMMISSIONER WEAVER:  It could be a  
25      nice effect.  It could be a nice little glowing box

1 if it's done, you know, with the proper care and  
2 attention or it could look not so nice.

3 THE WITNESS: That is an excellent  
4 point.

5 CHAIRMAN AIBEL: How many years are we  
6 contemplating having the temporary facade?

7 MR. TUVEL: So the goal, Mr. Maffia can  
8 talk more about the construction schedule, Mr.  
9 Chairman, but I think the goal is to have this up  
10 and running by 2017, correct?

11 So the garage would be up by 2017, and  
12 the wrap-around building would be up by -- when  
13 would it start construction?

14 UNIDENTIFIED VOICE: It would start  
15 construction in 2020.

16 MR. TUVEL: So we would get our final  
17 plans -- we would have to go for final approval for  
18 the Board. We have preliminary approval on the  
19 phase, and we would have to go for final for our  
20 permits and start construction in 2020, so three  
21 years before construction of Phase II.

22 COMMISSIONER COHEN: Just a follow-up  
23 on Commissioner Weaver's questions.

24 CHAIRMAN AIBEL: Sure.

25 COMMISSIOENR COHEN: Just so I

1 understand correctly, if it's at nighttime and there  
2 are car headlights on that are coming around this  
3 garage, the headlights would not come through to the  
4 screen because of the metal frame that's behind it?

5 THE WITNESS: Because there is a  
6 concrete frame behind it, so the concrete frame of  
7 the garage has a spandrel beam that will block the  
8 headlights when they're pointing to a spot. You  
9 might see, for instance, if somebody is coming  
10 through the garage, you might see some light on the  
11 ceiling or bounce, but you won't see the direct  
12 headlights.

13 COMMISSIONER COHEN: Thank you.

14 VICE CHAIR BRANCIFORTE: So is this  
15 recyclable?

16 THE WITNESS: Unfortunately, it is not.  
17 We tried to find one that is recyclable, and we did  
18 not find one that was recyclable, and it is about --  
19 I think it's about 17 percent of it that's recycled  
20 content, so not great to be honest.

21 VICE CHAIR BRANCIFORTE: It always  
22 concerns me when an engineering school says they  
23 can't think of something, can't come up with  
24 something.

25 (Laughter)

1                   THE WITNESS: Well, again, it is a  
2                   question of balance, by trying to find the right  
3                   balance between do we want to take a material and  
4                   then throw it away, like a lot, like an unbelievable  
5                   tonnage of material and throw it away or into the  
6                   landfill, or do we want to find something that is  
7                   just going to have a less impact on the landfill, so  
8                   it is a tough question, but --

9                   VICE CHAIR BRANCIFORTE: You answered  
10                  it.

11                  Thanks.

12                  MR. TUVEL: Do you have a question, Mr.  
13                  Chairman?

14                  CHAIRMAN AIBEL: Yes.

15                  Do you have a rendering of the east  
16                  facade of the wrap-around building, so we could see  
17                  the way the final building is going to look in  
18                  comparison to what the temporary building will look  
19                  like?

20                  THE WITNESS: I did not bring that with  
21                  us tonight --

22                  MR. GALVIN: We are not going to finish  
23                  tonight, so you can bring it the next time.

24                  CHAIRMAN AIBEL: That would be great.

25                  Thank you.

1 COMMISSIONER WEAVER: Chairman, I'm not  
2 done.

3 COMMISSIONER MURPHY: He's not done.

4 CHAIRMAN AIBEL: You're not done. Go  
5 ahead.

6 MR. GALVIN: Hey, that's why we brought  
7 you aboard, man. Go get them.

8 (Laughter).

9 COMMISSIONER WEAVER: If you could turn  
10 to page A-8 --

11 MR. TUVEL: 108?

12 COMMISSIONER WEAVER: -- the Stevens --  
13 and we can look at that -- the Stevens -- the only  
14 signage that's envisioned for the entire building is  
15 in fact just the Stevens' logo?

16 MR. TUVEL: In the Phase I, that is  
17 correct.

18 THE WITNESS: There is a logo, and it  
19 says "Stevens Insitute of Technology."

20 COMMISSIONER WEAVER: There's no  
21 parking signs? There's no flag? There's no --

22 MR. TUVEL: When you say signage, you  
23 mean signage that says Stevens and identifies the --

24 COMMISSIONER WEAVER: I mean, any big  
25 signs that say "public parking."

1 THE WITNESS: No.

2 MR. TUVEL: No.

3 COMMISSIONER MURPHY: It's not in  
4 the --

5 (Board members confer)

6 COMMISSIONER WEAVER: Oh, and the  
7 stairs that are going -- you could go to A-8, but  
8 it's also on the plan, any site plan, the stairs,  
9 which are really quite nice going up and linking the  
10 campus to the waterfront, are those heat traced, or  
11 how will they be maintained?

12 THE WITNESS: We had not envisioned  
13 them to be heat traced.

14 COMMISSIONER WEAVER: How would they be  
15 maintained?

16 THE WITNESS: They would be shoveled.

17 VICE CHAIR BRANCIFORTE: I'm sorry.  
18 What was the question, Dan?

19 THE WITNESS: Talking about snow and  
20 ice --

21 COMMISSIONER WEAVER: The question was  
22 typically -- typically when you do this, and it is  
23 for the general public and it's a place where it's  
24 very difficult to maintain, to have to shovel all of  
25 the stairs, you would have snow melt in the stairs.

1                   You typically have to do it, where  
2                   there are stairs for egress, because you can't  
3                   depend on somebody shoveling the stairs. That is  
4                   not the case here, but it is a vital link between  
5                   the campus and the waterfront, and it would be an  
6                   amenity, and it seems like it would be something  
7                   that they should look into.

8                   MR. TUVEL: Okay.

9                   THE WITNESS: We can look into it.

10                  MR. TUVEL: Okay.

11                  COMMISSIONER MURPHY: Especially since  
12                  it is on the north side of a pretty big building.

13                  MR. TUVEL: It is a good question and  
14                  something we can look into.

15                  COMMISSIONER WEAVER: I am sure the  
16                  facilities guy doesn't want to shovel it.

17                  I think that is all I have for now, but  
18                  I would like to --

19                  CHAIRMAN AIBEL: Wait until the  
20                  public --

21                  COMMISSIONER WEAVER: -- I would like  
22                  to, yes, be able to recall the witness, if I need  
23                  to.

24                  Thank you.

25                  (Laughter)

1 MR. GALVIN: Mr. Marsden, and the  
2 public questions.

3 CHAIRMAN AIBEL: Mr. Marsden?

4 MR. MARSDEN: Yes. This may be more  
5 appropriate for your engineer, but can you tell me  
6 what the elevation on the -- when you are entering  
7 and exiting the parking garage, it is going to be  
8 like elevation 38 or 37 or --

9 THE WITNESS: The vehicle entrance?

10 MR. MARSDEN: No. The final entrance  
11 at Fifth.

12 MR. GALVIN: Phase II?

13 THE WITNESS: I don't recall the  
14 elevation off the top of my head.

15 MR. GALVIN: Let's get that from the  
16 engineer.

17 MR. MARSDEN: My concern is we're not  
18 giving in this phase, we are not providing  
19 elevations in that section of the reassignment of  
20 Fifth. But if I just look at the topographic  
21 information that I have where Fifth is, and where  
22 Sinatra is, you could have as much as a 25 foot  
23 difference in elevation, a hundred or 110 feet,  
24 which is going to put you at a significant slope,  
25 and that's one of my concerns.

1                   I don't want to paint ourselves into a  
2 corner, where we build that, and then all of sudden,  
3 somebody comes back and says, oh, geez, now we have  
4 to weed this road out, because we can't maintain a  
5 more feasible slope on it unless we do something  
6 different.

7                   So I would really like to see some  
8 grading on that, unless the engineer can answer it.

9                   THE WITNESS: We did not bring that  
10 with us this evening. We can certainly come back  
11 and share the details with you --

12                  MR. TUVEL: And, again, it is a valid  
13 question, and I know the Board wants to know a lot  
14 about Phase II, but we are not differing from the  
15 approval of Phase II. It's not -- if there are good  
16 suggestions that can make it better, I am not saying  
17 that we wouldn't look at those, but we are really  
18 trying to focus on Phase I of the application  
19 tonight.

20                  MR. GALVIN: I would just say, too,  
21 this is a new Board --

22                  MR. TUVEL: I understand.

23                  MR. GALVIN: -- and they are not going  
24 to rely on what the prior Board did, so, you know,  
25 you need to give us confidence that what was

1 previously done was correct.

2 If Mr. Marsden turned out to be spot  
3 on, and we found out that there was a problem, even  
4 though it got previously approved, we would want to  
5 fix it now.

6 MR. TUVEL: Okay. And we have those  
7 plans and that information, so we can provide it.  
8 It's not a problem.

9 MR. GALVIN: Yeah, no problem.

10 MR. TUVEL: And I am not trying to be  
11 difficult with that. But I just wanted to explain  
12 why we were focusing more on the Phase I  
13 application.

14 MR. GALVIN: I think the Board  
15 understands that, but Phase I has triggered Phase II  
16 questions.

17 THE WITNESS: Understood, and we can  
18 come back and fill in that information with more  
19 detail. We're happy to do that.

20 CHAIRMAN AIBEL: Board members?

21 MR. GALVIN: Sorry.

22 VICE CHAIR BRANCIFORTE: So what we see  
23 on this graphic is what you plan to do?

24 I mean, and we get to hold you to it?

25 We are not going to wake up one day and

1 see a billboard for the NBA School or --

2 THE WITNESS: I hope not. That is not  
3 the intent.

4 MR. TUVEL: No, and it's a good point,  
5 because signage comes up a lot in other applications  
6 that I do, where, you know, people say they're going  
7 to do a sign, and you see flags out there and other  
8 things like that, so there would be a condition, if  
9 this is approved, where the detail of the sign that  
10 we proposed would be the only sign that could come  
11 up, or we would have to come back to the Board and  
12 amend it.

13 VICE CHAIR BRANCIFORTE: Got you.

14 THE WITNESS: And we can, you know, in  
15 part of the building permits, we can make sure that  
16 the graphics are shown consistently, so that you can  
17 verify the graphics. You can get samples, so we can  
18 provide as much is needed for all of you to be  
19 comfortable.

20 MR. GALVIN: I have a thought. I  
21 remember when we were at the ARC meeting, there was  
22 a discussion about the life of the material that  
23 you're talking about putting on that's a temporary  
24 material.

25 What's the life of it --

1 THE WITNESS: The warranty --

2 MR. GALVIN: -- like if you put it on  
3 the wall?

4 THE WITNESS: -- the warranty of the  
5 product is one year, so the intent is that Stevens  
6 would buy replacements for this to maintain it, so  
7 that it looks good, that it is not fading, you know,  
8 that if -- it shouldn't, but if it does tear with a  
9 big storm, they could replace it. So the intent  
10 would be for them to have the graphics ready to  
11 replace it.

12 MR. GALVIN: Awesome. Thank you.  
13 Everybody got that?

14 COMMISSIONER WEAVER: Did you guys  
15 evaluate ETFE as a material?

16 THE WITNESS: We did not evaluate ETFE  
17 on this project. I have evaluated ETFE on a number  
18 of projects.

19 ETFE is a challenging material from a  
20 cost standpoint by comparison to almost any  
21 traditional building material. In order to do ETFE  
22 well, it could be very expensive, as much as a  
23 traditional glass wall would be, so my experience  
24 with it is that it's pretty pricey.

25 COMMISSIONER WEAVER: But it is

1 recyclable.

2 THE WITNESS: Yes, it is.

3 COMMISSIONER WEAVER: And it is durable  
4 and lasts more than a year.

5 THE WITNESS: That is true.

6 CHAIRMAN AIBEL: Would you guys mind  
7 sharing what this material is?

8 MR. GALVIN: You guys are talking in  
9 architecture code.

10 COMMISSIONER WEAVER: ETFE, ethylene  
11 tetrafluoroethylene.

12 If you are familiar with the Olympics  
13 in Beijing or the swimming venue, it was a cube and  
14 it had these sort of octagonal -- these beautiful  
15 octagonal luminous blobs, if you will. Those were  
16 actually structured out of this plastic.

17 It is like an architectural plastic  
18 material, which can be printed on. Hum, there is  
19 actually a piece of ETFE that I put in 15 years ago  
20 in the Time Warner Center at the very top. You can  
21 put a scrim on it, so it controls the visibility for  
22 it, so I mean, it's just a different product rather  
23 than, you know, something that is only going to last  
24 a year.

25 THE WITNESS: Well, this material will

1 last more than a year.

2 The question is what you print on it.  
3 Our experience is that even ETFE when it's printed  
4 on has the limits of the ink. So that the ink  
5 itself is a real challenge that we are faced with.  
6 We think in the long run, I think this will still be  
7 there for the most part.

8 If you get a tear in one piece or  
9 something, it might get replaced, but the ink is  
10 really what is going to drive it. It is not an ink  
11 jet technology, but it's similar to an ink jet  
12 technology.

13 COMMISSIONER WEAVER: I have one last  
14 question.

15 On Exhibit 102, it is showing a  
16 completely different stair to the north of the  
17 building. Is it envisioned that you are going to --

18 THE WITNESS: Yes. The stair was  
19 revised. Yes. We did revise the stair from the  
20 last submission.

21 That is the stair that was in the 2009  
22 submission, and we have revised that staircase as  
23 part of this submission.

24 COMMISSIONER WEAVER: To reflect the  
25 current submission's stair?

1 THE WITNESS: Correct.

2 COMMISSIONER WEAVER: Okay. Thank you.

3 COMMISSIONER MURPHY: And just back to  
4 the facade, did you explore any options of like  
5 using something that you could reuse in Phase II?

6 THE WITNESS: We did.

7 The challenge was getting the size of  
8 the pieces, so most of the materials you have to  
9 cut. So let's say you have a piece of panel  
10 material that comes in, that panel material is like  
11 five-by-ten, and in order to make it to work for the  
12 facade, it needs to be cut in two pieces of a  
13 certain size, that might be, say, three-by-six.

14 The problem -- and in order to put that  
15 material up, it requires screws on a certain  
16 spacing. Well, unless you put that exact same panel  
17 up with the exact same screw pattern, it is going to  
18 really be difficult to reuse it, so we ran into lots  
19 of problems like that.

20 And then other heavier materials, like  
21 say with an old brick wall, reusing a brick wall is  
22 incredibly cumbersome and expensive to try and pull  
23 all the brick down, because you have to clean it and  
24 remove all of the mortar, and then reuse it. It is  
25 a real challenge to use a heavy material, so that

1 was one of the issues. Those are the kinds of  
2 issues we were running into when we looked at other  
3 types of products to use.

4 COMMISSIONER MURPHY: Thank you.

5 CHAIRMAN AIBEL: We are going to take  
6 a -- seeing no further questions on the Board --

7 MR. GALVIN: Can you wait ten minutes  
8 and try to go to the public?

9 MR. TUVEL: Yeah, let's do that.

10 CHAIRMAN AIBEL: We are going to take a  
11 break until 8:45, and we will be back.

12 MR. GALVIN: All right.

13 CHAIRMAN AIBEL: Thank you.

14 (Recess taken)

15 CHAIRMAN AIBEL: All right. Back in  
16 action.

17 Thank you, everybody. We are back on  
18 the record.

19 MR. TUVEL: Mr. Chairman, do you want  
20 to open to the public?

21 CHAIRMAN AIBEL: Yes. It's time to  
22 open it up to the public, if anybody has questions  
23 for the architect.

24 MR. GALVIN: Just a moment.

25 Does anybody have questions of the

1 architect?

2 We broke up. Should we go refresh  
3 ourselves, Mr. Weinstein?

4 Can you guys stand up?

5 Come up, give us your full name and  
6 your street address.

7 MR. WEINSTEIN: I don't know if I have  
8 any standing.

9 THE REPORTER: You have to state your  
10 name.

11 MR. WEINSTEIN: My name is Richard  
12 Weinstein. I am a citizen of Hoboken and an  
13 attorney.

14 MR. GALVIN: Then you have standing as  
15 a citizen.

16 MR. WEINSTEIN: So I just wanted to ask  
17 you a question about the mesh, because you indicated  
18 that the mesh was a lot less of a disposal issue for  
19 you and the historic fill, than if you had put in a  
20 permanent type of concrete structure at this point,  
21 right?

22 THE WITNESS: I didn't mention concrete  
23 at all.

24 MR. WEINSTEIN: But something other  
25 than mesh. What would that be?

1                   THE WITNESS:  Something -- we are not  
2                   proposing anything else right now --

3                   MR. WEINSTEIN:  What in your  
4                   experience, what would it be --

5                   THE REPORTER:  You can't talk at the  
6                   same time.  Can you talk closer to me because I  
7                   can't hear you.

8                   MR. WEINSTEIN:  I said if you didn't  
9                   put -- a mesh is an unusual kind of facade, right?

10                  So what would be the normal facade you  
11                  would put up in the garage?

12                  THE WITNESS:  There are a number of  
13                  different types of materials we could use on a  
14                  facade --

15                  MR. WEINSTEIN:  Well, give me an  
16                  example --

17                  MR. GALVIN:  Whoa, whoa, calm down.  
18                  Calm down.

19                  THE WITNESS:  I don't have an example  
20                  for you because this is what we proposed.

21                  If there are concerns about it, then we  
22                  would need to look at other materials.  I am not  
23                  sure what the question is --

24                  MR. GALVIN:  Let me ask you.  I know  
25                  what the question is.

1                   In Phase II when we have the final  
2 building wall, what will the wall most likely be?

3                   THE WITNESS: There is a combination of  
4 materials on the final building that were in the  
5 original proposal that included metal panel, a glass  
6 curtain wall, and terracotta.

7                   MR. GALVIN: So when this is only a  
8 temporary membrane because it is only going to be up  
9 for three years, and then you're going to hopefully  
10 do Phase II, and then you're going to put up the  
11 final building, right?

12                  THE WITNESS: Correct.

13                  MR. GALVIN: Okay. And then you're  
14 going to finish it the way you just described it,  
15 correct?

16                  THE WITNESS: That's correct.

17                  MR. WEINSTEIN: Do you have any  
18 measurements of what kind of weight that would be?

19                  THE WITNESS: I have not weighed the  
20 material, no.

21                  MR. WEINSTEIN: So there is nothing in  
22 the plans of the Phase II that would give you an  
23 idea of what the amount of weight of that facade  
24 would be?

25                  THE WITNESS: I am sure that I could do

1           that calculation.  Yes, I could do that calculation,  
2           but we have not done that calculation.

3                         MR. WEINSTEIN:  Have you done a  
4           calculation of the weight of the mesh?

5                         THE WITNESS:  We have not.

6                         MR. WEINSTEIN:  I have no further  
7           questions.

8                         THE WITNESS:  Okay.

9                         CHAIRMAN AIBEL:  Any other questions  
10          for Mr. King?

11                        Please come forward.

12                        Please come forward.

13                        MR. GALVIN:  You don't have to use  
14          that.  Just give us your name.  I know I can hear  
15          you.

16                        MS. ONDREJKA:  You know my name.

17                        Mary Ondrejka, O-n-d-r-e-j-k-a, 159 9th  
18          Street.

19                        The mesh that you are going to put up  
20          there, that is to last three years, correct?

21                        THE WITNESS:  We are going to put mesh  
22          up on the facade --

23                        MS. ONDREJKA:  On the facade --

24                        THE WITNESS:  -- we are going to buy  
25          replacement mesh, so that if as it fades, we are

1 going to replace the panels, so the mesh we put up  
2 on day one is unlikely to be there on the last day,  
3 because we are going to replace it regularly.

4 MS. ONDREJKA: Okay. All right. But  
5 the longevity of it is what, a year and a half?

6 THE WITNESS: As I mentioned, the  
7 warranty on the product both for the mesh itself but  
8 also for the ink, the printing of it, and the fade  
9 warranty is a year, so we know that there is going  
10 to be replacements needed over those three years  
11 based on what that warranty is.

12 We have actually -- part of the reason  
13 why we chose the kinds of graphics that we did is  
14 because we felt that compared to other graphics,  
15 like say if we had pictures of happy students in  
16 class and things like that, you would be able to see  
17 them fading like that -- (witness snaps fingers) --  
18 but by using graphics that are more subtle, it lends  
19 itself to a little bit of fading without much  
20 notice, so it's just a little more forgiving from  
21 that standpoint.

22 But Stevens is committed to replacing  
23 that fabric on a regular basis to maintain the  
24 graphic quality of the fabric --

25 MS. ONDREJKA: I really don't care

1 about that, but my concern, I'm --

2 MR. GALVIN: Question.

3 MS. ONDREJKA: -- how -- I know, that  
4 is fine --

5 MR. GALVIN: Dan, do you want to bring  
6 me home with you?

7 MS. ONDREJKA: How much is it going to  
8 cost?

9 THE WITNESS: How much is what going to  
10 cost?

11 MS. ONDREJKA: The frame and this  
12 mesh -- let's just say the mesh. You have to  
13 replace the mesh.

14 THE WITNESS: I don't have the cost on  
15 me right now --

16 MS. ONDREJKA: This is an expense that  
17 the school has to put up.

18 Let's refresh my memory. I'm not  
19 really sure. Why are you putting this mesh up?

20 Nobody lives across the street from it  
21 to see this, and it would be open, and it is a  
22 garage, and it is temporary, so what's the logic in  
23 putting this mesh up, just for esthetics?

24 THE WITNESS: Yes.

25 MS. ONDREJKA: And who is requesting

1       this esthetics?

2                   THE WITNESS:   Stevens.

3                   MS. ONDREJKA:   Stevens wants --

4                   THE WITNESS:   Stevens has asked -- said  
5       to me, Richard, come up with something attractive  
6       that we can put on this facade that isn't going to  
7       have a massive impact on the landfill when we throw  
8       it out.

9                   MS. ONDREJKA:   Okay.   And my  
10      understanding is because it can't be -- it is a  
11      question -- it cannot be, hum, recyclable because  
12      you need it to not be biodegradable, so it will  
13      last --

14                  THE WITNESS:   Well --

15                  MS. ONDREJKA:   -- correct?

16                  Because I know when you put plastic in  
17      the ground, it decays.   It's biodegradable.   It can  
18      be recycled and different things.

19                  My understanding is that is why you had  
20      to find something that was pretty sturdy.

21                  THE WITNESS:   I am not a chemist, so I  
22      can't really answer the question --

23                  MS. ONDREJKA:   Well, I think that is  
24      the answer --

25                  THE WITNESS:   -- whether it's

1 biodegradable.

2 Let me come up with one, so you can see  
3 the mesh --

4 MS. ONDREJKA: Okay.

5 THE WITNESS: -- so there are companies  
6 that are experts in providing this type of product  
7 with a certain graphic quality, longevity, et  
8 cetera, so we sought out companies that had that  
9 expertise to provide a high quality product that  
10 would last as long as possible and would be as  
11 sturdy as possible, and none of the manufacturers  
12 that we were able to find had a product that had a  
13 high recyclable content or was biodegradable.

14 MS. ONDREJKA: Right. Well, that makes  
15 sense because you want it to last.

16 That is all I have to say.

17 Thank you.

18 CHAIRMAN AIBEL: Thank you.

19 Any other questions for the architect?

20 Last call.

21 Seeing none?

22 COMMISSIONER COHEN: Motion to close  
23 public portion for this witness.

24 COMMISSIONER MC ANUFF: Second.

25 CHAIRMAN AIBEL: All in favor?

1 (All Board members answered in the  
2 affirmative)

3 MR. TUVEL: Mr. Chairman, the next  
4 witness I would like to call is Lenny Savino from  
5 Langan Engineering. We will be qualifying him as we  
6 did for the Gateway project as an expert in civil  
7 and geotechnical engineering.

8 We can go through his qualifications  
9 again or the Board can accept him.

10 MR. GALVIN: We will happily accept his  
11 credentials, Mr. Chairman?

12 CHAIRMAN AIBEL: That's correct.

13 MR. SAVINO: Great. Thank you very  
14 much.

15 MR. GALVIN: Raise your right hand.

16 Do you swear or affirm the testimony  
17 you are about to give in this matter is the truth,  
18 the whole truth, and nothing but the truth?

19 MR. SAVINO: I do.

20 L E O N A R D S A V I N O, PE, Langan Engineering,  
21 300 Kimball Drive, Parsippany, New Jersey, having  
22 been duly sworn, testified as follows:

23 MR. GALVIN: Thank you.

24 THE WITNESS: You're welcome.

25 State your full name for the record and

1 spell your last name.

2 THE WITNESS: Sure. It's Leonard  
3 Savino, S-a-v, as in Victor, i-n-o.

4 MR. GALVIN: All right. You may  
5 proceed.

6 MR. TUVEL: Mr. Savino, let's talk  
7 about the site from an existing conditions  
8 perspective, but focusing only on the issues that  
9 Mr. King did not cover that pertain more to your  
10 area of expertise in civil engineering and geotech.

11 THE WITNESS: Certainly.

12 I would like to just point out, it was  
13 discussed a little bit, but the site is -- contains  
14 three lots. The main lot is Lot 1, which is right  
15 here.

16 Do we need to identify this?

17 MR. TUVEL: It was part of the  
18 application, but you can just identify the drawing.

19 THE WITNESS: It is a graphic outbound  
20 survey, drawing number 4.

21 So the main lot is Lot 1. It has the  
22 existing Babbio and the McLean building and the  
23 other green building. The sliver that runs along  
24 the eastern edge is the second lot, and that is  
25 where Fifth Street is, and then the third lot is

1 Sinatra Drive itself.

2 Some important things to note  
3 particularly about those three lots is that they are  
4 all located in the R-1(E) zone, which is the higher  
5 education subdistrict of the R-1 zone.

6 And the vehicular access right now is  
7 from the west side of the River, just south of  
8 Babbio, and also off of Fifth Street, and the lower  
9 parking area is accessed off of Sinatra Drive.

10 Let's see. I am trying to weed through  
11 the things that were said already, so we don't  
12 duplicate the testimony. Richard did a pretty  
13 thorough job.

14 MR. TUVEL: What is the topography of  
15 the area?

16 What are the relevant issues pertaining  
17 to topography?

18 THE WITNESS: Well, as everybody knows,  
19 it is very steep up top, and it slopes down. So on  
20 River Street from about Sixth to elevation 47, and  
21 it goes down to about 40 and turns the corner and  
22 comes down at about -- to about elevation 31, and  
23 then comes down on Fifth until it eventually hits  
24 Sinatra at about Elevation 10.

25 MR. TUVEL: Okay. And in terms of the

1 existing configuration of Fifth Street and how it  
2 relates to the entrance of the garage, can you  
3 explain that?

4 THE WITNESS: Certainly.

5 So the entrance is very wide. I think  
6 Richard described it as an off-ramp, and it kind of  
7 does look like an off-ramp. It is really not that  
8 safe, and as he mentioned, we are going to improve  
9 that. It is about 120 feet wide.

10 There is a worn out pedestrian striped  
11 area, so it is not that safe from that perspective,  
12 and that is the location of the access.

13 There is a gate here that gets you  
14 through the fence into the existing at grade parking  
15 and into the lower part of the deck, as Richard  
16 said.

17 MR. TUVEL: Okay. So let's move into  
18 the proposal.

19 THE WITNESS: Okay. Let's go to a  
20 different slide.

21 So the site plan, CS-101, is what I  
22 will speak from now, the proposed addition tucks  
23 snugly up against the existing building there on the  
24 north as indicated. Access was already discussed.

25 So what we were just talking about was

1       how wide this opening is and what the improvements  
2       are. We are proposing to turn this to a 90-degree  
3       into Sinatra instead of having that wide-open at a  
4       hundred or so feet wide opening, and that is going  
5       to allow people to come down and come to a stop.  
6       They are coming down one way and have a chance to  
7       actually look in both directions instead of feeling  
8       like you have to look over your right side of your  
9       shoulder to make a right turn.

10                   In addition, we are proposing a  
11       sidewalk that's going to be continuous along  
12       Sinatra. It's going to connect from the northern  
13       edge all the way to the southern edge with a new  
14       pedestrian crossing that will be striped, and a  
15       sidewalk also that will run up along that 90-degree  
16       bend there connecting the sidewalk that exists to  
17       what we are proposing down on Sinatra.

18                   MR. TUVEL: Can you talk about how  
19       stormwater is going to be handled on site in this  
20       Phase I?

21                   THE WITNESS: Yes. I am going to go to  
22       the next sheet to do that, which was submitted in  
23       the package as Grading and Drainage Plan CG-101.

24                   So in the existing condition, the  
25       parking lot here and part of the building comes down

1 into inlets that collect storm drainage and connect  
2 to an inlet that is on Sinatra and Fifth.

3 The proposed condition is not going to  
4 be that much different with the exception that more  
5 of the building would be collected.

6 We are proposing one storm catch basin  
7 to collect flow from the southern side of the  
8 building coming down the slope. That will connect  
9 to a new manhole, and that proposed manhole will  
10 then connect to the existing catch basin.

11 With the proposed landscape area that  
12 Richard described, there is a reduction in the  
13 impervious area, so the hydrograss from the existing  
14 to the proposed condition is actually lower, so we  
15 do have a reduction, which is a good thing, and that  
16 is in compliance with the Hudson River Sewerage  
17 Authority requirements, so we do not have to put any  
18 detention because we have a reduction in our peak  
19 flows.

20 MR. TUVEL: Okay.

21 In terms of building coverage, which in  
22 Hoboken is the same as lot coverage, can you  
23 describe what is existing, what was previously  
24 approved as part of the full build-out, and what is  
25 proposed in Phase I?

1 THE WITNESS: Certainly.

2 So what is existing is 38 percent. The  
3 maximum allowable is 50 percent.

4 What was previously proposed was 56.4  
5 percent --

6 MR. TUVEL: That's in the final  
7 build-out, correct?

8 THE WITNESS: Correct.

9 And we are now proposing only 53 at a  
10 reduction of 53 percent.

11 MR. TUVEL: That would be as to Phase I  
12 only?

13 THE WITNESS: Correct.

14 MR. TUVEL: And then the full build-out  
15 would stay at the 56 percent or 56.4 percent?

16 THE WITNESS: 56.4 is what was  
17 previously proposed.

18 MR. TUVEL: Okay.

19 Based on that coverage during Phase I  
20 and the stormwater management system as you  
21 designed, do you see any negative impacts on the  
22 surrounding area, on the city's systems?

23 THE WITNESS: No. I think this is  
24 going to be an improvement to reducing the peak flow  
25 into that inlet, into Sinatra and Fifth.

1 MR. TUVEL: Okay.

2 Now, in terms of the setbacks of  
3 building, we have a tricky situation here because  
4 although the lots -- although Sinatra Drive is a  
5 street, a public street, there's also a tax lot.  
6 It's the same thing as Lot 3, which is Fifth Street  
7 and how it connects, but it is also a tax lot.

8 So for purposes of calculating  
9 setbacks, can you just describe what the side yard  
10 setback on the variance relief is that we're seeking  
11 as part of Phase I?

12 THE WITNESS: Certainly.

13 So what is required is either a zero or  
14 a five foot setback.

15 Our side yard really is only right  
16 here, where Lot 2 -- Lot 3 -- I'm sorry -- Fifth  
17 Street comes down and it jogs in, and there is about  
18 a four and a half foot little extension of the lot  
19 as it comes into the Sinatra Drive lot.

20 So what is proposed is 3.94, so it is  
21 not zero nor is it five.

22 In existing conditions, it is 48, and  
23 what was previously proposed was also 48.

24 MR. TUVEL: Okay. So there is no  
25 change there. But there is no buildings or other

1 structures on those lots for which the setback  
2 variance is requested.

3 THE WITNESS: No. I mean,  
4 technically -- yes, correct. There is no buildings  
5 adjacent to that side yard that you would have an  
6 encroachment on by putting the building near that.

7 MR. TUVEL: Okay. So do you see any  
8 negative impacts from an engineering standpoint with  
9 that 3.94 setback?

10 THE WITNESS: No, I don't.

11 MR. TUVEL: Okay.

12 I wanted to talk about rock excavation  
13 because that also came up in our other application  
14 as well.

15 Can you describe in your analysis the  
16 geotechnical aspect of this application and how the  
17 excavation will work? Will there be serpentine rock  
18 found, and if so, how will that be disposed of?

19 THE WITNESS: Yes. The rock here is  
20 shallow, so rock excavation will be required for the  
21 proposed foundation system, which we did not do the  
22 geotechnical investigation or prepare the report,  
23 but I have I reviewed it, and I am a geotechnical  
24 engineer. So the shallow foundation system will  
25 require some excavation into the rock. The rock is

1 a serpentine rock and it did test positive for  
2 asbestos.

3 And in that case, the ordinance is very  
4 clear. I think it is Section 76, and that will be  
5 referenced in the technical specifications for the  
6 project, the earth work excavation part, that the  
7 procedure needs to be followed for excavation of  
8 serpentine rock. And basically that includes  
9 wetting down the material, and when it is put into  
10 containers for export, it is enclosed basically  
11 keeping the dust down. So really that procedure is  
12 intended to be followed because we know that there  
13 is serpentine with asbestos because it tested  
14 positive for that report, so that is how it is going  
15 to be addressed during construction.

16 MR. TUVEL: Okay.

17 And is that monitored by your office  
18 for --

19 THE WITNESS: That would be monitored  
20 by somebody in the field who would be oversaw by a  
21 licensed engineer. It might be us or it might be  
22 somebody else, but it would be a geotechnical  
23 engineering firm.

24 MR. TUVEL: Okay.

25 Any utility issues associated with the

1 project, any new utilities?

2 THE WITNESS: No. There really isn't  
3 anything except the storm collections and the system  
4 that I previously mentioned.

5 MR. TUVEL: Okay.

6 Have you had a chance to review the  
7 Board engineer's, Mr. Marsden's report, in  
8 connection with the application?

9 THE WITNESS: Yes, we have, and we also  
10 had conversations with representatives of H2M.

11 Basically in reviewing them with him  
12 and reviewing them on our own and going through the  
13 drawings and the report, it looks like we will be  
14 able to comply. We are going to work with him on a  
15 few different things, but there is really nothing  
16 that would cause us an issue that we would not be  
17 able to comply with.

18 MR. TUVEL: Okay.

19 And you heard Mr. Marsden during Mr.  
20 King's testimony requesting some information  
21 concerning the Fifth Street grading and some of, I  
22 guess, the elevations there.

23 Would you be willing to provide that  
24 information to Mr. Marsden?

25 THE WITNESS: Absolutely. You are

1 referring to during Phase II?

2 MR. TUVEL: Right, during Phase II.

3 THE WITNESS: Correct, yes.

4 We can do that. We will take a look at  
5 the slopes of the roads and coordinate some  
6 information back and forth, and if we have to meet  
7 with him, we'll meet with him and walk through it.

8 MR. TUVEL: Okay.

9 Believe it or not, that's it.

10 THE WITNESS: Richard did a such great  
11 job --

12 CHAIRMAN AIBEL: Very efficient.  
13 That's great.

14 Mr. Marsden?

15 MR. MARSDEN: You are talking about  
16 meeting as a part of this approval, so I feel  
17 comfortable with the Phase II.

18 THE WITNESS: Correct.

19 MR. MARSDEN: Okay.

20 THE WITNESS: Yes. So you can  
21 understand the full build-out on Phase II.

22 MR. MARSDEN: Okay.

23 CHAIRMAN AIBEL: Board members, any  
24 questions for the engineer?

25 We'll open it up to the public. Does

1 anybody have questions for the witness?

2 Seeing none?

3 COMMISSIONER GRANA: Motion to close.

4 COMMISSIONER MC ANUFF: Motion to  
5 close.

6 COMMISSIONER COHEN: Second.

7 CHAIRMAN AIBEL: All in favor?

8 (All Board members answered in the  
9 affirmative)

10 MR. TUVEL: That can't be that nobody  
11 had a question.

12 CHAIRMAN AIBEL: It was terrific.

13 MR. GALVIN: Moving along, son, there  
14 is nothing to see here.

15 (Laughter)

16 MR. TUVEL: The next witness I would  
17 like to call is our traffic engineer, Charles Olivo,  
18 from Stonefield Engineering.

19 MR. GALVIN: I think we will need  
20 credentials.

21 MR. TUVEL: Mr. Olivo also testified  
22 during Gateway.

23 MR. GALVIN: Oh, okay. Well, the  
24 Chairman has pointed out how poor my memory is, so  
25 you are good.

1                   Raise your right hand, sir.

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                   MR. OLIVO: I do.

6                   C H A R L E S   D.   O L I V O, PE, PTOE, Stonefield  
7 Engineering & Design, LLC, 75 Orient Way,  
8 Rutherford, New Jersey, having been duly sworn,  
9 testified as follows:

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

12                  THE WITNESS: Certainly.

13                  Good evening, Mr. Chairman, and members  
14 of the Board. My name is Charles Olivo, O-l-i-v, as  
15 in Victor, o.

16                  MR. GALVIN: Mr. Chairman, do you  
17 accept Mr. Olivo's credentials?

18                  CHAIRMAN AIBEL: We do.

19                  MR. GALVIN: And now I remember based  
20 on the volume.

21                  (Laughter)

22                  MR. TUVEL: Remember, he was the one  
23 that you said he didn't need the mike.

24                  MR. GALVIN: Thank God. That's right.

25                  MR. TUVEL: Okay.

1                   Mr. Olivo, can you go over what you did  
2                   in preparation of this application in terms of  
3                   specifically traffic and parking, what you looked at  
4                   to come up with your analysis that was in your  
5                   report?

6                   THE WITNESS: Certainly.

7                   We started here. There is a lot of  
8                   history on this project that counsel has gone  
9                   through with Mr. King and Mr. Savino, as well as  
10                  having touched upon the fact that there was an  
11                  application before the Board that was preliminarily  
12                  approved in 2009 with regard to the construction of  
13                  the Babbio garage, the parking facilities that would  
14                  be provided within it.

15                  So we took another look at that  
16                  resolution, the transcripts during those hearings,  
17                  to understand some of the context historically here,  
18                  if you were to rewind about seven years from this  
19                  time.

20                  We reviewed the traffic volumes, the  
21                  parking analyses associated with that approval, and  
22                  then we basically look a look at the existing  
23                  facilities that you have within this area, as well  
24                  as the roadway network, and some of the approvals  
25                  and the projects that are underway within the city.

1                   Obviously, there is always a lot  
2                   happening within the City of Hoboken, so we wanted  
3                   to make sure that we accounted for everything that's  
4                   going on right now and anything that would  
5                   potentially be adding traffic, parking demand  
6                   throughout this network in a future condition.

7                   So we took an opportunity to review the  
8                   existing traffic volumes throughout this roadway  
9                   system, and that was generally comprised of looking  
10                  at four to five study intersections throughout the  
11                  area.

12                  So I am referring to Exhibit 100, which  
13                  is the aerial exhibit, and it gives you a sense of  
14                  where the site is located, the Babbio building,  
15                  where it is sited, and then some of the other  
16                  features that you have within this area, certainly  
17                  the parks and recreation area located along Sinatra.

18                  Now, Sinatra is --

19                  MR. TUVEL: Mr. Olivo, just one quick  
20                  question.

21                  THE WITNESS: Sure.

22                  MR. TUVEL: You also reviewed the  
23                  traffic study that was done in connection with the  
24                  original approval in 2009 to confirm its findings,  
25                  and you also did some initial counts and analyses

1 that your office performed, correct?

2 THE WITNESS: We did, yes.

3 Counts were previously performed back  
4 in 2008. We conducted counts in April of 2015, and  
5 those were again at a number of studied  
6 intersections.

7 We looked at the intersection of Fifth  
8 and Sinatra Drive. Obviously, that is an important  
9 one as the traffic that travels through the network  
10 in that intersection today.

11 As you have heard, the portion of the  
12 garage, which is built out today is also functioning  
13 and generating traffic and parking.

14 There are about 30 stalls that are used  
15 within the area that would be reconstructed as the  
16 Babbio garage, 30 surface stalls, and then you also  
17 have approximately 140 stalls that are within the  
18 structure that are able to be accessed today.

19 You actually have more than that.

20 There are over 200 stalls that are built out, but  
21 not all of them are accessible to vehicles. There  
22 are some floors that actually aren't accessible to  
23 vehicles today. So it's 140 and 30, so you have 170  
24 stalls or vehicle positions that you can accommodate  
25 in the area that we would be constructing as a 436

1 parking stall garage.

2 So we looked at the intersection proper  
3 of Fifth Street and Sinatra Drive, and then we also  
4 traced Sinatra to the south and to the north. So to  
5 the north, we went all the way to the intersection,  
6 which I am sure everybody is familiar with, which is  
7 11th Street and Sinatra Drive, and we also looked at  
8 Sinatra Drive North as it comes into a "T"  
9 intersection at an unsignalized intersection.

10 So the south from this site we looked  
11 at the intersection of Fourth and Sinatra, which is  
12 just to the left-hand side of the page here, and  
13 then also up more towards the top you will see the  
14 intersection as Sinatra turns basically into Fourth  
15 and then connects with River at a traffic signal  
16 there, so we conducted updating traffic volumes and  
17 counts. We didn't simply rely on the counts that  
18 were previously conducted and then grow them. We  
19 wanted to get an idea and understanding of what the  
20 traffic volumes are under existing conditions today,  
21 so that brings the existing of what we have.

22 Now, generally speaking, as you heard  
23 from Mr. King and Mr. Savino, the intersection of  
24 Fifth and Sinatra certainly doesn't connect in a  
25 line in a way that we would look for when proposing

1 new intersections.

2 From a pedestrian circulation  
3 perspective, you have a very vast area that you have  
4 to cross. The crosswalk has become very worn.  
5 Typically you don't have intersections at the  
6 intersection proper that are a hundred feet or so  
7 wide, so what is being proposed is certainly an  
8 improvement in that area.

9 That very vast extensive area of  
10 openness will be channelized to approximately 20  
11 feet, and that is exactly what you look for in terms  
12 of optimized intersection operation, so we are  
13 improving that right off the bat.

14 In terms of just some existing travel  
15 patterns, what you generally see during the morning  
16 and the evening peak, which are the hours that we  
17 look for as peak commuter and also academic hours,  
18 we generally studied from about seven in the morning  
19 to 10:30 in the morning, and then in the evening we  
20 looked from 3:30 to 7 p.m. So those are longer  
21 windows than we typically look at, because you have  
22 a mixing of different types of traffic here, not  
23 just commuter office-type peak hours and residential  
24 peak hours, but also the academic use here as well.

25 So we took a look at what those

1 existing peak conditions looked like, and generally  
2 speaking, the traffic that comes down Fifth Street  
3 and then travels onto Sinatra Drive, the large  
4 amount of the vehicles coming down, although minimal  
5 in nature, in total are making a left turn movement,  
6 so they are essentially using it as a ramp, but they  
7 are still crossing the traffic that's heading in a  
8 southbound direction to continue and make that left  
9 turn, so there certainly is a betterment to that  
10 interface in the proposed condition.

11 You are bringing a vehicle to what is  
12 essentially a 90-degree "T" intersection, which is  
13 optimal. It's typically what we look to do when we  
14 are either realigning or creating new intersections.  
15 So as part of that proposed condition, that is  
16 something that we would be providing as a  
17 betterment.

18 As I mentioned, that triggers  
19 pedestrian changes. You would have a new crosswalk,  
20 and you would also have a new sidewalk area that  
21 essentially recaptures that pavement that otherwise  
22 the motorists and the pedestrians have somewhat of  
23 an interesting conflict in that area today that  
24 would generally be sidewalked. You'd come to ADA  
25 ramps, and then as you do in many other places in

1 the city, you just simply cross a 20-foot opening  
2 where you travel through across Fifth Street. So  
3 from a traffic perspective in terms of that change,  
4 that is a significant improvement.

5 Now, when we look at and fast forward  
6 into the build condition, before we do that, we look  
7 at a future condition called the no-build condition.

8 Now, here, and even as part of the  
9 Academic Gateway project, we talked about all of the  
10 activity that is occurring within the City of  
11 Hoboken. There are a number of projects that are in  
12 line for residential development, school projects,  
13 as well as you have retail projects, which are  
14 essentially comprised in a lot of these other larger  
15 scale residential projects.

16 We looked at six projects in total.  
17 They are all detailed within the traffic impact  
18 study, but some of the notable projects of the next  
19 phases of Hudson Tea, the Hudson Tea E phase or the  
20 E section of that development, Maxwell Place D, you  
21 also have 1415 Park, which is a larger scaled  
22 project, being proposed by Bijou Properties, I  
23 believe it is, that is also approved and can be  
24 constructed with a number of residential units, a  
25 charter school and some other elements to it as

1 well.

2 So all of that has been detailed within  
3 the report, so we surcharged the existing volumes to  
4 understand those projects, what kind of impact would  
5 they potentially have on the various intersections  
6 that we studied here, so we distributed that traffic  
7 and weaved it through the network and that creates  
8 the no-build condition.

9 From there, we look at a build  
10 condition, where we add the traffic associated with  
11 this project.

12 Now, the dynamic associated with this  
13 project is that parking structures in and of  
14 themselves don't necessarily create a traffic  
15 demand. Traffic demand is created by the buildings  
16 that those parking structures serve.

17 So what we looked at is the number of  
18 stalls that you have within this lot, the buildings  
19 and generally who would be parking there, and  
20 recreated a model for the trip generation for this  
21 potential project here, building out the Babbio  
22 garage to its full capacity.

23 So you have 170 spaces that could be  
24 utilized today, right now, and in the future  
25 condition, 436, so that is a net change of 266 new

1 parking stalls to be utilized by Stevens.

2 Now, what we also understand is that as  
3 part of the resolution of approval of the previous  
4 approval back in 2009, that the Board was desirous,  
5 and Stevens as well was desirous of creating a  
6 public parking area that could be utilized for those  
7 that are either traveling along the waterfront,  
8 walking, recreating in that area or also the little  
9 league field and some of the recreation fields.

10 And what we felt in working very  
11 closely with Stevens, their campus police, certainly  
12 understanding what type of enforcement they utilize  
13 today and what would be something that would be  
14 practical in constructing the parking, not just  
15 here, but also looking at Griffith and River, which  
16 are the parking areas located to the lower  
17 right-hand side of the exhibit is allocating the 50  
18 public parking stalls in that general area, which I  
19 think from an operations standpoint -- well, it  
20 achieves a couple of different things.

21 Number one: From really a safety and  
22 an enforcement and an operation perspective, that is  
23 ideal. Utilize the surface lot for those purposes,  
24 where as Stevens' employees, the staff and the  
25 students would be able to park within the garage

1 that has direct access to the Babbio building and  
2 other parts of the campus from a security  
3 perspective, that is very important.

4 From an operational perspective having  
5 worked on many parking garage designs, sometimes you  
6 will share residential or retail, other types of  
7 users, it is very challenging to nest parking for  
8 these public reasons within an area that would  
9 otherwise be enforced by campus police to know whose  
10 car is which, and whether or not those cars are kept  
11 there for longer periods of time. It becomes very  
12 challenging to do that, so from an enforcement  
13 perspective, and Mr. Maffia from Stevens will talk  
14 about this a little bit more, we all agree that what  
15 is being proposed here is preferred.

16 And certainly in talking with the  
17 police and understanding how they operate, the  
18 proposal here is to operate this parking structure  
19 the way they operate all of the parking stalls that  
20 are utilized for Stevens today.

21 What is interesting is none of the  
22 surface lots or the parking garage area today uses  
23 any type of gate system or a mechanical very  
24 structured system, and you are able to replace that  
25 type of mechanical protocol and system when you have

1 very excellent management and enforcement, and that  
2 is exactly what you have today. We all know how  
3 valuable parking is within the city. Certainly  
4 parking is very valuable to Stevens as well.

5 As a result, what happens is there are  
6 protocols, these are manned protocols, not  
7 necessarily through machines and things like that,  
8 but every two hours the police circulate through the  
9 various parking areas. They look for the hang tags  
10 and decals associated with certain parking areas,  
11 and then they have an enforcement system, by which  
12 they actually enforce who parks where.

13 So this is exactly what we plan on  
14 doing as part of the build-out of the Babbio garage,  
15 no gates. We actually talked about this at length,  
16 but we want to preserve the mobility of Sinatra  
17 Drive. So we don't want to create a system, and you  
18 will see this in various garages that you might  
19 travel through, where one car, somebody who is  
20 waiting to grab their key card or fob may back up  
21 vehicles on the main line of the roadway that  
22 actually connects to that driveway. This will be an  
23 open system, just like the rest of Stevens' parking.

24 In terms of the hours of operation of  
25 the garage itself, Monday through Saturday, 7 a.m.

1 to 11 p.m.

2 Sunday, the parking structure would be  
3 closed, and by "closed," there will be a roll-down  
4 gate.

5 In terms of the parking within the  
6 Griffith and the River lots, the proposal would be  
7 to allow public parking in those areas, and we can  
8 sign it and mark it with different types of pavement  
9 markings. I will be happy to work with the Board's  
10 engineer and planner on a parking management system  
11 there, but again, an open lot system with stalls --  
12 50 stalls allocated to public parking. That would  
13 begin from 4 p.m. and essentially go to 11 p.m. on a  
14 typical weekday. Saturday, all day, 7 a.m. to 11  
15 p.m.

16 So obviously, Stevens wants to work  
17 with the public here. We understand that it is very  
18 important in terms of activating the waterfront and  
19 the recreational areas here, parking is important,  
20 and we recognize that, and so parking will be  
21 provided as stated within the resolution.

22 Now, one of the elements of this, which  
23 I know is extremely important because we talked  
24 about it a lot as part of the Academic Gateway  
25 project is that we want to make sure that the 436

1 stalls at the full build condition are properly  
2 allocated for the demand associated with the various  
3 Stevens' buildings and things of that nature.

4 So on Page 9 of the report, we actually  
5 go through line by line and allocate the 436 stalls  
6 to the various different pieces of Stevens. So you  
7 have the existing Babbio academic building, 105  
8 spaces, and again, this is Page 9 of the report, you  
9 can follow along, replacement for a pre 2001 surface  
10 lot, which was part of the previous approval.

11 Replacement for the existing Babbio  
12 surface lot, which we spoke about, which was the 30  
13 stalls, the parking required for the Gateway  
14 building.

15 If you recall the testimony that was  
16 put on with regard to the parking, obviously we are  
17 losing that commuter lot of 39 stalls. We are going  
18 to reallocate those parking stalls in some of the  
19 municipal garages and then we're going to recapture  
20 the parking demand associated within this built-out  
21 structure.

22 I believe at the time of the testimony,  
23 the Board wanted to see progress with the  
24 construction of this Babbio deck, and that is  
25 exactly why we are here. The intention is to have

1 this constructed and operating by 2017.

2           You can continue through to see that  
3 the total parking obligation of Stevens is 377  
4 parking stalls. That is a surplus of 59 parking  
5 stalls, so not only do we meet it, but we exceed it.  
6 So from a parking perspective, we are meeting the  
7 requirements of the obligation of these various  
8 pieces of either lots that are being displaced or  
9 potentially new parking requirements and demand  
10 associated with buildings that are soon to be under  
11 construction.

12           MR. TUVEL: All right. I just have a  
13 couple of questions.

14           First, on the Griffith lot and putting  
15 the public spaces there, do you feel, in your  
16 opinion, is it safe for pedestrians to traverse the  
17 waterfront as well as the soccer and little league  
18 fields from those spaces?

19           THE WITNESS: Absolutely.

20           Actually what you have in this area are  
21 a number of crosswalks, and I know there is a whole  
22 Sinatra visioning plan that takes a look at various  
23 treatments of Sinatra, but what you have right now  
24 in terms of the crosswalk areas, and if there are  
25 some that are faded, I am sure the applicant has no

1 issue with bringing those back to life a little bit  
2 along this area to just improve the acuity of the  
3 crosswalks and create relatively delineated paths  
4 that we speak of. A number of crosswalks, we would  
5 actually be creating a new one that extends out of  
6 the area of the stairwell and across Sinatra as  
7 well.

8 If you continue down from the project  
9 site to the south, and you are walking closer to the  
10 Hudson, there is a pedestrian actuated push button  
11 signal that's located in the area of the baseball  
12 field as well, so there are unsignalized crossings  
13 and there is a signalized actuation as well.

14 MR. TUVEL: And there will also be new  
15 sidewalks associated with Phase I and Phase II?

16 THE WITNESS: That's correct, yes.

17 MR. TUVEL: Okay.

18 And the hours that are proposed for the  
19 Griffith lot for public parking, you said it's  
20 Monday through Friday 4 p.m. to 11 p.m.

21 THE WITNESS: Right.

22 MR. TUVEL: And I think you just said  
23 Saturday, but correct me if I'm wrong, it's Saturday  
24 and Sunday 7 a.m. to 11 p.m.

25 THE WITNESS: Yes, sorry. That's

1 correct.

2 MR. TUVEL: And how do those hours work  
3 with the parking of a university?

4 THE WITNESS: Well, they work really  
5 well, and we talked about this a lot with the  
6 university.

7 We wanted to find a time where the  
8 university parking demand is winding down, and where  
9 we expect that recreational demand is starting to  
10 grow. That is exactly what you try to do with  
11 shared parking is be able to utilize one parking  
12 stall for two to three purposes on a daily basis.

13 So what would generally happen is  
14 during the morning is when you have your influx of  
15 staff, employees and students utilizing the parking  
16 stalls. Then they would leave. That demand would  
17 diminish throughout the course of the day, which is  
18 exactly when the reverse would happen for the  
19 recreation.

20 MR. TUVEL: Okay.

21 And then in terms -- we talked a lot  
22 about entering the garage and that the point of  
23 having it open was to avoid a cue out onto Sinatra,  
24 right?

25 THE WITNESS: I'm sorry, yes.

1 MR. TUVEL: Okay.

2 So let's talk about leaving the garage.

3 So students will use their I.D. card I guess to --  
4 can you just explain that process?

5 THE WITNESS: Sure.

6 MR. TUVEL: Students will use their  
7 I.D. card, put it in the machine and get a ticket,  
8 and just explain that process.

9 THE WITNESS: Yes.

10 In looking at this as an opportunity to  
11 increase the technology of the parking systems that  
12 are being used on the campus today, what we have  
13 spoken about with Stevens is an opportunity to look  
14 at more of a real time model of parking demand.

15 So what would happen is a student or an  
16 employee, staff, et cetera, would come into the  
17 parking garage. The parking stalls would be  
18 numbered. They would swipe their card, and they  
19 would allocate that parked car to a stall, which  
20 would give the campus authorities, security, et  
21 cetera, a real time map of what is actually going on  
22 in the garage at any given time.

23 Now, there would be cameras, security  
24 cameras throughout as well, which could be accessed  
25 through tablets and other types of smart phones and

1 things like that, so you are looking at a real  
2 picture of the parking facility throughout the  
3 course of the day.

4 In terms of actually leaving the  
5 facility, you would be able to do so the same way  
6 that you enter the facility with the exception of,  
7 if you happen to be studying late that night, or for  
8 whatever reason you come after about 11 p.m. closure  
9 time, you would have the ability to swipe your card  
10 and that roll gate would come up, and then you could  
11 exit at that time.

12 MR. TUVEL: All right.

13 Let's say somebody from the public  
14 accidentally goes into that garage without knowing  
15 that it is a Stevens' lot. Can they get out?

16 THE WITNESS: They can.

17 MR. TUVEL: Can you just explain that?

18 THE WITNESS: Yes.

19 Again, it is an open system, so they  
20 would be able to enter and leave.

21 If they did try to park there, which  
22 over time, certainly the campus police have seen it  
23 happen time and time again, where motorists attempt  
24 to park in other of the parking facilities that are  
25 operated by Stevens, there is a whole protocol and

1 system by which that generally doesn't happen for  
2 too long, so the same thing would happen here.

3 MR. TUVEL: All right.

4 And to avoid overnight parking, there  
5 would also be a call button for the police  
6 department, is that correct?

7 THE WITNESS: That's correct, yes.

8 MR. TUVEL: So if somebody tried to  
9 park there overnight that was unauthorized, they  
10 would have to call the police, and the police would  
11 give them a ticket?

12 THE WITNESS: Right.

13 If they tried to exit or a student or a  
14 staff member forgot their card or lost it or  
15 something like that, there is direct access through  
16 a push button to the campus police.

17 MR. TUVEL: How important is the  
18 relocation of the driveway further northbound and  
19 the geometrical change, how important is that from a  
20 traffic engineering perspective?

21 THE WITNESS: I think that it is  
22 extremely important. It is ideal from a safety  
23 perspective to be able to channelize the areas  
24 properly for the use of vehicles, particularly  
25 within the city, where encouraging a lot of

1 different types of transportation modes, pedestrian  
2 walkability is critical.

3 So to take that very large gap, where  
4 vehicles today, it is almost difficult to know where  
5 you should stage to wait for a gap in traffic, to  
6 leave, which makes the pedestrian-vehicle conflict  
7 that much more challenging.

8 So to be able to channelize that into  
9 20 feet, and in addition to that, Mr. Savino touched  
10 on this, from a site distance perspective, it is  
11 always best to align 90 degrees, so you can see  
12 easier in both directions, rather than having to  
13 look far over your shoulder. That can sometimes  
14 create rear end collisions. If you think you saw a  
15 gap, and there is actually somebody in front of you.

16 So ideally, this is what you want to do  
17 from just an alignment perspective and an  
18 intersection perspective, and a pedestrian  
19 walkability perspective as well.

20 MR. TUVEL: All right.

21 And lining up the entrance to the  
22 garage with the Griffith lot driveway, in your  
23 opinion, is that appropriate?

24 THE WITNESS: Typically we look to  
25 align in all cases when you have driveways.

1                   What is actually happening in Griffith,  
2                   too, which is important to note, is that the  
3                   driveway that will generally be across from the  
4                   proposed driveway to the Babbio lot will remain, but  
5                   there are two driveways just to the north of that,  
6                   which will be removed, so we will be creating and  
7                   there will be a new driveway to the north of those.

8                   So where you have intermittent  
9                   driveways, you will have one driveway generally  
10                  across from where the Babbio lot garage driveway  
11                  would be, and another driveway well spaced from that  
12                  area, so we are creating better spacing.

13                  Just as a general rule of thumb, the  
14                  Department of Transportation looks for driveways to  
15                  be spaced approximately a hundred feet from a  
16                  signalized intersection.

17                  What we would be doing in terms of the  
18                  spacing of where Fifth Street comes into Sinatra and  
19                  our driveway would be about 120 feet, so we are  
20                  exceeding that rule of thumb which really applies to  
21                  more highly traveled roadways and intersections.

22                  MR. TUVEL: I believe that concludes my  
23                  direct of Mr. Olivo.

24                  CHAIRMAN AIBEL: Thank you.

25                  Board members?

1                   COMMISSIONER GRANA: Good evening, Mr.  
2                   Olivo.

3                   THE WITNESS: Good evening.

4                   COMMISSIONER GRANA: So I am looking at  
5                   this, right?

6                   THE WITNESS: Yes.

7                   COMMISSIONER GRANA: And I am on Figure  
8                   8, which is the LOS impact.

9                   THE WITNESS: Yes.

10                  COMMISSIONER GRANA: So I wanted to be  
11                  sure I am interpreting this right.

12                  If I look at the -- I am not going to  
13                  go through every intersection. There is one, two,  
14                  three, four, five, six intersections listed.

15                  As an example, if I look at the Fourth  
16                  and River no-build condition versus the 2018 build  
17                  with mitigation, I retain the same level of service  
18                  in a p.m. peak and move from a B to a C level of  
19                  service -- excuse me -- in the a.m. peak, and I move  
20                  from a B to a C level in the p.m. peak.

21                  For 11th and Hudson, while there are a  
22                  number of different impacts to different movements,  
23                  the level of service remains the same overall, so I  
24                  am interpreting the figures correctly.

25                  THE WITNESS: You are, yes.

1 COMMISSIONER GRANA: Okay.

2 So you testified earlier that parking  
3 garages don't create demand. The buildings create  
4 demand. But would it be fair to say that garages  
5 that service buildings that have a certain level of  
6 capacity attract parking?

7 They attract people to a location  
8 because that parking -- they know that that parking  
9 is available.

10 You widen a road. People will use it.  
11 You build a garage. People will use it is roughly  
12 what I'm saying.

13 THE WITNESS: Generally speaking, yes.  
14 I would agree with that.

15 COMMISSIONER GRANA: Okay.

16 So this application -- this amendment  
17 here, amended application, seeks a reduction in the  
18 number of parking spaces that will ultimately be  
19 provided at this facility.

20 So would the potential -- I know you  
21 don't have data, but would the potential LOS impact  
22 be anything higher, if we had the full 720 spots?

23 MR. TUVEL: Well, let me just say this.

24 The 710 spots from 2004 was amended in  
25 2009 to 436, so we are not seeking -- he can still

1 answer your question on the difference between 436  
2 and 710, but the only amendment that we have here is  
3 just an amendment of the phasing to the buildout of  
4 436.

5 COMMISSIONER GRANA: So you clarified.

6 So this would be the LOS impact  
7 regardless of the current approval versus the  
8 amended?

9 THE WITNESS: That's exactly right.

10 COMMISSIONER GRANA: Okay. Great.

11 Thank you very much.

12 One other question about late night,  
13 you know, I'll call it after hours parking, as  
14 people begin to leave that garage, is it fair to say  
15 that you are creating -- you are creating an  
16 inventory of available parking?

17 There will be less parking used in  
18 later hours than there will be during the day?

19 THE WITNESS: Yes.

20 COMMISSIONER GRANA: Okay. So the  
21 whole model of kind of shared, you know, parking,  
22 residents park at night or something like that, that  
23 could be implemented, that is not recommended for  
24 this type of facility mostly from a management and  
25 security perspective?

1                   THE WITNESS: For the structure, not  
2 for Griffith --

3                   COMMISSIONER GRANA: Not for Griffith,  
4 just for the structure.

5                   THE WITNESS: Right. For the  
6 structure, yes, because of the nature of the parking  
7 structure and its connection to buildings and things  
8 of that nature, yes. From a security and  
9 enforcement perspective, we discussed it a number of  
10 times, and we really feel it is best to secure the  
11 parking structure during those overnight hours and  
12 things of that nature.

13                   COMMISSIONER GRANA: Okay.

14                   Thank you.

15                   COMMISSIONER COHEN: You have a  
16 reference in that Figure 8 to build with mitigation  
17 conditions, and if I understood your report  
18 correctly, the mitigation condition had to do with  
19 changing the timing of the traffic light at 11th and  
20 Hudson. Is that correct?

21                   THE WITNESS: Yes.

22                   COMMISSIONER COHEN: Is that something  
23 that you are coordinating with the city or the  
24 county?

25                   Is that something that's going to

1       happen?

2                   I don't know if you testified to that.

3                   THE WITNESS:  What we recommended as  
4 mitigation and a signal timing change is something  
5 that we can certainly work with the Board Engineer  
6 and the city on, if we believe that it is  
7 something -- I'm sorry -- if the city believes that  
8 it is something that they want to pursue.

9                   I will say this about that  
10 intersection, and I am sure we all know it quite  
11 well.  As you are coming northwest from Sinatra into  
12 that intersection, it is a five-leg intersection,  
13 which just by virtue of being a five-leg -- and yet  
14 a five-leg intersection puts it at a disadvantage  
15 and creates some inefficiencies there.

16                   In addition to that, when a pedestrian  
17 actuates the pedestrian phase, everybody stops, and  
18 so you give preference to the pedestrians there.

19                   Now, in a city that is actually a  
20 really good thing, especially where you want to be  
21 hospitable to a pedestrian crossing.

22                   If you are in a car, that is not so  
23 much of a great thing.  I should have to wait longer  
24 to get through the intersection, but we can  
25 certainly work with the city on tweaking the signal

1 timing.

2 I always think traffic studies over the  
3 course of time, even for private development  
4 projects, are a great way to look at signal timings  
5 in real time and potentially create some better  
6 efficiencies in it, so we can certainly do that.

7 COMMISSIONER COHEN: Well, I mean, if I  
8 understand the chart correctly, it looks like  
9 affecting the timing of that intersection could  
10 improve the impact of traffic flows in that  
11 intersection even with your new construction, that  
12 it would benefit it. I would suspect the city  
13 doesn't have the benefit of these new reports.

14 THE WITNESS: Right. And not only with  
15 our construction, but the five or six projects that  
16 I mentioned previously as well. So there could be  
17 some advantages to implementing these tweaks to the  
18 timing, and now would be a good time to do it.

19 COMMISSIONER COHEN: The other thing  
20 is, if I recall the current intersection correctly,  
21 where Fifth Street meets Sinatra Drive, it's an  
22 uncontrolled intersection, right?

23 There are no stop signs. People sort  
24 of sneak out into the intersection and look both  
25 ways and just go as they can.

1           Is the current proposal for either in  
2 Phase I or Phase II to include stop signs at Fifth  
3 and Sinatra? I don't believe the report references  
4 that.

5           THE WITNESS: There would be a stop bar  
6 located where the intersection occurs, where we are  
7 changing it to. So that 20 foot width area as you  
8 come down lower Fifth, you come down Fifth Street  
9 into Sinatra Drive, that would be a stop bar or a  
10 stop control.

11           COMMISSIONER COHEN: Would there also  
12 be a white line across the roadway indicating where  
13 to stop?

14           THE WITNESS: There would be a 24-inch  
15 wide white stripe.

16           COMMISSIONER COHEN: Okay.

17           Thank you.

18           CHAIRMAN AIBEL: John?

19           VICE CHAIR BRANCIFORTE: I have some  
20 very specific questions about your methodology.

21           On Page 2 of your report, you speak of  
22 Sinatra Drive being a local roadway, and Fourth  
23 Street as an urban major collector.

24           What is the difference between the  
25 local roadways and the collectors?

1                   And even on Page 3, you talk about  
2                   Hudson Street as an urban minor arterial?

3                   THE WITNESS: Generally speaking, those  
4                   are all based on the Department of Transportation's  
5                   classification of various roadways, but the  
6                   hierarchy of roadways is generally speaking local,  
7                   collector, arterial. So arterials have the greatest  
8                   regional mobility. They connect not just through  
9                   towns and cities, but they will connect other cities  
10                  to other cities and towns, et cetera, or things like  
11                  that.

12                  So Hudson is a county roadway, and by  
13                  virtue of being a county roadway, it falls under  
14                  that arterial designation.

15                  The next step up or down, depending on  
16                  how you look at a collector, is generally a roadway  
17                  that takes traffic from various different types of  
18                  land uses and provides interconnectivity within  
19                  areas, larger users, whether it be a retail node or  
20                  an office node, things like that, and collects  
21                  traffic and distributes it as well.

22                  And then a local roadway, there is a  
23                  lot of gray area in what road falls where, but we  
24                  consider it to be a local roadway, something that  
25                  generally has either a residential connectivity,

1 parks and recreation type connectivity, or it can be  
2 a driveway and things of that nature, so you have  
3 the general hierarchy of the roadways all within  
4 this roadway network.

5 VICE CHAIR BRANCIFORTE: So how does  
6 Sinatra Drive fit in as a local roadway, if really  
7 in a way it sort of connects Jersey City to -- well,  
8 I guess it doesn't connect Jersey City to Weehawken,  
9 but it is a pretty big cut-through. I mean, people  
10 do use it in the afternoons to get through.

11 So I'm kind of curious as to how such a  
12 road -- a road with such big traffic volume could be  
13 considered a local roadway.

14 THE WITNESS: Well, the volumes on  
15 Sinatra Drive I wouldn't equate to arterial volumes.

16 If you think about what Sinatra Drive  
17 does, it essentially makes this big U, and then it  
18 has these little spur roads that come off of it  
19 either on the north side or the south side of the  
20 roadway. But it connects you into Hudson and then  
21 it loops back around, and this portion, this area of  
22 Hoboken, where it then kind of splits off again  
23 hugging the waterway, and Fourth Street takes you  
24 back out to Hudson, Washington, et cetera.

25 So generally speaking, the range of the

1 road isn't as far as something that you might see as  
2 an arterial road or a highway or something like  
3 that.

4 VICE CHAIR BRANCIFORTE: Okay. Because  
5 you look at Fourth Street, and you classify it as a  
6 major urban collector, and, you know, Sinatra is a  
7 local roadway, and then Hudson Street is a minor --  
8 urban minor arterial.

9 So here is the deal: You didn't -- you  
10 assume on Page 5, one percent annual growth for two  
11 years. So you mean -- I will give you a second to  
12 find it there at the bottom under 2017 no build  
13 construction.

14 THE WITNESS: Yes.

15 VICE CHAIR BRANCIFORTE: So you say:  
16 In accordance with the industry guidelines, the  
17 existing traffic volumes at the studied  
18 intersections were increased by one percent annually  
19 for two years to generate the 2017 based volumes.

20 You have to explain that to me because  
21 this is the thing, you base it on the New Jersey DOT  
22 annual background growth table, and the growth table  
23 is not included in your report, is it?

24 THE WITNESS: It is not, but we can  
25 provide it.

1                   VICE CHAIR BRANCIFORTE: And the reason  
2 I know this, or I think I know it at least, is  
3 because we just went through this with another  
4 traffic study I think maybe even last week, where I  
5 looked up the table online, and now that I lost it,  
6 like the -- it ranges like the principal arterial is  
7 actually a growth rate of two percent for Hudson  
8 County or actually 1.5 percent. A minor arterial is  
9 1.5 percent. A collector is 1.5 percent, and local  
10 is one percent, so I'm curious why you used the  
11 local number in your growth rates rather than the  
12 higher collector rates and the minor, major rates.

13                   THE WITNESS: Well, we looked at  
14 Sinatra in its classification, but we are happy to  
15 look at this from a sensitivity analysis perspective  
16 and run it with the two percent growth rates or just  
17 be a little bit more conservative, because they are  
18 framed by roadways of different classification. I  
19 think it is a fair point, and we can certainly  
20 incorporate that into the analysis.

21                   VICE CHAIR BRANCIFORTE: Then the other  
22 thing, too, you have to go back to your maps, your  
23 charts there in the back -- I hate to drag this on,  
24 but I am going to have to because there are so many  
25 questions I have to ask about this traffic study.

1           Hopefully I can find it again.

2                       Going back to your figures at the back  
3 of the report, for instance, A-6, Figure 2 --

4                       THE WITNESS:   Yes.

5                       VICE CHAIR BRANCIFORTE:  -- you show  
6 there at the top near Hudson Street, as you travel  
7 Sinatra Drive North, you have a little road that  
8 kind of makes a right turn there.

9                       THE WITNESS:   Yes.

10                      VICE CHAIR BRANCIFORTE:  I think that  
11 is Sinatra Drive North.

12                      COMMISSIONER WEAVER:  That is Sinatra  
13 Drive North.

14                      THE WITNESS:   That is Sinatra Drive.

15                      VICE CHAIR BRANCIFORTE:  And you show  
16 12 cars making a left-hand turn there --

17                      THE WITNESS:   Yeah.

18                      VICE CHAIR BRANCIFORTE:  -- even though  
19 there's no left-hand turn allowed there?

20                      THE WITNESS:   We count whatever they  
21 do.  We don't tell them what to do.

22                      (Laughter)

23                      I didn't take down license plates or  
24 anything like that, so that is what actually  
25 happened out there.

1                   VICE CHAIR BRANCIFORTE: But then on  
2 the next page, on Figure 3, the same left turns were  
3 126 cars making a left-hand turn there. You have to  
4 explain that --

5                   THE WITNESS: So what we did as part --

6                   VICE CHAIR BRANCIFORTE: -- between two  
7 and three.

8                   THE WITNESS: -- of the site specific  
9 growth in changes is not only did we look at  
10 development projects that could potentially change  
11 the complexion of traffic, but we also looked at  
12 what I reviewed, and I believed to be somewhat of a  
13 more imminent change. I know there was a lot of  
14 discussion about opening up that left turn movement  
15 and legalizing it. Whether it's decided and going  
16 to happen, I know things change, but we looked at  
17 the opportunity to create the left turn movement  
18 because it was my understanding that was something  
19 that was being discussed.

20                   VICE CHAIR BRANCIFORTE: Okay.

21                   So then on the next page, Figure 4, it  
22 says: Site specific future traffic volumes.

23                   Now, that refers to the number of cars  
24 that will be added, if the project is approved, is  
25 that right or --

1 THE WITNESS: No --

2 VICE CHAIR BRANCIFORTE: -- what do you  
3 mean by site specific future traffic volumes?

4 THE WITNESS: That can sometimes be a  
5 confusing term.

6 Site specific traffic volumes is  
7 specific to other sites, not our site. So the site  
8 specific traffic volume actually has to do with the  
9 projects that I mentioned, Hudson Tea, Maxwell Place  
10 and some of the others.

11 VICE CHAIR BRANCIFORTE: Okay.

12 So how many cars -- so you are saying  
13 107 more cars will be making that left-hand turn in  
14 the morning, but how many cars are you going to add  
15 to these intersections?

16 Is there a chart or a figure that shows  
17 that?

18 THE WITNESS: Yes.

19 MR. TUVEL: You thought I asked a lot  
20 of questions about this.

21 THE WITNESS: No, you are still bad.

22 (Laughter)

23 You referred to A-10, Figure 6.

24 You will see the volumes, the new  
25 volumes associated with our project, and those are

1 generally localized, if you start at the box labeled  
2 "Site" centrally located on the page --

3 VICE CHAIR BRANCIFORTE: Right.

4 THE WITNESS: -- and then they are  
5 basically dispersed from there.

6 So generally what we did is we modeled  
7 it off of what happens today. Most of the traffic  
8 today in the morning is all coming in. Very few are  
9 trickling out, which makes a lot of sense in terms  
10 of the garage and the surface, the 170 parking  
11 stalls. Generally speaking, those that enter the  
12 garage are coming from the north.

13 VICE CHAIR BRANCIFORTE: So 93 cars in  
14 the morning --

15 THE WITNESS: We would expect in the  
16 proposed condition to come from the north and down  
17 and make a right turn into the site driveway.

18 VICE CHAIR BRANCIFORTE: Compared to  
19 what is coming in now, which is probably what --

20 THE WITNESS: That is on A-6 flipping  
21 back to the first traffic volume figure. There are  
22 36 in the morning making that turning movement --

23 VICE CHAIR BRANCIFORTE: So --

24 THE WITNESS: -- and we would be adding  
25 the 93 to that.

1 VICE CHAIR BRANCIFORTE: Okay.

2 THE WITNESS: All of those numbers on  
3 A-10 are additional on top to that level --

4 MR. TUVEL: Sorry, just to follow up on  
5 your question.

6 Is that a significant difference in  
7 your opinion, the addition of those amounts of cars?

8 THE WITNESS: Well, I think it is  
9 certainly worthy of a further study, which is  
10 exactly why we looked at it, yeah.

11 VICE CHAIR BRANCIFORTE: I am sure  
12 after I go home and digest this, there is going to  
13 be more questions and thoughts I have, so --

14 MR. TUVEL: We will bring him back.

15 VICE CHAIR BRANCIFORTE: -- yeah.

16 And you'll redo do the DOT study thing?

17 THE WITNESS: Yes.

18 VICE CHAIR BRANCIFORTE: Okay, thanks.

19 Thanks, Mr. Chair.

20 COMMISSIONER MURPHY: I am not sure if  
21 this is a question that you can answer or not.

22 But the 50 public spaces, is Stevens  
23 going to monitor them in any way, or is it just  
24 because they are over in that lot, they won't be  
25 monitored at the hours that they are available to

1 the public?

2 THE WITNESS: What is interesting is  
3 they will be able to monitor those parked vehicles  
4 by the absence of any hang tag or decal.

5 I think from just purely a security  
6 perspective, the members of the team will patrol the  
7 lots during both weekday and the weekend period, and  
8 then we don't want vehicles dwelling over long  
9 periods of time.

10 If somebody left their vehicle there  
11 overnight, that would then have a recurring pattern  
12 on what we want to happen during the day --

13 COMMISSIONER MURPHY: Right, okay.

14 THE WITNESS: -- so it would be  
15 monitored, yes.

16 COMMISSIONER MURPHY: Okay.

17 And then, you know, I am sure this is  
18 out of your scope of it, but my feeling is if I  
19 worked on Washington Street, I would be parking  
20 there on weekends for free.

21 THE WITNESS: So you are saying if you  
22 are just an employee of a restaurant or something on  
23 Washington Street?

24 COMMISSIONER MURPHY: Yeah. You know,  
25 I work in a retail store or Anthropology, and my

1 hours are from ten to seven, I can go park there,  
2 and you know, I am not regular employee, so I don't  
3 have like an employee parking thing, so then the  
4 spots become not necessarily available to --

5 COMMISSIONER WEAVER: Residents.

6 COMMISSIONER MURPHY: -- no, well, it  
7 could be residents or people using the fields.

8 I mean the point of this I think was to  
9 help parking because especially if you are going to  
10 narrow Sinatra, where people, you know, park right  
11 now during sporting events for their children, I  
12 don't know. I'm just --

13 THE WITNESS: Well, I think in that  
14 comment, you have just very well pointed out the  
15 essence of the challenge of free public parking, and  
16 there is no way to tell or to watch somebody and  
17 say, "You are not going to the baseball field, so  
18 you can't park there."

19 COMMISSIONER MURPHY: But we also have  
20 in our own town a four-hour limit, quote, unquote,  
21 free. But if Stevens is monitoring the lot, it  
22 would be hard to enforce a four-hour limit. But,  
23 you know, that is something that could be  
24 considered, that it should be just like, you know,  
25 the regular street parking in that, you know, if you

1 go for a sporting event, you are only going to be  
2 there for an hour or an hour and a half, if that.

3 THE WITNESS: I think what Stevens  
4 recognizes and has always been willing to do is  
5 cooperate with the general powers that be to try to  
6 achieve exactly what we are all looking for.

7 So if those 50 parking stalls fill up  
8 every weekend with waiters and waitresses and  
9 employees of Washington Street, I am certain that  
10 they are going to hear it from parks and recs and  
11 other people who that was designed for, so we may  
12 have to -- and again, this happens with all parking  
13 protocols and procedures, massage and change some  
14 things and look for ways to try to create better  
15 systems of parking management, but the goal here  
16 really is to provide the free public parking for the  
17 purposes of the recreation.

18 VICE CHAIR BRANCIFORTE: I'm sorry.  
19 Just one other thing.

20 There was an old traffic study that you  
21 did in 2004, right, for the original?

22 MR. TUVEL: 2008.

23 VICE CHAIR BRANCIFORTE: 2008.

24 MR. TUVEL: 2009 --

25 VICE CHAIR BRANCIFORTE: Could you

1 bring a copy of it just for reference?

2 MR. TUVEL: Yeah. I think we submitted  
3 it with the application --

4 VICE CHAIR BRANCIFORTE: Oh, did you?

5 MR. TUVEL: -- and we submitted it also  
6 I think with the Gateway project. I think the Board  
7 also requested that as well, right?

8 But we can send it again. That's no  
9 problem.

10 VICE CHAIR BRANCIFORTE: Could you,  
11 please, because I guarantee you that Gateway project  
12 is in the recycling bin, long gone by now.

13 (Laughter)

14 MR. TUVEL: Should we send hard copies  
15 of that or do you prefer an email or --

16 VICE CHAIR BRANCIFORTE: You can just  
17 send it by email, and that would be fine.

18 MR. TUVEL: Okay. That would be fine.

19 MR. GALVIN: Send it to Ms. Carcone,  
20 and she will forward it to the Board.

21 MR. TUVEL: That's fine.

22 COMMISSIONER MURPHY: Which then brings  
23 me to where -- how many cars park there right now in  
24 the lot?

25 MR. TUVEL: In which lot?

1 COMMISSIONER MURPHY: In the Babbio.

2 MR. TUVEL: Oh, it was 170. 140 in the  
3 garage, and 30 on the surface.

4 COMMISSIONER MURPHY: So what happens  
5 to them while construction is going on?

6 THE WITNESS: Well, Mr. Maffia will  
7 touch on this in more detail, because that was one  
8 of the questions that I had asked when we were first  
9 working on this project is: Are we displacing  
10 parking.

11 Because we dealt with that with  
12 Academic Gateway and wanted to understand it here,  
13 and we wouldn't be with the exception of one month  
14 over the summer. Basically this construction  
15 logistics has been planned in such a way that over  
16 the summer is when you would potentially lose the  
17 most stalls in this area of the garage when you  
18 don't need them, and so --

19 COMMISSIONER MURPHY: Oh, for --

20 THE WITNESS: -- because there are  
21 parking -- because there are parking stalls in the  
22 garage now partially built, and there is surface  
23 parking, the way that we are going to build this out  
24 from a construction perspective is we may need to  
25 move the access point. We may need to close off a

1 certain amount, but the net change will never be  
2 more than losing maybe five to ten stalls at any  
3 time.

4 COMMISSIONER MURPHY: Okay. Thank you.

5 CHAIRMAN AIBEL: Mr. Weaver?

6 COMMISSIONER WEAVER: Excuse me. I  
7 have some questions.

8 THE WITNESS: Sorry.

9 COMMISSIONER WEAVER: So there is  
10 surface parking in front of the Babbio now, is that  
11 currently permitted?

12 THE WITNESS: It is part of Stevens'  
13 parking. You have to have a hang tag to park --

14 COMMISSIONER WEAVER: No. I mean is  
15 it -- is it improved -- is it -- is the surface  
16 parking lot an approved use for that land right now?

17 MR. TUVEL: Yes, I believe it is based  
18 on the 2009 resolution, yes --

19 COMMISSIONER WEAVER: Okay. Hum --

20 MR. TUVEL: -- but I can double check  
21 that, if you would like.

22 COMMISSIONER WEAVER: -- okay.

23 The -- you testified that 90 degrees is  
24 optimal for an intersection with a road.

25 But yet, the parking garage entrance is

1 not 90 degrees to Frank Sinatra, and I am concerned  
2 that the stairs currently deposit pedestrians at a  
3 crosswalk, which is probably in the neighborhood of  
4 20 feet from the --

5 THE WITNESS: Existing crosswalk?

6 COMMISSIONER WEAVER: -- well, I assume  
7 you would put a new crosswalk --

8 THE WITNESS: We're going to put it  
9 right where the stairs come down, right.

10 COMMISSIONER WEAVER: Exactly.

11 So the entrance to the garage is now 90  
12 degrees to the road, and you have a, you know, a  
13 collection of pedestrians right there at that same  
14 location. Is that safe?

15 THE WITNESS: It is.

16 Optimal is one thing. We always strive  
17 for optimal, like we're doing here by bringing Fifth  
18 in at that angle.

19 We can certainly take a look at if  
20 there is any benefit to massaging some of the curb  
21 lines that we have shown here. But we have taken a  
22 look at the ability for a motorist that's coming out  
23 and staging to see a pedestrian. We are actually  
24 working with the architect and the site engineer to  
25 create a larger landing area potentially, so that

1 that interface would be improved.

2 I do believe it is safe. When we can,  
3 we try to create the optimal pattern, but this is  
4 still a safe pattern.

5 COMMISSIONER WEAVER: It looks like --  
6 I mean, we are going to get in your opinion and  
7 mine, but it looks like I would have to be, as a  
8 motorist, exiting the garage, I would actually have  
9 to be out into the roadway of Frank Sinatra before I  
10 can actually see somebody coming down the stairs.

11 THE WITNESS: Well, somebody coming  
12 down the stairs, and we are going to work with the  
13 architect on this, so he can provide more detail.

14 COMMISSIONER WEAVER: Okay.

15 And can you give me -- can you do some  
16 truck turning -- some car turning radiuses to prove  
17 that if you are coming out of the garage and you're  
18 turning northbound on Frank Sinatra, that you have  
19 the clearance to be able to get out, cue up without  
20 having to go through the crosswalk and not block the  
21 southbound lane?

22 THE WITNESS: Yes, we can do that.

23 COMMISSIONER WEAVER: Thank you.

24 Hum, I think we touched upon the 50  
25 spots in the Griffith lot. So the general public

1 can park there. Is a student a member of the  
2 general public? Can they then park in that spot?

3 COMMISSIONER WEAVER: The public  
4 parking spots that are being --

5 COMMISSIONER WEAVER: The 50 spots, the  
6 50 golden spots?

7 THE WITNESS: Yes.

8 (Laughter)

9 COMMISSIONER WEAVER: If I was a  
10 student from Stevens, can I park in that spot?

11 THE WITNESS: From 4 p.m. to 11 p.m.  
12 during the week, and from 7 a.m. to 11 p.m. during  
13 the weekend?

14 COMMISSIONER WEAVER: Yes.

15 THE WITNESS: The idea would be that  
16 no, you cannot.

17 COMMISSIONER WEAVER: The idea would be  
18 that we would ask -- look for testimony to determine  
19 how that would be achieved.

20 THE WITNESS: Absolutely.

21 COMMISSIONER WEAVER: You testified  
22 that the gate would be down on the garage Sundays.

23 THE WITNESS: Yes.

24 COMMISSIONER WEAVER: So you could then  
25 exit the garage, but then you couldn't enter the

1 garage. Is that true?

2 THE WITNESS: That's correct.

3 COMMISSIONER WEAVER: All right.

4 So when it's closed, it's closed, and  
5 it's an exit for emergency only. You left your car  
6 there, what-have-you, but you cannot reenter the  
7 garage?

8 THE WITNESS: Well, as a pedestrian you  
9 can obviously get into the garage --

10 COMMISSIONER WEAVER: Yes.

11 THE WITNESS: -- yes.

12 But vehicular, you would have to wait  
13 until Monday at 7 a.m.

14 COMMISSIONER WEAVER: Hum, and then on  
15 Page 9, you have the parking supply and obligations  
16 per zoning code.

17 You derived the parking obligations  
18 from the zoning code?

19 THE WITNESS: Yes.

20 So, in other words, we used the  
21 Academic Gateway building as an example, a 91,000  
22 square foot building. By code, 91 parking stalls  
23 are required for that building.

24 COMMISSIONER WEAVER: Okay.

25 And then lastly, talking about lovely

1 Frank Sinatra Drive North and those left-hand turns,  
2 two questions. The first one: Given your  
3 expertise, do you think if that is not made a  
4 left-hand turn, does that -- will that improve or  
5 reduce the level of service?

6 THE WITNESS: I don't think you will  
7 see much of a change based on the volumes that we  
8 are diverting to that left turn, and it is not  
9 always a level of service change that will affect a  
10 physical change or a regulatory type change.

11 I think there is a lot of history into  
12 why Sinatra North goes a certain direction versus  
13 another, and whether it accommodates a right or a  
14 left turn. But we would have to rerun the numbers.  
15 We could shuffle them back around and say, okay, if  
16 that isn't constructed or isn't permitted, we will  
17 put them back where we found them basically.

18 COMMISSIONER WEAVER: And in your  
19 experience, is that left-hand turn safe?

20 Would you recommend that?

21 THE WITNESS: I follow the regulatory  
22 signs, so I don't make the left turn there.

23 But, no, honestly, looking at the  
24 intersection itself and the alignment there, I would  
25 want to give it a little bit more of an assessment

1 than to tell you absolutely if it's safe or unsafe  
2 or something like that.

3 COMMISSIONER WEAVER: I would also ask  
4 that you talk to the city about the light changes,  
5 the tweaks that you are considering making for 11th  
6 and Hudson and report back to us, because I know  
7 that when Frank Sinatra North was requested by the  
8 occupants of Toll Brothers, the Maxwell Place  
9 building, they requested to have that remain  
10 southbound.

11 The testimony that was given at the  
12 time was that the level of service would be improved  
13 by making certain tweaks to the lights of that  
14 intersection, and I don't know that that has been  
15 done, and I don't know what you are envisioning  
16 would complement what they are doing or whether it  
17 would be, you know, against it, so --

18 THE WITNESS: Understood.

19 COMMISSIONER WEAVER: -- I would ask  
20 that you talk to the city about that and see if they  
21 made the tweaks, number one.

22 And number two, what those tweaks would  
23 be, and how your plan would affect that.

24 THE WITNESS: Of course.

25 VICE CHAIR BRANCIFORTE: When you say

1 "testimony," you mean testimony given to the  
2 Planning Board or --

3 COMMISSIONER WEAVER: Testimony given  
4 to the Planning Board --

5 VICE CHAIR BRANCIFORTE: Yeah, I  
6 know --

7 COMMISSIONER WEAVER: -- when I was on  
8 the Planning Board.

9 VICE CHAIR BRANCIFORTE: Are you done?  
10 I'm sorry.

11 COMMISSIONER WEAVER: I'm done.  
12 Thank you.

13 VICE CHAIR BRANCIFORTE: One other  
14 quick question because now we are talking about that  
15 93 additional cars or 93 additional cars going in  
16 there very morning.

17 When you come down Hudson Street from  
18 say 12th or 13th, and you are going southbound  
19 towards 11th Street, you hit that light there, what  
20 is the level of service at that light right now?

21 THE WITNESS: The intersection of 11th,  
22 Hudson and Sinatra?

23 VICE CHAIR BRANCIFORTE: Right, as you  
24 travel on Hudson southbound.

25 I think you have it on A-12 as your

1 Figure 8.

2 THE WITNESS: Generally speaking across  
3 the board is Level of Service D, southbound Hudson.

4 VICE CHAIR BRANCIFORTE: You're looking  
5 southbound left or a southbound -- what page are you  
6 on?

7 I'm sorry.

8 THE WITNESS: I'm on A-12, Figure 8.

9 VICE CHAIR BRANCIFORTE: So which one  
10 are you looking at?

11 THE WITNESS: I am looking at the  
12 second large road down all the way on the left-hand  
13 side, 11th, Hudson, and Sinatra Drive.

14 VICE CHAIR BRANCIFORTE: Right.

15 So you're looking at southbound left,  
16 right, left through --

17 THE WITNESS: Left through right.

18 VICE CHAIR BRANCIFORTE: -- and how --  
19 so it is D, D, C, D. Okay. So --

20 COMMISSIONER WEAVER: There is an F  
21 there.

22 THE WITNESS: The F is at the  
23 northwest. That is Sinatra Drive.

24 COMMISSIONER WEAVER: So as you're  
25 north -- basically northbound Sinatra Drive, you are

1 at a Level of Service F.

2 THE WITNESS: Basically the diagonal  
3 move into that conventional four-leg intersection is  
4 Sinatra, which operates at Level of Service F during  
5 the peaks.

6 VICE CHAIR BRANCIFORTE: So you go from  
7 a D to a C there, why is that?

8 You go from existing to no-build --

9 THE WITNESS: Because we pulled the  
10 left turn volume out --

11 VICE CHAIR BRANCIFORTE: Oh, okay.

12 THE WITNESS: -- which to another one  
13 of the Board member's points, it would improve that  
14 movement at the intersection.

15 VICE CHAIR BRANCIFORTE: And now, did  
16 you agree you are going to do calculations without  
17 that left-hand turn?

18 THE WITNESS: Yes.

19 VICE CHAIR BRANCIFORTE: Okay.

20 So we could expect to see the level of  
21 service go down then, I'm supposing, from C down to  
22 D?

23 THE WITNESS: We will see if it moves  
24 the needle that far, but, yes.

25 VICE CHAIR BRANCIFORTE: Okay. Thank

1       you.  Thanks.

2                   CHAIRMAN AIBEL:  I have a couple of  
3       quick questions that may be a result of my  
4       confusion.

5                   But in Mr. Tuvel's description of the  
6       variances and the proposal surrounding the parking,  
7       and I don't have the page number, Mr. Tuvel, but you  
8       have a proposal that says:  A parking garage  
9       containing 436 parking spaces that will primarily  
10      serve Stevens' staff, students, faculties and  
11      visitors, but that may serve the public in some  
12      specified and limited manner.

13                   And then skipping ahead a little bit:  
14      And may provide hourly parking rates.

15                   Again, I may be confused about how the  
16      parking lot is intended to be used, and I am  
17      focusing on the Babbio garage.

18                   MR. TUVEL:  So I think -- I'm sorry.

19                   MR. GALVIN:  Yeah.  You may have to  
20      answer that.

21                   MR. TUVEL:  Fine.

22                   So I think that was in the initial  
23      submission that we did, and then when we revised it,  
24      if I didn't take that out, then I apologize, if I  
25      didn't do that.

1                   But in the final submission that we  
2                   did, we asked for the modification of that  
3                   condition, which is what I discussed at the  
4                   beginning. So in the initial proposal, Mr.  
5                   Chairman, like I said to you in 2009, what the  
6                   approval contemplated was the use of the garage with  
7                   the 50 spaces -- the use of the garage and/or some  
8                   combination with the Griffith lot with the 50 spaces  
9                   concerning the little league field, and it also  
10                  involved some -- again, it was very general, some  
11                  public parking with respect to the garage itself,  
12                  but it wasn't specific.

13                  So what we are asking the Board, and it  
14                  was part of the application was that that provision  
15                  be modified and/or clarified to allow for all of the  
16                  public parking to occur in the Griffith lot, as the  
17                  testimony was provided, and have Stevens parking  
18                  only in the garage itself, so that is the  
19                  modification that we were asking --

20                  CHAIRMAN AIBEL: So the proposal is no  
21                  public parking in the Babbio garage.

22                  Then my next question is: How are the  
23                  spots in that garage going to be provided free to  
24                  students, or faculty, how is the -- you know, is  
25                  there a --

1 MR. TUVEL: I'm sorry. I can't hear  
2 you.

3 CHAIRMAN AIBEL: -- is there a  
4 contemplation that that garage would ever become a  
5 for fee garage?

6 MR. TUVEL: I don't believe so.

7 No. Stevens would never use it as a  
8 way to make a profit or to earn money on it.

9 MR. GALVIN: We can put a deed  
10 restriction --

11 VICE CHAIR BRANCIFORTE: I think the  
12 testimony that you gave like way back in 2004 was --

13 MR. TUVEL: I wasn't there, so I don't  
14 know.

15 VICE CHAIR BRANCIFORTE: -- you can't  
16 make a profit off it because you are non-profit  
17 organization, or something like that --

18 MR. TUVEL: I don't know what the  
19 testimony was from 2004.

20 MR. GALVIN: I don't agree with that.

21 VICE CHAIR BRANCIFORTE: Okay.

22 MR. GALVIN: I understand why  
23 non-profit corporations can't make a profit, but  
24 then we spend the profit we make on other important  
25 things for the operation, right?

1                   VICE CHAIR BRANCIFORTE: I just  
2 remember something about that --

3                   MR. TUVEL: But does that clarify it,  
4 Mr. Chairman?

5                   CHAIRMAN AIBEL: It does.

6                   MR. TUVEL: Okay. Thank you.

7                   VICE CHAIR BRANCIFORTE: Got you.

8                   CHAIRMAN AIBEL: Anything else, Board  
9 members, professionals?

10                  MR. TUVEL: And that's also why the  
11 parking in the Griffith lot will be free parking,  
12 and not no charge.

13                  CHAIRMAN AIBEL: I may have misread  
14 your --

15                  MR. TUVEL: No, it's okay.

16                  CHAIRMAN AIBEL: -- brief.

17                  MR. TUVEL: No, it --

18                  MR. GALVIN: No. You didn't misread  
19 it. It was corrected subsequently.

20                  CHAIRMAN AIBEL: Okay.

21                         Let me open it up to the public,  
22 questions for Mr. Olivo.

23                         Please come forward.

24                  MS. HEALEY: Leah Healey, 806 Park.

25                         Hi.

1                   Is there any change in these hours  
2                   during the summer months?

3                   I don't know what Stevens' summer  
4                   schedule is.

5                   Is there any reason why these hours  
6                   would change for those 50 spaces in the summer  
7                   months?

8                   THE WITNESS: I could certainly talk to  
9                   Stevens about that, if there is a certain window of  
10                  time during the summer where that window of time for  
11                  the 50 stalls might change.

12                  MS. HEALEY: And with respect to the  
13                  questions about why the garage itself couldn't be  
14                  used for public parking, isn't it the design of the  
15                  building that is preventing that, the design of the  
16                  garage that is preventing that, because you  
17                  indicated that you didn't want people accessing  
18                  Stevens' buildings from the public.

19                  So what is it about the building's  
20                  design that allows somebody from the public to  
21                  access Stevens' buildings?

22                  THE WITNESS: Well, I think there were  
23                  three elements. There was safety, enforcement, and  
24                  operations that are why we believe it is extremely  
25                  challenging to allow public parking within the

1 garage.

2 Yes, there is connection between the  
3 Babbio building and the garage, but I don't believe  
4 that that is the only reason why you can't have  
5 public parking in the garage.

6 It creates a very challenging system of  
7 parking management, and I am not even quite sure  
8 after looking at it for many hours on how to nest  
9 public parking within an academic parking garage as  
10 well.

11 So if we have the ability to utilize  
12 surface parking, we believe that that is the best  
13 and most efficient and pragmatic way to account for  
14 the condition, which we agreed to, rather than  
15 coming up with some convoluted system that requires  
16 very challenging elements of you can't bring a tow  
17 truck into a garage like this. You would  
18 essentially have to lift it on dollies, roll it down  
19 to a tow truck, so public parking garages bring a  
20 whole host of other challenges that have little to  
21 do with just design. There is just a challenge of  
22 managing parking.

23 MS. HEALEY: Okay.

24 So you have -- I thought you talked  
25 about your system, which is not a mechanical system,

1 but just you have people that drive through your  
2 garages to see if there is hang tags, so that  
3 doesn't seem like a really hard system to enforce.  
4 You either have a Stevens' hang tag or you don't.

5 And if you have some spaces -- I am  
6 just trying to understand --

7 THE WITNESS: Sure.

8 MS. HEALEY: -- you have some spaces  
9 that are, you know, set aside for public parking in  
10 the garage, and then the real need from what you are  
11 telling me, is that you can't tow it out --

12 THE WITNESS: No. There are a number  
13 of challenges. I mentioned security, the connection  
14 to the building obviously trying to create a certain  
15 secured connection between a parking garage  
16 structure, which has the challenges of security in  
17 just being a structure, and being enclosed, which we  
18 would accommodate with cameras and things of that  
19 nature.

20 But with regards to actually operating  
21 it, it all works great when everyone does what  
22 they're supposed to do. When everyone uses a hang  
23 tag or they don't, but it just doesn't work like  
24 that, so we are trying to create this parking  
25 management system with that idea in mind.

1 MS. HEALEY: Okay.

2 I think I heard the testimony that the  
3 obligation is 377, but you are building 436, and I  
4 am trying to understand that number, that increase  
5 in parking. I know everybody loves parking, but at  
6 some point it does cause people to come with cars,  
7 and it causes your students to want to have cars.

8 But what is that extra amount of  
9 parking -- is it some future growth that you have in  
10 mind, and how have you determined that additional  
11 parking need?

12 THE WITNESS: Well, as part of the  
13 approval back in 2009 when the 436 stall garage was  
14 approved, which is exactly what we are proposing  
15 here, there were a number of approvals such as the  
16 Babbio building and the contemplation of other  
17 growth, so now we looked at the Academic Gateway.

18 It's interesting. Usually Stevens is  
19 accused of not having nearly enough parking, but  
20 then when they provide enough parking, then it is  
21 too much parking.

22 So what we are looking at here right  
23 now is providing enough parking for what the zoning  
24 code and the ordinance requires, but then also  
25 contemplating future growth as well.

1 MS. HEALEY: Okay.

2 So how many spaces is future growth?

3 THE WITNESS: Right now, it is 59.

4 MS. HEALEY: Okay.

5 I, too, have some concerns that I think  
6 were expressed by members of the Board about the 20  
7 foot distance between the outlet of the staircase  
8 and the outlet of your garage.

9 I had seen a picture of the plan that  
10 also indicated there was a wall along the side of  
11 the staircase that might even inhibit people being  
12 viewed from a car coming out.

13 But what I didn't hear was: How wide  
14 is the sidewalk that is a running along Sinatra  
15 Drive that meets up with the staircase that comes  
16 down and then goes from the staircase to the outlet  
17 of the garage and so on.

18 THE WITNESS: The sidewalk that runs  
19 along Sinatra?

20 MS. HEALEY: Yes.

21 The staircase would be coming out to,  
22 that the drive would be crossing over, how wide is  
23 that pedestrian area?

24 THE WITNESS: About six feet wide.

25 MS. HEALEY: The whole thing is six

1 feet?

2 THE WITNESS: The width of the  
3 sidewalk?

4 MS. HEALEY: Yes.

5 THE WITNESS: Six feet.

6 MR. TUVEL: Excuse me.  
7 I think the architect actually  
8 mentioned that, and I think it was a minimum of  
9 eight feet --

10 MS. HEALEY: I didn't -- I didn't hear  
11 it --

12 MR. TUVEL: That is okay.

13 UNIDENTIFIED VOICE: Six feet.

14 MR. TUVEL: Okay. Six feet.

15 MS. HEALEY: You also mentioned a stop  
16 control where Fifth Street meets Sinatra Drive.

17 What do you mean, a stop control?

18 THE WITNESS: Stop bar, 24-inch white  
19 strip and then a stop sign.

20 MS. HEALEY: And how does that stop  
21 sign get approved?

22 THE WITNESS: It would have to be  
23 approved by the city.

24 MS. HEALEY: Does it require a traffic  
25 study?

1                   THE WITNESS: We did it for this  
2 project.

3                   MS. HEALEY: Oh, so you demonstrated a  
4 need for that stop sign?

5                   THE WITNESS: Well, it certainly in my  
6 opinion needs to be controlled rather than having an  
7 uncontrolled intersection here. But the stop sign  
8 in and of itself just has to meet certain criteria,  
9 which we would meet.

10                  MS. HEALEY: So will that be a Stevens'  
11 expense as part of this project to make sure that it  
12 gets its permit, and is installed?

13                  THE WITNESS: Yes.

14                  MS. HEALEY: And one other question I  
15 had: How does somebody parking in Griffith, the  
16 Griffith structure, get to the soccer field?

17                  THE WITNESS: Griffith is a surface  
18 lot, so no structure, parking there.

19                  The soccer field is on this side of the  
20 plan, so it is on the Hudson side.

21                  The soccer field, not the baseball  
22 field, right?

23                  MS. HEALEY: The soccer field.

24                  THE WITNESS: The soccer field.

25                  MS. HEALEY: I'm assuming -- my

1 understanding was a lot of this was being driven by  
2 the need for providing the benefit of soccer parking  
3 and little league parking.

4 So is that Griffith field fenced in or  
5 how does that work, that Griffith parking lot?

6 THE WITNESS: Oh, the Griffith lot, you  
7 come out to a sidewalk and then you can walk in  
8 either direction along Sinatra.

9 MS. HEALEY: Okay.

10 So it is just at the time that it --  
11 the 11 p.m. or whatever, that fence will close that  
12 parking lot?

13 THE WITNESS: No gates. Open driveway.

14 MS. HEALEY: Oh, it's completely open?

15 THE WITNESS: Yes.

16 MS. HEALEY: So somebody could park in  
17 those parking spaces overnight.

18 COMMISSIONER MC ANUFF: Mr. Chairman,  
19 can I go back to something?

20 What is the -- and maybe this is a  
21 question for you --

22 MR. TUVEL: Sure.

23 COMMISSIONER MC ANUFF: -- what is the  
24 ultimate width of the sidewalk once the wrap-around  
25 building is complete?

1                   Is it six feet or is it eight feet that  
2                   was testified to earlier?

3                   MR. TUVEL: In speaking with Mr. King,  
4                   he believes it's eight feet, but we will double  
5                   check that.

6                   COMMISSIONER MC ANUFF: Okay.  
7                   Thank you.

8                   MR. TUVEL: You are saying in the final  
9                   build-out condition, correct?

10                  COMMISSIONER MC ANUFF: Yes. Once the  
11                  wrap-around building is complete, what is the  
12                  sidewalk going to be?

13                  MR. TUVEL: Okay. That's fine. I  
14                  can --

15                  CHAIRMAN AIBEL: Public, any more  
16                  questions for Mr. Olivo?

17                  Please come forward.

18                  State your name, sir.

19                  MR. WEINSTEIN: Oh, again, I have to  
20                  make my appearance?

21                  MR. GALVIN: Every time.

22                  MR. WEINSTEIN: Okay.

23                  I'm Richard Weinstein, a resident of  
24                  Hoboken and an attorney.

25                  Getting back to Leah's question about

1 the 50 spots --

2 MR. GALVIN: 59 spots.

3 COMMISSIONER MURPHY: No, 50.

4 MR. GALVIN: Oh, it's 50?

5 (Laughter)

6 MR. WEINSTEIN: Is it 50 or 59?

7 THE WITNESS: Five-zero.

8 MR. GALVIN: Okay.

9 (Laughter)

10 (Board members confer)

11 MR. WEINSTEIN: Getting back to that --

12 MR. GALVIN: I'm just trying to do my  
13 job.

14 MR. WEINSTEIN: -- of where they are  
15 going to be located --

16 THE WITNESS: Well, actually I think --

17 MR. WEINSTEIN: -- well, no, I  
18 understand where they are going to be located.

19 They are going to be located on the  
20 other side of Sinatra Drive at this point, right?

21 MR. TUVEL: I will move this, so you  
22 can see the exhibit.

23 MR. WEINSTEIN: I'm sorry.

24 Is that right?

25 THE WITNESS: They are located on the

1 other side of Sinatra Drive from the Babbio garage.

2 MR. WEINSTEIN: From the surface  
3 parking?

4 THE WITNESS: From the surface parking,  
5 right.

6 MR. WEINSTEIN: Now, for the people who  
7 are going to the soccer field with no need to cross  
8 Sinatra Drive, however, for the people who are  
9 attending the baseball game, children, adults and  
10 parents who are observers, or who are actually  
11 coaches or actual players, kids that are players,  
12 will have to cross Sinatra Drive?

13 THE WITNESS: They would.

14 MR. WEINSTEIN: Well, wouldn't it be a  
15 good idea to have space in the Babbio garage to show  
16 a good faith gesture to the City of Hoboken, to  
17 provide at least those number of spaces of the 50  
18 spaces in the garage itself?

19 THE WITNESS: Well, I think providing  
20 50 surface parking stalls whether it's on the other  
21 side of Sinatra or not is a sign of good faith to  
22 the City of Hoboken --

23 MR. WEINSTEIN: Yeah. But you agree  
24 then if people are going to the baseball game,  
25 there's no need for them to cross --

1                   MR. GALVIN: This witness can't really  
2 answer that question. You got to ask him like a  
3 technical question of whether it's safe.

4                   MR. WEINSTEIN: Sure, he can. He can  
5 answer that question.

6                   MR. GALVIN: No, because he is not  
7 making the determination of what spots are being  
8 given --

9                   MR. WEINSTEIN: Well, I am trying to  
10 educate the Board as to the possibilities --

11                   MR. GALVIN: The Board is pretty  
12 educated, but okay, go ahead.

13                   (Laughter)

14                   MR. WEINSTEIN: So your answer was that  
15 the reason you didn't do that was because you felt  
16 that the security issues that would be maintained  
17 with this situation with the public, people other  
18 than students would be able to be in the building  
19 that might get access to the general student area of  
20 the building, right?

21                   THE WITNESS: Three-fold. Security,  
22 enforcement and operations.

23                   MR. WEINSTEIN: Okay. But mainly  
24 security, right?

25                   THE WITNESS: Three-fold, equally

1 weighted, security, enforcement and operations.

2 (Laughter)

3 MR. WEINSTEIN: All right. What is the  
4 current security -- what is the current security  
5 that teach a student who parks in that 170 spaces  
6 have --

7 THE WITNESS: My understanding is they  
8 park. They utilize the garage, whether it's through  
9 a card swipe. I don't have a student card, so I  
10 don't know, but they are able to connect to the  
11 building through a security means.

12 MR. WEINSTEIN: So unless a person in  
13 the public, who was using the Babbio garage as I'm  
14 suggesting, or the people who go to the garage to go  
15 to a baseball game have this security card. They  
16 have no way of penetrating into your private area?

17 THE WITNESS: If they walked into the  
18 elevator with a student, they could.

19 MR. WEINSTEIN: They could do that with  
20 a student, right?

21 But that would be an actual trespass by  
22 the people who would be using that area.

23 THE WITNESS: That's exactly what we  
24 are concerned with. That's exactly what we're  
25 concerned with.

1                   MR. WEINSTEIN: Well, you know, we  
2                   can't have a perfect world, but there are probably  
3                   other ways of breaking in. But assuming that they  
4                   didn't do that, because they are going to the game,  
5                   there would be some modicum of security, correct?

6                   THE WITNESS: I think from a traffic  
7                   engineering perspective, I am asked to assess  
8                   whether there is a safe route to the park and  
9                   recreation and waterfront areas from either of  
10                  these, and then also to understand, and I agree,  
11                  there is no perfect system, but we are trying to get  
12                  there. We're trying to get to the best system we  
13                  can.

14                  MR. WEINSTEIN: Fine.

15                  Okay. Now, when you -- when did you do  
16                  this study?

17                  Unfortunately, I didn't have the  
18                  benefit of that study, this latest study --

19                  THE WITNESS: We conducted our counts  
20                  in April of 2015.

21                  MR. WEINSTEIN: And when the study --  
22                  the first study was done in 2009, is that right --  
23                  2008?

24                  THE WITNESS: Their counts were in  
25                  2008.

1                   MR. WEINSTEIN: So did you compare the  
2 impact that was projected in the study of 2009 to  
3 the actual impact of the 170 cars that were  
4 utilizing the spaces?

5                   THE WITNESS: Did you say 770?

6                   What was the number --

7                   MR. WEINSTEIN: No. Isn't it 170 --

8                   THE WITNESS: 170?

9                   MR. WEINSTEIN: Right.

10                  Is that what the number of actual uses  
11 are now?

12                  THE WITNESS: No. When they came in  
13 2008, they projected for 436. There was the  
14 approval granted for 436, which is the same approval  
15 that we are seeking to amend.

16                  MR. WEINSTEIN: But at this point you  
17 have 170 cars, and you had the 170 cars in there for  
18 a considerable period of time, so you would be able  
19 to compare, if you did a study, of 170 cars today  
20 with the projection in the study.

21                  Did you do that?

22                  THE WITNESS: We did take a look at --  
23 we didn't do that because the end game for us is not  
24 to look at the 170. It is 436, but we could. We  
25 could look at the trip generation pro rata versus

1 the projection, sure.

2 MR. WEINSTEIN: And obviously, since we  
3 don't have 436 spaces right now, you can't project  
4 any actual amount of impact of the 436?

5 THE WITNESS: Well, you could project  
6 it. You just can't count --

7 MR. WEINSTEIN: I mean, you can't  
8 compare to the actual.

9 THE WITNESS: -- yeah, you can't count  
10 it, right.

11 MR. WEINSTEIN: Now, you said that -- I  
12 think that you pointed out that you studied Fifth  
13 Street.

14 Would you agree that Fifth Street, the  
15 volume of traffic on Fifth Street is nothing near  
16 the kind of volume that you get at either end of  
17 11th Street or Fourth Street, if you have accessed  
18 through Sinatra Drive?

19 THE WITNESS: The traffic on Fifth  
20 Street is less than a hundred trips that are in the  
21 peak hour.

22 MR. WEINSTEIN: You counted a hundred  
23 trips --

24 THE WITNESS: Less than that --

25 MR. WEINSTEIN: -- between one hour --

1 THE WITNESS: 8 to 9 a.m. and 5:15 to  
2 six o'clock.

3 MR. WEINSTEIN: And when you studied  
4 the 170 spaces, actual now at this time, you didn't  
5 do it for the actual number of cars that are there,  
6 so you don't know really what the actual impact is  
7 on the Fourth Street Sinatra Drive location and  
8 River Road, which intersects --

9 THE WITNESS: We do --

10 MR. WEINSTEIN: -- Fourth Street?

11 THE WITNESS: -- we do know that. It  
12 is a count now --

13 MR. WEINSTEIN: You did study that in  
14 this report?

15 THE WITNESS: Yes.

16 MR. WEINSTEIN: What page is that?

17 THE WITNESS: What page is that?

18 MR. GALVIN: You don't have to --

19 THE WITNESS: It's throughout the  
20 report --

21 MR. GALVIN: Whoa, whoa, whoa. Time  
22 out.

23 You are not giving him page numbers at  
24 10:30 at night.

25 MR. WEINSTEIN: I'll withdraw that

1 question.

2 THE WITNESS: As you say, Counsel.

3 MR. GALVIN: It's not relevant.

4 MR. WEINSTEIN: Well, I don't have the  
5 benefit of the report.

6 MR. GALVIN: Well, okay, but this isn't  
7 litigation, so we are going to carry --

8 MR. WEINSTEIN: I don't know what it is  
9 because these have all been approved, all of these  
10 things that we're going over, so I'm not sure  
11 what --

12 MR. TUVEL: It is all on file with the  
13 Board.

14 MR. WEINSTEIN: No. I am saying the  
15 approval of 436 spots was given -- a preliminary  
16 approval was given already --

17 MR. GALVIN: Correct. But now we are  
18 talking about to modify the plan, so we are looking  
19 at the whole thing.

20 MR. WEINSTEIN: I think that is all I  
21 have.

22 MR. GALVIN: Thank you so much, Mr.  
23 Weinstein.

24 MR. WEINSTEIN: Sure.

25 CHAIRMAN AIBEL: Thank you, sir.

1                   Please come forward.

2                   MS. ONDREJKA: Mary Ondrejka,  
3                   O-n-d-r-e-j-k-a, 159 9th Street.

4                   I'm a little confused. I thought that  
5                   the 50 parking spaces for the public was going to be  
6                   allotted for the public at the Griffith lot, the  
7                   surface lot. Is that correct?

8                   THE WITNESS: That is correct.

9                   MS. ONDREJKA: Okay.

10                  Well, then why are people asking why  
11                  has it been spoken about security and issues with  
12                  the --

13                  MR. GALVIN: Time out. Time out.

14                  MS. ONDREJKA: -- the Babbio garage --

15                  MR. GALVIN: Don't answer.

16                  He can't answer this question because  
17                  you are asking him why the other people are  
18                  asking --

19                  (Laughter)

20                  MS. ONDREJKA: No, I'm not asking that  
21                  question.

22                  MR. GALVIN: Why are these other people  
23                  asking you why you should park in the garage?

24                  (Laughter)

25                  MS. ONDREJKA: No. I said I heard

1 other things being said, and also you were speaking  
2 about security and enforcement at the Babbio garage.

3 Is the public going to be able to park  
4 in there?

5 No, right?

6 THE WITNESS: You just answered. Yes.  
7 You answered the question correctly. No.

8 MS. ONDREJKA: Okay. I think some  
9 people are confused. You cannot park -- the public  
10 cannot park in the Babbio garage.

11 THE WITNESS: That is our intention.  
12 We want to allocate the public parking to Griffith.

13 MS. ONDREJKA: Okay.

14 So then why are issues of getting into  
15 the school -- there shouldn't be an issue because  
16 the public will never be able to park in the Babbio  
17 garage, correct?

18 MR. GALVIN: That is a rhetorical  
19 statement. That's what his position is, that they  
20 are not going to park --

21 MS. ONDREJKA: They're not going to be  
22 able to get into it. So I am understanding this  
23 correctly. You can go and abuse the Griffith lot,  
24 but you will not be able to abuse the Babbio lot.  
25 Let's be honest.

1 THE WITNESS: I really wouldn't use  
2 that --

3 MS. ONDREJKA: Well, then --

4 THE WITNESS: -- you could utilize  
5 the --

6 MS. ONDREJKA: -- in this town it gets  
7 abused.

8 So in the Griffith lot, you don't have  
9 to have any card or anything. You can just park in  
10 there. There is a space.

11 THE WITNESS: It is open to public  
12 parking for certain times.

13 MS. ONDREJKA: But only between certain  
14 times. You can't park overnight because they will  
15 ticket you.

16 THE WITNESS: That's correct.

17 MS. ONDREJKA: I just wanted to clarify  
18 that.

19 Thank you.

20 CHAIRMAN AIBEL: Thank you.

21 MR. GALVIN: Thank you.

22 Please come forward.

23 MR. TUVEL: Just one clarification.

24 The original resolution from 2009 allocated the  
25 little league and soccer field parking. I think I

1       said this, but I don't recall, between the Griffith  
2       lot and the Babbio garage. It didn't say how much  
3       in each one, but --

4               MR. GALVIN: Right. But the whole  
5       proposal, you guys have been telling us all night  
6       long, what you want to do is you figured out that  
7       that is not going to work, so you are saying you are  
8       going to put 50 spaces over here in the --

9               MR. TUVEL: Yeah. But my only problem  
10      was that the lot was contemplated as parking --

11              CHAIRMAN AIBEL: We understand.

12              Sir?

13              MR. LEWIT: Aaron Lewit, 627 Garden  
14      Street.

15              MR. GALVIN: Could you spell your last  
16      name?

17              MR. LEWIT: L-e-w-i-t.

18              MR. GAVLIN: Thank you.

19              MR. LEWIT: How many parking spots  
20      through this development if three parking spots are  
21      going to be lost --

22              THE WITNESS: You would likely gain  
23      on-street parking spots.

24              MR. LEWIT: So where the meters are on  
25      Sinatra, we are not losing anything?

1 THE WITNESS: Not as part of this  
2 project.

3 MR. GALVIN: Phase I or Phase II?

4 THE WITNESS: With the exception of the  
5 driveway location, wherever the driveway location is  
6 going because the driveway is off in the area of  
7 Fifth and Sinatra, they are all kind of blended  
8 together. What we are basically doing is creating a  
9 new curb line, where there is no curb line today.

10 Whether that would be allocated to  
11 on-street parking, I don't necessarily think that  
12 would be the case, but other than the driveway and  
13 possibly shifting of the crosswalk, we would have to  
14 look. I don't believe there would be a net change  
15 in parking, but we could certainly take a look at  
16 that.

17 MR. LEWIT: And where is the narrowing  
18 of Sinatra Drive going to occur?

19 THE WITNESS: The narrowing as part of  
20 Phase II that was discussed?

21 MR. LEWIT: When you are done, where  
22 will people park on Sinatra Drive in Phases I, II,  
23 and III?

24 THE WITNESS: They will continue to  
25 park --

1                   MR. LEWIT:    So Sinatra Drive will  
2    remain wide enough?

3                   THE WITNESS:  For on-street parking?

4                   MR. LEWIT:    To accommodate the same  
5    on-street parking.

6                   MR. GALVIN:    So now we are talking  
7    about after Phase II.

8                   THE WITNESS:  Right.

9                   So after Phase II, I would need to  
10   speak with the architect and the site engineer.

11                  MR. LEWIT:    Well, that's real  
12   important, because you are talking about providing  
13   spaces and --

14                  MR. GALVIN:   Well, let me stop you for  
15   one second.

16                  MR. LEWIT:    -- well --

17                  MR. GALVIN:   No, no.  Stop for a  
18   second.

19                  You are making an excellent point, and  
20   we are going to get that answer at the next hearing.  
21   Okay?  It is a good point.

22                  MR. LEWIT:    Because Fifth Street right  
23   now during games is parked.  There is no parking  
24   signs, but it's parked, so you need parking there,  
25   and that is a lot of cars.

1                   Are you going to lose those cars?

2                   THE WITNESS: On Fifth Street?

3                   MR. LEWIT: Yeah, where cars are parked  
4 now during the games.

5                   THE WITNESS: Where parking is  
6 prohibited --

7                   MR. LEWIT: Right.

8                   THE WITNESS: In this plan, we  
9 wouldn't be changing this street with the exception  
10 of where it ties into Sinatra.

11                   The length of Fifth as part of Phase I  
12 doesn't change until you get to Sinatra.

13                   MR. LEWIT: And since it is Stevens'  
14 property, will they represent that they don't  
15 enforce no parking?

16                   In other words, people are parking  
17 there now, they are going to be reducing  
18 functional -- we'll call it functional parking  
19 spaces --

20                   MR. TUVEL: It is a public  
21 right-of-way, so the city controls it. It wouldn't  
22 even be Stevens.

23                   MR. LEWIT: So our concern that I guess  
24 will be dealt with at the next meeting is how many  
25 parking spots would be gained or actually lost,

1 functional spots --

2 MR. GALVIN: One of the things --

3 MR. LEWIT: -- for sporting events --

4 MR. GALVIN: -- we had a little

5 whispering here. One of the things that I think you

6 should have a heads-up on is that in Phase II, they

7 are telling me that there is some illegal parking

8 out there.

9 MR. LEWIT: A little bit.

10 (Laughter)

11 MR. GALVIN: Yeah.

12 And that will survive Phase I of this

13 project, but it's not going to survive Phase II.

14 MR. LEWIT: And then, therefore, those

15 50 spots are no bonus for Hoboken.

16 It is nice for Stevens to offer them,

17 but it is not really going to be a bonus because you

18 will be losing all of the functional parking --

19 THE WITNESS: It is really hard to call

20 an illegal parking space a functional parking space.

21 MR. LEWIT: Thank you.

22 (Laughter)

23 COMMISSIONER WEAVER: Well, it is not

24 an illegal left-hand turn, but it's a left-hand

25 turn.

1                   CHAIRMAN AIBEL: Okay. We are going to  
2 try to close up for the night, but let's get  
3 finished with the questions for this witness.

4                   Are there any other questions from the  
5 public for this witness?

6                   Seeing none.

7                   COMMISSIONER GRANA: Motion to close.

8                   COMMISSIONER MC ANUFF: Motion to close  
9 public portion.

10                  CHAIRMAN AIBEL: Could I have a second?

11                  COMMISSIONER COHEN: Second.

12                  CHAIRMAN AIBEL: All in favor?

13                  (All Board members answered in the  
14 affirmative.)

15                  CHAIRMAN AIBEL: Okay.

16                  Mr. Tuvel, we are going to resume on  
17 April 26th.

18                  MR. TUVEL: I think Pat had to let me  
19 know about that date, and the our team is good.

20                  CHAIRMAN AIBEL: That's great.

21                  Do we need a waiver?

22                  MR. GALVIN: We need you to waive the  
23 time -- I don't know when it's up --

24                  MR. TUVEL: I will check, but I will  
25 waive the time.

1                   MR. GALVIN: You'll waive the time in  
2                   which the Board has to act?

3                   MR. TUVEL: Yes.

4                   MR. GALVIN: How kind of you.

5                   (Laughter)

6                   (Everyone talking at once.)

7                   MR. GALVIN: Hold on.

8                   Hello. I'm sorry. I need one more  
9                   second of quiet, all right?

10                  We need a motion and a second to carry  
11                  this matter to April 26th without further notice.

12                  The record should reflect that Mr.  
13                  Tuvcl has already waived the time.

14                  VICE CHAIR BRANCIFORTE: Motion to  
15                  carry -- motion to carry this application to April  
16                  26th without further notice --

17                  MR. GALVIN: Hold on. Stop, stop.

18                  The court reporter lost her machine.

19                  VICE CHAIR BRANCIFORTE: Oh, I'm sorry.

20                  Motion to close -- motion to close --  
21                  motion to carry this application to April 26th with  
22                  no further notice, and you have waived your right to  
23                  the time.

24                  MR. TUVEL: Yes.

25                  MR. GALVIN: Through April 26th.

1 MR. TUVEL: Yes, to April 26th at 7  
2 p.m. in this room.

3 CHAIRMAN AIBEL: Same time, same place.

4 VICE CHAIR BRANCIFORTE: That is the  
5 motion.

6 COMMISSIONER GRANA: Second that  
7 motion.

8 CHAIRMAN AIBEL: Thank you.

9 MR. GALVIN: All in favor?

10 (All Board members answered in the  
11 affirmative)

12 MR. GALVIN: Anyone opposed?

13 VICE CHAIR BRANCIFORTE: Motion to  
14 close.

15 COMMISSIONER GRANA: Motion to close,  
16 second.

17 VICE CHAIR BRANCIFORTE: Second.

18 (The meeting concluded at 10:40 p.m.)  
19  
20  
21  
22  
23  
24  
25

C E R T I F I C A T E

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

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

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

s/Phyllis T. Lewis, CCR, CRCR

- - - - -

PHYLLIS T. LEWIS, C.C.R. XI01333 C.R.C.R. 30XR15300  
Notary Public of the State of New Jersey  
My commission expires 11/5/2020.  
Dated: 3/24/16  
This transcript was prepared in accordance with  
NJAC 13:43-5.9.