

HOBOKEN ZONING BOARD OF ADJUSTMENT
CITY OF HOBOKEN

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SPECIAL MEETING OF THE HOBOKEN : November 17, 2015
ZONING BOARD OF ADJUSTMENT : Tuesday 6:45 pm
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Held At: Multi-Service Center
124 Grand Street
Hoboken, New Jersey

B E F O R E:

- Chairman James Aibel
- Commissioner Phil Cohen
- Commissioner Michael DeFusco
- Commissioner Antonio Grana
- Commissioner Diane Fitzmyer Murphy
- Commissioner John Branciforte
- Commissioner Tiffanie Fisher
- Commissioner Owen McAnuff

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

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

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PAGE

BOARD BUSINESS

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HEARING:

Stevens Institute of Technology

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Academic Gateway

1 CHAIRMAN AIBEL: Good evening.

2 Good evening, 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
8 website. Copies were provided in The Star-Ledger,
9 The Record, and also placed on the bulletin board in
10 the lobby of City Hall.

11 Please join me in saluting the flag.

12 (Pledge of Allegiance recited.)

13 CHAIRMAN AIBEL: Good evening.

14 We are at, Pat, I hope it's a Special
15 Meeting of the Zoning Board of Adjustment.

16 MS. CARCONE: Yes.

17 CHAIRMAN AIBEL: It is about ten of
18 seven. We are waiting for another Commissioner, who
19 should be here momentarily. But in the meantime, we
20 will do roll call and then we will do a little
21 administrative business and hope that the timing is
22 right.

23 MS. CARCONE: Commissioner Aibel?

24 CHAIRMAN AIBEL: Here.

25 MS. CARCONE: Commissioner Greene is

1 absent.

2 Commissioner Cohen?

3 COMMISSIONER COHEN: Here.

4 MS. CARCONE: Commissioner DeFusco?

5 COMMISSIONER DE FUSCO: Here.

6 MS. CARCONE: Commissioner Grana?

7 COMMISSIONER GRANA: Here.

8 MS. CARCONE: Commissioner Marsh is

9 absent.

10 Commissioner Murphy?

11 COMMISSIONER MURPHY: Here.

12 MS. CARCONE: Commissioner Branciforte?

13 COMMISSIONER BRANCIFORTE: Here.

14 MS. CARCONE: Commissioner Fisher is on

15 her way.

16 Commissioner McAnuff?

17 COMMISSIONER MC ANUFF: Here.

18 MS. CARCONE: And Commissioner DeGrim

19 is absent.

20 CHAIRMAN AIBEL: Great. Thank you.

21 We have a couple of resolutions and one

22 withdrawal of an appeal. That is an appeal by

23 Mathias Backstrom at 810 Park Avenue, and he has

24 advised the Board that he -- he called it removing

25 his appeal, but withdrawing his appeal.

1 MS. CARCONE: He's withdrawing his
2 appeal.

3 MR. GALVIN: Is there a motion to
4 accept that withdrawal?

5 COMMISSIONER COHEN: Motion to accept
6 the withdrawal.

7 MR. GALVIN: Is there a second?

8 COMMISSIONER BRANCIFORTE: Second.

9 MR. GALVIN: Roll call.

10 MS. CARCONE: Commissioner Cohen?

11 COMMISSIONER COHEN: Yes.

12 MS. CARCONE: Commissioner DeFusco?

13 COMMISSIONER DE FUSCO: Yes.

14 MS. CARCONE: Commissioner Grana?

15 COMMISSIONER GRANA: Yes.

16 MS. CARCONE: Commissioner Murphy?

17 COMMISSIONER MURPHY: Yes.

18 MS. CARCONE: Commissioner Branciforte?

19 COMMISSIONER BRANCIFORTE: Yes.

20 MS. CARCONE: Commissioner Fisher --
21 Commissioner McAnuff?

22 COMMISSIONER MC ANUFF: Yes.

23 MS. CARCONE: And Commissioner Aibel?

24 CHAIRMAN AIBEL: Yes.

25 MR. GALVIN: The first matter we

1 have -- the first resolution of approval is 263 7th
2 Street. Those eligible to vote are Mr. Cohen, Mr.
3 Grana, Mr. Branciforte and Chairman Aibel.

4 Is there a motion?

5 COMMISSIONER COHEN: Motion to approve.

6 MR. GALVIN: Is there a second?

7 COMMISSIONER GRANA: Second.

8 MR. GALVIN: Mr. Cohen?

9 COMMISSIONER COHEN: Yes.

10 MR. GALVIN: Mr. Grana?

11 COMMISSIONER GRANA: Yes.

12 MR. GALVIN: Mr. Branciforte?

13 COMMISSIONER BRANCIFORTE: Yes.

14 MR. GALVIN: Chairman Aibel?

15 CHAIRMAN AIBEL: Yes.

16 MR. GALVIN: And the second matter is
17 1427 Grand, LLC, 1427 Grand Street.

18 This was a denial. Those voting in
19 favor of a denial: Mr. Grana, Ms. Murphy, Mr.
20 Branciforte, and Mr. Cohen.

21 Is there a motion?

22 COMMISSIONER GRANA: Motion to deny
23 1427 Grand.

24 MR. GALVIN: Is there a second?

25 COMMISSIONER COHEN: Second.

1 MR. GALVIN: You are actually approving
2 the memorialized resolution.

3 COMMISSIONER COHEN: Approving the
4 denial.

5 MR. GALVIN: Yes.

6 COMMISSIONER COHEN: Motion to approve.

7 COMMISSIONER GRANA: Motion to approve.

8 COMMISSIONER COHEN: Second.

9 MR. GALVIN: Mr. Grana?

10 COMMISSIONER GRANA: Yes.

11 MS. CARCONE: I think Mr. McAnuff, too.

12 Go ahead.

13 MR. GALVIN: Okay. Sure. I agree.

14 Thank you.

15 Mr. Grana?

16 COMMISSIONER GRANA: Yes.

17 MR. GALVIN: Ms. Murphy?

18 COMMISSIONER MURPHY: Yes.

19 MR. GALVIN: Ms. Fisher?

20 COMMISSIONER FISHER: Hum...

21 MR. GALVIN: Say yes.

22 COMMISSIONER FISHER: Yes.

23 (Laughter)

24 MR. GALVIN: Mr. McAnuff?

25 COMMISSIONER MC ANUFF: Yes.

1 MR. GALVIN: And Mr. Cohen?

2 COMMISSIONER COHEN: Yes.

3 MR. GALVIN: Thank you.

4 Both resolutions are completed.

5 (Continue on next page)

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HOBOKEN ZONING BOARD OF ADJUSTMENT
CITY OF HOBOKEN

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 RE: Stevens Institute of Technology : SPECIAL MEETING
 Academic Gateway Center :
 APPLICANT: Stevens Institute of :
 Technology :November 17, 2015
 Preliminary & Site Plan Application :Tuesday 6:50 p.m.
 C & D Variances :
 ----- X

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11 BY: JASON R. TUVEL, ESQUIRE
12 Attorneys for the Applicant.

13 NUSBAUM, STEIN, GOLDSTEIN,
14 BROWNSTEIN & KRON, PA
15 66 Sunset Strip
16 Succasunna, New Jersey 07876
17 (973) 584-1400
18 BY: PATRICK J. DWYER, ESQ.
19 Attorneys for the Sobels.

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I N D E X

PAGE

Public Comments

14

Summation by Mr. Dwyer

149

Summation by Mr. Tuvel

167

E X H I B I T S

EXHIBIT NO.

DESCRIPTION

PAGE

N-2

Photograph

92

1 CHAIRMAN AIBEL: So good evening,
2 everyone.

3 We have an agenda that starts with
4 Stevens. We also have a couple of other matters,
5 710 Hudson and 75-77 --

6 UNIDENTIFIED VOICE: Can you speak up,
7 please?

8 CHAIRMAN AIBEL: I will speak as loud
9 as I can, but everybody has to be quiet.

10 We are going to start with Stevens. We
11 have two other applications, 710 Hudson and 75-77
12 Madison.

13 We are hoping that we will get to those
14 applications, but we have a large crowd, and a
15 number of people have indicated a desire to speak in
16 favor or opposed to the application.

17 So I think my only comment, and counsel
18 will moderate the comments, we don't need to hear
19 things multiple times. You know, we will get the
20 idea. So if you hear that your ideas or your
21 comments are being taken or expressed by others, we
22 don't need to hear them multiple times. It is not a
23 score card on how many people are yes or how many
24 people are no.

25 So with that having been said, I think

1 we are at the point of public comment.

2 MR. GALVIN: Mr. Tuvell, do you have
3 anything else to add before we go into public
4 comment?

5 MR. TUVEL: No.

6 I guess my understanding in speaking
7 with you and Mr. Dwyer is that the public will come
8 up to speak, and then afterwards Mr. Dwyer will give
9 a closing statement, I will give a closing
10 statement, and the Board will hopefully deliberate
11 and make a decision.

12 MR. GALVIN: Correct.

13 MR. TUVEL: Okay. So we are ready to
14 go.

15 MR. GALVIN: All right.

16 CHAIRMAN AIBEL: Thank you.

17 MR. GALVIN: All right. Look, I am
18 going to stand up, so I know you can hear me.

19 I know that some of you have signed a
20 list up here, and I think you had certain
21 expectations, but that is not the way I like to run
22 the Zoning Board.

23 We are going to take, based on a
24 raising of hands, one at a time to come up to the
25 microphone. We are not going to have a time limit

1 on you, but I ask you to be respectful of your
2 neighbors.

3 The goal of this is for us to
4 understand the case. We don't vote on this case by
5 counting the number of heads. It is not an election
6 tonight of 50 people are against it and 45 people
7 are for it, and it is not enough.

8 That is not how we decide it. We have
9 to apply the facts of the case to the law of the
10 case, okay?

11 So we want to hear what you have to
12 say, but if we start to hear redundant statements,
13 then we are going to start to slow you down and stop
14 you, and that is not the way it works.

15 We have a right to get to the truth, to
16 the facts, to the information, but getting the same
17 answer over and over and over isn't going to help us
18 very much.

19 Do you understand? Does everybody
20 understand that?

21 I don't know how many people are for or
22 how many people are against. Let's be respectful to
23 everybody. I know you can do that. Everybody has
24 been great so far, and I do appreciate everybody's
25 courtesies.

1 So who wants to go first?

2 All right. Come on up.

3 Raise your -- everybody, we are going
4 to put you under oath.

5 Do you swear or affirm that what you
6 are about to say is the truth?

7 MR. ROBERTS: I do.

8 MR. GALVIN: State your full name for
9 the record, spell your last name, and then give us
10 your street address.

11 MR. ROBERTS: My name is David Roberts,
12 R-o-b-e-r-t-s.

13 My street address is 618 Hudson Street
14 in Hoboken.

15 And to the members of the Zoning Board
16 and members of the community and the neighborhood,
17 Stevens has been trying to advance a project, which
18 will be created on the corner for which I have spent
19 practically my entire life.

20 Currently there is a surface parking
21 lot there, and many of us who appreciate wonderful
22 good urban design understand that having surface
23 parking in the middle of a historic neighborhood is
24 not the highest and best use. There is no question
25 that advancing a positive use for that corner

1 creates a better circumstance for our community.

2 I know personally that Stevens has
3 scaled back their buildings, making the density and
4 the height more palatable for neighbors.

5 I appreciate the architecture. I think
6 the building's fabric, the brick, the window design,
7 it was carefully thought out and planned, and it
8 will compliment the neighborhood.

9 But most important, in my view, Hoboken
10 has been trying for a very long time to create a
11 real partnership with this wonderful university that
12 we have, we share this city with. And if you look
13 at other communities in the State of New Jersey and
14 New York and Pennsylvania, of course, those
15 collegiate communities thrive. There needs to be a
16 real partnership, a real stakehold that the people
17 of Hoboken and the college have.

18 This is an opportunity to do that, so I
19 hope that the Board looks upon what Stevens has
20 tried to do in scaling back their plan and creating
21 a design that is palatable, meets the fabric of the
22 neighborhood, and once again, having Hoboken being
23 part of a union with this university, it enhances
24 all of our best interests.

25 Thank you very much for allowing me to

1 speak.

2 MR. GALVIN: Thank you.

3 Come on up.

4 MR. GALVIN: State your full name and
5 spell your last name and give us your street
6 address.

7 MS. TYROLER: Ruth Tyroler, spelling
8 T-y-r-o-l-e-r, of 339 Bloomfield Street, and I am
9 also the president --

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

12 MS. TYROLER: Yes.

13 MR. GALVIN: Okay. Go ahead.

14 MS. TYROLER: I am here to speak as --
15 I am on the school board, but also as a parent of a
16 child in the district schools, as a person who has
17 worked in the sciences and also somebody who has
18 graduated from engineering school with an
19 engineering degree.

20 As far as I am concerned, as a parent
21 and a school board member, the collaboration between
22 Stevens and the district schools, and actually all
23 of the schools in Hoboken is a wonderful
24 relationship, and they have been a great asset to
25 helping the education of our kids.

1 I mean, even just today I received an
2 update from the superintendent describing yet
3 another collaboration. This one partnering in a
4 grant for training our elementary school teachers in
5 science.

6 This program is going to span over the
7 next six years. It is no cost to the district, and
8 it just helps our kids have even a better, more
9 modern science education, which as we know, is
10 really the most important curriculum that kids do in
11 school today, other than, of course, writing.

12 But math and science is really, really
13 important for them, and by having this collaborative
14 relationship with Stevens, it really improves the
15 education that we are able to provide our kids.

16 They also have other programs that they
17 do. It's not just this one starting up today. They
18 do a -- it's called an SAT Max. They prepare our
19 kids for SATs at the high school. The high school
20 kids have mentor relationships with the students
21 that help them.

22 They ran a sixth grade semathon last
23 year, which every sixth grader in Hoboken attended.
24 That is private, charter and public. It was a
25 beautiful event.

1 This is -- and they also run every
2 summer a waterbotic summer camp. It's a week long
3 program, where they build robots that go in the
4 water because you can see like propulsion better
5 than in the air, and they also offer a week that's
6 free to Hoboken children. And this is all because
7 they are promoting science education, and they want
8 kids in the schools, in elementary schools and high
9 schools, to be interested in science, so they can
10 grow up and become engineers and scientists and go
11 to institutes like Stevens Institute.

12 Secondly, I just wanted to talk about
13 the fact that in addition to all of this, we have to
14 think about STEM workers. It is about our nation
15 being innovative and being competitive.

16 And right now over the past ten years,
17 growth in STEM jobs is actually three times as fast
18 as non STEM jobs. Science, Technology, Engineering,
19 and Mathematics are a key role in sustained growth
20 and stability of the U.S. economy, as they create
21 from these economic outputs, it creates about 90
22 percent of the population downstream or working
23 within the span of Science, Engineering, Technology
24 and Math.

25 Now, in regards to the skybridge, as an

1 engineer and most recently a professional in
2 software development, I just want to express the
3 importance of collaboration, and I know personally
4 that going up and downstairs and across the street
5 and going up is not going to encourage it.

6 We know that the modern architect of
7 today's software development companies, it is open
8 architecture. They are doing everything they can to
9 eliminate barriers between people. They want this,
10 and it is the same thing when you are educating kids
11 and you're teaching them. You want them to have
12 very easy access to the professors and to the other
13 portions of the building. So it's big labs in
14 engineering. It is very hard to work those things
15 in collaboration with office space, and this way the
16 professors, if have a question, they can run right
17 across. They want to ask somebody something, they
18 can go back across, and it is absolutely necessary
19 from what I understand about these buildings that
20 they be connected in some other way than having to
21 go outside, walking across the street, going back
22 inside and up.

23 I mean, maybe in this nice weather,
24 that might be a fun thing to do, but it is certainly
25 not a fun thing to do in the snow or cold weather.

1 So I am really very much in favor and understand why
2 they want the skybridge. And quite frankly, since
3 they thinned it down, and it is just the windows, I
4 think it's beautiful. That is my own personal
5 opinion.

6 And lastly, I just wanted to talk based
7 on my experience as an alumnus -- an alumni from
8 engineering school, from Lafayette College in
9 Easton, Pennsylvania. Lafayette College is a small
10 school also, but it is an engineering -- it has --
11 50 percent of it is an engineering program and
12 science program, and I have watched over the last 25
13 years as an engineering alum, the expansion that has
14 gone on on that campus in order to keep up and
15 remain a top technical school.

16 Fortunately, for Lafayette, beyond them
17 is farmland, so they don't have -- they have no
18 limits to where they can expand. They have been
19 able to increase their footprint.

20 Unfortunately, as we know, Stevens does
21 not have the same ability. They really can't
22 increase their footprint, and I feel that taking
23 away the integrity of the green is just yet again
24 eliminating more green space in Hoboken and also
25 taking away from the historic campus that it is, and

1 so I feel that we have to allow them as a city the
2 ability to build this building and expand on what
3 their own property is.

4 So I just really -- I really would like
5 the Board to consider approving this. I feel that
6 this request is not about the profitability of a
7 building. This request is in the pursuit of
8 improving the higher education product that this
9 highly regarded technical university provides.

10 Just as the last speaker -- just as
11 Mayor Roberts said, it behooves us as a community.
12 It helps our community to help this university
13 become better and stronger and more acclaimed, and I
14 also think that because of what they teach there, it
15 is important just for us as people and Americans to
16 help.

17 Thank you.

18 CHAIRMAN AIBEL: Thank you.

19 MR. GALVIN: Weren't you heard already?

20 MS. MOH: Me?

21 MR. GALVIN: Didn't we --

22 CHAIRMAN AIBEL: No.

23 MR. GALVIN: -- no. I'm sorry.

24 Go ahead.

25 MS. MOH: I am public. I'm public.

1 MR. GALVIN: No, no. There were two
2 people who we allowed to be heard at the last
3 meeting.

4 CHAIRMAN AIBEL: They're not here.

5 COMMISSIONER GRANA: They're not here
6 tonight.

7 MR. GALVIN: Sorry, sorry.

8 MS. MOH: That was the Sobels.

9 MR. GALVIN: Raise your right hand.
10 Do you swear or affirm that what you
11 are about to say is the truth?

12 MS. MOH: Yes.

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

15 MS. MOH: It's Barbara Moh, M-o-h, and
16 I live at 536 Hudson street.

17 MR. GALVIN: Barb, you sat with them.
18 That is why I got the confusion.

19 Go ahead, Barb.

20 MS. MOH: Okay. Thank you.

21 I live directly across the street from
22 the proposed Gateway Project. Because Gateway is
23 going to dramatically impact my quality of life in
24 my home, I have attended every Zoning Board session
25 regarding this project, and I thank you for the

1 chance to finally voice my opinion.

2 Stevens Institute has a campus in
3 Hoboken, but Hoboken is not Stevens' campus. The
4 properties that Stevens is proposing to build on are
5 zoned to be a maximum height of 40 feet total. That
6 is the height of a Hoboken brownstone. In fact, the
7 zoning laws that prohibit Stevens from building
8 anything higher than 40 feet on these properties are
9 intended to preserve the residential character of
10 Hudson Street.

11 Hudson Street is very narrow between
12 Elysian Park on 11th Street through Stevens Park on
13 Fifth Street.

14 The east side of Hudson from 6th to 9th
15 Streets presently has no buildings higher than 40
16 feet.

17 Stevens is applying for multiple
18 variances, so that they can construct two 66-foot
19 buildings on each corner and link them with a
20 skybridge. This project will drastically increase
21 density and block out light and the clear river
22 views of 6th Street that Hoboken residents now have.

23 I live directly across the street from
24 this proposed project, and I can absolutely state
25 that contrary to Stevens' prior testimony. This

1 skybridge will block out the Hudson River and
2 Manhattan views that now exist.

3 You know, many months ago at the first
4 zoning hearing session, there was a line of
5 questioning from one of the Zoning Board members
6 that touched on how the height of Gateway would
7 affect the backyards of the Ravenswood townhouses,
8 the loss of light and shadows the project would cast
9 onto the backyards.

10 Well, the front windows of my home on
11 three floors have a view of Manhattan that will be
12 blocked by the skybridge. The front windows of my
13 home will lose sunlight because of the increased
14 height. 66 feet is more than one and a half times
15 taller than the height of the Lieb Building.

16 The skybridge, in particular,
17 institutionalizes the look and feel of Gateway and
18 destroys the residential and historic character of
19 the Hudson Street neighborhood. There is nothing
20 residential or historic about this two-story
21 skybridge.

22 Now, Stevens claims to be inspired by
23 the sky walkways between their Meyer and Kidde
24 buildings on their campus. However, these Stevens
25 sky walkways are entirely on the Stevens' campus

1 well away from the R-1 District.

2 The buildings across the street from
3 these walkways are Stevens' buildings. These
4 walkways are not visible from Hudson Street, and
5 they only connect buildings on the same lot.

6 The Hoboken University Medical Center
7 is the only skybridge that actually traverses a city
8 street, but that skybridge is in the area that is
9 fully institutionalized by a block-long hospital and
10 a block-long parking garage. It is almost a block.
11 I actually walked it to check.

12 By contrast, the west side of Hudson
13 Street from Fifth through 11th Streets is entirely
14 residential. In addition, Sixth Street runs east to
15 west.

16 Now, we all know the sun rises in the
17 east, so the Gateway skybridge by design will block
18 out sunlight.

19 Now, I can see why Stevens wants this
20 project, but it is completely at the expense and
21 totally to the detriment of the Hudson Street
22 neighbors, so I am here to ask you to scale back
23 this project. It is much too large for this part of
24 Hudson Street. It will block out natural light
25 during the day, flood the neighborhood with

1 artificial light at night and increase congestion on
2 Hudson Street.

3 Please don't destroy the residential
4 and historic character of Hudson Street by approving
5 this project in its current form.

6 Thank you.

7 MR. GALVIN: Thank you.

8 CHAIRMAN AIBEL: Thank you.

9 Sir?

10 MR. GALVIN: Raise your right hand.

11 Do you swear or affirm what you are
12 about to say is the truth?

13 MR. GLEASON: Yes.

14 MR. GALVIN: Well, thank you.

15 State your full name for the record and
16 spell your last name.

17 MR. GLEASON: Eugene Gleason,
18 G-l-e-a-s-o-n. I live at 2 Constitution Court.

19 MR. GALVIN: Okay. You may proceed.

20 MR. GLEASON: Okay.

21 In the last few weeks or months, you
22 have heard from many of the Stevens' expert
23 witnesses. So tonight I would like to just put
24 myself forward possibly as Hoboken's expert witness.

25 How can I do that?

1 I am an architect. I have a planning
2 license in the State of New Jersey, and I am a
3 resident of Hoboken for 30 years. I am not sure
4 everybody on the Board can say that. I am sure
5 there are a few of you that can top that.

6 Having said that, you know, I have
7 listened to a lot of testimony, and I am just really
8 here to urge the Board to pass this.

9 I walk by the site almost every day on
10 my way downtown. I have an office here in Hoboken
11 for almost 12 years, so I think you can rely on both
12 my professional expertise and just personal
13 experience that this is a good project. I walk past
14 that parking lot. It is unsightly, as anybody
15 knows, you know, in a residential neighborhood, you
16 know, cars parked on there, and a building next door
17 that just, you know, there is not much to be said
18 for. There is no real architectural significance to
19 it.

20 What I have seen in the renderings
21 clearly fits into the neighborhood, and I think
22 would be a real positive to Hudson Street.

23 So thank you.

24 CHAIRMAN AIBEL: Thank you, Mr.
25 Gleason.

1 MR. GALVIN: Thank you.

2 CHAIRMAN AIBEL: Appreciate it.

3 MR. GALVIN: Next?

4 MS. FLINN: Thank you for letting me
5 speak.

6 MR. GALVIN: Raise your right hand.

7 Do you swear or affirm -- you got to
8 keep it up -- do you swear or affirm what you are
9 about to say is the truth?

10 MS. FLINN: Yes.

11 MR. GALVIN: All right. And state your
12 full name for the record and spell your last name.

13 MS. FLINN: Joyce Flinn, F-l-i-n-n.

14 MR. GALVIN: Okay. Give us your
15 street address.

16 MS. FLINN: I'm a property owner at 908
17 Washington Street and 1001 Washington Street.

18 MR. GALVIN: Thank you.

19 Now you can tell us what you want to
20 say.

21 MS. FLINN: My name is Joyce Flinn.

22 I am the quieter half of a couple who
23 own and run three restaurants in town, Amanda's,
24 Elysian Cafe and Schnackenberg's Luncheonette.

25 I am here tonight to voice support for

1 Stevens Gateway Project with an opinion that comes
2 from a few different perspectives: First, my father
3 was a Stevens' alum.

4 For so many students decades ago and
5 now, this fine institution offers -- sorry -- and
6 continues to offer smart young people the
7 opportunity to become the first in their families to
8 earn a college degree.

9 My dad used his engineering degree in
10 further medical studies and as a cardiovascular
11 surgeon helped develop live saving heart pumps and
12 valves. I recognize the parallel in the
13 construction of the Gateway research labs.

14 How thrilling it would be for Stevens
15 and Hoboken to be the birthplace not only of
16 baseball, but of future scientific or medical
17 breakthroughs born in this new building.

18 As business owners, Eugene and I have
19 been before the Zoning Board many times for approval
20 of thoughtful, deliberate changes we have made to
21 our commercial properties.

22 Like Stevens, we also faced opposition
23 from some residents who worried that we would be
24 reckless and self-serving with our construction. We
25 listened, answered some, not all requests, and

1 believe that we are now considered good neighbors by
2 some of those initial opponents.

3 The changes made to Stevens' original
4 design, along with commitments to complete the
5 Babbio Garage and abandoning the pedestrian plaza,
6 which would have closed Sixth Street to cars, shows
7 that Stevens has listened to many of these needs.

8 In the 24 years in which we have run a
9 restaurant just down the hill from the Stevens'
10 campus, we watched a dramatic change in the
11 involvement of Stevens in the Hoboken community.

12 Under President Favardin's leadership,
13 Stevens opens its doors to many members of the
14 Hoboken community and contributes in numerous ways
15 to our schools and the students at all grade levels,
16 including offering scholarships to local high school
17 kids and to many, many nonprofit organizations in
18 town.

19 Lastly, dozens of our neighbors are
20 Stevens' faculty and staff. Hundreds more are
21 Stevens' alumni who have chosen to make the mile
22 square city home.

23 The Stevens' request for zoning
24 consideration of the Gateway Project is not one of a
25 speculating developer who promises much and plans to

1 leave town as soon as the end approval is dry.

2 Stevens Institute is a meaningful part
3 of the fabric of Hoboken and deserves to invest in
4 modern academic facilities to remain competitive in
5 the world of higher education.

6 Thank you.

7 (Applause)

8 MR. GALVIN: Let me just say before we
9 go further, just so everybody understands, this is
10 not about whether we like Stevens or we don't like
11 Stevens, so it is not -- we are not judging it on
12 that.

13 We have to judge it on whether or not
14 these buildings should go in this location based on
15 the zoning, so I really prefer -- again, I don't
16 want to be unfair to everybody. I want to give
17 everybody a fair shot, but we want to be focused on
18 the buildings and the zoning of the buildings, and
19 not on whether or not Stevens is a good institution.

20 I don't think anybody here -- well,
21 maybe there is somebody here, but not on this Board
22 or not that I'm aware of, has any ill feelings
23 towards Stevens. This is strictly about the zoning
24 requirements and whether or not they are going to be
25 met.

1 All right. I will let you pick.

2 MR. LEE: Hi.

3 MR. GALVIN: Raise your right hand
4 Do you swear or affirm what you are
5 about to say is the truth?

6 MR. LEE: I do.

7 MR. GALVIN: Give your full name for
8 the record, spell your last name and give us your
9 address.

10 MR. LEE: Derek Lee, L-e-e, 600 Hudson
11 Street, Apartment 5C.

12 MR. GALVIN: Thank you.

13 MR. LEE: I would like to first start
14 off by saying that Stevens' students are respectful
15 and unobtrusive and the best college student
16 neighbors I could ask for.

17 They bring vibrancy to the
18 neighborhood. They support local businesses, which
19 is great, and even the occasional frat party that I
20 can hear from my apartment, I am okay with that,
21 considering what I know a college campus could be.

22 I appreciate the compromises that
23 Stevens has made in terms of the design to minimize
24 the impact on the neighborhood from reducing the
25 height to the setback of the upper floors, to the

1 exterior design, to setting back the reduction and
2 size of the bridge. But I urge the Board not to
3 focus on the compromises, but instead focus on the
4 absolute to the community.

5 I ask that you recalibrate your basis
6 for judgment not to the original ask, which if you
7 ask me, it is egregious, but to the type of
8 construction that the land is rightly zoned for, and
9 that should be your baseline, not their original
10 ask.

11 I won't speak to the clear facts around
12 zoning, which expressly prohibits the type of
13 construction they are asking for. I understand and
14 respect Stevens' right to ask for variances, but I
15 appeal to your sense of reasonableness, fairness,
16 and just plain common sense, and that you simply do
17 the right thing for the neighborhood.

18 After renting Unit 5C at the Union Club
19 for two years, my wife and I purchased the unit
20 earlier this year. We are in the southeast corner
21 of the building, and we purchased it for what we
22 consider to be the market rate based on the comps in
23 the area, based on the condition of the apartment,
24 based on what we view as the potential for
25 appreciation of the property.

1 When we learned of this potential
2 construction project, it certainly gave us
3 significant pause to go through with the deal at
4 all, and it certainly impacted the purchase price we
5 were willing to pay.

6 By allowing this project to move
7 forward, there would be a significant and immediate
8 destruction in value to the homeowners in the nearby
9 properties --

10 MR. GALVIN: Let me stop you for a
11 second.

12 I know you are not going to want to
13 hear this, but we are not allowed to consider that.
14 That's the way the courts work. You have to talk to
15 us about zoning and the negative impacts that are
16 going to occur on the properties and not on a
17 diminution of value.

18 On the flip side of it, they are not
19 allowed to talk about like, you know, schools and
20 children and taxes, so we have to keep it to zoning,
21 guys, negative impacts, light, air, it is going to
22 affect things, why it doesn't match the master
23 plan --

24 MR. LEE: Okay. Well, there are a
25 number of listings for houses and apartments along

1 Hudson and in the Union Club, and I am sure none of
2 them are using this as a selling point, that it is
3 going to improve the community.

4 Nobody is saying: "We got hardwood
5 floors, crown moldings, washers, dryers, and oh, by
6 the way, Stevens is going to build two lovely
7 academic buildings on the corner."

8 It is not selling point, and they might
9 say, oh, they are going to be lovely. They're going
10 to be not as big as the original proposal. But in
11 the end, I think everybody knows that this is not a
12 desirable project for anybody who lives right there.
13 It is not going to improve the quality of life.

14 And I think it is a safe bet, if any of
15 the Board members have the opportunity to vote for
16 or against the construction of a 70 foot building,
17 50 foot outside of your bedroom window, I bet
18 everybody in the room would vote no against that.

19 We have also heard discussion that
20 the -- if they didn't put an academic building
21 there, that it might become retail or bars or
22 restaurants and, you know, there is a debate as to
23 whether that would actually be qualifying under the
24 zoning, but to me, that would be more favorable than
25 the current proposal.

1 Right now there is a bar and a
2 restaurant on Sixth between Washington and Hudson
3 called Court Street. I lived there for three years.
4 I don't have a single complaint about the patrons or
5 that restaurant. As a matter of fact, it is a great
6 place to take family and friends when they visit, so
7 a restaurant would be a favorable alternative to --
8 to the current proposal.

9 We have also heard Stevens talk about
10 what a great neighbor they are and how the effect of
11 campus benefits the locals.

12 I have taken my son to swim classes
13 there at the pool, and it is lovely. But I just
14 wanted to make sure that everybody is aware of the
15 sign that sits right at the main gate of campus, and
16 I will read it to you.

17 It says: "Stevens Institute of
18 Technology," and in big capital letters, "Private
19 Property. Admittance only by invitation of
20 authorized staff. All visitors must report
21 immediately and directly to the campus police desk
22 in the lobby of the home center. Use of the campus'
23 facilities is restricted to Stevens' staff,
24 students, and their escorted guests."

25 So as much as we had discussion around

1 how the campus is open and shared for everyone in
2 the neighborhood, this is not a welcoming sign for
3 anybody who lives and walks by there.

4 And I went to the University of
5 Pennsylvania in the middle of West Philadelphia,
6 which is a much tougher neighborhood, and we didn't
7 have signs like that telling locals that we didn't
8 want them there.

9 So I just ask that you consider the
10 proposal based -- not based on the concessions, but
11 again based on the absolute good for the surrounding
12 owners and residents of which to me, there are none.
13 And it is not about minimizing the negative impact,
14 but it is about preserving the value and integrity
15 of the neighborhood.

16 And I want Stevens to grow. I want
17 them to thrive and provide higher education to the
18 youth.

19 I have high school friends. I have
20 former work colleagues who have gone there, but I
21 ask that Stevens grow within the current zoning
22 plans, which allow for extensive growth and
23 construction in the main part of the campus, so as
24 not to impact the residents around the edges of the
25 campus, and that is a clear mandate that's in the

1 zoning regulations, and I ask that you don't allow
2 this growth to happen right outside of my bedroom
3 window, and it is a severe detriment to me and my
4 family.

5 And I am all for building on the land.
6 You know, build -- I don't care for the parking
7 lot -- build residential, build a restaurant, build
8 a smaller academic facility, build something that
9 would improve the esthetics of the neighborhood, not
10 something that minimizes the negative impact because
11 that should not be the base line.

12 I realize that the impact -- the
13 benefit might not be as great to Stevens, but that
14 is a compromise. That's what being a good neighbor
15 is about.

16 So my family and I and my neighbors
17 have invested a significant portion of our savings
18 into the -- into our homes. I respectfully and
19 emphatically ask that you help preserve our
20 investment and the integrity of the neighborhood by
21 not allowing this project to move forward as
22 proposed.

23 MR. GALVIN: Thank you.

24 CHAIRMAN AIBEL: That gentleman.

25 I'm sorry, Ms. Healey. I think I asked

1 for him.

2 MS. HEALEY: Oh, I'm sorry.

3 CHAIRMAN AIBEL: That is all right.

4 MR. GALVIN: Raise your right hand
5 Do you swear or affirm what you are
6 about to say is the truth?

7 MR. FLETT: I do.

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

10 MR. FLETT: Michael Flett, F-l-e-t-t.

11 MR. GALVIN: Street address?

12 MR. FLETT: 900 Castle Point Terrace,
13 Hoboken.

14 MR. GALVIN: You may proceed.

15 MR. FLETT: Good evening.

16 Obviously, my name is Michael Fleet.

17 I am a member of the Steering Committee
18 for the Hudson Street Alliance. I have been
19 selected by the Steering Committee to present the
20 following statement regarding the Stevens Gateway
21 Project.

22 The Hudson Street Alliance was formed
23 in the fall of 2014 in response to Stevens' initial
24 plans for the Gateway Complex on the corner of Sixth
25 and Hudson.

1 A petition with details of the project
2 were circulated to residents in the immediate area.
3 We gathered approximately 300 signatures supporting
4 the following statement:

5 We, the undersigned, believe the
6 proposed Stevens Gateway Complex will damage our
7 quality of life, and we are in support of a revised
8 plan that complies with existing zoning ordinances.

9 Over the next eight months, the
10 committee met independently and also with Stevens'
11 staff and the Stevens' consultants to discuss at
12 length some topics important to residents in the
13 neighborhood. We believe that this cooperative
14 effort resulted in some positive revision to the
15 original plan.

16 Despite our efforts, Stevens' proposal
17 still does not comply with existing zoning
18 ordinances. It is important that both Stevens and
19 the Zoning Board of Adjustment understand the
20 history of why in 2005, the parking lot on the
21 northeast corner of Hudson and Sixth Street, which
22 is where this project is proposed, was rezoned from
23 residential R-1(e), education, to R-1(c)
24 conservation.

25 In 2002, the residents of Hudson Street

1 fought and won a long and costly lawsuit against
2 Stevens when they proposed to build their facilities
3 garage at the corner of Hudson and 8th Street.

4 Out of concern for the neighborhood in
5 2005, during the update of the master plan, the City
6 of Hoboken changed the zoning of the northeast lot,
7 which abuts the Ravenswood townhomes to R-1(c), so
8 that the residential integrity of one of Hoboken's
9 oldest and most historic neighborhoods remains
10 intact for generations to come.

11 The R-1(c) zone designates the area in
12 this city where development is not encouraged and
13 that residential use is conserved, and the density
14 of all buildings is strictly controlled.

15 The residents of Hudson Street have
16 invested millions of dollars in renovating and
17 restoring brownstones, which are also a major source
18 of revenue to the City of Hoboken. We hope that the
19 Zoning Board of Adjustment will uphold the R-1(c)
20 zoning designation and its ordinances.

21 During our collaboration when we
22 reached out to the people who signed the petition,
23 there were three issues that were -- that came up
24 mostly with this project.

25 The first was the skyway. The second

1 obviously was parking. We all love to talk about
2 parking in Hoboken, and the third was traffic and
3 how this project would affect traffic.

4 I think you heard about the skyway a
5 lot, but I think with the group consideration, even
6 with the latest rendition, our consensus is that the
7 natural light is a scarce commodity in urban life
8 and it should be protected.

9 The height of the skybridge is a major
10 factor that diminishes that light.

11 There is also concern that by linking
12 the two Gateway buildings with the skybridge, it
13 visually delineates the boundary of the campus
14 giving the illusion that River Terrace and Sixth
15 Street are part of the campus when in fact they are
16 not.

17 The second part was parking. This is
18 sometimes the number one issue with many Hoboken
19 residents.

20 Because of our proximity to Washington
21 Street, we are inundated with visitors, business
22 owners and employees and Stevens-related traffic all
23 looking for the closest spot. The residents in this
24 area of Hudson Street have no other parking options
25 except for the street and the public garage.

1 Realistically, there is not enough parking on the
2 campus for staff, faculty and students.

3 Any available spots on the streets and
4 in the public garage that are used by Stevens are to
5 the detriment of the residents.

6 As stated in the testimony of Stevens'
7 traffic and parking expert, Stevens has appropriated
8 60 spots in Garage D, which is the closest garage to
9 our area of Hudson Street for parking during
10 construction. Stevens is already using 40 of these
11 spots now from 8 a.m. to 8 p.m.

12 Residents who arrive home from work
13 prior to 8 p.m. are now having a difficult time
14 finding a spot in that garage. If Stevens is ready
15 to use the majority of the spots they're earmarked
16 to use during the construction phase, where will the
17 additional spots come from?

18 Where will all of the construction
19 workers, engineers, et cetera, park during -- on the
20 job?

21 Stevens is offering 20 overnight spots
22 to residents on their 8th Street lot. This is an
23 admiral gesture that is appreciated, but life on
24 Hudson Street and the surrounding area is diverse.

25 When you take your kids to soccer in

1 another town or grocery shopping or leave your spot
2 for any reason, a spot from 8 p.m. to 8 a.m. doesn't
3 really help.

4 The entire city has been waiting 12
5 years for Stevens to finish the Babbio Garage, a
6 project that was sorely needed then, let alone now.

7 By finishing the Babbio Garage, it
8 would partially eliminate the need for their use for
9 our public parking garages, provide on-campus
10 parking for staff and students who currently park in
11 the street, provide parking during construction, and
12 add immediate on-campus parking for the increased
13 enrollment and staff generated by the Gateway
14 Project and other future projects.

15 Should the Board approve the Gateway
16 Project, the HSA is asking that it be contingent
17 upon Stevens finishing the Babbio Garage prior to
18 the start of construction of this project.

19 The third topic that came up a lot,
20 like I mentioned, was traffic.

21 The Gateway Project will generate
22 increased enrollment above and beyond the
23 substantial increase that has already occurred over
24 the last couple of years. Even without the Gateway
25 Project, Stevens cannot house the majority of its

1 students on campus. This has already caused
2 consequences that reach far beyond the perimeter of
3 the campus.

4 Shuttle buses with more than 200 trips
5 per day from 5:30 a.m. until after midnight weave
6 throughout the city with Hudson Street as the epi
7 center.

8 Members of the HSA conducted a traffic
9 study the week of 9/21 to 9/25 between 9 a.m. and 9
10 p.m. at the corner of Sixth and Hudson. Traffic was
11 recorded by a high resolution security camera, and
12 data was analyzed. The number of riders per bus was
13 also noted along with the routes at the bus stops.

14 The shuttle buses represented 17 and a
15 half percent of all traffic on the street during
16 those times, and the average ridership was about
17 three people per bus with a great number of the
18 buses being empty.

19 The Stevens' traffic experts stated
20 that these shuttle buses are greatly mitigating the
21 number of cars coming into the traffic area --
22 coming into the area of the campus, and that would
23 increase shuttle service when the Gateway Project is
24 completed.

25 This is not only impossible to prove,

1 the numbers just don't add up. The majority of the
2 shuttles are picking up and dropping off students
3 who live at 11 different apartment complexes at
4 least by Stevens throughout our mile square town.

5 By building academic buildings, like
6 the Gateway Project, and drastically increasing
7 enrollment prior to having adequate parking and
8 sufficient on-campus student housing, Stevens has
9 put the cart before the horse. The traffic and the
10 stress on our infrastructure caused by the shuttles,
11 along with students living in dormitory situations,
12 which formerly housed families, changed the dynamics
13 of our neighborhoods, and it was never anticipated
14 in our city's master plan.

15 Every university, including Stevens,
16 adds inherent benefits to the community. The
17 question is whether Stevens' seemingly uncoordinated
18 rapid growth will negatively impact our city.

19 Whether the Board accepts or denies the
20 application -- I'm sorry -- on behalf of the HSA and
21 the HSA Steering Committee, we would like to thank
22 the Zoning Board of Adjustment for your patience and
23 consideration of our options.

24 We also ask the Board to be cognizant
25 that just because the HSA has not addressed a

1 specific topic doesn't mean that it wasn't brought
2 up to us.

3 You may hear testimony from some of our
4 other HSA members. They may mention that they are
5 members, but however, their testimony is their own.

6 Thank you very much. I appreciate it.

7 CHAIRMAN AIBEL: Thank you, sir.

8 MR. GALVIN: Next.

9 CHAIRMAN AIBEL: Sir?

10 MR. GALVIN: Raise your right hand.

11 Do you swear or affirm what you are
12 about to say is the truth?

13 MR. ENGLISH: I do.

14 MR. GALVIN: State your full name for
15 the record.

16 MR. ENGLISH: Dennis English,
17 E-n-g-l-i-s-h.

18 MR. GALVIN: Thank you.

19 Street address?

20 MR. ENGLISH: 329 Washington Street,
21 Apartment 2.

22 MR. GALVIN: You may proceed.

23 MR. ENGLISH: Thank you.

24 Again, my name is Dennis English. I am
25 presently the Chairman of the Hoboken Historical

1 Preservation Commission, and we have seen the
2 application for Stevens a couple of times I guess
3 before you, and we made recommendations, and we did
4 go ahead and approve what they did after a couple of
5 revisions on their part with three conditions.

6 One was that they were to get the
7 Stevens' campus or the majority of it on the
8 Historic National Register, which they allowed to
9 work with us to do that.

10 Number two is to move and maintain the
11 plaque presently on the building to place on the new
12 construction that might be visible and not hidden on
13 the campus somewhere, but visible in the new
14 construction.

15 And three: To work with the Hudson
16 Street Alliance, as well as others, to maintain and
17 do some adapting to their bridge, which I hear they
18 have done, so we went ahead with that and
19 recommended them from the preservation standpoint.

20 We also had public forums, such as
21 this, where more than 13 people spoke, and there
22 were only three objections to the project.

23 A lot of the people that did speak in
24 favor of the project were on Hudson Street, so I
25 will be short and brief, and let it be at that.

1 MR. GALVIN: Thank you.

2 CHAIRMAN AIBEL: Ma'am.

3 MR. GALVIN: Raise your right hand.

4 Do you swear or affirm what you are
5 about to say is the truth?

6 MS. RIZZO: Yes.

7 MR. GALVIN: State your full name for
8 the record.

9 MS. RIZZO: Ann Marie Rizzo.

10 MR. GALVIN: Spell your last name.

11 MS. RIZZO: R-i-z-z-o.

12 MR. GALVIN: And your street address?

13 MS. RIZZO: 523 Madison Street.

14 MR. GALVIN: You may proceed.

15 MS. RIZZO: Thank you.

16 I am a lifelong resident of Hoboken,
17 New Jersey. In fact, my family history reflects us
18 as residents of Hoboken for nearly a hundred years.

19 MR. GALVIN: Do me a favor, could you
20 speak into the microphone?

21 MS. RIZZO: For nearly a hundred years
22 since my grandparents emigrated from Italy to
23 Hoboken in the early 1920s.

24 Having grown up in Hoboken, I've seen
25 it go through many changes, thankfully for the best.

1 Remember, back in the seventies and
2 early eighties, Hoboken was not the town it is
3 today. Many people were looking to leave Hoboken
4 for the suburbs, but Stevens even then was the
5 hidden jewel of Hoboken and contributed towards the
6 betterment of the City of Hoboken even through its
7 most trying times.

8 Recognizing the attributes of this
9 hidden jewel, I hoped from a young age that I would
10 be able to attend Stevens, and thankfully that dream
11 came true.

12 While there was a period where that
13 sense of pride may have diminished somewhat, I can
14 say with great conviction that I have never been
15 more proud to be a graduate of Stevens than now, and
16 that is attributed to the leadership of this
17 university. We have seen a dramatic turnaround and
18 concerted effort to building greater collaboration
19 with the City of Hoboken, and through Stevens'
20 commitment to the city and the residents of Hoboken,
21 they have listened intently to the concerns raised
22 by the submission of this application for the
23 approval of the Gateway Academic Complex.

24 The Babbio Garage has been in question,
25 which you just heard earlier, and the trustees and

1 myself are happy to say we are moving ahead and have
2 submitted that application back in September to move
3 forward with the completion of this structure. The
4 Babbio Garage will be open in advance of the Gateway
5 Academic Complex.

6 Being a product of Stevens' education,
7 I clearly understand the importance of a university
8 of this caliber to be equipped with the most modern
9 and state-of-the-art facilities. This university
10 benefits not only the residents of Hudson Street for
11 the City of Hoboken and beyond throughout the
12 tri-state region and the rest of the United States.

13 Stevens is deeply involved in projects
14 that have a significant impact on society. You may
15 have recently heard that Stevens placed first in the
16 prestigious U.S. Department of Energy Solar
17 Decathlon Competition, an international competition
18 to create, build and test the net zero energy cast.

19 The Stevens' team led by John Nastasi,
20 who is here tonight, developed the Shore House,
21 which stands for sustainable and resilience. This
22 illustrates the type of solution, oriented education
23 and research projects that are symbolic of the
24 Stevens' education.

25 Our researchers are working on

1 developing models to improve coastal resiliency,
2 innovating treatments for blood cancer, creating new
3 approaches to secure global systems and networks and
4 much, much more.

5 These research projects benefit the
6 Hoboken community and have a major effect on culture
7 and society. It is my hope that you as members of
8 the Board recognize the merits of this building and
9 its impact to the City of Hoboken and move forward
10 to approve the application.

11 Thank you for your time.

12 CHAIRMAN AIBEL: Thank you.

13 MR. GALVIN: Thank you.

14 CHAIRMAN AIBEL: Ms. Healey?

15 MR. GALVIN: Raise your right hand.

16 Do you swear or affirm what you are
17 about to say is the truth?

18 MS. HEALEY: Yes.

19 MR. GALVIN: Thank you.

20 State your full name for the record and
21 spell your last name.

22 MS. HEALEY: Leah Healey, H-e-a-l-e-y.

23 MR. GALVIN: You can pull it out, if
24 you have to.

25 MS. HEALEY: Thank you.

1 I am here to talk not in support or
2 anti Stevens, but to talk about the application that
3 is before you and the part of it that I really
4 cannot support, and I hope that this Board will give
5 consideration to these comments.

6 The part that I cannot support deals
7 with this skybridge, and one of the reasons I can't
8 support it is it is not a use that is permitted
9 anywhere in our zoning, and in our master plan it
10 specifically is prohibited.

11 I see Mayor Roberts sitting here
12 tonight, and I know that he was around at the time
13 that the skybridge was put in for the hospital, and
14 you know, I was there during the hearings for the
15 master plan about this issue, and there was a very
16 big reaction to that skybridge, and whether or not
17 it is something that should be repeated and it
18 became clearly out in the master plan language that
19 the public did not want the established grid of
20 Hoboken and the established public space of Hoboken
21 to be impacted again by that.

22 So one of the things that I think is
23 very interesting here is that we have buildings that
24 have been designed by preeminent architects and
25 engineers of Stevens. And unfortunately, when they

1 were designing these buildings on two significant
2 lots, they were unable to come up with collaborative
3 space in either of the separate buildings that would
4 satisfy them, and they were somehow unable to come
5 up with a way to provide two separate buildings that
6 could be completely energy efficient. So what we
7 ended up with was a bridge that was supposed to
8 solve those two problems.

9 So it was a matter of Stevens' design
10 initially that created the reason for this bridge,
11 and I question whether or not that was the right
12 thing for them to do.

13 Now, the problem and the difference
14 between this bridge and one would argue the hospital
15 bridge was that at least the hospital bridge is to a
16 facility that is open to the public, and it has
17 parking that is open to the public, so there is a
18 certain level of public use by the general public of
19 that facility and that skybridge. But even that was
20 not enough to convince the residents of Hoboken that
21 this kind of skybridge should be repeated.

22 Now, let's talk about what it means to
23 have a grid because that is really what we are
24 trying to preserve when we disallow a skyway bridge
25 such as this.

1 The grid has a number of functions.
2 One is to establish a view corridor, and although
3 there was testimony that this bridge is going to
4 block our view to the New York City skyline, that is
5 not what Hoboken's grid's purpose is.

6 The Hoboken's grid's purpose is to
7 establish the difference between private properties
8 and public space, and it is a historical tool used,
9 so that people can roam freely by car, by bike, by
10 whatever in the public space that was established by
11 the street and sidewalk, and it is also to bring
12 light and air, because where there are buildings,
13 there is no light and air. Where there is a street
14 grid with an open sidewalk, there is more light and
15 air.

16 It is also to establish open space from
17 the ground up, and all of these things are being
18 compromised when you start allowing skyways between
19 buildings.

20 Now, the justification for this skyway,
21 according to Stevens, was initially collaboration
22 space, and we heard one expert after another tell us
23 that this collaboration space was absolutely
24 essential. It was almost to the point that I felt
25 like the institution was going to fail, if we didn't

1 give them the collaboration space. Yet, suddenly
2 from one meeting to the next, the collaboration
3 space vaporized. So the credibility of how hard
4 that space was pushed for, I question it.

5 And the other reason for the public
6 skyway is supposedly energy efficiency. I didn't
7 hear testimony about what the energy efficiency of
8 two separate buildings could be.

9 All I heard testimony about was that we
10 would be able to connect the buildings, and we would
11 have a less HVAC system on one building and the
12 other. But I didn't hear whether or not, if you did
13 have two HVAC systems on each of these buildings,
14 whether they could be just as energy efficient.

15 And I would ask the Board to recall
16 that when this project was first introduced, it was
17 higher than it is now, and it still had the bridges.
18 So when it had separate HVAC systems, we still had
19 bridges. So I again do question the basis for this
20 bridge and whether it has really been demonstrated.

21 And finally, and this is partly for you
22 to consider and partly for the City Council to
23 consider, I consider putting a bridge across these
24 two properties in the public right-of-way to be a
25 violation of that public right-of-way and an

1 uncompensated use of the public right-of-way because
2 private square footage is being gained in each of
3 the separate buildings by allowing them to put
4 square footage across the two buildings.

5 And where it causes me to pause is that
6 they are using a hundred percent lot coverage on the
7 northern lot, and they are exceeding the height on
8 that lot, and that is just for that building alone.

9 While it may be an inherently
10 beneficial use supportable to increase the lot
11 coverage or increase the height, I don't think you
12 have had any demonstration of what the community
13 benefit is of gaining public space in these two
14 separate buildings by spreading it out across the
15 public right-of-way.

16 And for a tax exempt organization to
17 use a portion of the public right-of-way adds even
18 another layer of a reason that I would say: Send
19 them back to the drawing board and tell them to get
20 rid of a project that takes public space without
21 compensation and without benefit to the community.

22 Thank you.

23 MR. GALVIN: Thank you.

24 CHAIRMAN AIBEL: How about that
25 gentleman?

1 Thank you.

2 MR. GALVIN: Okay. No problem. Come
3 on up. Let's go.

4 State your name for the record.

5 MR. LATZER: Eric Latzer.

6 MR. GALVIN: Spell your last name for
7 me.

8 MR. LATZER: L-a-t-z-e-r.

9 MR. GALVIN: Street address?

10 MR. LATZER: 1110 Hudson Street,
11 Apartment 4S.

12 MR. GALVIN: I wore you out, huh?

13 (Laughter)

14 Do you swear or affirm what you are
15 about to say is the truth?

16 MR. LATZER: Yes

17 MR. GALVIN: All right. Go ahead.

18 MR. LATZER: Good evening.

19 I am here to speak in strong support of
20 Stevens' application before the Board.

21 I have been a Hoboken resident for six
22 years, the last four of which I have lived on Hudson
23 Street. I live at 11th and Hudson now, but before
24 that I lived at 8th and Hudson.

25 Also, like I am sure many of the

1 individuals in this room, I am out and about all of
2 the time. I walk my dog up and down Hudson Street,
3 and I am very familiar with how special Hudson
4 Street is and the need to keep it special.

5 With that in mind, I am the first to
6 admit that I had concerns about the initial
7 application, but I think at this point Stevens has
8 addressed those concerns sufficiently, and they
9 should be commended for doing so, specifically with
10 regard to the merits of the application.

11 The height: That was certainly the
12 primary initial concern that I had, but I believe it
13 has been addressed at this point.

14 I think that the proposed height is
15 consistent with the buildings in the neighborhood,
16 and I don't think that that provides any reason to
17 hold the application back.

18 The architecture: I view the proposed
19 buildings as very esthetically pleasing. We heard
20 tonight about the parking lot. It is an eyesore. I
21 think that the proposed building to replace that
22 parking lot is a huge improvement.

23 I have similar thoughts about the
24 building to the south of the parking lot. I think
25 replacing that with the proposed structure is also

1 an improvement.

2 With regard to the use, I think the
3 academic use is a beneficial use. We have heard
4 more about that tonight.

5 I also think that with regard to the
6 intensity of the use, it is a low intensity use.
7 There have been concerns addressed, I believe in the
8 past, about the use of the buildings at night.

9 I think Stevens has addressed those
10 concerns, and the suggestion that there are going to
11 be concerns with light at night, I just think that
12 those are unfounded.

13 MR. GALVIN: Listen, I have a
14 condition, if the Board were to find in favor of
15 this case, that buildings are going to shut down at
16 ten o'clock and the lights have to go off.

17 MR. LATZER: Very good.

18 So I will be brief.

19 For those reasons, I think that the
20 Board should approve the application without
21 hesitation.

22 Thank you.

23 CHAIRMAN AIBEL: Thank you.

24 MR. GALVIN: Right your right hand.

25 Do you swear or affirm what you are

1 about to say is the truth?

2 MR. DI CAPUA: Yes.

3 MR. GALVIN: Okay. And state your full
4 name for the record and spell your last name.

5 MR. DI CAPUA: John DiCapua, D-i-
6 capital C-a-p-u-a.

7 MR. GALVIN: And your street address?

8 MR. DI CAPUA: 82 Bloomfield, Apartment
9 3A.

10 MR. GALVIN: You may proceed.

11 MR. DI CAPUA: I have been a resident
12 of Hoboken since 1998. I am an engineer. I am a
13 licensed professional engineer. I work in the
14 construction industry, and for the record, I have
15 absolutely nothing to do with the construction of
16 the building.

17 I wanted to make two points and tie
18 them together because it is important to understand
19 some of the compromises that Stevens has made.

20 The new facade type, in construction
21 the most cost effective and energy efficient way to
22 skin a building is with the original design, which
23 is called a curtain wall. The glass is the best use
24 that we have, the best technology that we have to
25 skin a building.

1 So when we look at the compromise, the
2 change to the stone and glass, in order to achieve
3 the same energy efficiency and insulation rating, it
4 actually is a large increase in cost. It is more
5 maintenance.

6 So the long-term effects of it are
7 pretty significant, and even though we kind of
8 rolled right through it, and it started to blend in,
9 it really was a pretty big compromise.

10 The other big compromise was the height
11 because when you are determining the feasibility for
12 a building, you base it off the cost per square
13 foot. And when you start looking at a new building,
14 whether it's two stories, four stories, six stories,
15 it needs a certain amount of infrastructure, no
16 matter about the height.

17 So when they looked at this project
18 initially, it was determined that a height of, I
19 believe it was five stories originally, that that
20 square footage yielded a good return on investment
21 to build the building. And when you reduce the
22 square footage, you essentially made the building
23 more expensive, so it was a big -- that was a big
24 compromise as well.

25 Why do I bring this up?

1 Because in the common thread of some
2 previous speakers, they are committed to being part
3 of the community and working with us and
4 compromising.

5 The evolution of this building has
6 yielded a product that will not overwhelm the
7 surrounding structures, and the use of the stone in
8 the arches, I believe, will enhance the neighborhood
9 character, and I request that the Board approve the
10 motion.

11 Thank you.

12 MR. GALVIN: Thank you.

13 COMMISSIONER GRANA: Thank you.

14 CHAIRMAN AIBEL: Please come forward.

15 Thank you.

16 MS. WRIGHT: I'm short.

17 MR. GALVIN: Do you swear or affirm
18 what you are about to say is the truth?

19 MS. WRIGHT: Yes.

20 MR. GALVIN: State your full name for
21 the record and spell your last name.

22 MS. WRIGHT: My name is Yuriko Wright,
23 W-r-i-g-h-t.

24 MR. GALVIN: And your street address?

25 MS. WRIGHT: 600 Hudson Street,

1 Apartment Number 2C.

2 MR. GALVIN: You may proceed.

3 MS. WRIGHT: Good evening.

4 My husband and I are new residents. We
5 are new to Hoboken. We just moved into the Union
6 Club in October, and we buy a unit in there.
7 We used to be in Jersey City Newport.

8 And we purchased our unit, you know,
9 based on the many factors related to the
10 neighborhood and the town, as well as the building
11 and apartment unit itself. But let me say I really
12 love the feeling of Hoboken, you know, compared to
13 Jersey City, Newport. It is so unique. It is
14 beautiful. Especially Hudson Street have a
15 beautiful feeling, and a historic nostalgic, a
16 little bit romantic feeling, you know, so that was
17 one of the major reasons that we bought -- purchased
18 the unit.

19 And then unfortunately, when we closed
20 the purchase deal, we were not aware of the
21 potential construction of a huge educational complex
22 building right across from our unit. So, you know,
23 we are looking forward to having, you know, nice
24 coffee, you know, over the weekend in a palace, and
25 now it seems like not likely or maybe under the

1 shade or something.

2 But anyway, that's, you know, and that
3 is a lack of disclosure upon the purchase, and it
4 has nothing to do with the meeting. But
5 nonetheless, I think the quality of the life for the
6 Hudson Street residents, I think we can share some
7 of what we are going to have, if the zoning
8 variances are permitted.

9 We did recognize that Stevens can
10 utilize their properties to benefit their
11 educational mission. We know that more, newer and
12 maybe bigger buildings are for their benefit.
13 However, we question why they should be granted
14 variances to the zoning provision that are meant to
15 preserve the character and attractiveness of the
16 neighborhood, especially, you know, when that
17 coverage ratio as an institute as a whole is under
18 30 percent, even though the proposed project would
19 cover over 90 percent of the specific lot in
20 question of Hudson Street and of Sixth, you know,
21 Street.

22 Perhaps they might have a greater
23 regard for the appearance or attractiveness of their
24 campus at the expense of the quality of the
25 neighborhood.

1 In addition, as they have pointed out
2 in the previous testimony, they have already, you
3 know, that they may exceed the height limit further
4 inside of the campus already, but they have not
5 offered no reasonable explanation as to why this
6 fact supports the granting of another variance for
7 this particular project when they could simply build
8 a tall building farther away from Hudson Street, and
9 then therefore preserve our daylight.

10 We have no objection to Stevens
11 building something on that parking lot, but if they
12 must build there, we see no reason that construction
13 should be other than consistent with the brownstones
14 on the remainder of the street, other than that the
15 institute simply wants to do so.

16 We also question whether expanding the
17 facilities, including labs housing hazardous
18 materials, which we don't know what they are dealing
19 with, is appropriate to the location.

20 We have been amazed by the number of
21 fire alarms that have drawn the Hoboken firefighters
22 to the corner of Hudson and Sixth Street just within
23 30 days of our residency, all of which I assume,
24 while nothing serious, however, these false alarms
25 cause disruption and noise to the neighborhood

1 especially at night.

2 With expanding facilities, what would
3 be the increased incidence of these alarms, and will
4 this raise the risk that some may not be false?

5 Ah, you mentioned that property value
6 is not something that you want to consider, so I am
7 not going to mention that --

8 MR. GALVIN: Thank you.

9 MS. WRIGHT: -- yeah -- but just let me
10 add --

11 (Laughter)

12 -- this is a part of our quality of
13 life as well. It is the fact, you know.

14 So, you know, the request is that
15 please, the people at the Zoning Board, consider the
16 serious impacts that approving this project,
17 variances of zoning would have on the taxpayers and
18 residents on the Hudson Street in the Hoboken
19 community, and then please deny the variances
20 requested by the institute unless they can
21 demonstrate beyond any doubt that construction
22 elsewhere on their campus will fail to provide their
23 educational mission for this project.

24 Thank you for your attention.

25 MR. GALVIN: Thank you.

1 MR. NASTASI: Thank you very much.

2 MR. GALVIN: Do you swear or affirm
3 what you are about to say is the truth?

4 MR. NATASI: Yes, I do.

5 MR. GALVIN: State your full name for
6 the record.

7 MR. NASTASI: John Nastasi,
8 N-a-s-t-a-s-i.

9 MR. GALVIN: And your street address?

10 MR. NASTASI: I have a business at 321
11 Newark Street, Hoboken.

12 MR. GALVIN: You may proceed.

13 MR. NASTASI: Thank you.

14 I want to be extremely brief and
15 explain that I have been an architect in town for 25
16 years, serving the community, clients all over the
17 City of Hoboken. Many of those clients are on
18 Hudson Street from as low as Third Street all the
19 way up to 14th Street.

20 I also worked quite a bit on Castle
21 Point Terrace, so I know the community very well.

22 I have also been a professor at Stevens
23 for ten years, and I have been working very closely
24 with the community of Hoboken solving local problems
25 and applying it to my teaching at Stevens.

1 I was brought into this project at the
2 point in time, where Stevens and the community began
3 talking, and there was some question about the
4 initial design, and I was sort of an integral part
5 of the discussions ameliorating the needs of the
6 community and the needs of Stevens.

7 And as part of those ongoing
8 discussions that Stevens has been working with the
9 community, we have the revised design, and a lot of
10 times in these meetings we talk about a lot of
11 things, but we should just talk about the building.

12 And if you look at the revised design
13 that is being proposed, from an architect's
14 perspective, there's a beautiful alignment of this
15 building with its southern neighbor, which is the
16 Carnegie building, which is the building I have been
17 teaching in for ten years, which has been sitting on
18 that street for 100 years, but there is also a
19 beautiful alignment with the Union Club across the
20 street.

21 And if we look at the renderings, if we
22 look at the elevations, if we look at the cornice
23 lines, the architectural character, I think this
24 proposed building sits beautifully and harmoniously
25 with both the Union Club across the street and the

1 Carnegie building to the south, and there's a very
2 nice and sophisticated architectural alignment with
3 those buildings.

4 I think the architect, Richard King,
5 has done a fantastic job. I don't usually
6 compliment architects too often, but I think --

7 (Laughter)

8 MR. GALVIN: Or attorneys.

9 (Laughter)

10 MR. NASTASI: -- or attorneys -- but I
11 think the solution is actually very elegant, very
12 mature in its testament to the process that went on
13 between the community and the institute at Stevens,
14 and I ask that you to look favorably upon the
15 application. I support it as an architect in town
16 and as a community member.

17 Thank you very much.

18 CHAIRMAN AIBEL: Thank you.

19 MR. GALVIN: Hi, Mary.

20 Raise your right hand.

21 Do you swear or affirm what you are
22 about to say is the truth?

23 MS. ONDREJKA: I do. Excuse me.

24 MR. GALVIN: State your full name for
25 the record.

1 MS. ONDREJKA: Mary Ondrejka. The last
2 name is O-n, as in nun, d, as in dog, r-e-j-k-a.

3 159 9th Street.

4 I am sorry. I have a headache, a
5 migraine. Okay.

6 MR. GALVIN: That's awful.

7 MS. ONDREJKA: Okay.

8 Following this project from its
9 beginning in May of 2014, I am reminded that there
10 is a time frame for everything in life. Structures
11 are erected to serve a purpose necessitated by needs
12 required at the time.

13 Life changes. Buildings fall out of
14 use or favor, become obsolete, and they might need
15 to be adapted for a different use or torn down to
16 build something else entirely. This is the story
17 for both the north and south lots at Sixth and
18 Hudson Street.

19 On the north lot, one stood for more
20 than a hundred years, the First Presbyterian Church,
21 built in 1852, and it was torn down sometime in the
22 1960s. That is the parking lot.

23 The lot was purchased by Stevens
24 Institute of Technology to be used as a small
25 parking lot for 36 cars.

1 On the south lot stands the Lieb
2 building slated to be demolished.

3 Usually I am against tearing buildings
4 down, but it must be noted that too much -- not too
5 much importance should be placed upon the existing
6 Lieb building.

7 This structure was erected by May of
8 1918 by the United States Navy Department as one of
9 two temporary dormitory buildings as Navy barracks
10 for the newly created navy steam engineering
11 training school on the Stevens' campus.

12 This naval steam engine school lasted
13 briefly because the war ended on November 11th,
14 1918, so the school closed on July 1st, 1919 leaving
15 the two dormitories vacant on the Stevens' campus.

16 Stevens ultimately purchased the
17 dormitory buildings from the Government between 1920
18 and 1921, and the one on Sixth Street later became
19 the library building.

20 It was renamed the Lieb Memorial --
21 Library when John William Lieb, a 1880 graduate,
22 donated to Stevens prints, manuscripts and books
23 relating to Leonardo DaVinci.

24 When the new library was built in 1969,
25 the Lieb building was used for classrooms, as it is

1 today.

2 A second and larger building, known as
3 the Navy Building, was demolished in 1980 for the
4 construction of a new mechanical and civil
5 engineering building, which was never constructed,
6 so a parking lot stood on the footprint until the
7 Babbio building was built upon it approximately ten
8 years ago.

9 Temporary barracks built upon college
10 campuses were considered surplus and were quickly
11 demolished or sold.

12 These two barracks buildings lasted
13 decades serving Stevens until they no longer were
14 viable.

15 To survive, everything must adapt to
16 the amenable laws of change, if they want to remain
17 relevant and useful.

18 Stevens Institute of Technology was
19 established as an engineering school in 1870 and has
20 continued to serve men and women in various fields
21 of technology because innovation and knowledge has
22 been offered to its students.

23 Since students -- since Stevens is
24 limited by its geography, building a structure upon
25 its periphery is the most logical and

1 environmentally effective way for the school to
2 utilize what little land they have to continue to
3 grow academically.

4 Offering the best and latest education
5 materials, techniques and innovation with the latest
6 state-of-the-art laboratories available to future
7 students while still remaining a beautiful --
8 maintaining its beautiful campus for all of Hoboken
9 to enjoy in a city that has very, very little green
10 space.

11 Hoboken has been constantly building
12 structures all the years that I've lived here.

13 And yet, what structure has been built
14 in Hoboken that truly benefits society?

15 The proposed Gateway Project before the
16 Zoning Board for your consideration for approval
17 with the variances required to complete Stevens'
18 vision of their campus' future is not some private
19 luxury residence that only an owner can benefit
20 from, but will be academic additions to the existing
21 campus.

22 The architect of the project has
23 conscientiously designed buildings that would be
24 built upon existing footprints of prior structures
25 that will blend seamlessly into Hudson Street

1 architecture.

2 I believe that the Gateway Project
3 designed will efficiently and effectively accomplish
4 what Stevens Institute of Technology is trying to
5 do, make a workable addition to their campus that
6 will serve the needs of their students while
7 remaining respectful to their Hudson Street
8 neighbors.

9 I am not inured to the fact that
10 construction is an inconvenient annoyance for
11 anybody who lives in the proximity of it.

12 Just on October 20th, this Board
13 unanimously granted approval for six high end luxury
14 condos to be built across the street from me catty
15 corner within the 901 Bloomfield Old First Baptist
16 Church, a truly historic structure, that will become
17 private residences. Unlike Stevens, which is an
18 institution of higher learning, who will be required
19 to turn their lights off after ten o'clock p.m., I
20 will not be able to tell the condo owners to shut
21 off their lights at night --

22 (Laughter)

23 -- when they will glow from 15 feet
24 high windows, including a 78 foot tower, and light
25 does affect migraines, folks.

1 I am proud to say that my father
2 graduated from Stevens Institute of Technology in
3 1948 with a mechanical engineering degree. Stevens
4 gave him opportunities and the structure for the
5 knowledge he gained. He respected it as an
6 institution of higher learning, which influenced me
7 enough that I actually came to Hoboken just because
8 he had gone to Stevens. I knew nothing of Hoboken
9 except that Stevens Institute of Technology was a
10 revered engineering school in town where my father
11 started on his way to his professional career.

12 Education is the most important thing
13 one can possess in life, and when one has the
14 opportunity to increase their knowledge at an
15 institution such as Stevens, and when the school
16 makes improvements to increase the opportunities it
17 has to offer future students who enter its door,
18 everyone benefits.

19 Stevens has adjusted the great Gateway
20 Project with great respect for the Hudson Street
21 residents and with all of Hoboken in mind with the
22 changes it continually made to its original design
23 to accommodate the residents. I only wish all
24 development projects were so respectful of their
25 neighbors.

1 I respectfully ask this Board to
2 approve this project for an improved academic
3 environment for the future students to benefit from
4 in innumerable ways.

5 I know I have benefited peripherally
6 from a Stevens graduate, my father, and I am
7 grateful for that, and thank you for your time.

8 MR. GALVIN: Thank you.

9 CHAIRMAN AIBEL: Do we have anybody
10 else?

11 (Laughter)

12 CHAIRMAN AIBEL: Sir, why don't you
13 come forward?

14 MR. GALVIN: You know, we covered a lot
15 of territory, okay? I am going to start asking you
16 guys to try to like to start to bring it down a
17 little bit. All right?

18 Raise your right hand.

19 Do you swear or affirm what you are
20 about to say is the truth?

21 MR. MOH: I do.

22 MR. GALVIN: State your full name for
23 the record.

24 MR. MOH: Keith Moh, M-o-h.

25 MR. GALVIN: And your street address?

1 MR. MOH: 536 Hudson Street.

2 MR. GALVIN: Okay.

3 MR. MOH: So by way of background, I
4 live directly across the street from the proposed
5 project, and I have been active with making
6 neighbors aware of this project since October 2014.

7 Stevens is asking for multiple
8 variances to construct their two buildings, and I
9 can see the point of giving Stevens some leeway
10 considering their needs.

11 Also, I think the current exterior
12 design put forth by their architects is attractive.

13 What I am against is the plan to
14 connect the two buildings with a two-story skybridge
15 suspended over Sixth Street. I am against the
16 skybridge for two reasons:

17 First, the skybridge connecting the two
18 buildings makes the project much too dense for a
19 residential neighborhood.

20 The skybridge will be between 30 and 40
21 foot tall and over 50 foot long. In my opinion,
22 this skybridge gives the two proposed buildings the
23 look and feel of a single massive institutional
24 structure, and the combined mass destroys the
25 character of the residential and historic

1 neighborhood.

2 My second reason for being against the
3 skybridge is that contrary to prior testimony, the
4 skybridge will significantly impact the light, line
5 of sight and views especially to those of us who
6 live directly across from this project.

7 Currently an open Sixth Street provides
8 much needed natural light and views to residents.
9 The architects have placed the skybridge at the rear
10 of the project, but the lots are only 100 feet deep,
11 and the skybridge is tall resulting in a structure
12 that will block natural light and views to
13 residents.

14 It should be noted that the skybridge
15 will be constructed primarily of glass and will
16 generate unavoidable light pollution during the
17 evening and cause sun glare during the afternoons.

18 In addition, the R-1(e) code states
19 that the design of buildings in the R-1(e) sub
20 district, particularly in portions of the sub
21 district adjacent to the R-1 district shall be
22 integrated with the character of adjacent districts,
23 streets and buildings.

24 The skybridge in no way conforms with
25 the character of the adjacent R-1 district, and in

1 fact, makes the whole project stick out like a sore
2 thumb.

3 Stevens has indicated they need to have
4 the building connected in order to have a physical
5 proximity for collaboration purposes. But in this
6 day and age, especially with state-of-the-art tech
7 schools, a lot of collaboration is done online. And
8 when physical collaboration is needed, there is
9 nothing wrong with walking across the street to the
10 other building.

11 Stevens has also indicated that the
12 skybridge is needed to transfer deliveries from the
13 north building to the south building. Now, this is
14 not a manufacturing facility, where there will be
15 constant deliveries of heavy equipment and raw
16 materials, and in fact, prior testimony has
17 indicated that there will be one delivery a day in a
18 small cargo van. There is no reason that a south
19 building delivery cannot be made directly using the
20 alleyway between the Buchard building and the
21 proposed south building.

22 Stevens has also indicated --

23 MR. GALVIN: Wait a minute. Stop for a
24 second.

25 What street are we talking about?

1 Where is the delivery -- where should
2 the delivery occur?

3 MR. MOH: There's an alleyway between
4 the Buchard building and the proposed south building
5 that has been indicated will be in the plans --

6 MR. GALVIN: I have: Deliveries to the
7 Academic Gateway or Carnegie building will never
8 occur on Hudson Street.

9 Is that what you are asking for?

10 MR. MOH: No, I'm not.

11 MR. GALVIN: What are you asking for?

12 MR. MOHN: There's an alleyway right
13 now between the Buchard building and the Lieb
14 building in the back behind the Lieb building and in
15 front of the Buchard building, and that alleyway,
16 according to the plans, is supposed to remain.

17 MR. GALVIN: Are there going to be
18 deliveries in that alleyway?

19 MR. TUVEL: No.

20 MR. MOHN: Not right now, because their
21 plan is to --

22 MR. GALVIN: No, no, no. I am trying
23 to get to -- right now I don't know if we are going
24 to approve it or we're going to turn it down, so I
25 want to make sure that we capture that.

1 If that is a concern you have, you want
2 me to capture it, right?

3 MR. MOH: Okay.

4 MR. GALVIN: So you don't want
5 deliveries to be made -- say it again. You don't
6 want deliveries to be made where?

7 MR. MOH: Okay.

8 What I am saying now is that in the
9 present plan that there is supposed to be deliveries
10 made to the north building, and that they will be
11 transferred via the skybridge to the south building.

12 MR. GALVIN: And you are okay with
13 that?

14 MR. MOH: No, I'm not.

15 MR. GALVIN: Okay.

16 MR. MOH: What I am saying is that
17 there is no reason why deliveries can't be made
18 directly to the south building, behind the south
19 building in the alleyway that will exist between the
20 Buchard building and the proposed south building.
21 That has nothing to do with Hudson Street.

22 (Board members confer)

23 MR. GALVIN: All right. Go ahead.

24 Keeping going. I misunderstood.

25 MR. MOH: Okay.

1 Stevens has also indicated a need to
2 have a skybridge to share utilities, but there is no
3 reason why this can't be done with underground
4 conduits, and then have maintenance access via a
5 manhole, just like PSE&G and the water and sewer
6 agencies routinely do.

7 As to the argument that somebody
8 brought up in a prior hearing, that a skybridge is
9 needed to cross Sixth Street due to traffic,
10 recording of Sixth Street traffic from my window
11 with a camera over five recent consecutive weekdays
12 between 9 a.m. and 9 p.m. shows a consistent average
13 of one vehicle using Sixth Street every minute and
14 three seconds.

15 This includes the Stevens' shuttle
16 buses, which account for about 17 percent of all of
17 Sixth Street traffic.

18 Sixth Street between River Terrace and
19 Hudson Street is a very lightly used and safe
20 street, and it can be made even safer by simply
21 installing one or two speed bumps.

22 If Stevens needs to cram so much
23 density and functionality into their two small
24 Hudson Street lots, that a skybridge is needed to
25 make the project feasible, then they should move

1 part of this density elsewhere and not put it all in
2 a residential and historic neighborhood.

3 Well, over a year ago, Stevens hosted
4 two information sessions presenting the Gateway
5 Project to the community. During these sessions,
6 the new president of Stevens said he was surprised
7 to learn that not everybody in Hoboken had heard of
8 Stevens, and that the Gateway would address this
9 issue by giving Stevens an entrance on Hudson Street
10 and by making Stevens visible from afar.

11 Well, today I don't think there is a
12 single resident in Hoboken who is not aware of
13 Stevens' presence due to their very visible shuttle
14 bus service and their housing of a significant
15 number of students in apartments throughout this
16 city.

17 There is no need for an in-your-face
18 skybridge to further remind residents of Stevens'
19 presence. So I respectfully request that should the
20 Zoning Board approve the Gateway Project, that it
21 scale back the project by not allowing construction
22 of the skybridge.

23 The skybridge has a negative effect and
24 no positive effect on the community. It may be good
25 for Stevens, but it is not good for us.

1 Thank you.

2 MR. GALVIN: Thank you.

3 Next?

4 CHAIRMAN AIBEL: Sir?

5 MR. GALVIN: Raise your right hand.

6 Do you swear or affirm what you are
7 about to say is the truth?

8 MR. HUNT: I do.

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

11 MR. HUNT: Matthew Hunt, H-u-n-t.

12 MR. GALVIN: And your street address?

13 MR. HUNT: 831 Monroe Street.

14 MR. GALVIN: You may proceed.

15 (Someone sneezed)

16 MR. GALVIN: God bless you.

17 MR. HUNT: I am currently serving as
18 the president of the student government at Stevens,
19 so I do feel compelled to speak very, very briefly
20 hopefully.

21 MR. GALVIN: Yes, very briefly because
22 I see you as part of the witness -- as part of the
23 applicant, you know.

24 MR. HUNT: Okay.

25 MR. GALVIN: You are going to be in

1 favor because you are with Stevens, right?

2 MR. HUNT: Kind of.

3 (Laughter)

4 MR. GALVIN: All right. Go ahead.

5 MR. HUNT: I won't touch on the
6 testimony or the compromises that Stevens has made
7 because I think after a year, we have heard enough
8 of it.

9 But I will say that I think I speak on
10 behalf of the whole student body when I say that we
11 need it. If we are expected to be this high
12 performing university that's contributing to the
13 community with these results of things like consolar
14 decathlon when it came from something in Hoboken,
15 and it's something that Hoboken can be proud of, if
16 we are expected to be that, we need this expansion.
17 We need a collaborative facility in the academic
18 core of the campus that is state-of-the-art.

19 I think without that, we cannot
20 continue to this high performing university that
21 we've become here. I think it is a key point for
22 Stevens, and like I said, I will keep it brief, but
23 I would urge you please vote in favor of the
24 project.

25 MR. GALVIN: Thank you very much. You

1 did a nice job. All right?

2 It is not fair. They could have called
3 you as a witness.

4 (Laughter)

5 Do you swear or affirm -- keep your
6 hand up -- do you swear or affirm that what you are
7 about to say is the truth?

8 MS. GROSS: Yes.

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

11 MS. GROSS: Barbara Gross, G-r-o-s-s.

12 MR. GALVIN: And your street address,
13 Barbara?

14 MS. GROSS: 600 Hudson Street.

15 MR. GALVIN: You may proceed.

16 MS. GROSS: I am here tonight to speak
17 against the Gateway Project.

18 I feel like David fighting against
19 Goliath. Stevens has deep pockets and has conducted
20 an extensive public relations campaign and hired
21 many outside professionals to speak for the project.

22 I am only one person, but I feel I do
23 speak for others, others who do not speak out, some
24 who I know as Stevens' employees and have told me
25 they are against it, others because they are

1 convinced that we cannot win against the Stevens'
2 steamroller. They have packed the room with
3 Stevens' students and employees.

4 I can understand the zeal the students
5 have for their school, but they are only passing
6 through Hoboken. I have lived here for 25 years and
7 plan to stay here.

8 I admire Stevens for first proposing a
9 90-something feet tall project, and then negotiating
10 down to 65 foot tall project, very clever
11 negotiating skills. If I wanted a 65 foot project,
12 I would also ask for a 90 foot project to give me
13 room to negotiate.

14 Why am I and others so opposed?

15 Yes, the architect has done a fine job
16 of design. We would like to see this project, but
17 not at this location. It makes no sense to put the
18 Gateway to the college at the intersection of two
19 narrow streets in a residential neighborhood, and a
20 two-story glass bridge is certainly not in keeping
21 with the character of the neighborhood. The city's
22 master plan specifically disallows such
23 construction. Much has been made of the supposition
24 that the Gateway Project will beautify the
25 neighborhood. I disagree.

1 This is a picture -- may I hand these
2 out to the Board?

3 MR. GALVIN: No.

4 MS. GROSS: Okay. I'll describe it.

5 MR. GALVIN: No, no. There is a
6 procedure for all of this, right?

7 So show it to Mr. Tuvell.

8 You just have to wait a second. He's
9 got to -- he might have an objection. It is a
10 lawyer thing here.

11 (Laughter)

12 MR. TUVEL: She could identify it. I
13 think it's a picture taken on the west side looking
14 east.

15 MR. GALVIN: Ms. Gross, who took the
16 picture?

17 MS. GROSS: My neighbor took the
18 picture two weeks ago. It is a photograph of the
19 parking lot.

20 MR. GALVIN: And do you know that to be
21 true, right?

22 MS. GROSS: I do know that to be true.

23 MR. GALVIN: All right. So we're going
24 to mark that --

25 MS. GROSS: And I think --

1 MR. GALVIN: -- let me speak.

2 MR. TUVEL: I don't object to it.

3 MR. GALVIN: We are going to admit that
4 into evidence.

5 Do you want the Board to look at it?

6 MS. GROSS: I have copies for everyone.

7 MR. GALVIN: All right. Go ahead.

8 Hand them out.

9 MS. GROSS: Okay.

10 MR. TUVEL: May I just grab one? I'm
11 sorry.

12 MR. GALVIN: I'm going to give this to
13 Ms. Carcone, and we're going to mark this N-2.

14 MS. CARCONE: N-2, like neighbor.

15 (Photograph marked Exhibit N-2))

16 MS. GROSS: I have plenty of copies.

17 Can I --

18 MR. GALVIN: Time out for one second.

19 Go ahead.

20 MS. GROSS: This is the view of the
21 parking lot from the corner of Sixth and Hudson,
22 trees and sky for the most part, not a sign of a
23 car. You can't see a car parked in that lot.

24 Would a 65 foot tall building, which
25 blocks the sky and light and would probably create a

1 wind tunnel, improve the view?

2 The height of the proposed project is
3 more than the zoning code allows in any case, and
4 because of the rise in the terrain, it looms taller
5 than the Union Club.

6 The Lieb building on the opposite
7 corner is one of the very few surviving historic
8 buildings in the city. It has lasted for over 100
9 years and could be repurposed.

10 Shouldn't we be preserving our heritage
11 as much as possible?

12 Stevens paid a consultant, who
13 testified before the Historic Preservation
14 Commission, claimed that the rubble, stone and brick
15 foundation makes the building unsound. However,
16 that is the method by which most 19th and early 20th
17 Century buildings in Hoboken were constructed, many
18 of which are still standing.

19 By comparison, the Babbio center, a
20 relatively recent addition to the campus, had
21 scaffolding around it for months due to construction
22 projects. No contest. Lieb is a much better built
23 structure. While it may not match the Carnegie
24 building next to it, it is certainly not an eyesore
25 to those of us who live there. We prefer it to a 65

1 foot fall building.

2 Stevens testified that they cannot
3 build this project at any other location because
4 they do not want to ruin the bucolic look of their
5 campus, and yet they are insensitive to the look of
6 the neighborhood where they plan to build it.

7 They also claim that they absolutely
8 could not do without the original plan for the
9 two-story glass bridge. Yet, they went back to the
10 drawing board after they heard all of the objections
11 to it and modified it.

12 We believe the bridge, even in its
13 current plan suspended over a public right-of-way,
14 should not be allowed. They can go back to their
15 drawing board once again.

16 Those who speak or have spoken or will
17 speak in favor, but who do not live around Sixth and
18 Hudson, should be careful. Stevens plans to bring
19 in 2,000 more students in the foreseeable future,
20 and that plan may have consequences for you.

21 Where will the additional dorms and
22 classrooms, as well as parking spaces be, if they do
23 not want to spoil their bucolic campus?

24 Perhaps coming to a neighborhood near
25 you soon, or were they being untruthful in

1 testifying about why this project cannot be located
2 elsewhere?

3 Will Stevens do to Hoboken, the fourth
4 most densely populated city in the United States,
5 what NYU did to the Village?

6 And how will 2,000 more students enter
7 the campus?

8 Most probably from Sixth and Hudson,
9 hardly a major thoroughfare.

10 The plan for the temporary parking
11 spaces in the municipal garages until the Babbio
12 Center Garage is finished is also ridiculous.

13 As noted at two Zoning Board hearings,
14 it's human nature to look for more convenient street
15 space before going into the garage, so we can expect
16 more cars taking up parking spaces on our already
17 overburdened streets. The same will be the case
18 after the Babbio Garage is opened.

19 At the very least, Stevens should be
20 required to complete the Babbio Garage before they
21 are allowed to start building the Gateway Project.

22 We have already had experience in
23 Hoboken with promises made by developers and
24 builders that never happened and with no sanctions.

25 I can understand why the Chamber of

1 Commerce wants to encourage more people to come to
2 our city, why the Quality of Life Coalition
3 champions a potentially LEED compliant project, and
4 why Stevens wants more tuition paying students.

5 Stevens likes the slogan, "Stevens is
6 Hoboken."

7 Yes. From their point of view, it is,
8 but for those of us who live here, it is more
9 accurate to say, "Stevens is in Hoboken."

10 Hoboken is a lot more than just the
11 college.

12 Who speaks for the residents of Hoboken
13 for whom nothing is to be gained by Stevens Gateway?

14 I hope that I do.

15 I ask the Zoning Board not to be
16 blindsighted by all of the Stevens' generated hoopla
17 and to deny them the variances they are seeking.

18 MR. GALVIN: Thank you.

19 Do you swear or affirm what you are
20 about to say is the truth?

21 MR. MEYER: I do.

22 MR. GALVIN: State your full name for
23 the record and spell your last name.

24 MR. MEYER: Robert Meyer, M-e-y-e-r.

25 MR. GALVIN: And your street address?

1 MR. MEYER: 404 Hudson.

2 MR. GALVIN: You may proceed.

3 MR. MEYER: Thank you.

4 Ladies and gentlemen of the Board,
5 thank you very much for allowing me to speak on
6 behalf of Stevens Institute and the application for
7 variances in order to proceed with the Gateway
8 Project.

9 I have been following the proceedings
10 for the last 17 months with great interest because
11 as we heard from many different ways, and certainly
12 tonight as well, this project will affect so many of
13 us in this community, and that is a good thing.

14 No matter -- no doubt, it is all a
15 matter of perspective, so please allow me briefly to
16 offer a few different perspectives that I bring for
17 your consideration.

18 First, as a pastor, I applaud Stevens,
19 their presence, the students, the staff and the
20 faculty continue to enrich our community by their
21 service, leadership and engagement.

22 Variances to this application would
23 certainly allow and enhance that great service to
24 continue.

25 As a practicing attorney, it is a

1 matter of justice. We have heard the many
2 accommodations that have been made in response to
3 the concerns raised in this forum. This is all in
4 light of the extraordinary costs that all of these
5 adjustments have caused.

6 Stevens provides an incredible and
7 important service to young people, who in time and
8 in fact may be the inventors and who will develop
9 technologies and solutions that will continue to
10 benefit not only us, but those who follow us. These
11 are, in fact, the facts that need to be accommodated
12 to the law in the instant matter.

13 As a professor, even one who offers his
14 humble expertise both at Seton Hall and Stevens in
15 the area of biomedical ethics, the need to replace
16 the outmoded and underutilized academic building
17 with a state-of-the-art facility is a no brainer.

18 Who among us doesn't regularly look to
19 improve our homes or our work places, and who among
20 us wouldn't want that for our children who are
21 university students as well?

22 Laws are meant to accommodate changing
23 needs in letter and in spirit, and this is certainly
24 an example of that.

25 As a community leader, it is important

1 for all of our Hoboken institutions to remain
2 healthy and vibrant, to continue to be engaged and
3 contributing members of our community. The Gateway
4 Project is a key to Stevens remaining competitive.
5 Stevens, Care Point Health, our churches and other
6 houses of worship all have a greater responsibility
7 especially in these uncertain times.

8 Clearly, we are called to provide
9 safety and confidence and assurance to our friends,
10 our neighbors and even the stranger. Stevens should
11 be allowed to invest in its future to continue that
12 to be a stable resource for our community.

13 Finally, as a neighbor, I am well aware
14 of the tender balance necessary between preservation
15 and renovation and improvement, especially on Hudson
16 Street. Certainly our church has a big part of the
17 footprint.

18 It is a concern that I have certainly
19 with respect to my tenant, Prime Time Health, a day
20 care center for children that rents our school
21 building at 408 Hudson.

22 All of us, though, are called to work
23 together in the spirit of collaboration to preserve,
24 enhance and build up our community, and I think that
25 the Gateway Project does that on so many levels.

1 I have heard it said many times that
2 "Perfect is the enemy of the good."

3 You have the good before you after much
4 accommodation, change and going back to the drawing
5 board. I find it almost interesting and ironic the
6 concern about the bridge because, in my opinion,
7 Stevens has been a bridge in our community, a bridge
8 between public and private, a bridge between old and
9 young, a bridge between east and west sides.

10 All you have to do is go to any of the
11 events, see the children and families snowboarding
12 on the hills there of the Stevens campus and watch
13 the students, faculty and staff engaged in service
14 just to name a few.

15 Ladies and gentlemen of the Board, I
16 respectfully request that you approve the Stevens'
17 application before you today.

18 When it is all said and done, and when
19 we look back, many generations to come will see that
20 this in fact was the right thing to do at this time
21 in our history.

22 Thank you.

23 MR. GALVIN: Thank you, Father.

24 CHAIRMAN AIBEL: I am going to take
25 that gentleman with his hand way up.

1 Please come forward, yes.

2 MR. GALVIN: Raise your right hand.

3 Do you swear or affirm what you are
4 about to say is the truth?

5 MR. TUMPSON: Yes.

6 MR. GALVIN: You may tell us your name
7 and spell your last name.

8 MR. TUMPSON: Dan Tumpson,
9 T-u-m-p-s-o-n.

10 MR. GALVIN: And your street address,
11 Dan.

12 MR. TUMPSON: 230 Park Avenue, Hoboken.

13 MR. GALVIN: Fire away.

14 MR. TUMPSON: I am assuming here first
15 that Stevens needs to expand its research and
16 teaching capacity, conclude new technologies that
17 are needed today, and also that Stevens needs to
18 expand its student base to be educated in its wider
19 range of disciplines. That is my assumption.

20 Then Stevens can either expand its
21 facilities on campus and eliminate the beautiful
22 green open space and trees that Hoboken has
23 benefited from for 145 years, or it can expand on
24 the periphery of the campus to accommodate the
25 research and teaching needs and refine student

1 housing off campus with buses to facilitate the
2 students acces. Although I think that buses may not
3 be as necessary as people think, because it is not
4 that far to walk to campus, but those are the two
5 possibilities.

6 As a long time resident of Hoboken, I
7 have had the privilege of not only earning a
8 doctorate of physics at Stevens, but also walking
9 within the beautiful green campus for 37 years.

10 Stevens has so far been expanding
11 mainly outside of the campus, that is, the student
12 busing, the housing off campus, combined with the
13 proposed Gateway and other possible periphery
14 projects, I think this project allows Stevens to
15 meet its expansion needs and still maintain historic
16 beauty -- the historic beauty of the campus.

17 As long as Stevens will commit to this
18 projectory, I think that the limit of the peripheral
19 Gateway Project is a solution that will meet
20 Stevens' needs and protect its legacy, which
21 benefits Hoboken. I'm talking about the legacy of
22 the beautiful green campus.

23 I recommend that Stevens commit to this
24 projectory, and that Hoboken allows it.

25 So I am asking Stevens to keep that

1 campus as pristine and beautiful as it is, and that
2 if it needs to expand, as in this case, that the
3 peripheral expansion is the way to go, so I would
4 recommend that this should be allowed.

5 Thank you.

6 MR. GALVIN: Thank you very much.

7 CHAIRMAN AIBEL: Thank you.

8 MR. GALVIN: Do you swear or affirm
9 what you are about to say is the truth?

10 MS. PRUSSACK: Absolutely.

11 MR. GALVIN: Give me -- sure --

12 MS. PRUSSACK: Sure, why not?

13 MR. GALVIN: -- you guys are wearing me
14 out.

15 MS. PRUSSACK: Yeah, okay.

16 (Laughter)

17 MR. GALVIN: State your full name for
18 the record.

19 MS. PRUSSACK: Catherine Prussack,
20 P-r-u-s-s-a-c-k.

21 MR. GALVIN: And your street address?

22 MS. PRUSSACK: 815 Hudson Street.

23 MR. GALVIN: Thank you.

24 MS. PRUSSACK: So I have been a Hoboken
25 resident for 33 years, 25 of which has been at 815

1 Hudson Street, so I am a neighbor of Stevens.

2 And for those of you who think you can
3 never defeat the giant Stevens, well, that is not
4 always the case because the parking lot at 8th and
5 Hudson didn't become their garage or their
6 maintenance garage, because the community came
7 together to oppose it.

8 In this case, though, I am really in
9 favor of the project. I understand the people who
10 live at the Union Club are worried about the light
11 that would be blocked by a building that's that
12 tall. But if they went to the same height, if
13 Stevens went ahead and built a building the height
14 of the prevailing, you know, all the other
15 structures, the people in the Union Club are also
16 going to feel like they are going to lose their
17 height -- so the variances, to make it a little bit
18 higher, to make the project work for Stevens is not
19 going to make an impact, a bigger impact I think on
20 the light for the street.

21 I think the buildings are beautiful. I
22 really think that -- we met with Stevens. This is
23 the first time in 25 years that I felt like they
24 listened to the community. They scaled back the
25 project. They didn't make a pedestrian walkway on

1 Sixth Street. They didn't take away our parking
2 places along there. They didn't -- hum, what was
3 the other thing -- so, hum, they scaled down the
4 buildings because they listened to us. And I feel
5 that they have put together a proposal that really
6 benefits the school, it's great for the community,
7 and I strongly urge you to support it.

8 MR. GALVIN: Thank you.

9 CHAIRMAN AIBEL: Thank you.

10 Let me ask: Is there anybody who has a
11 view against the application?

12 We have heard several in favor.

13 Is anybody else here to speak against
14 it?

15 I hate to put it in that frame, but I'm
16 trying to be balanced.

17 MR. GALVIN: As I said in the
18 beginning, we are not going to count. It is not
19 going to be, you know, 15 for, 20 against. That is
20 not the way it is going to be decided.

21 Raise your right hand.

22 Do you swear or affirm what you are
23 about to say is the truth?

24 MR. PRANSES: I do.

25 MR. GALVIN: State your full name for

1 the record.

2 MR. PRANSES: Terry Pranses,
3 P-r-a-n-s-e-s.

4 MR. GALVIN: Terry, give us your street
5 address.

6 MR. PRANSES: 730 Park Ave.

7 MR. GALVIN: Thank you.

8 MR. PRANSES: I am going to focus my
9 comments on the skybridge and some of the testimony
10 around the skybridge because I think bigger issues
11 are in place there.

12 In terms of the planner for Stevens,
13 there was a statement -- as part of the background
14 of the impact on the overall community, that this
15 was a medium density community.

16 It is not so at all. Many studies have
17 shown Hoboken is the third, fourth or fifth most
18 densely populated city in all of the U.S. We are a
19 mile square city with roughly 50,000. By way of
20 comparison, New York City, which I think most people
21 will consider very dense, has 27,000 per square
22 mile.

23 I also felt that some of the commentary
24 about the movement around the importance of the
25 grid, the major reason to preserve and build the

1 grid was about car traffic. And although car
2 traffic is important, and we had quite a bit of
3 testimony about car traffic, in reality Hoboken is
4 very dependent on public transportation and even
5 more dependent on pedestrian situations.

6 So what does this add up to?

7 Well, this adds up to the fact that as
8 most of the variances that come before you are
9 asking for greater height and greater lot coverage,
10 this one is asking for something else. It is asking
11 to disrupt the grid. The grid is what most of us
12 find gives us our view.

13 We also heard some testimony or some
14 inference that the only view worth having was a view
15 that showed you Manhattan.

16 I would argue any view that gives you
17 light, when you step out your front door to the left
18 or the right, and most people in Hoboken do not,
19 when they have that view, immediately see the towers
20 of Manhattan. It is very important.

21 So disrupting that view as we look
22 across a street and disrupting the light, whether
23 there is a famous building two miles away or not is
24 a disruption.

25 In fact, the bridge that we do have at

1 the skybridge, that connects the hospital to the
2 parking lot, which led to the input in the master
3 plan that there should be no further skybridges,
4 that bridge, which is roughly at Third and Clinton,
5 can be seen as far north as Tenth Street, and this
6 proposed bridge would not just be seen at Hudson
7 Street.

8 We heard quite a bit about the impact
9 on Hudson Street and the very immediate neighbors,
10 it would be seen at Washington Street. It would be
11 seen at Bloomfield Street. It would be seen at
12 Garden Street, and that is when the trees are full,
13 four or five months a year, that lack of light, that
14 inability to see the sunrise that we now get up over
15 Sixth Street would extend all the way west in town.

16 So why is there this bridge?

17 We heard about collaboration. We heard
18 that collaboration could occur in many different
19 ways, including walking across the street.

20 We heard that collaboration could take
21 place electronically. Certainly the Stevens'
22 students and the Stevens' professors would very much
23 be of that view, and yet, they feel they need the
24 skybridge.

25 Is it a naming opportunity?

1 Is that what's really the only thing
2 behind the skybridge?

3 We have not been told that.

4 In terms of the view one would have, we
5 have been told the impact of the skybridge would be
6 mitigated by the fact that the sides are glass.

7 Well, they are, but we already heard
8 testimony that it is going to reflect. We know that
9 light is going to come out at night, and we also
10 know that moving west from that intersection where
11 the skybridge will be located, the angle is
12 downwards.

13 So as you go to part of Hoboken, where
14 most of us live, down the hill from Stevens, as we
15 look back at the bridge, we are going to be looking
16 at two floors, two sets of soffits and a ceiling.
17 Unless you are 20 or 30 feet tall, you are not going
18 to look straight across and see glass to glass and
19 look through the skybridge.

20 So even making it glass, which may be
21 helpful, will not mitigate its overall impact on the
22 light and view corridor.

23 Then we also heard an energy argument,
24 and the energy argument could be resolved by going
25 underground. The energy argument could be handled

1 by two different power plants.

2 We have a preeminent architectural firm
3 working on this. It is a top engineering school. I
4 frankly don't think they tried.

5 Everybody in Hoboken with a house or a
6 small building has their own AC system. They have
7 their own heating system. 12 foot wide houses on
8 Willow Terraces have both, and yet for these two
9 sizable buildings, we are told that they can't
10 replicate that.

11 What I am saying is before we add a
12 skybridge here, and before we add a skybridge
13 anywhere in town, a skybridge that explicitly has
14 been asked to be left out of future architectural
15 plans in Hoboken, and which was for some reason
16 ignored in this case, we have to think of the
17 overall implication, not just on this building, not
18 just on Hudson Street, but what everybody who
19 travels up and down Sixth Street sees every day if
20 they look east into the sunlight and what will
21 happen with this structure.

22 I would hope for the future that future
23 generations of Hoboken, rather than looking up and
24 east at Sixth Street and seeing a building, would
25 see light and the sky and sunrises.

1 And I would also hope that Stevens
2 would keep open for its future generations as
3 students, the view they have now, which is really
4 quite nice looking down Sixth Street and seeing the
5 rest of Hoboken.

6 Thank you very much.

7 MR. GALVIN: Thank you.

8 CHAIRMAN AIBEL: Sir, the gentleman
9 right behind you.

10 MR. GALVIN: I just want you to all
11 realize that we have already heard a lot of the
12 testimony, and it is starting to become redundant,
13 so we are not going to continue to hear lots and
14 lots of the same arguments made over and over.

15 I don't know how I am going to sort it
16 out, but I am giving everybody fair warning that we
17 are coming pretty close to the end of what we are
18 going to need to hear, so you have to give us new
19 stuff, all right?

20 But I don't want to put any pressure on
21 you.

22 (Laughter)

23 Raise your right hand.

24 Do you swear or affirm what you are
25 about to testify to is the truth?

1 MR. NAUMANN: Yes.

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

4 MR. NAUMANN: David Naumann,
5 N-a-u-m-a-n-n.

6 I live at 532 Hudson Street, across the
7 street from the Lieb Building, and I live in an
8 apartment that I own with my family.

9 MR. GALVIN: Terrific.

10 MR. NAUMANN: I am also and have been
11 since the nineties a professor of computer science
12 at Stevens --

13 MR. GALVIN: Time out.

14 I am not going to stop you from
15 speaking, but I am looking directly at counsel for
16 the applicant. I can't keep having people that are
17 associated with the school getting up because I see
18 them as being part of the applicant.

19 MR. NAUMANN: I get that, and I am
20 going to be brief and ignore most of what I wrote.

21 I would like you to also know that I'm
22 a tenured professor, which means that I am --

23 MR. GALVIN: That means we would have
24 to wait for you for 15 minutes.

25 MR. NAUMANN: Yeah, that's true.

1 (Laughter)

2 MR. GALVIN: Okay.

3 MR. NAUMANN: Twenty, it could be
4 worse.

5 MR. GALVIN: I just want you to know
6 that Father did a great job.

7 MR. NAUMANN: Yeah, he was beautiful.

8 MR. GALVIN: Yeah.

9 MR. NAUMANN: So I am powered to talk
10 back to the administration. I get yelled at. To
11 demonstrate that, I will tell you how ridiculous the
12 Gateway concept is. There's obvious ways to have a
13 Gateway into campus, and this isn't it.

14 It is good that they have let that
15 concept go away and back to a building.

16 I am a closeby neighbor, but other
17 people have talked about the impact on neighbors and
18 so forth, so I'm not going to elaborate on that.

19 MR. GALVIN: Go ahead.

20 MR. NAUMANN: What I would like to tell
21 you, though, is as a computer science professor, I
22 do cyber stuff, and I could collaborate at a
23 distance all of the time with people on other
24 continents.

25 I also am in a department, which is

1 split between two buildings, so the rest of my -- so
2 half of my department is in Babbio, so I know I have
3 the direct experience of this concept of collaborate
4 by walking across the street. I get that. Yeah,
5 you can do that.

6 The fact is that the close proximity
7 when my department is put together between our
8 students, our research assistants and Ph.D.'s, and
9 so forth, and the ability to just bump into each
10 other over the water cooler and all is going to be
11 really fantastic.

12 People have asked: Will this enhance
13 the programs at Stevens?

14 And the answer is an unequivocal yes.
15 It is going to vastly improve the quality, the
16 ability of computer science in particular, recruit
17 world class researchers and students.

18 It's not about numbers. It's about
19 grading people inventing new things, and this to me,
20 the bridge, yeah, I understand the geometry, the
21 light gets cut a bit.

22 A bit of new evidence nobody has
23 mentioned is: You get reflection off these windows.
24 I get reflection off Carnegie. The new building
25 will give the people up the next block some

1 additional reflection. It will also block off the
2 noise coming through the alley from behind Carnegie
3 right now, okay?

4 But the big deal is just these
5 buildings are going to be a huge improvement in our
6 ability to educate and do research, and that bridge
7 in particular is a significant contributory to that,
8 so I hope it will end up getting approved.

9 Thank you.

10 MR. GALVIN: Thank you for your
11 contribution.

12 One more person, and we have to take a
13 break because the court reporter needs a break,
14 maybe two more people.

15 (Laughter)

16 Do you swear or affirm -- that's all
17 right.

18 A VOICE: Oh, I'm sorry.

19 MR. GALVIN: That's all right. We were
20 going this way, and you went that way.

21 (Laughter)

22 Do you swear or affirm what you are
23 about to say is the truth?

24 MR. FEINSTEIN: Yes.

25 MR. GALVIN: State your full name for

1 the record and spell your last name.

2 MR. FEINSTEIN: Robert Feinstein,
3 F-e-i-n-s-t-e-i-n.

4 MR. GALVIN: And your street address,
5 Robert?

6 MR. FEINSTEIN: 600 Hudson Street.

7 MR. GALVIN: All right. You may
8 proceed.

9 MR. FEINSTEIN: Most of the words I had
10 to say about this project have been already taken
11 out of my mouth by my neighbors, but I have one
12 comment that might just give a new perspective on
13 how to think about the height of these buildings.

14 If the limit on height is 40 feet in
15 our neighborhood, which it is, and the buildings are
16 somewhere up in the mid sixties, that is about 60
17 percent of the allowable height, so it is an
18 additional 60 percent of what is actually permitted
19 currently.

20 So that is the only point I wish to
21 make. I might just clarify a bit --

22 MR. GALVIN: Wow. That is a model of
23 testimony.

24 (Laughter)

25 Who's going to follow this model?

1 Are you going to follow the model?

2 MR. GALVIN: Come on up.

3 A VOICE: It's going to be different.

4 MR. GALVIN: I was just going to say,
5 the people in Hoboken, you guys are very well
6 spoken, but let's bring it down a little. All
7 right?

8 Raise your right hand.

9 Do you swear or affirm what you are
10 about to testify is the truth?

11 MR. BLUMBERG: I do.

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

14 MR. BLUMBERG: Alan Blumberg,
15 B-l-u-m-b-e-r-g.

16 MR. GALVIN: And your street address?

17 MR. BLUMBERG: I live at 1500
18 Washington Street, Apartment 9E.

19 MR. GALVIN: All right. You may
20 proceed.

21 MR. BLUMBERG: A lot of you may
22 recognize me from my appearances on the Weather
23 Channel and CNN during Hurricane Sandy. My group
24 and I were forecasting how much water was coming
25 into Hoboken and when.

1 We worked with the Mayor's Office of
2 Emergency Management hoping to save lives and
3 protect property. We were so much successful in our
4 endeavors, that I had a lot of research money, and
5 we have attracted world class meteorologists and
6 hydrologists, and we are developing precipitation
7 based forecast models of Hoboken on the western
8 side. So the next time there is a weather event, we
9 will be able to tell you how much water is coming
10 and where. The single biggest impediment of our
11 research is lack of space.

12 I have the world class people coming
13 in. There is no office for them. There's no
14 classrooms to teach all of these world class
15 students that are coming to work with the faculty.

16 Storms of the future are coming more
17 and more, and what I am hoping is that we develop
18 this capability to have a beautiful attractive
19 building that's functional and will be able to save
20 your lives perhaps during the next event.

21 Thank you.

22 MR. GALVIN: All right. Thank you.

23 Raise your right hand, please.

24 Do you swear or affirm what you are
25 about to testify is the truth?

1 MS. ABERNATHY: I do.

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

4 MS. ABERNATHY: Melissa Abernathy.

5 MR. GALVIN: Spell your last name.

6 MS. ABERNATHY: A-b-e-r-n-a-t-h-y.

7 MR. GALVIN: And your street address?

8 MS. ABERNATHY: 1115 Willow Avenue.

9 MR. GALVIN: You may proceed.

10 MS. ABERNATHY: All right.

11 I am going to save you some time
12 because I am representing five other members of the
13 Quality of Life Coalitiion in my remarks tonight as
14 well as my own.

15 And I am sure you understand that the
16 Quality of Life Coalition has a long history of
17 supporting historic preservation and advocating that
18 development projects minimize the negative impacts
19 on the quality of life of the community.

20 That said, we respect the remarks by
21 many of our neighbors tonight. I won't repeat any
22 of them. They were very eloquently expressed, but I
23 would like to say that we, from long experience in
24 attending Zoning hearings, understand that your job
25 as a Zoning Board of Adjustment is to consider and

1 represent -- several of your representatives --
2 members of the community when weighing whether a
3 proposed project would have an overly negative
4 impact both on the immediate neighbors and the
5 larger community.

6 So on behalf of the Quality of Life
7 Coalition, I would like to say that notwithstanding
8 some of the very legitimate concerns raised by some
9 of our neighbors, our collective opinion is that the
10 project's benefits outweigh the negative impacts,
11 and we encourage you to vote for the project.

12 Thank you.

13 MR. GALVIN: Thank you.

14 (Board members confer.)

15 MR. GALVIN: Are you with Stevens?

16 A VOICE: No.

17 (Laughter)

18 MR. GALVIN: All right. So I am going
19 to try to start figuring out if the testimony is
20 coming from a person who works for -- do you work
21 for Stevens?

22 MR. SNYDER: I do not work for Stevens.

23 MR. GALVIN: No, okay.

24 MR. SNYDER: I do not.

25 MR. GALVIN: Do you swear or affirm

1 that your testimony that you're about to give is
2 true?

3 MR. SNYDER: I do.

4 MR. GALVIN: State your full name.

5 MR. SNYDER: And I'll repeat that I do
6 not work for Stevens. I will say that under oath.

7 (Laughter)

8 MR. GALVIN: Thank you.

9 Now, state your full name for the
10 record.

11 MR. SNYDER: Richard Snyder,
12 S-n-y-d-e-r, and I live at 551 Observer Highway.

13 MR. GALVIN: Thank you, Mr. Snyder.

14 MR. SNYDER: So thank you for letting
15 me speak tonight.

16 I am speaking to you as a ten-year
17 resident of Hoboken and as a licensed professional
18 architect. I work in the city, but I live here, and
19 I have a vested concern in how the city proceeds in
20 the future, and that is really my point.

21 Stevens is an economic generator.

22 Hoboken is no longer a manufacturing town.

23 Everybody knows this. Stevens is ideal for the
24 knowledge base STEM economy of today, the 21st
25 Century.

1 Stevens provides jobs at all income
2 levels, and students, when they graduate, they have
3 the job skills and income for a future prosperous
4 tax base. Any town in New Jersey would bend over
5 backwards to have an institution like Stevens in
6 their town.

7 The second point: Stevens needs new
8 classroom and research space to maintain their core
9 mission.

10 We just heard that testimony. We need,
11 as a Zoning Board of Adjustment, we need to support
12 Stevens in their attempt to remain competitive in
13 attracting and remaining -- in retaining top faculty
14 research and students.

15 The Stevens campus is densely built
16 out. Everybody can see that. You can look at a
17 map. You can see that there's green spaces between
18 a lot of buildings. There's not a lot of big open
19 tracts of land.

20 They have selected two underutilized
21 adjacent sites in the community to locate the
22 Gateway Project. The project, architecturally
23 speaking, will reinforce and improve the Edu campus
24 and the Hudson Street entrance to Stevens. The
25 building design through all of the process of public

1 hearing, the building design is very contextual and
2 in scale in its design and use of materials.

3 Stevens should be commended for
4 engaging the community to the level that they have,
5 and I think that the design changes have been based
6 on the 18 months that we have been talking.

7 The walkway is a major point.
8 Everybody keeps talking about the walkway.

9 I think Stevens has demonstrated
10 architecturally why the walkway is needed. It is
11 integral to getting the two buildings to work
12 together, and furthermore, I'd say there is
13 precedent in the community for this type of
14 development of a public right-of-way.

15 I wanted -- one of the other points I
16 wanted to speak to as an architect is about the
17 world of public architecture in the towns and cities
18 that we live in.

19 If you ask people in town what are the
20 most attractive and significant buildings in
21 Hoboken, you will get responses like, you know, city
22 hall, the library, the post office, et cetera.

23 I would say that the Gateway building
24 is very distinctive and is sympathetic in its design
25 to the Hudson Street neighborhood and reflects this

1 public design process that we've all participated in
2 for the last year and a half.

3 And my final point is about zoning. By
4 definition, zoning was developed to separate
5 incompatible uses in cities. In this day and age,
6 we don't have industrial uses any more. We have,
7 you know, an innovation economy. Stevens generally
8 and specifically the Gateway Project, I would say,
9 are not incompatible uses. It blends in with the
10 neighborhood. People work at home. There is no
11 difference in the activity that is going to occur on
12 either side of Hudson Street.

13 So in closing, I would ask the Board to
14 please recommend this project and also to please
15 recommend the Babbio Garage project, so Stevens can
16 realize -- maximize their investment in the
17 community.

18 Thank you.

19 MR. GALVIN: Thank you so much.

20 CHAIRMAN AIBEL: We are going to take a
21 break, but before we do that and everybody stands up
22 and begins making noise, I would like to have the
23 counsel for the other two applications come up.

24 MR. GALVIN: Mr. Matule and Mr. Burke.

25 (Laughter)

1 MR. GALVIN: It looks like To Tell The
2 Truth.

3 (Laughter)

4 CHAIRMAN AIBEL: We are going to take a
5 15-minute break --

6 MR. GALVIN: Wait, just wait.

7 CHAIRMAN AIBEL: We can do it off --

8 MR. GALVIN: No. We got to do it on
9 the record.

10 CHAIRMAN AIBEL: We can do it on the
11 record --

12 MR. GALVIN: We will do it on the
13 record. Sorry. Trust me, I know what I am doing.

14 CHAIRMAN AIBEL: Okay.

15 MR. MATULE: Good evening, Mr. Galvin,
16 and Chairman Aibel.

17 MR. GALVIN: It looks very unlikely
18 that we are going to reach you tonight.

19 MR. MATULE: I would say being number
20 three, that is realistic.

21 MR. BURKE: Are you looking at me, too?

22 MR. GALVIN: Yes.

23 (Laughter)

24 Somebody has to go to Atlantic City
25 tonight, so I was hoping we would be done between

1 10:30 and 11, and I think we are going to need a
2 good portion of this hour and a half to finish this
3 case.

4 MR. MATULE: Understood.

5 MR. BURKE: Understood.

6 MR. GALVIN: And I got nothing for you
7 except that we can carry it to November 30th and
8 then figure it out.

9 MS. CARCONE: Or we can go to December
10 15th.

11 MR. MATULE: Okay. I will be here
12 November 30th.

13 MR. BURKE: I'm on the agenda --

14 MS. CARCONE: You are both on the
15 agenda for November 30th, so we can just sort out
16 what projects --

17 MR. MATULE: And we will consent to the
18 time within which the Board has to act through the
19 November 30th meeting.

20 MR. GALVIN: Mr. Burke, you, too?

21 MR. BURKE: Ditto.

22 MR. GALVIN: Okay.

23 We need a motion to carry both of these
24 matters.

25 Pat, tell me what the matters are.

1 MS. CARCONE: 710 Hudson and 75-77
2 Madison.

3 MR. GALVIN: Do I have a motion to
4 carry those without further notice?

5 COMMISSIONER GRANA: Motion to carry
6 710 Hudson and 75-77 Madison to November 30th
7 without future -- any more public notice.

8 MR. GALVIN: Is there anybody here who
9 is not here to be heard on the Stevens case?

10 All right.

11 COMMISSIONER COHEN: Second.

12 MS. CARCONE: Wait. Who was the
13 second?

14 MR. GALVIN: Second by Mr. Cohen.

15 MS. CARCONE: Okay.

16 Commissioner Cohen?

17 COMMISSIONER COHEN: Yes.

18 MS. CARCONE: Commissioner DeFusco?

19 COMMISSIONER DE FUSCO: Yes.

20 MS. CARCONE: Commissioner Grana?

21 COMMISSIONER GRANA: Yes.

22 MS. CARCONE: Commissioner Murphy?

23 COMMISSIONER MURPHY: Yes.

24 MS. CARCONE: Commissioner Branciforte?

25 COMMISSIONER BRANCIFORTE: Yes.

1 MS. CARCONE: Commissioner Fisher?

2 COMMISSIONER FISHER: Yes.

3 MS. CARCONE: Commissioner Aibel?

4 CHAIRMAN AIBEL: Yes.

5 9:15, we will be back.

6 MR. MATULE: Thank you and good luck.

7 (Recess taken)

8 CHAIRMAN AIBEL: Okay. We are back on

9 the record. It the almost 9:15, 9:20.

10 Do I have hands for more comments?

11 MR. GALVIN: Okay. After this witness,

12 we are going to ask you if you are for or against

13 this application.

14 All right. Go ahead. Raise your right

15 hand.

16 Do you swear or affirm what you are

17 about to say is the truth in this matter?

18 MS. MURPHY: I do.

19 MR. GALVIN: State your full name for

20 the record and spell your last name.

21 MS. MURPHY: Ann Murphy, M-u-r-p-h-y.

22 MR. GALVIN: All right. And your

23 street address?

24 MS. MURPHY: 1123 Garden Street.

25 MR. GALVIN: All right. You may

1 proceed.

2 MS. MURPHY: So I am going to keep my
3 comments brief. I had a lot of things I want to
4 say, but they have all been said.

5 I think one of the things that hasn't
6 been said is to specifically focus on the bridge,
7 because I think the bridge has been what has been
8 talked about by the people opposing the project, and
9 I want to talk about the bridge from more of a
10 positive side.

11 When you think about the bridge, the
12 bridge is -- it's very important to realize that the
13 bridge is actually set back from Sixth Street,
14 right?

15 So that means if you are a Hudson
16 Street resident, you will not see that bridge unless
17 you are on the very edges of Sixth Street at the
18 corner of Sixth Street and Hudson Street, which I
19 would argue, I don't know, we could do a study, but
20 maybe it is 12 feet off. Maybe it's a little bit
21 more. It's not a lot of people.

22 And for those people, to the extent
23 they can see that bridge, they will see a fully
24 enclosed glass bridge, so we are talking about the
25 reflection that 12 people will see for a bridge.

1 Now, the benefits of a bridge: Many of
2 you have been in the Monroe Center. The Monroe
3 Center is a fabulous building for our community. I
4 have two young kids in Hoboken, and I am there
5 constantly. That center would not be nearly what it
6 is today without those skybridges because it
7 connects those three buildings in a way that makes
8 them one. That will be the same with these two
9 buildings. It will connect them in a way that makes
10 them one.

11 I argue that a strong Hoboken -- or a
12 strong Stevens ensures a strong Hoboken. I have
13 been a resident of Hoboken for 23 years, and I have
14 seen the ups and downs of Hoboken, and the one thing
15 that has remained constant is the presence of
16 Stevens and the way that it supports the city.

17 And I have to say that now more than
18 ever under the leadership of President Favardin,
19 I've seen energy and enthusiasm like none other than
20 before. Whether it's friends complimenting me on
21 babysitters from Stevens or tutors or volunteers at
22 Hoboken -- or at Perkins and Sandy, it is really,
23 really unbelievable.

24 Wait. I want to go back to the bridge
25 and then I'll conclude, because there was one other

1 point I wanted to make.

2 A comment was made about the views from
3 the west, because again, the bridge is the issue.
4 The views from the west. Again, we argued only a
5 handful of people on Hudson Street. The views from
6 the west, those are largely commercial, not
7 residential, largely commercial.

8 The views that they say go all the way
9 down to Bloomfield Street, Washington Street, those
10 are largely commercial views. Not a lot of people
11 will even see this bridge, which I argue is very
12 attractive.

13 The last thing I wanted to bring up
14 about the bridge is that it uses public use space or
15 whatever the technical term is.

16 I want to remind the Zoning Board and
17 the people here tonight that Stevens owns a great
18 portion of Sinatra Drive that they give to the City
19 of Hoboken as an easement at no cost.

20 So we are already -- I do work for
21 Stevens, I have to admit, for a few years, but not
22 for all of my time in Hoboken, so for this time --
23 all of this time, these decades and decades, Stevens
24 University has been lending this space to the city
25 and will continue to do so. So to ask for this

1 little air space I think is not much for the benefit
2 of this collaborative space that it will create.

3 Thank you.

4 CHAIRMAN AIBEL: Okay. We are asking
5 for people who have comments that are not in favor
6 of the application.

7 MR. GALVIN: Who has got comments that
8 are not in favor of Stevens' Gateway application?

9 Come on up.

10 CHAIRMAN AIBEL: Please come forward.

11 MR. GALVIN: Raise your right hand.

12 Do you swear or affirm that what you
13 are about to testify to is the truth?

14 MR. CARROLL: Yes, sir.

15 MR. GALVIN: State your full name for
16 the record and spell your last name.

17 MR. CARROLL: Matthew Carroll,
18 C-a-r-r-o-l-l.

19 MR. GALVIN: Thank you.

20 And your street address?

21 MR. CARROLL: 600 Hudson Street.

22 MR. GALVIN: You may proceed.

23 MR. CARROLL: All right. Thank you.

24 I have nothing against Stevens
25 Institute. I think it is a wonderful institution

1 and support the institution.

2 This project, however, though, really
3 encroaches, though, on the residents of Hudson
4 Street, particularly those who will be directly
5 across the street from the structure.

6 It is a -- Hudson Street is one of the
7 finest residential neighborhoods -- street, in the
8 City of Hoboken. It is one of the reasons why I
9 moved to Hoboken from Manhattan. It is a zoned
10 residential neighborhood where you are talking about
11 building classrooms. This is completely out of
12 character with the homes, with the townhomes, and
13 other residences that exist on the street.

14 Also, I would say in terms of the
15 skybridge, I could speak directly to the impact that
16 it would have in terms of, you know, the views that
17 people have of the city.

18 Recently Stevens had had some
19 construction work going on on one of the buildings.
20 There is substantial scaffoldings that completely
21 block the views of the Hudson River from my vantage
22 point. That work has been completed.

23 Now that the scaffolding has been
24 removed, it is very clear what a wonderful view you
25 have looking up Sixth Street into the city.

1 So, you know, I'm against the
2 skybridge, but in general, the project itself just
3 it is a real encroachment on the people who call
4 that street home.

5 Thank you.

6 MR. GALVIN: Thank you so much.

7 CHAIRMAN AIBEL: Anybody else?

8 Please come forward.

9 A VOICE: Do you have to be against?

10 MR. GALVIN: Let's do a for now.

11 Right here, this man right here.

12 Do you guys want to duke it out or
13 what?

14 (Laughter)

15 A VOICE: No. Ladies first.

16 MR. GALVIN: The other thing I'm going
17 to say to you is we are going to close this down
18 really soon.

19 I think that we have heard from both
20 sides adequately, and the Board has enough
21 information to make a decision. I am begging you,
22 if you don't really have something to contribute,
23 don't make me be a bad guy and have to tell you we
24 don't want to hear anybody else, okay?

25 (Laughter)

1 A VOICE: This better be good.

2 MR. GALVIN: You better be great.

3 (Laughter)

4 Raise your right hand.

5 Do you swear or affirm what you are

6 about to testify to is the truth?

7 MR. MACKIEWICZ: I do.

8 MR. GALVIN: State your full name for

9 the record.

10 MR. MACKIEWICZ: Richard Mackiewicz,

11 M-a-c-k-i-e-w-i-c-z.

12 My business is at 625 Washington

13 Street, Hoboken, New Jersey.

14 Currently I serve as the president of
15 the Chamber of Commerce in the City of Hoboken, and
16 I am here on my own behalf as well as the 25 other
17 board members to support the application of Stevens,
18 and in the interest of counsel's statement to try to
19 keep it short and sweet, we submitted a letter, and
20 we would ask that the letter be considered in
21 addition to which I will just make two points.

22 As you deliberate tonight, one of the
23 things you will focus on is the public good. I want
24 to speak just three seconds as to that and then also
25 to the subject of Watson.

1 As to the public good, it is necessary
2 for you to recognize that the issue is not just the
3 neighborhood. It is the city as a whole, as well as
4 perhaps the world as a whole.

5 Insofar as the city, Stevens
6 contributes \$117 million of revenue to the City of
7 Hoboken and it employs over a thousand persons both
8 full and part time. It is a significant vital part
9 of the economic energy that is Hoboken, and it's
10 something that is important.

11 So that as you assess this and the need
12 that exists for this, I want you to keep in mind
13 what the public good is, and it is not just
14 necessarily the environs around where the buildings
15 are going to be located.

16 I mentioned the aspect of Watson, and
17 this goes to the whole issue of the bridge, et
18 cetera. We all have one of these. It is a very
19 important part of our lives. We walk around with
20 this (indicating), and in fact, it's almost become
21 an appendage, but this was conceived and its
22 conception was made in one sentence.

23 Watson, come here quick.

24 When Alexander Bell invented the phone,
25 imagine if Watson had to go down the stairs, across

1 the street, back up the stairs and walk around, we
2 might not have this. So think about that, and think
3 about that, please.

4 Thank you very much.

5 (Laughter)

6 (Applause)

7 MR. GALVIN: Nicely played.

8 Anybody else?

9 Anybody who is going to have comments
10 against the application?

11 So how many people are left that have
12 comments for the application?

13 All right. Mr. Tuvell, I think you have
14 to weigh in here.

15 I am of the mindset that I don't see
16 what the advantage is to the applicant's case.

17 MR. TUVEL: All I would say, Mr.
18 Galvin, on that issue is I understand what your
19 point is, if they are neighbors and they live
20 nearby, I can't stop them.

21 I mean, if they're buddy neighbors,
22 I think they should speak.

23 MR. GALVIN: Then what I am going to
24 ask you to do is get on line because this is going
25 to be the final speaking opportunity.

1 So hold on one second. Let's just be
2 clear.

3 Did somebody sit down?

4 Don't sit down. You got to stand in
5 the line.

6 All right. That is the last person.

7 All right. Raise your right hand.

8 Do you swear or affirm what you are
9 about to testify is the truth?

10 MS. QUIST: Yes.

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

13 MS. QUIST: My name is Hillary Quist,
14 Q-u-i-s-t.

15 MR. GALVIN: And your street address?

16 MS. QUIST: 812 Hudson Street.

17 MR. GALVIN: You may proceed.

18 MS. QUIST: And I do not work for
19 Stevens.

20 MR. GALVIN: At this point we are just
21 trying to finish the hearing. Go ahead.

22 Please be brief.

23 MS. QUIST: Just very quickly, yes.

24 I live on Hudson Street. I really
25 enjoy the residential piece of that. I feel like in

1 recent years, that this center area of the community
2 has been slowly surrounded by very tall buildings,
3 and so I understand the nature of everybody wanting
4 to keep it very residential.

5 I just wanted to point out that the
6 east side of Hudson Street from 8th Street all the
7 way down is not really residential any more at all.
8 There is a very small piece that is residential.
9 The rest is mostly owned by Stevens, and then the
10 park and also Stevens, and then, you know, city
11 pieces.

12 So building something there that is
13 Stevens, but also filling in a wall that helps to
14 create that feel of a residential area, I can only
15 support.

16 So I think it is a lovely project, and
17 I support it.

18 MR. GALVIN: Thank you.

19 Next.

20 raise your right hand.

21 Do you swear or affirm what you are
22 about to testify to is the truth?

23 MR. PRICE: I do.

24 MR. GALVIN: State your full name for
25 the record, and spell your last name.

1 MR. PRICE: Aaron Price, P-r-i-c-e.

2 MR. GALVIN: And your street address,
3 Mr. Price?

4 MR. PRICE: It's 812 Grand Street,
5 Hoboken.

6 MR. GALVIN: You may proceed.

7 MR. PRICE: I will try to keep this
8 relevant and somewhat new.

9 MR. GALVIN: Thank you.

10 MR. PRICE: I think I may represent
11 some of the public good that can come out of what
12 happens when an institution like Stevens partners
13 with the community.

14 I am a homeowner here. I've lived in
15 Stevens -- I've lived in Hoboken for ten years, and
16 I am a technology entrepreneur and started the New
17 Jersey Tech Meet Up five and a half years ago to
18 support that what could be an unusual career.

19 So I approached Stevens when there was
20 just a few hundred members as what I saw as sort of
21 a faceless building on a hill to see if they could
22 house our group, which had grown to then many
23 hundred members and was a wait list sort of event,
24 and was sort of apprehensively welcomed into the
25 campus.

1 Five and a half years later, we are the
2 largest technology and entrepreneurship group in New
3 Jersey with over 5100 members who hosted 70 almost
4 consecutive events, many of which at Stevens. And I
5 see them not just as a host to what we try to do,
6 which is bring together entrepreneurship and
7 technologists with speakers, many of whom are world
8 renown speakers and founders of companies like Hot
9 Jobs and Price Line, but also a partner that has
10 added to some of that success.

11 In defining Hoboken as what I hope to
12 be a beacon of technology entrepreneurship, it has
13 gotten us press in The Wall Street Journal and
14 Forbes, and it has led to my invitation to the White
15 House to speak on behalf of Hoboken. So I think it
16 is a really important consideration when you think
17 about the public good of what might come of opening
18 up more space because I have also seen the massive
19 deficit of space in Hoboken. As it turns out, when
20 you run events, you actually need space to put
21 people in to house them.

22 So in trying to run educational
23 programs, not just for my own constituency, but for
24 the public at large for Stevens' students and
25 children, I am often met with the unfortunate

1 reality that there is no space available at Stevens,
2 and so I urge you to consider the reality of the
3 logistical importance of bringing people together in
4 environments and how that potentially affects
5 innovation.

6 I also want to add that I think that
7 there is context lacking. As somebody who has a
8 leadership voice among the start-up community, not
9 just in New Jersey, but in the region at large, I
10 have seen what NYU and Columbia and Princeton, and
11 if you're familiar with Cornell and the Technion
12 campus that's coming to Governor's Island, what they
13 are trying to do is to attract the best potential
14 talent in students on the planet.

15 And Stevens claims to be the innovation
16 university, but they are sort of held back in
17 competition to their peers, while many of these
18 other facilities are modern, state-of-the-art
19 facilities, Stevens is trying to pursue something to
20 at least raise their bar, at least meet those that
21 appears around the region.

22 So, you know, imagine, it is no
23 coincidence that Facebook came out of a dorm room at
24 Harvard, that Google came out of the research of
25 Sergey and Larry, literally out of the research lab

1 at Stanford.

2 So imagine what may come out of a
3 facility that is an academic research facility, if
4 we allow the institution to innovate in the ways
5 that they would like to.

6 Thank you.

7 MR. GALVIN: Thank you.

8 Next.

9 Raise your right hand.

10 Do you swear or affirm what you are
11 about to testify to is the truth?

12 MR. DZIMAN: Yes, I do.

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

15 MR. DZIMAN: My name is Bo Dziman,
16 D-z-i-m-a-n, and I live at 732 Hudson Street.

17 MR. GALVIN: You may proceed.

18 MR. DZIMAN: Thank you.

19 THE REPORTER: What was your first
20 name?

21 MR. DZIMAN: Bo, B-o.

22 My wife Adrienne and I have lived in
23 Hudson Street --

24 MR. GALVIN: Wait, time out for a
25 second.

1 No adding to the line, sorry.

2 (Laughter)

3 Go ahead.

4 MR. DZIMAN: -- my wife was traveling
5 on business. Her name has been mentioned here
6 before.

7 We have been living on Hudson Street
8 for close to 20 years. For most of those years, it
9 is fair to say that we had a distrustful and hostile
10 relationship with Stevens. We were among the
11 founders of the Historic Hudson Street Coalition
12 over a decade ago, which successfully drove the
13 amendment of numerous Zoning Board ordinances to
14 prevent inappropriate development by Stevens on the
15 periphery of the campus. We are the people who sued
16 Stevens and won.

17 At the time, Stevens was proposing to
18 relocate the facility maintenance department from
19 Sinatra Drive to Hudson Street. It was rancorous --
20 it was a rancorous fight, and there no efforts on
21 the city -- on the school's part to address the
22 community concerns. Thankfully, they did not
23 succeed.

24 When Stevens submitted their initial
25 proposal for the Gateway Complex, we were incensed

1 they were seeking significant variances for zoning
2 ordinances that we fought so hard to adopt a decade
3 ago. So, again, we were among the group of
4 neighborhood activists organized to address this
5 serious issue.

6 But the evolution of the Gateway
7 Complex project was quite different from our first
8 experience. Under the administration of Dr.
9 Favardin -- thank you -- the new Stevens' team had
10 held countless meetings with neighbors and activist
11 groups, who listened attentively to our issues and
12 then followed through on all commitments they had
13 made.

14 Stevens modified the Gateway Complex
15 design to reduce the height of the proposed
16 buildings to one comparable to the neighbors of the
17 Union Club. They have enhanced the esthetics of the
18 building facade to fit with the character of Hudson
19 Street, revo -- I'm sorry -- relocated the majority
20 of mechanicals to the basement, reduced the scope of
21 the skywalk, incorporated significant rainwater
22 runoff systems, made commitments to minimize the
23 construction quality of life during and after
24 construction and have made efforts to address the
25 concerns about parking.

1 The vast amount of concerns were
2 addressed through the negotiation process, and many
3 Hudson Street residents have expressed satisfaction
4 and gratitude that a good compromise has been
5 reached.

6 Speaking on our own behalf, Adrienne
7 and I believe that Stevens made extensive efforts to
8 achieve their legitimate scholastic facility
9 objectives while also providing the Hudson Street
10 community with an architecturally significant
11 building -- I want to repeat that -- an
12 architecturally significant building that will
13 enhance our neighborhood and not compromise our
14 property values.

15 We consider Stevens to be a good
16 neighbor to many of us who reside along the
17 periphery. Adrienne and I support and endorse the
18 current Stevens' plan for the Gateway Complex and
19 urge the Board to approve the proposal.

20 Thank you.

21 MR. GALVIN: Thank you.

22 Next.

23 Raise your right hand.

24 Do you swear or affirm what you are
25 about to testify to is the truth?

1 MS. MANOGUE: Yes.

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

4 MS. MANOGUE: Helen Manogue,
5 M-a-n-o-g-u-e. 904 Jefferson Street.

6 MR. GALVIN: Thank you very much.

7 MS. MANOGUE: I am a 55-year resident
8 of the City of Hoboken. 45 of those 55 years I have
9 been very, very involved in civic activity, and that
10 civic activity has meant fighting a lot of projects.

11 I go back to 1970 when the first
12 proposal for the waterfront, after the demise of all
13 the shipping and everything else had left. The
14 first proposal was for an oil refinery, and many
15 people forget that, and I want to mention that in
16 particular now, because Stevens' professors helped
17 us citizens get the information we needed to be able
18 to prevent that refinery from taking place on the
19 waterfront.

20 Later on, we went into other things,
21 like the oil tank farm, and then we had New Jersey
22 Transit Line wanting to put a speedway on the
23 waterfront exclusively for buses, and then we had
24 the Port Authority coming in and wanting to put a
25 stolport on the waterfront down here, so I have seen

1 a lot of very, very egregious developments proposed
2 for the city.

3 One of the things I came to understand
4 over the years in coming to Boards like this and to
5 the Planning Board and also to the City Council was
6 to explain to them it is very simple. We have to
7 look and see, is this a good project for the city or
8 is it a bad project.

9 I am not going to go into any more
10 discussion because you heard so many people up here
11 who were speaking positively about this project. I
12 agree with all of them. I was so happy that Dr.
13 Blumberg brought up the fact of how the space is
14 needed, how Stevens needs this space.

15 It just seems to me at this point we
16 ought to be letting Stevens do what it does so well
17 and let them teach, and this project is going to
18 give them the ability to do that over the next 25,
19 30 years with the best equipment that they can
20 possibly get their hands on.

21 I am asking you also to consider just
22 generally as you look at this project, whether this
23 is a bad project for Hoboken or a good project.

24 My opinion is: It is a good project.
25 Please, I beg of you, approve it.

1 (Applause)

2 MR. GALVIN: Thank you.

3 Mr. Dwyer, are you ready?

4 MR. DWYER: Yes.

5 MR. GALVIN: Closing arguments.

6 MR. DWYER: Good evening, members of
7 the Board.

8 Patrick Dwyer on behalf of Scott and
9 Alice Sobel.

10 MR. GALVIN: Make sure you're into the
11 microphone now.

12 MR. DWYER: Can you hear me?

13 MR. GALVIN: Can everyone hear him?

14 THE AUDIENCE: No.

15 MR. GALVIN: They are saying no.

16 MR. DWYER: We are here because Stevens
17 has made an application for two academic buildings.
18 One of those buildings is in the R-1(e) zone where
19 it's permitted, and the other is across the street
20 in the R-1 zone, where it's not.

21 What I want to talk to you about this
22 evening are the zoning aspects of this because I
23 agree with Board Counsel, we are here to talk about
24 the zoning.

25 So the first point I want to make is

1 about that D-1 variance to allow a use on that lot,
2 on the north lot, where it's not allowed. Let's
3 think about it for a minute.

4 How did that lot get zoned R-1?

5 There was a planning process. The
6 Planning Board went through it. They studied the
7 city. They hired a planner. They developed a
8 policy document. They had public meetings.

9 That policy document, the master plan,
10 was then sent to the governing body, and the
11 governing body looked at it and adopted the zoning
12 ordinance. That is how the north lot got zoned what
13 it is today, residential R-1.

14 What this applicant does, what every
15 applicant for a D-1 variance does, as you know, they
16 want to overturn that. They want to tell you that
17 what they think ought to happen on that lot is
18 different from what all of that planning process led
19 to. They want to tell you that the thought, money,
20 effort, time that the City of Hoboken spent on
21 zoning that lot R-1 is wrong. That is the first
22 aspect of the D-1.

23 The second aspect of the D-1 variance
24 is that it is on a zoning boundary. It sits on the
25 boundary between R-1(e), where academic is allowed,

1 and R-1, where it is not.

2 The Supreme Court in New Jersey has
3 told us that to allow for a D-1 variance in the
4 zoning boundary, it is especially disruptive. It
5 erodes the zoning boundary, and that is how we zone.
6 We zone by segregating uses, and if you allow them
7 to happen along the zoning boundary, you disrupt the
8 fact that's how we zone.

9 What happens then is the -- by
10 definition, the slippery slope. It is zoning creep
11 is what happens, because now every single landowner
12 that borders this use is subject to the same
13 argument.

14 Hoboken can say, well, we are already
15 right here where it is allowed, why can't we be over
16 here where it is not allowed? What's the harm? It
17 is right next door.

18 The harm is: It leads to chaos in
19 zoning. That is not how we zone.

20 The third argument against the D-1 use
21 variance is the City of Hoboken has told us as
22 recently as 2005, they do not want that used for
23 academic purposes.

24 How do we know that?

25 Betsy McKenzie, the applicant's

1 planner, said that. She admitted that in 2005, the
2 City Council realized that the zoning map had an
3 error.

4 What was the error?

5 The north lot was in the R-1(e) zone.
6 It wasn't supposed to be in the R-1(e) zone. It
7 wasn't supposed to be there.

8 So what did the City Council do?

9 Did they then say, Wow, it is in the
10 wrong place, but maybe it should be academic after
11 all?

12 No, not at all.

13 But instead what the city did was to
14 adopt an ordinance immediately amending the zoning
15 ordinance -- zoning map to confirm that the north
16 lot ought to be zoned residential.

17 Now comes Stevens saying, We don't
18 care.

19 I think it is a difficult road for them
20 to hoe to overcome the fact that as recently as
21 2005, the city reconfirmed the north lot should not
22 be used for academic purposes.

23 The second point about their
24 application is the other D variance, and that's for
25 height.

1 Peter Steck gave us all an exhibit.
2 It's marked as N-1. If you look at N-1, it has a
3 beautiful photo on the front.

4 I have a copy of it here. I hope
5 somebody has theirs with them. I would like to just
6 bring mine out. Hang on for a minute.

7 What that exhibit shows in the red
8 outline is that there is in the middle of the campus
9 obviously a much higher height limit than there is
10 towards the outer boundary. In fact, the zoning
11 ordinance says that within 200 feet of the outer
12 boundary, you are not allowed to go higher than 40
13 feet. But if you are in the middle of the campus
14 away from the residences, you can go a hundred feet
15 or ten stories. And Peter talked about what is the
16 policy behind that, and it's clear.

17 If you looked at your master plan, if
18 you looked at your ordinance, Stevens is not
19 ignored. Stevens is mentioned in both of them. It
20 is not as if the drafters of the master plan or
21 ordinance forgot about Stevens or didn't like them.
22 They're specifically mentioned in both of those
23 documents, so it is clear that they were on the
24 drafter's mind when they drafted the zoning
25 ordinance and when they drafted the master plan, and

1 part of that ordinance and master plan says, the
2 middle of the campus is where Stevens should grow.

3 In other words, the City of Hoboken
4 told Stevens: We will accommodate your growth. We
5 like you. We want you to be here. You have been
6 here for a long time, and we're going to let you
7 grow, but don't grow towards the edge of the campus
8 higher than 40 feet, and for certain sake, don't go
9 across the zoning boundary into the residential
10 area.

11 The third issue I have to talk to you
12 about are the bulk variances, and I believe there
13 were four. They have to do with rear yard setback.
14 They have to do with lot coverage, because it's
15 massively over what it should be. They have to do
16 building separation, which is not met.

17 What do these bulk variances tell us,
18 in addition to the use variance and the height
19 variance, what do they tell us?

20 One way to measure the extent to which
21 an application offends the master plan and the
22 ordinance is to say how many variances are they
23 seeking, not only the number, but what is the degree
24 of the variation from what the ordinance standard
25 is.

1 And if you look at the degree of
2 variation for the setback ordinances, you can see it
3 is clear that Stevens has not complied in any way,
4 shape or form with the bulk variance requests.

5 The point four I would like to make,
6 and I am going to just talk about it very briefly,
7 and that is the skybridge, because I think that
8 issue has been beaten to death here.

9 I think you have heard both sides, and
10 I think you understand the issue. But I do agree
11 very much so with one public comment made by
12 Ms. Healey when she said that the right-of way,
13 which is the street scape of Hoboken, the grid that
14 was adopted by Colonel Stevens as Peter Steck told
15 us, that right-of-way is a D scape as well as being
16 a public thoroughfare. It's a place that a bridge
17 across it is to condemn public land.

18 I think that is an important aspect of
19 this -- of your considerations about whether or not
20 a skybridge ought to be allowed. We heard testimony
21 that would also a require D variance because the
22 zoning boundary extends halfway into the middle of
23 the street, and Peter Steck told us that.

24 So the left side, the north side of the
25 skybridge would also require a D variance, which was

1 never mentioned in the application.

2 I wanted to speak to you now about
3 point five, and I only have six points, so you are
4 in good shape here.

5 Point five is something that you hear
6 in probably almost every application, so you know
7 that the burden of proof is upon the applicant. You
8 know that they must prove to you the positive and
9 the negative criteria.

10 You know part of that in this case is
11 that the institution is inherently beneficial, which
12 nobody disagrees with, so it has met the positive.
13 But the negative criteria really in my opinion is
14 what is the problem, it's thumbing the fact at this
15 application the way it's presently designed. The
16 negative criteria, you know, because you hear it
17 night in and night out.

18 The first aspect is that the applicant
19 must prove that granting this variance will not be a
20 substantial detriment to the public good, and the
21 courts told us what is the public good. It is the
22 neighborhood.

23 Why?

24 Because every land use knows the most
25 affected, they live next door. That is true.

1 The second aspect of the negative
2 criteria, which you also know, is that granting this
3 application, granting these variances will not
4 substantially impair the intent and purpose of the
5 zone plan ordinance.

6 So I really want to talk about the
7 negative criteria because I think that is the crux
8 of this case.

9 The first aspect of the negative
10 criteria, you can't substantially be a detriment to
11 the public good.

12 What is that all about?

13 Well, I can tell you that it is there
14 to protect us, all of us, anybody who lives
15 anywhere, it is there to protect us.

16 So my clients got the 200 foot notice,
17 and they are within 200 feet of the application, so
18 they got that notice.

19 I don't know if anybody on the Board
20 has ever gotten that notice or not. I can tell you
21 I have gotten that notice, and I can tell you it is
22 more than a little upsetting, and it's actually
23 terrifying if you have been through that process,
24 especially if that is an application for a D-1 use
25 variance across the street from where you are. It

1 is an application that upsets your expectation about
2 where you live and your expectation about what your
3 neighborhood would look like, and that is what this
4 application is. So the first prong of the negative
5 criteria is meant to protect all of us.

6 I always ask the Boards that I
7 represent when you hear an application, make sure
8 you think about the first prong of the negative
9 criteria, because if you were that neighbor that
10 lived next door, and you think in that fashion, and
11 that will tell you how to process the first prong of
12 the negative criteria.

13 Perhaps the most terrifying point and
14 my last point about the negative criteria, the first
15 prong, because if you are the neighbor and you
16 attend the meetings, and you hear the applicant's
17 experts tell you, the Board, this application will
18 not be a substantial detriment to the public good,
19 meaning in that area, if you are sitting out there,
20 what you are saying to yourself is, first of all, an
21 expert doesn't know what he is talking about because
22 he doesn't live there. I live next door, and I know
23 what the impact will be.

24 Now, with regard to the second prong of
25 the negative criteria, the applicant must prove that

1 it will not substantially impair the intent and
2 purpose of the zone plan.

3 What is the intent and purpose of the
4 zone plan? And that's the last of my questions.

5 Well, we have heard about the D-1
6 variance, and we know what that says, don't use the
7 north lot for academic purposes.

8 We've heard that there's a height
9 variance as well, so let's look at the documents and
10 see what they say.

11 The applicant says to us that this
12 application will promote the master plan's goals,
13 and it has referred to several minor goals of the
14 master plan. It says it is going to reduce curb
15 cuts, which it does. It is going to reduce and
16 eliminate the surface parking area, which it will,
17 but I think those goals of the master plan pale in
18 comparison to the goals which are really being
19 affected in this case, and let's look at what those
20 are, as Peter Steck told us.

21 Look at Exhibit N-1 and see what it
22 says, what are the purposes of the R-1 zone. And
23 among those purposes of the R-1 zone are to
24 reinforce the residential character of the district,
25 to reinforce the residential character of the R-1

1 zone. I think that it's fair to say that an
2 application that put an academic building in the R-1
3 zone is not furthering that purpose. It directly
4 contradicts it.

5 I would also look at the master plan at
6 Page 151, which again is referred to in Peter
7 Steck's report, which talks about what the goals are
8 for Stevens Institute, and the master plan, and this
9 is the top of Page 2 of Peter Steck's report that
10 says: Stevens' campus spreads over a few blocks
11 with buildings located in areas of varying
12 character. These are the guiding principles that
13 should be employed in the zoning regulations for the
14 campus.

15 Number one: For edges along the
16 street, employ the uses of building designs similar
17 in character. Therefore, row house-type residential
18 development on the east side of Hudson.

19 That is a specific goal of the master
20 plan for Hoboken that the east side of Hudson should
21 be a row house-type development.

22 Instead, what you are faced with here
23 is an application, which directly contradicts the
24 goal of the master plan in that regard. It is not a
25 row house. It's not residential, and it's not low

1 in height. It is an academic building taller than
2 what is allowed.

3 So that is one of the goals of the
4 master plan, which I would submit to you is not
5 being promoted by this application.

6 And the other goal of the master plan,
7 which obviously is being contradicted by the
8 application, has to do with the skybridge. We heard
9 testimony that the skybridge -- the master plan
10 suggests there shouldn't be any more skybridges,
11 period.

12 These master plan goals tell us how the
13 north lot ought to be developed. They tell us what
14 the city has decided should occur on that lot, and
15 what this application does is ignore that.

16 This is not the first case, as you
17 might imagine, of an institution of higher learning
18 trying to expand beyond its borders.

19 The planner's report from Ms. McKenzie
20 talks about those two cases as the Monmouth
21 University case from 2006, I believe it was.
22 Monmouth University wanted to build a dorm, tennis
23 courts and a garage in a residential district
24 outside of the campus. They already received the
25 D-1 variance to move next door, and they said we

1 want to do it here.

2 But they went to the Board and said, we
3 looked around. We looked at other options. We have
4 off-campus students, and we want to bring them to
5 campus, and we looked around, and we went through
6 our campus, and we toured the space, and we looked
7 at available space nearby, and we can't find any
8 place. This is the place for it. This is where it
9 has to go.

10 They got what they wanted, and that was
11 upheld.

12 The other case is the Seton Hall case.
13 Seton Hall went to the Board in South Orange, again,
14 a land locked university similar to Stevens, and
15 said, we bought this house on the edge of the
16 campus. It is not in the university zone. It is
17 outside. It's in the residential zone. Every house
18 on that street, South Center Street, the backyard
19 abuts the campus. The front yard is South Center
20 Street. And they bought the house right on the
21 corner. They bought the house on the corner of
22 South Center and South Orange Avenue, which is the
23 main drag.

24 That house, Seton Hall said, we want to
25 use for faculty offices. It is in the residential

1 zone, but we want to use it as faculty offices, so
2 here is what we are going to do, Zoning Board. We
3 are going to create a back door entrance from the
4 university side. Everybody who comes in and out of
5 this building is going to come in that back door.

6 If you drive by the front of that
7 house, you will see, Zoning Board, it will look like
8 a single-family house. You won't put any sign in
9 the front. You won't allow parking in the front.
10 The Fed Ex guy will have to come in the back door.
11 The students, the faculty will all have to come in
12 the back door. We won't allow classrooms there. We
13 won't store ammunition in the garage. You won't
14 know it, neighbors, that this is really being used
15 for academic purposes.

16 The Zoning Board said no, seven to
17 zero, unanimously.

18 And what they said was: It may look
19 like a single-family house, but the use is not
20 single-family.

21 It was upheld by the Appellate
22 Division. The Appellate Division said no matter how
23 well you mask the fact that it's still looks like a
24 single-family home, the use is not permitted, what's
25 permitted in the zone, and it's the use is how we

1 zone in segregating uses.

2 It is interesting to note that soon
3 after the Seton Hall case was decided, there was a
4 bill introduced in the assembly and in the senate to
5 New Jersey to exempt all colleges and universities
6 from zoning.

7 Fairleigh Dickinson, Florham Park, the
8 Seminary in Hackettstown, Drew in Madison, Princeton
9 in Princeton, every college in the state would be
10 free to do whatever they wanted free of zoning.
11 That meant not just in college towns, but every
12 town.

13 Stevens could go to Jersey City and
14 say, I am going to put up a ten-story building in a
15 residential zone and use it for academic purposes,
16 and they would be free to do that.

17 That bill never made it out of the
18 assembly or the senate. Thank goodness. That would
19 have been chaotic.

20 So what are we left with?

21 An applicant who has come before you
22 and said we want to remain a world class
23 institution - nobody can dispute that - and the
24 reasons for the variances that we are seeking are
25 these: First of all, we want to improve our

1 facilities. Perfect. Nobody can oppose that.
2 That's a good goal for any institution.

3 Secondly, we need to increase the
4 number of square feet per student.

5 Okay. But we didn't hear any evidence
6 about what the number of square feet is now or what
7 it will be after completion of the academic complex.

8 We didn't hear any evidence of what the
9 peer institutions, who they compare themselves with,
10 would have more. They didn't tell us the names of
11 the institutions. They didn't tell us whether or
12 not they are located in the city or in the campus.
13 They said a rural area.

14 They didn't tell us what the number of
15 square feet would be before they started increasing
16 the student body in 2012, and when they get done
17 increasing the student body in 2022, when the
18 undergrad calculation has increased from 2500 to
19 4,000, and that is just undergrads.

20 So saying to the Board that they want
21 to have more square foot per student would ring
22 truer, if they weren't simultaneously attempting to
23 grow the undergrad population at 60 percent.

24 The other reason given for the
25 justification for this variance is collaboration,

1 and I think that has become a buzz word in this
2 application, and I would only say two things about
3 that.

4 First of all, it was admitted by Mr.
5 Maffia that collaboration occurs now.

6 Second of all, what evidence is there
7 that in order to have a successful collaboration, it
8 requires the classroom, the faculty office and the
9 laboratory to be in the same building or to be in
10 two buildings connected by a skybridge?

11 There is none.

12 Where is the evidence that says
13 collaboration requires that we have a certain number
14 of contacts with the professor or a certain
15 proximity in feet to the classroom, to the lab, to
16 the professor's office?

17 Where is the evidence to show that
18 collaboration results in somehow better grades with
19 better performance?

20 Where is the evidence for that?

21 Where is the evidence that
22 collaboration leads to better students?

23 We have not heard that.

24 So in closing -- in closing, I would
25 say this: I would ask you to keep in mind the

1 negative criteria. The variances being sought here,
2 both the type of variance and the degree of variance
3 conflict so directly with what the policy is in the
4 Hoboken zoning ordinance and in the master plan,
5 that it is almost, I would conclude, almost -- well,
6 extremely difficult I would say for anybody to
7 reasonably conclude that this application does not
8 substantially impair the intent and purpose of the
9 zoning plan. It seems clear that it does.

10 And finally, I would say that nobody,
11 certainly not my clients or myself, disagrees that
12 Hoboken is a wonderful institution and it should be
13 able to grow. It should do so in the way that it
14 has been planned for according to your ordinance and
15 master plan. That growth should occur on campus.
16 That growth should not occur on the periphery campus
17 in violation of the use, in violation of the height
18 and the other bulk standards that this application
19 as presently conceived is proposed to you.

20 So I want to thank you for your time.

21 MR. GALVIN: Thank you.

22 CHAIRMAN AIBEL: Thank you.

23 MR. TUVEL: I am going to bring the
24 chair over for my water bottle. I might need
25 another one, but...

1 (Laughter)

2 All right.

3 Good evening, Mr. Chairman, and Members
4 of the Board.

5 Jason Tuvel, from the law firm of
6 Gibbons, PC, representing the applicant, Stevens
7 Institute of Technology.

8 I just want to thank the Board as well
9 as the public, whether they are for the project or
10 against the project, for their time and commitment
11 to this application.

12 We started in February with these
13 public hearings. It is a voluntary commitment. It
14 is a lot of hours, so we really, really appreciate
15 the time.

16 This is an important application for
17 Stevens Institute of Technology under the current
18 administration of President Dr. Nariman Favardin.

19 They need this building for academic
20 research, learning, for their faculty, so they can
21 do what they are doing right now, which is being a
22 successful institution. But the problem is they
23 don't have the space for their current students, let
24 alone growth. We haven't even talked about that,
25 but we are trying to address current academic needs.

1 Not only do they not have the space for
2 their current academic needs, but the facilities
3 that they do have aren't capable and don't have the
4 infrastructure for the new and innovative technology
5 that they are trying to learn and use to better
6 society.

7 Now, I want to give some examples of
8 what is going to occur in the Academic Gateway, and
9 I will tie it in to why it is really important later
10 on. In the center for health care innovation, there
11 is going to be cancer research for multiple myoma,
12 which is a bone disease that doesn't have a cure.

13 In the same facility, there is going to
14 be brain stimulation research that focuses on a
15 quality of life for patients with Parkinson's,
16 autism, and obsessive compulsive disorders.

17 In the smart energy lab, there is going
18 to be research regarding energy efficiency, tidal
19 wave, offshore energy, how we use energy within a
20 city more effectively.

21 In the digital learning lab, there is
22 going to be research done on how students in
23 kindergarten through 12th grade can receive a better
24 education.

25 Now, why is this important?

1 Not only does it better the students at
2 Stevens, the researchers at Stevens, but it extends
3 further out and helps the City of Hoboken and many
4 of those people who are going to participate in the
5 research and education are going to become positive
6 contributors to Hoboken, but it is going to help
7 society as a whole. Now -- and I am going to get
8 more into that later, and I will explain why I
9 mentioned those examples in a few minutes.

10 I just want to go back to the start of
11 this process.

12 As the Board is aware, this application
13 was actually filed in June of 2014, believe it or
14 not, and then our first public hearing date was
15 actually scheduled for October of 2014.

16 So what happened?

17 Why did we start this application in
18 February of 2015?

19 After the initial application was
20 filed, Stevens did receive a significant amount of
21 criticism regarding the application, specifically
22 the height, the architecture, and the pedestrian
23 plaza that was proposed.

24 So the initial height, and I am
25 approximating numbers, I am not the architect

1 obviously, but it was about 93 feet. There was a
2 pedestrian plaza that would have closed Sixth
3 Street, and it would have eliminated the on-street
4 parking spaces that were there.

5 There was a much larger bridge that was
6 more massive in scale, and the rooftop equipment
7 well exceeded the ten percent coverage that was
8 required by ordinance.

9 After countless meetings with the
10 public, and I got to tell you, I have not worked
11 with a client that was so committed to meeting with
12 the public.

13 Now, you can't please -- you can't meet
14 with every single person. You can't please
15 everybody. There is no doubt about that. But they
16 made a sincere, sincere effort to try to hear all of
17 the pros and cons for the site and for the project
18 and accommodate any reasonable concern that was
19 there.

20 So the revised project resulted in a
21 building that's approximately -- two buildings that
22 are approximately 65 and 66 feet depending on how
23 you measure it from grade.

24 The top story of the building, it is a
25 four-story building. However, the top story is set

1 back ten feet from the street. That way at the
2 street line, the building is actually 50 feet in
3 height, which is consistent with Carnegie right next
4 to it, and which is actually lower than the Union
5 Club across the street.

6 The rooftop equipment was minimized to
7 comply with the ordinance, and the rooftop equipment
8 was primarily moved to the southeast corner of the
9 southern lot behind the Carnegie building, so that
10 it wasn't visible from the public. Those utilities
11 can now run through the bridge and go to the north
12 lot.

13 The architecture was also significantly
14 changed. The building, if you remember, was a lot
15 more massive than it previously was. It didn't fit
16 in well with the character of Hudson Street.

17 Now the architecture has cornice lines,
18 a mansard roof, windows that mirror the Carnegie
19 building, dormers and colors of the brick and the
20 slate that are consistent with the neighborhood.

21 And if you heard the testimony of the
22 architect, Richard King, he talked about the fact
23 that the architecture for these buildings was
24 inspired by the character of Hudson Street, the
25 existing building on the Stevens campus and other

1 buildings within Hoboken.

2 So that is the revised project, and
3 that is what you had before you in February 2015.

4 Now, I am going to go into some of the
5 stuff that I find interesting, but maybe other
6 people find a little bit boring, which is the legal
7 criteria associated with this application, and it is
8 a very specific legal criteria that's associated
9 with this application that most of these variances
10 do not have to go through.

11 So this is an inherently beneficial
12 use, and what does that mean?

13 Well, what it means is that you have
14 the statute, the state legislature, and the case law
15 that has come from that has said that a use such as
16 this promotes the public welfare and benefits the
17 community at large, so these are the types of things
18 that we want in our communities. These are helpful.

19 Now, there is a hierarchy of these
20 types of uses in our case law. So, for example, a
21 bus parking lot for a school was found to be
22 inherently beneficial because it facilitates the
23 overall school.

24 A maintenance shed for a hospital can
25 be inherently beneficial, so there is a hierarchy

1 here.

2 So why did I mention the examples that
3 I mentioned earlier?

4 Because I believe, and I think the
5 testimony from our planner, and it would be hard to
6 dispute, this is at the highest level of inherently
7 beneficial uses. Not only are we educating people
8 at this university and within this proposed
9 building, but the outcome of the research and
10 education is going to help the City of Hoboken and
11 the community at large.

12 So if it was that easy, if it were just
13 inherently beneficial, you know, why did we have six
14 hearings, about 18 hours worth of testimony, six
15 experts, five in multiple disciplines of engineering
16 and professional planning, and an operations expert
17 for Stevens?

18 Well, the reason for that is: There is
19 a test that the Supreme Court of New Jersey has laid
20 out for inherently beneficial uses, which is much
21 less stringent than the requirements or the test for
22 a typical D-1 variance that you are typically used
23 to under the Medici criteria.

24 So the positive criteria, which under
25 Medici is not met, you have to demonstrate that is

1 presumptively met in our case, but we still have to
2 go through this balancing test that the Supreme
3 Court has laid out. But it is not the same or it's
4 not as stringent as what is required in a typical
5 D-1 case, and that is because these are the types of
6 uses that the state legislature has deemed to be
7 helpful and desirable for communities such as this,
8 so let's walk through the test.

9 There are four prongs to that test
10 with, of course, sub parts that I am going to have
11 to go through.

12 So the first prong of the test is what
13 is the public interest at stake?

14 So what I talked about before was that
15 there is a sliding scale of inherently beneficial
16 uses. You know, a parking lot for buses can be
17 inherently beneficial. Back office space for a
18 hospital can be inherently beneficial, but the
19 public interest at stake here on promoting
20 education, on advancing the mission of Stevens and
21 what they are going to do, and the cancer research
22 that I mentioned, the neurological research that I
23 mentioned, the energy research that I mentioned,
24 that just scratches the surface. I just cited four
25 examples.

1 Our experts went through all of the
2 others, and we don't have the time to go through all
3 of them because they will evolve throughout the life
4 of this building, so the public interest at stake
5 here is really high.

6 So the Board has to weigh that, and the
7 Supreme Court says: The Board has to weigh that as
8 a significant factor in the outcome of this
9 application, and the bridge is critical to that.

10 So the bridge is part of the inherently
11 beneficial use and the positive aspects of this
12 application, and I am not going to go through the
13 reasons again because we have beaten that to death.
14 I think the Board is well aware of our position as
15 to why we think the bridge is important for the
16 inherently beneficial use aspect of this
17 application, but the bridge is a part of that.

18 So prong one, public interest at stake,
19 I think there is no question that that weighs very
20 high in favor of approving this application.

21 Oh, and by the way, when I get into the
22 rest of the prongs, I am going to talk about the
23 height variance and the D-1 variance at the same
24 time, because there is a lot of overlap, and I don't
25 want to waste the Board's time and do a separate

1 analysis, but a lot of the same factors are going to
2 apply for the height and for the use. Okay? I just
3 wanted you to keep that in mind.

4 So the second and third factors of the
5 Sica balancing test, factor number two, identify any
6 potential site plan issues or effects that may occur
7 from the use.

8 So what does the court say about those?

9 Those are traffic issues, your parking
10 issues, your stormwater issues, typical negative
11 criteria issues of things that are going to affect
12 the surrounding properties, so we have to identify
13 those. That is the second prong.

14 The third prong is the Board should
15 impose conditions upon those issues to mitigate any
16 type of disturbance, because again, the courts say
17 we need these types of uses, so if you can identify
18 any problems, try to fix them with conditions or
19 limitations.

20 So those are the second and third
21 prongs of the test, so let's walk through those.

22 So the first one has to do with the
23 architecture and height. I will talk about
24 architecture and height at the same time.

25 The height of this building, 65, 66

1 feet with the two buildings, and 50 feet at the
2 street line is similar to Carnegie and lower than
3 the Union Club, so the surrounding properties are
4 very similar in nature.

5 And if you notice something, they are
6 at the intersection. They are at the book ends of
7 the block. They are not within the center of the
8 block. They are at the book ends, so all of the --
9 most of the buildings at the intersection are
10 similar heights.

11 If you also look at the Buchar
12 building that's located to the southeast of the
13 north lot, that is close to a hundred feet tall, and
14 the buildings behind the north lot -- God bless
15 you -- the buildings behind the north lot are also
16 significantly taller than what is permitted,
17 especially with the grade change that occurs heading
18 east on Sixth Street.

19 In addition to that, no views are being
20 obstructed. There are no views that are being
21 obstructed by these buildings.

22 On the south lot, you already have an
23 existing academic building, and behind it you have a
24 building that's close to a hundred feet tall. We
25 are not putting a building up there that's taller

1 and a hundred feet. That building is already there,
2 the building behind it.

3 Let's move to the bridge. The bridge
4 has been made transparent, and that is something
5 that we changed during the course of the
6 application, and the collaboration space wasn't
7 necessarily the conference space on the bridge.
8 That misses the point.

9 The collaboration space is the
10 connectivity of the buildings, so they function as a
11 unit. It is not the elimination of the conference
12 space.

13 So what we did after hearing a lot of
14 talk about the bridge, I think that's the topic we
15 covered the most as part of this application, is
16 that we eliminated the conference space.

17 And what did that do?

18 That resulted in many beneficial
19 things, we think, in addressing the Board's and
20 possibly the public's concern.

21 The bridge was initially about 26 feet
22 four inches in width. Now it is 12 feet in width
23 because it is only a corridor. There aren't going
24 to be people in it sitting down and conferencing.
25 It is just going to be a passageway. Okay?

1 The bridge was initially about 2600
2 square feet. Now it is 1200 square feet, 600 square
3 feet per floor. Just think about it. Only 600
4 square feet per floor, and that revision also
5 allowed us to make the bridge more transparent, in
6 addition to being set back 88 feet from Hudson
7 Street.

8 So that we don't think impedes any
9 views -- significantly impedes any views of the sky,
10 of Manhattan, of the river. And you have to get --
11 if you have walked the site, and I walked it to try
12 to understand this better myself, you really have to
13 get past these lots to see anything.

14 (Noise outside)

15 I guess they don't like what I am
16 saying.

17 So that has to do -- oh, and then on
18 the northern lot, because of the grade change, you
19 already have two buildings of four and five-stories
20 behind the proposed lot, so they are already
21 blocking the views.

22 On the architecture aspect of it, as I
23 said to you before, we really took into
24 consideration the character of Hudson Street and the
25 inspiration of the Stevens' campus and buildings on

1 Hudson and in the rest of Hoboken to develop a
2 fabric that fits within the culture of this block,
3 and I won't go over all of the things that I
4 mentioned earlier, but the cornices, the massing,
5 the mansard roof, the colors, they all -- this
6 building will look like it has been there for a long
7 time once it's constructed. It is not going to look
8 like it sticks out like a sore thumb, and that was
9 the goal of the architecture on the revision.

10 Another thing that we really paid
11 attention to and was talked about a lot at the first
12 meeting that was in February, so just to refresh
13 everyone's recollection, is that transition to the
14 Ravenswood buildings located to the north, the
15 brownstones owned by Stevens, there was close
16 attention paid to how those buildings would
17 transition to the shorter buildings located to the
18 north, and I think we have done that very, very
19 effectively.

20 In addition to that, we also moved the
21 entrance away from Hudson Street, so the entrance to
22 the building is going to be on Sixth, and the
23 building is also going to be LEED gold certified,
24 and we submitted a checklist of all the positive
25 things that we are doing that are associated with

1 the gold.

2 So I think with respect to the
3 architecture of the building and identifying any
4 issues, we clearly identified them and dealt with
5 them through conditions and limitations we placed on
6 the construction ourselves, and also some of the
7 conditions that the Board has placed on the building
8 that I will go through in a minute.

9 I will try not to be too long, but
10 there is some stuff that I want to cover.

11 MR. GALVIN: Let me just stop you for
12 one second.

13 MR. TUVEL: Sure.

14 MR. GALVIN: I am going to list the
15 conditions --

16 MR. TUVEL: Okay. So I won't go
17 through them --

18 MR. GALVIN: -- so it would be
19 redundant.

20 MR. TUVEL: -- no problem. Thank you.

21 MR. GALVIN: -- I changed them a little
22 and modified them.

23 MR. TUVEL: Okay.

24 The next issue that we talked a lot
25 about was site engineering and geotech.

1 We went through two hearings of these
2 issues. So the critical items there were, of
3 course, stormwater and the excavation of materials
4 that were sub surface to the property.

5 So the first thing that was brought up
6 was Hoboken -- excuse me -- Stevens is at a high
7 point in Hoboken, and the initial proposal we met
8 the stormwater management requirements of the North
9 Hudson Sewerage Authority, but the Board and also
10 members of the public said, well, you are in a high
11 point. Water flows downhill, which is all I know
12 about drainage, but water flows downhill, can you do
13 more associated with this project than what you have
14 provided, which is just simply meeting the
15 requirements that you are supposed to meet?

16 So what we did in response to that is
17 we increased the detention system, which was
18 initially 55 feet of linear piping to 215 feet of
19 linear piping. The diameter of the pipe was 24
20 inches. Now it is 36 inches.

21 And what did that do?

22 It increased the storage in the
23 detention system by eight times, so it is eight
24 times what is required, and that is going to
25 alleviate pressure from the sewer system by

1 detaining the water for a longer period of time, so
2 that the rest of Hoboken can properly drain into the
3 system.

4 Another issue that came up was
5 groundwater. So right now we have a surface lot
6 with cracks in it and things of that nature. It's
7 an older lot, and we have an older building located
8 on the south lot. So water is hitting the ground
9 and potentially getting into cracks in the ground
10 and finding the path of least resistance.

11 So what we explained in great detail is
12 the foundation drainage system that is going to
13 surround the perimeter of these structures, so that
14 is not going to happen any more.

15 If water gets into the ground, it is
16 going to come up, hit our foundation drainage system
17 and be directed right into the sewer system
18 properly, so it won't affect the surrounding
19 properties.

20 Lastly, on site engineering, a lot of
21 discussion was talked about the Serpentine rock, and
22 there was a significant -- there was a significant
23 geotechnical study done and report that was
24 submitted to the Board and the engineer for review.

25 We even had our geotechnical engineer

1 testify, which isn't very common in weighing these
2 applications, to be honest with you.

3 What was found there was that there was
4 Serpentine rock primarily located in the southeast
5 corner of the southern lot, and that rock did not
6 test positive for asbestos, so we don't anticipate,
7 based on the sampling that we found, having
8 asbestos. However, all of the procedures required
9 by the city ordinance will be followed with respect
10 to the excavation of the rock.

11 In addition to that, we also found, and
12 based on where the rock is located, and this was a
13 condition, that no blasting will occur in connection
14 with this application.

15 Finally, on -- I know I said "finally"
16 before -- sorry -- finally on site engineering --

17 MR. GALVIN: It is just disappointing.
18 That's all. It's okay.

19 (Laughter)

20 MR. TUVEL: -- there will be all new
21 curbing and sidewalks proposed in connection with
22 this application, which will provide, you know,
23 wider sidewalks for residents and people walking
24 down Hudson Street as well as Sixth Street. Excuse
25 me.

1 Another issue that we talked a lot
2 about between the second and third hearings was
3 traffic and parking. We did, again, provide to the
4 Board an extensive traffic analysis that analyzed
5 the levels of service, which, you know, essentially
6 is the delay and how the intersections would work as
7 part of this project.

8 That report set forth that all of the
9 intersections adjacent to the site and the
10 surrounding area will all work at proper levels of
11 service.

12 What the Board said to us in response
13 to that to our traffic engineer: Even though your
14 analysis is conservative, which our traffic engineer
15 testified to, didn't take credit for certain things
16 that might typically take credit for in traffic
17 reports, take a look, do some more due diligence,
18 make sure that every project that has been approved
19 or is close to construction in the nearby area or
20 throughout Hoboken, make sure that you have
21 accounted for that in your trip generation heading
22 down Hudson Street and the surrounding area.

23 So we did that. We went back. We
24 OPRA'd those reports, made sure we included them
25 within our analysis and still found that all levels

1 of service operated at appropriate levels for this
2 area.

3 Parking, okay. We are not seeking a
4 parking variance in connection with this
5 application. Let me make that clear. 91 parking
6 spaces are required for this application. 91 spaces
7 are being proposed.

8 How are they being proposed?

9 Again, something I won't go into great
10 detail on, because we talked a lot about it. 91
11 spaces are proposed in the Babbio Garage. I know
12 there is a lot of skepticism about the Babbio Garage
13 being constructed.

14 We filed the application for the Babbio
15 Garage in September of this year. We received
16 comments from Ms. Banyra, technical and completeness
17 comments from Ms. Banyra. We actually just
18 addressed those and resubmitted them last week, and
19 what we hope to do is have a public hearing on the
20 Babbio Garage in very short order to complete that,
21 because the goal is to construct the Babbio Garage
22 before the Gateway is finished.

23 They will go up simultaneously, but the
24 construction time frame for the Babbio Garage is
25 well shorter than for the Gateway building. But I

1 wanted to bring that up, that that application is
2 fully moving, because I know there is skepticism
3 about that, but I can assure you that the current
4 administration is committed to completing that
5 project, and in essence, that is why we refiled it.

6 Now, we also have Plan B that was
7 recommended by your professionals. In the event
8 there is lag time, which we don't anticipate,
9 between the Babbio Garage being completed and the
10 Gateway opening, we have a lot located in a non
11 residential zone, which is permitted by ordinance,
12 that is going to supply the spaces and have a
13 shuttle -- and there's a shuttle service right there
14 that can take Stevens' faculty, staff and students
15 to the area, to the campus, so we have a backup plan
16 with respect to parking.

17 Parking during construction: This was
18 also something that was discussed.

19 There is nothing in the ordinance that
20 requires us to replace the parking that we are
21 losing during construction. However, Stevens
22 understands that there are 39 parking spaces on the
23 surface lot and Lot 16.

24 So what we propose to do, and we got an
25 agreement with the Parking Authority, to lease 60

1 spaces, and I think that was incorrectly stated, but
2 it is in two garages, Garages B and G, 30 spaces in
3 each garage.

4 We testified about that at the hearing,
5 and there was some concern about those times
6 conflicting with local residents and would there be
7 some conflict.

8 So the Board asked us to go back and
9 analyze that situation to see if we could improve
10 it, and this is only during construction, but we
11 understood the Boards's concern there.

12 So what we did was: We went back and
13 we confirmed with the Parking Authority that they
14 had the capacity, but in order to add an extra layer
15 of protection, we said, look, we will only put staff
16 members who work between -- who have schedules that
17 we are well aware of between 9 a.m. and 5 p.m.
18 Monday through Friday in these temporary garages.

19 That way, when they come in in the
20 morning, a commuting resident who is going to work
21 will be out of the garage.

22 When they go to leave, they will leave
23 before a commuting resident is coming home, and
24 there won't be a conflict with people visiting the
25 city, you know, like I do, to go to a restaurant or

1 some other commercial establishment in the downtown,
2 so we eliminated that conflict, and that was
3 something that the Board suggested.

4 And finally, and I will leave it with
5 respect to parking and traffic because I think we
6 covered it, we are removing the curb cut on Hudson
7 Street. No deliveries will take place on Hudson,
8 and we are eliminating two curb cuts as well, I
9 believe, on Sixth Street, and that will result, once
10 the project is finished, with additional on-street
11 parking.

12 And you heard somebody mention this in
13 the public forum, that Stevens is also happy to
14 provide 20 spaces during construction on its
15 property available to residents between the hours of
16 9 p.m. and 7 a.m. in the event that they need them
17 for whatever reason. And there is also an ordinance
18 that you have to comply with, if you take on-street
19 parking away during construction, which, of course,
20 we will comply with.

21 So those are the technical aspects or
22 the typical things that you identify as part of a
23 site plan, and I think what we have done is either
24 addressed them, placed limitations on them
25 ourselves, or analyzed them so thoroughly, that

1 we've avoided any negative impacts, and that is what
2 the Sica balancing test requires us to do.

3 I'll also mention that there is no
4 conflicting expert testimony on anything we
5 provided. We are willing to comply with your Board
6 Engineer's and Board Planner's comments.

7 They didn't dispute the analyses that
8 were done by our experts. They've been provided
9 with all of those reports. To the extent there is
10 anything left in the comment letters, which are
11 probably more technical in nature than anything, we
12 have agreed to comply with them. There is no
13 testimony regarding anything that we provided in
14 terms of the site engineering, traffic engineering,
15 and our geotech and architectural disciplines, that
16 we provided to you.

17 Now, the last part of the second and
18 third prong are the operations, which I think is a
19 very important aspect to this application, which is
20 why we had Mr. Maffia testify at multiple hearings.

21 The building is going to be open, just
22 again, we talked about this, 8 a.m. to 10 p.m., no
23 late night hours, no early morning hours, no
24 deliveries on Hudson Street. All deliveries will
25 take place on the north lot, and I know this was put

1 down a little bit, but I think it is very
2 significant that the bridge allows non duplication
3 of services with respect to deliveries and loading.
4 I think it is very helpful, and I wish most projects
5 allowed for that that I worked on.

6 All of the deliveries will be small
7 cargo vans. There are no heavy trucks that are
8 going to be coming to the property that are
9 associated with this project.

10 Somebody talked about the materials
11 that are going to handled at some of the labs. We
12 had extensive -- we have testimony about that. Mr.
13 Maffia came back and assured what procedures are
14 done by way of inspections from the city fire
15 department, from the DEP. Stevens has its own
16 trained people that inspect anything that comes in
17 and out of the labs, and we provided testimony and
18 documentation with respect to that.

19 The bridge lighting: The bridge
20 lighting after 10 p.m. will only be emergency egress
21 lighting. We know that that was a concern. We made
22 the building smaller. The lighting in it will also
23 be recessed emergency only after ten o'clock.

24 There is no dumpster associated with
25 this project, so there will be no odors or anything

1 of that nature outside of the facilities.

2 Also, no trash pickup required. No
3 need for trash pickup.

4 In terms of -- the last thing I will
5 talk about in terms of operations, and people talked
6 about the lighting, and just to refresh the Board's
7 recollection, we talked about the fact that this
8 would be the first building that was cleaned on the
9 campus. It would start at nine -- at 10 p.m. and
10 would go from west to east, so that the building
11 would be completely to the west side of the
12 building -- yeah -- the west side of the building
13 would be completely cleaned by 11 o'clock.
14 Therefore, all of the lights would be off by that
15 time.

16 The lights are also on based on the
17 LEED gold certification. To save energy, they are
18 on occupancy sensors, so after five or eight
19 minutes, or whatever it is, if there is nobody in
20 the classrooms, the lights will automatically shut
21 off.

22 Just excuse me for one more second.

23 So, again, just to reiterate, this is
24 the second and third prong of the Sica balancing
25 test. We clearly identified all of the issues, and

1 this is the first prong of the negative criteria
2 essentially, but to a lesser degree because we are
3 under the Sica balancing test, but we have
4 identified issues typically associated with a
5 project that affects the surrounding neighborhood,
6 analyzed them and put conditions and limitations on
7 them with the Board and by ourselves in order to
8 mitigate any negative impacts on the surrounding
9 area.

10 The next prong -- the next aspect of
11 this second and third prong of identifying the
12 negatives is the zone plan and the zone ordinance,
13 so unlike the D-1 variance, where you really have to
14 reconcile the issues, we're at a -- we still have to
15 go through that analysis, but under the Sica
16 balancing test.

17 So both the master plan and the zoning
18 ordinance mentions Stevens in both the R-1 and the
19 R-1(e). If you look at that language closely, that
20 language specifically talks about and acknowledges,
21 and I think the word is "acknowledgement," the
22 relationship between Stevens and the residential
23 neighborhood.

24 When those ordinances and when that
25 master plan was put into effect, Stevens owned these

1 properties, so the city acknowledged that the campus
2 would be developed -- these perimeter properties
3 would be developed, but they did discuss that they
4 should be developed in appropriate ways.

5 So, again, a maintenance garage in the
6 middle of Hudson Street would likely not be an
7 appropriate way. A dormitory or a fraternity house
8 or a dining hall may not be an appropriate way, but
9 it talked about development by Stevens along the
10 perimeter of these lots.

11 It didn't say no development. It
12 didn't say you only had to put up a row house. It
13 talks about development and appropriate land uses.
14 So if you are responsible and respectful to the
15 neighborhood with respect to your development, the
16 zone plan and the zone ordinance acknowledged that
17 that's okay. You can do that.

18 So I talked a lot about the
19 architecture and how it fits in with the
20 neighborhood. That is one aspect of how what we did
21 and what we proposed is reasonable and responsible
22 and complimentary to the neighboring properties.

23 The heights: The height has been put
24 down since the initial 95 foot proposal. Again, a
25 reason why this is a responsible development.

1 All of the site plan issues that I just
2 discussed, all of them have been vetted, and
3 conditions and limitations have been placed on them,
4 or the issues have been analyzed to determine that
5 there's no detriment.

6 In addition to that, with respect to a
7 university, like I just said, there are many types
8 of uses associated with a university. So if this
9 was zoned R-1(e), you could have any other type of
10 university use here, so maybe the governing body
11 didn't want that, but there was still that
12 acknowledgement that Stevens would develop on the
13 perimeter of its campus in an appropriate way.

14 So, of course, you wouldn't want a
15 maintenance garage or a power plant or something
16 like that, but what we have is an academic building
17 that looks like it fits within the character of the
18 neighborhood, and an academic building is one of the
19 least intrusive uses that a university has. It's
20 quiet. It closes at ten o'clock. It opens at eight
21 o'clock. This is about it. During the summer, it
22 won't be used as much as it is during semesters. On
23 the weekends, it's not used as much as it is during
24 semesters.

25 If you put a residential building

1 there, nobody can control when the lights go on and
2 off. We are telling you, and we're putting
3 limitations on this building as to when the lights
4 are going to go on and off.

5 So I actually think that this
6 application does advance that purpose of the zone
7 plan and zone ordinance, which specifically
8 acknowledge the appropriateness of development by
9 Stevens on the perimeter of its campus. It doesn't
10 say -- it's not dismissive. I think that's what
11 people were trying to say, that it's dismissive of
12 development, that it only can be residential. That
13 is not what it says.

14 Now, there is some -- oh, and by the
15 way, I wanted to also mention this. We are not --
16 we are not encroaching into the Ravenswood
17 properties here, the brownstones. And Stevens has
18 said, I believe during testimony, but if they didn't
19 say it, I am saying it now, there is no intention to
20 proceed with the academic core of the campus further
21 north into the Ravenswood buildings. There is no
22 intention to do that.

23 With respect to the bridge and the
24 language in the master plan that talks about the
25 bridge, the reason that bridges are discouraged in

1 the master plan -- there's a specific reason. It's
2 not just bridges are discouraged. It says that it's
3 to take away from the pedestrian-oriented feel.

4 That is the reason that bridges are
5 discouraged, because they want Hoboken to be a
6 vibrant city, where people are shopping and
7 interacting with one another.

8 This is a very unique situation with
9 the bridge. Every application has to be judged on
10 its own merits or else there would be no need for
11 this Board. And this specific bridge is not taking
12 away from the pedestrian-oriented feel of Hoboken.

13 The students and faculty that are going
14 back and forth would be internal to the campus
15 anyway. But by allowing the bridge to take place,
16 we are giving an overall positive benefit to an
17 inherently beneficial use.

18 So, again, the master plan is not
19 dismissive on bridges. It talks about a specific
20 reason why they are discouraged, but that doesn't
21 apply in this case. This is a very unique case.

22 And the other bridge that goes over a
23 public right-of-way in Hoboken is also associated
24 with a nonprofit institution and a use that would be
25 deemed inherently beneficial by the State.

1 So I think, again, that this does
2 actually further the land -- the purpose of the zone
3 plan and zone ordinance. Forget about substantially
4 impairing, I think it actually promotes it.

5 And in terms of the other master plan's
6 goals and objectives that people have said are
7 minuscule or not important, I would significantly --
8 I would disagree with that.

9 We are promoting stormwater management,
10 which is a goal of the master plan.

11 We are complimenting surrounding
12 architecture, which is a goal of the master plan.

13 We are making the campus more bicycle
14 friendly, and I forgot to mention that with the
15 traffic and the parking, we agreed to place 50 -- a
16 bike rack for over 50 bicycles within 200 yards of
17 the site.

18 In addition to that, we agreed to work
19 with the city on the bike share program as well, and
20 I believe that has already started with Stevens, but
21 I believe it came up as a condition of approval, and
22 we are more than happy to do that.

23 We are removing a surface parking lot
24 and curb cuts in a residential area. How could that
25 not be an important goal of the master plan?

1 And finally, we are -- we are
2 developing the campus in an appropriate way around
3 the Stevens' perimeter.

4 So the final prong, that's right, I am
5 at the final prong, the final prong of this Sica
6 balancing test is to weigh the positive issues
7 associated with this project, which is the public
8 interest against any negatives.

9 The positive criteria has been
10 satisfied, that this promotes the public welfare.
11 The positive aspects of the application, and the
12 positive aspects of this application are so high, I
13 don't think anybody could dispute that with
14 education, research, and how that's not only going
15 to better the infrastructure within the four walls
16 of these buildings, but also the City of Hoboken, as
17 well as the community at large, and we have dealt
18 with the variances for height. We have dealt with
19 all of the site plan issues. This Board and the
20 public have had an integral role in that, and we
21 placed conditions upon ourselves, and your counsel
22 said he would go through them, that would mitigate
23 any potential negative impacts.

24 So that is the Sica balancing test, and
25 that's the law that applies to this case unlike a

1 D-1 variance under the Medici standard for a
2 commercial application. Because we are a nonprofit,
3 because we do inherently beneficial things, we are
4 subject to the Sica balancing test.

5 So in summary, Stevens needs the space
6 in order to promote its mission of higher education
7 and benefiting society with its goals and objectives
8 in the research that it's doing.

9 The current administration feels that
10 it worked extremely hard, not only with its own
11 professionals, but with the Board and the public to
12 come up with a project that not only Stevens could
13 be proud of, but what the city could be proud of now
14 and for years to come.

15 So I would respectfully request that
16 the Board grant the application as proposed, and I
17 am actually done with this presentation.

18 So, again, I sincerely appreciate your
19 time and attention. I know I was long, but thank
20 you very much.

21 CHAIRMAN AIBEL: Thank, Mr. Tuvel.

22 (Applause)

23 MR. GALVIN: Hello, Board.

24 Did you take it all in?

25 COMMISSIONER GRANA: Yes.

1 MR. GALVIN: All right.

2 COMMISSIONER BRANCIFORTE: Well, one of
3 the things was mentioned that we can't really hold
4 them to unless you figure out a way --

5 MR. GALVIN: Hold on one second.

6 Let's bring that -- want to try to use
7 the microphone?

8 (Board members confer.)

9 COMMISSIONER BRANCIFORTE: -- one thing
10 that was just mentioned was -- it was mentioned by
11 the neighbor's counsel and the counsel for Stevens,
12 the idea of zone creep was brought up, and now
13 Stevens' attorney has said that Stevens has no
14 intention of coming any further north with their
15 academic building, and they're going to leave those
16 Ravenswood buildings there, but there is no way in
17 the resolution that we can hold them to that.

18 MR. GALVIN: We can put that in the
19 resolution. But, no, any future Board could -- that
20 could -- that's something you could promise, but it
21 is strictly on the goodwill of the applicant.

22 You know, you have to think in your
23 only mind what is more logical to occur.

24 The other thing, too, is there was some
25 argument here about, you know, we take each case on

1 its own merit, so it is not automatic that if you
2 were to say in this instance that a particular use,
3 even though it is adjacent to the -- you know, not
4 every instance where you grant use variance in an
5 adjacent zone would it become zone creep. But I get
6 the general integrity of what was being offered,
7 that, you know, you can't have that in every single
8 zone, where the property that's right next door, you
9 treat it as part of the next property, and that
10 justifies it.

11 I think you have to find other
12 justifications here behind that, and if this is an
13 inherently beneficial use case, I think that the
14 Sica balancing test is what you have to be looking
15 to.

16 As was already said, what is the public
17 interest at stake, what kind of level of inherently
18 beneficial use is this, what are the negative
19 impacts on the surrounding property owners, light,
20 air, sound.

21 What are the -- the reconciliation with
22 the master plan. In fact, I do think it is
23 significant that it was in the zone and out of the
24 zone. You guys have to kind of parse that in your
25 own mind.

1 And there were good arguments for and
2 against the skybridge as to how you should interpret
3 the master plan on that. Those are things that are
4 difficult for you, but you can make the call one way
5 or the other.

6 Then I think I have 24 conditions, not
7 including the one about the brownstones. I think it
8 is 24, which I will read at some point, if the Board
9 wants me to.

10 CHAIRMAN AIBEL: No. I think we should
11 start by deliberating.

12 MR. GALVIN: I agree. I think you
13 should deliberate first.

14 The other thing to keep in mind is when
15 you have the Sica balancing test applying, you have
16 to try to make these inherently beneficial uses
17 work. So I like to refer to it as fitting a round
18 peg into a square hole.

19 So the question is: Can the conditions
20 mitigate the negative impacts.

21 Then what you do is in the final
22 analysis, you have a balancing. And as we do most
23 times in zoning, you look at the benefit to the
24 public of this particular use, the negative impact
25 on the people around the surrounding properties, the

1 impact on the master plan, and then the conditions
2 that you have, and you try to balance that all out,
3 and is the negative impacts as offset by the
4 conditions, does that elevate the inherently
5 beneficial use that it's more favorable than not.

6 If it's not more favorable, it could be
7 denied. One of the misnomers in land use is that
8 all inherently beneficial uses have to be approved,
9 and that is not the case. You have to make the
10 determination based on the Sica balancing test.

11 We need five affirmative votes.

12 I am trying to think if there's
13 anything else I should tell you.

14 Does anybody have any questions you
15 need answered?

16 The only other thing I would say to you
17 is this is a very important case. There are people
18 for and against it. I have to anticipate that
19 there's a probability of litigation no matter how
20 you decide this case. It is essential that you give
21 me your reasons on the record. I need good solid
22 zoning reasons.

23 There was an awful lot of information
24 about how good Stevens is. I don't think that that
25 is appropriate to the zoning analysis here.

1 The question is what about these
2 buildings in this location, and that is what you
3 have to test out. All right?

4 And I would ask you to use the
5 microphone, so that the public can hear you.

6 COMMISSIONER MURPHY: I don't know if
7 it's appropriate to ask --

8 THE REPORTER: I can't hear you. I'm
9 sorry.

10 MR. GALVIN: Talk into the microphone.
11 I can answer, but talk into the microphone.

12 COMMISSIONER MURPHY: If this
13 application was approved, the skybridge then wasn't
14 approved by the City Council, what would happen
15 then?

16 MR. GALVIN: Then I think in that
17 instance that Stevens would reconsider the project,
18 and they would come back and say, without the
19 skybridge, you have two buildings. I don't know.

20 What is your position, Mr. Tuvel?

21 MR. TUVEL: If the City Council denied
22 the skybridge?

23 MR. GALVIN: If they said no to the
24 skybridge.

25 MR. TUVEL: I think we would have to

1 come back on an amended -- I think the use
2 inherently -- I think the use would still stand, but
3 I think we would have to go back on an amended site
4 plan application showing you what the buildings
5 would look like after -- I think at a minimum, there
6 would have to be an amendment to the site plan back
7 to the Board.

8 MR. GALVIN: I am pretty sure about
9 that.

10 (Commissioner Fisher speaking
11 inaudibly)

12 THE REPORTER: I don't know, what is
13 she saying?

14 MR. GALVIN: You have to talk into the
15 microphone, because I can't even hear you from here.

16 COMMISSIONER FISHER: Is the vote a
17 simple majority at the City Council?

18 MR. GALVIN: Yes, yes. But you and Mr.
19 DeFusco will not be participating, so it is going to
20 make it complicated.

21 CHAIRMAN AIBEL: All right. Board
22 members, it's that time.

23 Anybody want to kick off?

24 Not everybody at once.

25 (Laughter)

1 COMMISSIONER GRANA: Thank you,
2 Chairman Aibel.

3 I will take the position on the
4 application. Everybody looked my way, so I --

5 MR. GALVIN: No. I didn't know you had
6 a microphone.

7 (Laughter)

8 COMMISSIONER GRANA: I was told to
9 speak into the microphone.

10 MR. GALVIN: I didn't know you had one.

11 COMMISSIONER GRANA: Yeah, you know, my
12 15 minutes of fame here. Hopefully less, it has
13 been a long day.

14 I have thought long and hard about this
15 application, obviously having either participated in
16 all of the meetings or going into detailed review of
17 the testimony, and of course, making numerous site
18 visits.

19 Of course, we are all familiar with the
20 campus, but I think it also warrants taking a number
21 of site visits, and I kind of organized my thinking
22 around three things.

23 In the building that's being proposed
24 in the R-1, there is a lot of discussion about
25 standards, but particularly in the C variances, I

1 don't think they apply. I think they all subsume
2 under the use variance issue, and I will not spend a
3 lot of time on the Sica balancing test because we
4 already heard a lot tonight.

5 But when I look at the site, I think
6 that while the applicant is not really talking
7 extensively about site suitability, which would be
8 an argument for a use variance, I think it applies
9 here.

10 You have a piece of property that is
11 surrounded -- three things. You have a piece of
12 property that is surrounded on three sides by either
13 an academic or school use, so you think about site
14 suitability, and we see a lot of applications here
15 on the Board. People will say this particular use
16 is appropriate. Well, this particular piece of
17 property is surrounded by academic or school related
18 uses.

19 I think the second thing is Stevens
20 owns this, so this is part of the university campus.
21 It was always intended for some academic use, and I
22 think the governing body must have known that and
23 has known that over time, so I think that in
24 addition to the Sica test, I think that in addition,
25 I think site suitability applies.

1 With respect to the south building,
2 where we can look at -- well, we can look at
3 standards because the use is allowed, I think that
4 the applicant really has tried to reduce the
5 proposed initial bulk.

6 There has been a lot of testimony by
7 Mr. King, that there has been a lot of attempts to
8 move the bulk into the rear of the property, and
9 there's also been a lot of trade-up by moving
10 activity downward underground.

11 I think, you know, I think one of the
12 things that it does is it does allow there to be an
13 architectural bridge between the Ravenswood
14 buildings on the north and the Carnegie to the
15 south.

16 Mr. King did talk extensively about the
17 inventory of architectural styles in Hoboken. Those
18 are Second Empire, you know, New York Brownstone,
19 try to find something that would speak to the 19th
20 Century type of architecture that we want in our
21 most conservative districts. You would like to see
22 R-1, Washington Street, Castle Point, et cetera.

23 So I will not go into the -- I will not
24 go into the testimony about the drainage. I think
25 that was well covered, very thorough commentary on

1 the transportation.

2 I would just put this in respect -- if
3 you were to walk down Hudson Street, you know, and
4 the breadth of Hudson Street, there will be an
5 impact. You will potentially see taller structures
6 when you reach this intersection.

7 But I would consider this: When I walk
8 around directly behind at River Terrace and Sixth,
9 and there are six-story buildings that are currently
10 in use on the campus, if I go to Castle Terrace and
11 Sixth Street on the downtown side, the south side,
12 you have the Buchar building, which is at I believe
13 88 stories. We have the Union Club that has many
14 similar architectural features and very similar in
15 height, that is directly across the street.

16 Then I guess one of my main concerns
17 was going to be the impact to light and air as we
18 moved up the street, because in the afternoon that
19 is where the sunlight comes.

20 You have the effect of negative impact
21 of property owners up the street, but I think that
22 the Ravenswood buildings, which there has been
23 testimony that these are not to be changed, are
24 going to act as a natural buffer, and I suspect that
25 the impact is minimal.

1 I would just say a few things about the
2 skybridge. I'm not going to go into the whole
3 testimony about the benefits and physical
4 collaboration. It has been well spoken to. I
5 accept them. I have seen them in my professional
6 life. That is another story.

7 I think that there has been discussion
8 about the skybridge -- the skybridges in general.
9 You know, these bridges are used on Stevens. There
10 was one that was connecting St. Mary's to the
11 Midtown Garage. I was not there at the time. I
12 suspect that these were considered to have
13 beneficial uses. I do not think that they have a
14 negative impact on the economic life of the street.

15 I would add that nobody has mentioned
16 it, you know, that there was historically in many
17 city planning schools that you actually blocked off
18 the grid -- or you actually blocked off a view
19 corridor when you wanted to reflect a substantial
20 public edifice at like a "T" intersection.

21 I don't know if the skybridge is a
22 substantial public edifice, but I do think that it
23 is not in the parlance of urban planning for public
24 buildings to break the grid.

25 So will there be some potentially

1 negative impact?

2 Perhaps. But I think that the question
3 is substantial negative impacts, and what I balance
4 this -- I know it is lengthy, but our counselor
5 asked for comments for the record -- when I balance
6 this, no variance is perfect, but I believe this is
7 good for the city.

8 MR. GALVIN: Next. Let's go. Step
9 right up.

10 (Laughter)

11 COMMISSIONER BRANCIFORTE: Thank you,
12 Antonio. That was eloquent. You put that quite
13 well.

14 You know, things that always get to me
15 on the Board are height and lot coverage, and you
16 better have a very good reason if you want to go
17 higher than what is allowed, and you better have a
18 good reason if you want, you know, a hundred percent
19 lot coverage.

20 The thing that always gets to me is the
21 question of light and air in the neighborhood, and I
22 am wondering if the extra 20 feet here in height is
23 really going to make -- is the extra 20 feet, the
24 impact going to be so substantial, that it
25 overwhelms the benefit of having that building

1 there, and I'm talking about the north building now,
2 and I don't -- it is hard for me to say that
3 laboratory work or research and the development that
4 will be going on there, to me it is worth an extra
5 20 feet on that north building,

6 The benefit of having this research
7 being done in Hoboken, especially when this
8 afternoon, I just read a big article about the
9 university moving on to the island there in the East
10 River, and the research facility that they are going
11 to open there, I think we need to stay competitive
12 in Hoboken.

13 So I don't know how much more I could
14 add to what was just said by Antonio, so I am going
15 to wrap it up there, and I'm going to wait to hear
16 all the other comments before I make any decision on
17 voting either way.

18 CHAIRMAN AIBEL: Anybody else?

19 COMMISSIONER COHEN: We've -- I don't
20 know, I guess in my five or six years on the Zoning
21 Board, I don't think I have spent as much time on
22 one application as this one. It has been a lot of
23 time and a lot of effort from the applicant and from
24 the Board to hear this application, so I want to
25 thank everyone for their patience, and I want to

1 thank Stevens for working with the Board and with
2 the community.

3 I think that some folks in the
4 community suggested that the initial application was
5 somehow an inappropriate overgrab and come down to
6 what we have to vote on tonight. But I think in
7 reality, it has been a give and take. It has been a
8 reasonable effort to try and accommodate the
9 legitimate concerns of the community, so that the
10 impact of this project has been lessened in a way
11 that is good for the community.

12 The land use laws say that Hoboken is
13 strengthened by Stevens Institute of Technology, and
14 it is important that the city and Stevens recognize
15 their mutually dependent relationship in planning
16 for future growth, and I think that's what's
17 happened here over the last year and a half.

18 I think that we have worked hard
19 together to try and minimize the impacts, so that at
20 the borders of Stevens, at the periphery of Stevens,
21 that where it meets the residential community of
22 Hoboken, that it's done in a sensitive way. That it
23 is done in a way that is thoughtful. That's done in
24 a way to try and minimize the impact of the
25 community.

1 And Dennis has 24 conditions that he
2 will read out, which will go into excruciating
3 detail of how we are going to accomplish that. But
4 I think the benefits of the architecture, the
5 linking of the heights, the heights from the Union
6 Club, where a lot of people were concerned about
7 this, I think most of the concerns from the
8 community came from the Union Club, which is a
9 building that matches the height of across the
10 street.

11 I think if you look in the neighborhood
12 overall in the big picture, it's done to fit in.
13 It's not to stick out. It is done to be done in a
14 way that is sensitive to the neighborhood. It is
15 done in a way to deal with flood remediation. It is
16 done in a way to have extraordinary stormwater
17 detention capacity, which will help the entire city
18 of Hoboken, and it is being done in a way that has
19 been sensitive in terms of the way that the --
20 again, remember the original plan was for there to
21 be lots of student activity and entrances on to
22 Hudson Street, and the entire orientation of the
23 project has been changed, so that students are
24 coming in on Sixth Street, not on Hudson Street.

25 Yes, one of the properties is zoned

1 residential, but I don't think that the neighborhood
2 would want there to be a residential dormitory
3 there. I think that would be far more intrusive and
4 far more impactful on the people who live in that
5 community than an academic building, which is the
6 least impactful way that Stevens can be alongside of
7 the residents who live there for the reasons that
8 have been stated.

9 This is being built in the academic
10 quad of the institution, where the purposes are for
11 academic use. It is not, as we heard historically,
12 the use of possible maintenance sheds that could be
13 on Hudson Street. This is for academic use.

14 Having the extra height in the
15 buildings will allow there to be state-of-the-art
16 facilities for the best possible training for the
17 students, for the best possible outcomes for our
18 community from an institution that employs a
19 thousand people and contributes over a hundred
20 million dollars in tax revenues to our city.

21 So I think that the long-term success
22 of this institution is important for our community,
23 and it's important for our city, but it is not as if
24 they rested on that. They really made a sincere and
25 significant effort to try and address the concerns

1 of the community.

2 So, you know, I feel very comfortable
3 supporting this project. I think that there are
4 negative impacts. I don't want to minimize it.
5 There will be construction. There will be
6 significant construction, but I think that the
7 efforts have been made to try and address the
8 concerns of the community in a way that is sensitive
9 and appropriate.

10 Thank you.

11 CHAIRMAN AIBEL: Anybody else, Board
12 members?

13 COMMISSIONER FISHER: I will echo what
14 Commissioner Cohen said about just the amount of
15 time that went into the application. I have only
16 been on the Board for the last couple -- not even
17 two full years, but the amount of energy both
18 sitting here, as well as going home and thinking
19 about it at night, and the way, you know, going back
20 and forth, and honestly being influenced by pretty
21 much everyone's testimony.

22 Every time someone walked up to the
23 microphone, I thought, oh, my gosh, I think this way
24 again. This has been a very difficult application.

25 I commend the public for coming out. I

1 am a big fan of the public coming out.

2 I commend the opposition and counsel in
3 the work that you guys did. I mean, it is not very
4 often that we have applications, where we have
5 almost as much work on the opposition side, and
6 maybe not completely, I know Stevens -- I don't want
7 to minimize the efforts that Stevens did, but it is
8 not very often that we have an opposition come with
9 a fully thought out and fully -- with experts that
10 articulate an opposing view, and I would say that
11 that probably impacted a lot of our thoughts more
12 significantly than anything.

13 I want to add some of the concerns that
14 I had is when we do look at planning, and we look at
15 the planning history for the north site, it does
16 appear, you know, in 2005 and 2010 again, that the
17 governing body consciously said, we want the north
18 lot to be residential, and that is how it has been
19 presented. And the master plan not only says it
20 doesn't want a skybridge because it wants to keep,
21 you know, people supporting the retail use. It also
22 says that it is just not in character with Hoboken,
23 which hasn't been highlighted, but that's actually
24 what it says.

25 So, you know, from -- I -- I -- I look

1 at it from a municipal land law standpoint and say,
2 you know, there was some group of people that said
3 this should be residential, and this shouldn't have
4 a skybridge.

5 Now, you could interpret the emphasis
6 on the R-1 designation for the north lot as being
7 residential only, or another possibility is they
8 wanted to keep it residential because they didn't
9 want to give the university the ability to just
10 build whatever they wanted, right?

11 So by keeping it residential, it
12 allowed it to have this type -- it facilitated this
13 type of conversation as what Commissioner Cohen just
14 said. You know, the outcome here is an academic use
15 that is probably, you know, least impactful on the
16 community, which may have been the spirit of the
17 actions. We don't know. We weren't there five and
18 ten years ago.

19 For me, I am a big supporter of
20 Stevens. I know we are not supposed to say that,
21 but I am.

22 I agree with what Commissioner Cohen
23 said about the importance of Stevens within our
24 community.

25 I do feel as though from where Stevens

1 started to where they came out, I don't like to call
2 it a compromise, because I do believe one of the
3 members of the public mentioned that, you know, if
4 you want to end up at 65 feet, you start with 95. I
5 do believe negotiations start that way, but the last
6 level of movement and focus on trying to accommodate
7 the community I think is a positive.

8 So I am still struggling. Similar to
9 Commissioner Branciforte, I want to hear hopefully
10 somebody else who is going to speak as well. I
11 struggle from the municipal land law basis, but the
12 inherent beneficial use, when I do kind of the
13 balancing, think the positives to the community -- I
14 think the negative impact is outweighed by the
15 positives generally, and I think I'm leaning to
16 support the project.

17 COMMISSIONER DE FUSCO: Great.

18 So I will just echo everybody's
19 sentiments.

20 Thank you, everybody, for coming out.
21 This has been a very long process, but I think a
22 process that has ultimately benefited the final
23 proof of this project.

24 In my opinion, we can look at the
25 master plan of eleven years ago and either take a

1 strict interpretation or a more constructive
2 interpretation in following the ups and downs of
3 this meeting, and I believe that because the master
4 plan has given us this opportunity to have this
5 conversation, we have a project here that is not
6 just a benefit to the community, but a substantial
7 benefit to the community.

8 In terms of the height, we have
9 buildings that are very much in sync with the
10 neighboring structures, especially the Union Club.
11 The additional floor on both buildings, north and
12 south, if that is going to be used for world class
13 research and that's going to be attributed back to
14 Hoboken, and that is going to be, you know, one of
15 the legacies of this project, I think that is
16 superior, and that is something I would stand by.

17 I would say what we haven't talked
18 about so much in deliberations, as we have in the
19 actual hearings is the bridge. I believe that the
20 setback of 80 feet is not going to impact the site
21 lines the way that many fear.

22 I believe that, you know, listen,
23 collaboration is collaboration, and even in this age
24 of electronic communication, face to face ultimately
25 is the best way to handle anything, and that stands

1 true in business, but especially in academics where
2 you have, you know, students and professors talking
3 together. Professors gathering, you know, to
4 debate. That is the very nature of academics, so I
5 don't believe that could be done, you know, by
6 running out in a cold wintry street and crossing the
7 thoroughfare.

8 More so, I believe it creates a traffic
9 hazard. You know, this isn't a busy street, but it
10 is a residential street, and having students run
11 across the street I believe is actually going to be
12 a detriment to, you know, to the community. So I
13 believe that the land bridge -- the bridge is an
14 essential part of this project and actually one of
15 the reasons that I think I will be supporting this.

16 In closing, this is also one of the
17 highest parts in town, and we are a town known for
18 flooding, and we're a town known for, you know, for
19 really advocating, you know, waste water retention.

20 And during the hearings, I really
21 fought for, you know, to increase the water
22 retention, which the applicant did, and that's not
23 just a benefit to Hudson Street, which even though
24 it's a high street, you know, somebody had testified
25 that there were leaky basements, and there's

1 constant running water from some sort of underground
2 stream.

3 Now, that is a benefit to the rest of
4 the community as well, because that water is just
5 going to go downhill, and you know, if this
6 structure can hold that water, you know, for a time
7 until flood events are minimized, we can actually
8 benefit from that.

9 So, again, I am sympathetic to, you
10 know, a number of the neighbors here that are
11 concerned about light and air. I do think that
12 people are more concerned about their views, and
13 that is not a criteria that I think we need to
14 consider.

15 Light and air, in my opinion, are not
16 going to be impacted. By right, they are able to
17 build 40 feet of residential, and I will echo
18 Commissioner Cohen's sentiment that I don't believe
19 anybody wants to see a dorm here. There's no way of
20 controlling the 24-hour nature of the dorm, but
21 there is a way of controlling the academic building
22 that's proposed here, and I think the applicant has
23 absolutely put forth at great measures to ensure
24 that the community is respected in that manner.

25 So, listen, it is a tough one. This is

1 in my five years, one of the more intense
2 applications we've heard, but I will be supporting
3 it because I think that in the grand scheme of
4 Hoboken, in a hundred years we'll be looking at this
5 complex in a proud and competent manner.

6 COMMISSIONER MURPHY: So to echo many
7 of the other Commissioners, thanks to everybody for
8 doing so much work to put this together. I felt
9 like I was back in college re-reading everything
10 over and over and trying to absorb things.

11 I am conflicted. One of the things I
12 keep going back to is the master plan, and I am
13 afraid that that was brought up, and the R-1 is that
14 in uses, they still have a phrase in there that you
15 can -- they can be used for educational or
16 instructional use.

17 And even though the R-1(e) is, you
18 know, educational, it makes me feel like this site
19 is appropriate for having an educational building.

20 The other big issue has been the
21 skylight -- I mean the skywalk, and I understand the
22 idea that it is over a public right-of-way, but it
23 is also towards the end of the street. It is not
24 like it is going over Hudson or Washington Street or
25 even Clinton, like the one at the hospital, but it

1 is towards the end of Sixth Street on the east side,
2 and I thoroughly understand the collaboration issue.
3 I wish my college had a bridge when I was in
4 school --

5 (Laughter)

6 -- and that was when we had computer
7 labs, so imagine it not being in this building, we
8 went, you know, to the other part of campus.

9 So but I do feel that the whole idea
10 that the north building is in a residential area,
11 and that I think that we are worried about Stevens
12 encroaching along the full line of their large
13 campus, and on the flip side I would hate to see so
14 much of their greenery on the inside be used up for
15 more academic buildings, too, so I am leaning
16 towards this, that I would like to hear the rest of
17 the deliberations.

18 CHAIRMAN AIBEL: Commissioner McAnuff?

19 COMMISSIONER MC ANUFF: Good evening.

20 The testimony presented by the
21 applicant's professionals, particularly Mr. Olivo
22 and Ms. McKenzie, has for me demonstrated that the
23 substantial positive aspects of the project outweigh
24 any potential negative criteria.

25 While I appreciate the concerns of the

1 Stevens' neighbors, I believe that the potential
2 scientific benefits to society that could come of
3 the institute outweigh any individual objections.

4 The two primary arguments I've heard
5 are the skybridge and the building heights, which in
6 my opinion, were not substantial detriments.

7 Having my degree in architecture and
8 having spent my working career in the design and
9 construction industries, I think that the architect
10 and other professionals have designed a facility
11 that meets the needs of Stevens, while being
12 esthetically mindful of the surrounding
13 neighborhood, as well as providing much needed
14 improvements to the community, such as the proposed
15 stormwater drainage system.

16 I strongly support this application,
17 and I encourage my fellow Board members to do the
18 same.

19 Thank you.

20 MR. GALVIN: We're down to you, Mr.
21 Aibel.

22 CHAIRMAN AIBEL: I know it is time for
23 me.

24 (Laughter)

25 MR. GALVIN: The microphone is right

1 on the evidence that has been presented, we are --
2 we, the Zoning Board, are in the position now of
3 rezoning a parcel, the north lot, that was very
4 clearly the subject of a considered judgment, right
5 or wrong, that that lot ought to be zoned R-1 along
6 with all of the burdens on an R-1 lot.

7 I am having difficulty with the Sica
8 balancing test because I agree this is certainly an
9 inherently beneficial use. It is a great
10 institution. Nobody is disputing Stevens'
11 importance to the community.

12 I have been here 37 years, so I enjoy
13 walking through the campus. You know, I think
14 Stevens is a great neighbor and a great citizen.

15 There are a lot of great developers out
16 there, and when I hear an argument that, oh, the
17 Zoning Board ought to be giving sort of credit to a
18 great developer, I instinctively retract because
19 that is not my job to determine who is a good
20 developer, and it's not my job to in effect apply
21 the rules based on whether I think this is a good
22 project or whether I think Stevens is a good
23 neighbor.

24 So when I look at the Sica balancing
25 test, to me, it comes down to the two negative

1 prongs, and we have gone through the pros and cons
2 pretty much ad nauseum, but there's two distinct
3 differences.

4 There is basically the obligation of
5 Stevens to demonstrate the absence of a substantial
6 public detriment, and here I think we all agree
7 there is going to be some loss based on the height
8 of the building, the mass of the building, there
9 will be a loss of light. Certainly there's going to
10 be a loss of open space because we won't see the R-1
11 rear yard.

12 To me, the skybridge creates a loss of
13 open space and sky shed, I think somebody used that
14 word before.

15 I think contrary to some of the other
16 people who commented, I am not so sure that the
17 intensity of use is much less in an academic use
18 than it would be if it were residences, so to me
19 that is sort of a neutral consideration.

20 The second prong of the negative
21 criteria is whether there is a substantial
22 impairment to the zone plan and the ordinance. It
23 is unmistakable to me that we as the Zoning Board
24 have to ignore the evidence of record that shows
25 that there was an express intention by the City

1 Council in 2005 to change the zoning from R-1(e) to
2 R-1, and I think the fact that the master plan says
3 that -- I want to use the right words -- that the
4 R-1 district's purpose is to reinforce the
5 residential character of the district is very plain,
6 so to me, that is one significant issue.

7 The second issue is the skybridge. In
8 candor, I understand all of the benefits. I guess I
9 would have preferred to see this application maybe
10 without it. It would have been an easier
11 application for me at least.

12 But the master plan says very expressly
13 after the creation of the St. Mary's bridge:
14 Bridges are prohibited. And not just because it is
15 an interference with pedestrian orientation that Ms.
16 Fisher said, it's because it is not consistent with
17 the city's character, and I think to me, and I will
18 sum up very quickly, because I think I am just going
19 to be repeating myself, I walk regularly around the
20 area, you know, like many of us do.

21 I understand that there will be a
22 change in the area no matter what Stevens develops
23 on the lot. It will impact the light and air to
24 some degree. But to me, one of the key issues here
25 is the very large looming skybridge, which to me is

1 usurping part of our open air through Stevens' grid,
2 and I think that is a substantial negative --
3 substantial detriment.

4 And as I look at the language of Sica,
5 to basically suggest that when minimal, and in
6 effect need not outweigh an inherently beneficial
7 use that satisfies the positive criteria, I am
8 having a great struggle determining that the
9 impairment to the zone plan and ordinance in every
10 respect, there are multiple bulk variance respects
11 that are significant, and that if you were looking
12 at it that way, really give me pause that this is
13 not a function for the Zoning Board of Adjustment,
14 but for the city, in either the zoning or for some
15 other accommodation to Stevens. I am not sure that
16 I feel comfortable or that it is my role to do that.

17 So we are ready for a vote.

18 MR. GALVIN: Is there a motion?

19 COMMISSIONER GRANA: Do we need
20 conditions first, or a motion?

21 MR. GALVIN: Why don't we have a motion
22 first, a motion and a second, and I'll read the
23 conditions?

24 COMMISSIONER GRANA: I will motion it.

25 COMMISSIONER MURPHY: I would like to

1 hear the conditions first.

2 COMMISSIONER GRANA: Well, then I guess
3 we're going to hear the conditions first.

4 MR. GALVIN: All right. I am flexible.

5 1: The Gateway buildings are to be
6 limited to academic uses and are not to be used for
7 non university laboratories or offices, and are not
8 to be used for commercial or retail uses, including
9 coffee shops and school schools.

10 The Board relied upon the presentation
11 there is never to be commercial uses within the
12 building, other than the proposed cafe.

13 2: Gateway will apply for LEED gold
14 certification -- well, I mean, the Gateway buildings
15 will apply for LEED gold certification.

16 Stevens agreed that the proposed plans
17 will include high performance HVAC, energy efficient
18 lab hoods, energy efficient lighting system with
19 sensors, state-of-the-art stormwater management
20 system -- sorry, Phyllis -- low flow fixtures,
21 increased ventilation system, daylight harvesting,
22 additional bike racks, a white roof and gray water
23 recovery.

24 That is what they said they would do.

25 3: The applicant is to obtain an

1 easement from the City of Hoboken for the proposed
2 skybridge. However, the Board ruled that there
3 would be no conference space located within the
4 bridge, and that after 10 p.m., the bridge will be
5 only lit by emergency low level lighting.

6 4: There are not to be any chemical
7 hoods or toxic operations in the basement labs.

8 5: The materials used on the building
9 are to be constructed as described to the Board at
10 the time of the hearings in this matter.

11 6: Access to Hudson Street shall be
12 limited to emergency exits.

13 7: All classes in these buildings
14 shall terminate by 10 p.m. At 10 p.m. the building
15 shall be closed, and the lights along Hudson Street
16 shall be shut off. In addition, lights in the
17 classrooms along Hudson will automatically shut off
18 after eight minutes of non-use based on the
19 installation of occupancy sensors.

20 8: The roofs are not used for
21 educational or educational purposes, and shall be
22 used for maintenance only.

23 9: The lighting plan is to be approved
24 and reviewed by the Board's professionals to ensure
25 that there is no light spillage.

1 10: The applicant agreed that during
2 the construction phase, it will rent 60 parking
3 spaces at the city's garages B and G, and the use of
4 the space will be limited to staff members who work
5 between the hours of nine a.m. and 5 p.m. Monday
6 through Friday.

7 Let's stop for a second.

8 Or there was some reference tonight
9 about completing the Babbio Garage prior to
10 construction of the project. I don't know how the
11 Board feels about that.

12 COMMISSIONER COHEN: That would be the
13 alternative.

14 MR. GALVIN: Well, if the Babbio Garage
15 is completed, then, of course, then they won't need
16 B and G, but you could say they are not going to
17 build until the Babbio Garage is operational, then
18 they won't need to park the cars in B and G.

19 COMMISSIONER COHEN: Well, I don't
20 think this approval should be contingent on the
21 Babbio approval.

22 COMMISSIONER GRANA: I agree

23 MR. GALVIN: Okay. I'm just bringing
24 it out, because it's --

25 COMMISSIONER MURPHY: I think for me,

1 the issue is --

2 MR. GALVIN: If you want to use the
3 microphone, go ahead.

4 COMMISSIONER MURPHY: -- for me, the
5 issue is that Babbio hasn't been okayed yet --

6 COMMISSIONER COHEN: Right.

7 COMMISSIONER MURPHY: -- so let's just
8 say it doesn't gets okayed, they are going to
9 forever rent those spaces really for our community?

10 MR. GALVIN: That's unlikely.

11 COMMISSIONER MURPHY: Okay. I'm
12 just --

13 MR. GALVIN: I think that's unlikely.
14 I am being fair with you.

15 I think it is an unfinished project.
16 They need to come back. It needs to get finished.

17 COMMISSIONER MURPHY: It does.

18 MR. GALVIN: I don't know how that's
19 going to happen or what the presentations are going
20 to be. But I only brought that up not to create a
21 stumble, but I heard that, and since it is in the
22 cue and on its way, I mean, certainly within the
23 next 120 days or, you know, 150 days we are going to
24 hear that case.

25 COMMISSIONER FISHER: Yeah. The

1 other -- can you say again the nine to five
2 conditions?

3 MR. GALVIN: Yes. What we are saying
4 basically is that staff members who work between
5 nine to five are going to use those parking spaces.

6 COMMISSIONER FISHER: Yeah. The
7 unintended consequences, any staff member that knows
8 they're going to work until six or seven just won't
9 park there, so you have an empty spot, and they park
10 on the street or something.

11 I'm not sure that -- I think that
12 restriction is -- I'm not sure it's been well
13 thought --

14 COMMISSIONER COHEN: They agreed to
15 that.

16 MR. GALVIN: They offered it to us,
17 though.

18 COMMISSIONER FISHER: -- no. I
19 understand that they offered it, but let's assume,
20 you know, that you're that staff member, and you
21 know that you are working until seven, but you only
22 get to have that spot until five, you're going to
23 park in the street. So you're going to take a
24 street parking and leave the spot in the garage
25 vacant.

1 MR. GALVIN: Hold on.

2 MR. TUVEL: Can I just clarify that
3 condition?

4 MR. GALVIN: Sure. Do it without the
5 microphone. Just yell out.

6 COMMISSIONER GRANA: Do you need the
7 mike?

8 MR. TUVEL: Sure.

9 MR. GALVIN: Thank you.

10 MR. TUVEL: So the agreement,
11 Commissioner Fisher, with the Parking Authority is
12 actually we have the spaces from 8 a.m. until 8 p.m.
13 But in the essence of caution based on what we
14 discussed with the Board, those passes will only be
15 given to employees who work typically nine a.m. to 5
16 p.m. However, there is a -- they do have the spaces
17 until 8 p.m. That is the arrangement with the
18 Parking Authority, and that is in the letter that
19 was submitted to the Board, so I hope that addresses
20 your concern.

21 Okay. Thank you.

22 COMMISSIONER FISHER: Okay.

23 COMMISSIONER BRANCIFORTE: One other
24 concern about the parking.

25 I brought up the problem of commuters

1 parking on the street, and the original idea was
2 commuters were going to be put in those garages.

3 Then you came back to the next meeting
4 and you said no, commuters are going to be more on
5 campus.

6 MR. TUVEL: Correct.

7 COMMISSIONER BRANCIFORTE: And then you
8 moved the -- now, how do we address that in the
9 resolution?

10 MR. TUVEL: So the idea that we
11 discussed at that hearing was that the staff would
12 be shifted to those garages, and those 60 passes
13 that would typically go to the staff on campus would
14 be switched over to the students, so that the
15 students park on campus.

16 I can -- that could be a condition in a
17 resolution, and we can provide you evidence of that
18 by way of a letter or a certification from Bob
19 Maffia that that's been done properly.

20 COMMISSIONER BRANCIFORTE: Would that
21 be okay, Dennis?

22 MR. GALVIN: Yes.

23 Why don't you give me that after the
24 fact, and I'll append that to this. Okay?

25 MR. TUVEL: Yes, that's fine.

1 MR. GALVIN: Okay. All right.

2 11: There is to be no cooking or
3 grease traps within the cafe. However, items may be
4 reheated by a microwave.

5 12: The cafe and computer classrooms
6 are to operate on the same schedule as the rest of
7 the building and will close their doors at 10 p.m.

8 13: Stevens will participate in a bike
9 share program with Hoboken. Further, a bike rack
10 area with space for up to 50 bikes, which will be
11 placed within 200 yards of the project and which
12 will be covered.

13 14: The roof of either building is not
14 to be used for any purpose except for maintenance --
15 I think that's a different --

16 A VOICE: It's already in there.

17 MR. GALVIN: Sorry.

18 15: Deliveries to the Academic Gateway
19 or Carnegie building will never occur on Hudson
20 Street. The delivery vehicles to be used will be
21 small cargo vans or golf cart like vehicles.

22 16: The curb cut on Hudson Street
23 between Lieb and Carnegie will be eliminated.

24 17: In considering the negative
25 impacts of the proposal, the Board relied on

1 Stevens' promise that there would be no blasting
2 needed to construct these buildings.

3 18: A construction phasing plan and
4 traffic control plan will be provided to the Board
5 and its professionals for review and approval.

6 19 --

7 COMMISSIONER FISHER: Dennis, on that
8 one, one of the things that I think is probably
9 important is limiting their ability to take parking
10 spaces on Hudson Street during construction, so any
11 type of --

12 MR. GALVIN: Eileen, and Jeff, are you
13 paying attention to that?

14 MS. BANYRA: I am trying to hear you.
15 Could you use the microphone, please?

16 COMMISSIONER GRANA: They can't hear
17 her.

18 MR. GALVIN: What I'm doing is I'm
19 leaving it. At this point, I am tired. I am not
20 going to be able to get every detail.

21 COMMISSIONER FISHER: I know. This
22 one, just our experience in a large project near
23 where we live is -- we had something very broad
24 about construction phasing, and then when they set
25 up the fences, they took 70 parking spots away for

1 two years.

2 So I think there is a way for
3 development to be done within the boundaries of the
4 site or to have all of, you know, whether it's
5 storage, whether parking for construction people,
6 whatever, just not on Hudson Street.

7 So if they want to do it on Sixth, they
8 want to do it in the alley behind, there is a way to
9 limit that, and I think that should be a condition,
10 if we are really concerned.

11 This is a long project, and the last
12 thing we want is for them to just pay to have those
13 no parking signs up for a year and a half.

14 MR. GALVIN: How about this: Prior to
15 the memorialization?

16 MR. TUVEL: I was going to say, we can
17 just put that type of language as a note on the
18 construction management plan that has to be
19 submitted to the Board and expressly in a
20 resolution, if that's what you want.

21 MR. GALVIN: I think what we want is I
22 want it prior to memorialization, so within 30 days
23 come up with a construction staging plan.

24 MR. TUVEL: Okay.

25 COMMISSIONER FISHER: Well --

1 MR. GALVIN: This way you will know --
2 this way you will be able to check it --

3 COMMISSIONER FISHER: -- well, I think
4 you want -- I think you want to just prohibit it
5 here in the resolution and say they can't have --
6 they can't keep any -- they can't remove any spots
7 for long-term on Hudson Street during construction.

8 If you don't say that, they can come
9 back with a construction management phase based on
10 them just saying, well, they need it, and they
11 don't -- and our parking utility usually bends for
12 it.

13 MR. GALVIN: Okay. Got it.

14 19: No dumpster will be located
15 outside of the Gateway buildings, and no garbage
16 trucks are to be used to service these buildings.

17 20: Gateway hours of operation will be
18 8 a.m. to 10 p.m. However, the cleaning crews are
19 to clean the Gateway from west to east and will be
20 finished by 11 p.m., whereby the lights on the west
21 side of the buildings will be shut.

22 Stevens promised that the cleaning
23 crews clean Gateway at night before any other
24 buildings on the campus.

25 This is what Mr. Tuvell represented to

1 me. I have a hard time believing that in the future
2 that's really going to happen that way, but I'm
3 going to put it in the conditions.

4 MR. TUVEL: I have been told by Mr.
5 Maffia that that has been vetted out as best as
6 possible --

7 MR. GALVIN: The neighbors will let you
8 know if it doesn't happen that way.

9 (Laughter)

10 The applicant -- all rock removed from
11 the site will be tested for asbestos as required by
12 ordinance.

13 22: Applicant will comply with the
14 Historic Preservation Committee's recommendations
15 and will maintain the plaque currently outside of
16 the Lieb building and will construct an exhibit of
17 the Lieb building inside of the new lobby or similar
18 area of Gateway.

19 23: The applicant will comply with all
20 of the Board's professional review letters and
21 comments.

22 Finally, 24: -- that was supposed to
23 be funny --

24 (Laughter)

25 -- Stevens will provide 20 parking

1 spaces to the public to be administered by the city
2 during the displacement of on-street spaces during
3 construction. This is in addition to what the
4 ordinance provides for in terms of displacing
5 parking spaces. The spaces would be available
6 during overnight hours from 9 p.m. after classes
7 until 7 a.m.

8 That was also offered to me by Mr.
9 Tuvel also.

10 Any questions?

11 All right. Does somebody want to renew
12 their motion?

13 COMMISSIONER GRANA: My clock shows
14 11:32 p.m., so yes.

15 Thanks, everybody, for participating in
16 the public process.

17 Motion to approve Stevens Institute
18 Academic Gateway.

19 COMMISSIONER COHEN: Second.

20 MS. CARCONE: That was Phil?

21 COMMISSIONER COHEN: Yes.

22 COMMISSIONER GRANA: That was Phil.

23 MR. GALVIN: Subject to the
24 convictions -- conditions --

25 COMMISSIONER COHEN: Subject to

1 conditions.

2 MR. GALVIN: -- and convictions as
3 well.

4 (Laughter)

5 MS. CARCONE: Commissioner Cohen?

6 COMMISSIONER COHEN: Yes.

7 MS. CARCONE: Commissioner DeFusco?

8 COMMISSIONER DE FUSCO: Yes.

9 MS. CARCONE: Commissioner Grana?

10 COMMISSIONER GRANA: Yes.

11 MS. CARCONE: Commissioner Murphy?

12 COMMISSIONER MURPHY: Yes.

13 MS. CARCONE: Commissioner Branciforte?

14 COMMISSIONER BRANCIFORTE: Yes.

15 MS. CARCONE: Commissioner Fisher?

16 COMMISSIONER FISHER: Yes.

17 MS. CARCONE: Commissioner Aibel?

18 CHAIRMAN AIBEL: No.

19 MS. CARCONE: Okay. It's six yeses and
20 one no.

21 COMMISSIONER COHEN: Congratulations.

22 (Applause)

23 COMMISSIONER GRANA: Jim, do we need a
24 motion to close?

25 CHAIRMAN AIBEL: Yes.

1 COMMISSIONER GRANA: Motion to close.

2 COMMISSIONER COHEN: Second.

3 MR. GALVIN: All in favor?

4 (All Board members answered in the
5 affirmative.)

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C E R T I F I C A T E

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

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

s/Phyllis T. Lewis, CCR, CRCR

 PHYLLIS T. LEWIS, C.C.R. XI01333 C.R.C.R. 30XR15300
 Notary Public of the State of New Jersey
 My commission expires 11/5/2020.
 Dated: 11/23/15
 This transcript was prepared in accordance with
 NJAC 13:43-5.9.