

CITY OF HOBOKEN
PLANNING BOARD

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REGULAR MEETING OF THE HOBOKEN :January 7, 2014
PLANNING BOARD : 7:06 p.m.
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Held At: 94 Washington Street
Hoboken, New Jersey

B E F O R E:

- Chairman Gary Holtzman
- Vice Chair Frank Magaletta
- Commissioner Stephen Marks
- Commissioner Brandy Forbes
- Commissioner Ann Graham
- Commissioner Gill Mosseri
- Commissioner Rami Pinchevsky
- Commissioner Dan Weaver
- Commissioner Sasha Conroy

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

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

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

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

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

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1 CHAIRMAN HOLTZMAN: Okay. We are going
2 to call our meeting to order here.

3 It is 7:06 on Tuesday, January 7th. We
4 are going to call the Hoboken Planning Board meeting
5 to order.

6 Sorry about that. I forgot my Open
7 Public Meetings Act notice. I am sorry.

8 Thank you.

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

17 Okay. So the first item on our agenda
18 tonight is we have a number of new appointments.

19 MR. GALVIN: Do you have the oath?

20 CHAIRMAN HOLTZMAN: We do.

21 The first appointment is for a Class II
22 Officer, and that is Brandy Forbes.

23 MR. GALVIN: I can wipe them out all in
24 the same shot. I can do all three of them together.

25 CHAIRMAN HOLTZMAN: Oh, you can?

1 MR. GALVIN: Yes.

2 CHAIRMAN HOLTZMAN: Okay, great.

3 The second appointment is for a Class
4 IV Officer, which is Ann Graham, who is reappointed
5 by the mayor.

6 The third appointment is Stephen Marks,
7 the mayor's designee.

8 So I have three different oaths, but I
9 guess you can kind of fill in the blanks yourself.

10 MR. GALVIN: Right. It is like Animal
11 House.

12 (Laughter)

13 Raise your right hands.

14 I solemnly swear -- all right. "I,"
15 state your name.

16 COMMISSIONER FORBES: I, Brandy
17 Forbes --

18 COMMISSIONER MARKS: I, Stephen
19 Marks --

20 COMMISSIONER GRAHAM: I, Ann Graham --

21 MR. GALVIN: -- do solemnly swear --

22 COMMISSIONER MARKS: -- do solemnly
23 swear --

24 COMMISSIONER FORBES: -- do solemnly
25 swear --

1 COMMISSIONER GRAHAM: -- do solemnly
2 swear --

3 MR. GALVIN: I am going to cut you a
4 break, and I'm going to just read it out.

5 Do solemnly swear that you will
6 faithfully, impartially and justly perform all of
7 the duties of either a Class II, Class 1 or Class
8 IV, as it applies, and to the Board, the Hoboken
9 Planning Board for the City of Hoboken, according to
10 the best of your ability, so help you God.

11 And that you will solemnly swear that
12 you will support the Constitution of the United
13 States, the Constitution of the State of New Jersey,
14 and that you will bear true faith and allegiance to
15 the same, and to the governments established in the
16 United States and in this state under the authority
17 of the people, so help you God?

18 Say, "I do."

19 COMMISSIONER MARKS: I do.

20 COMMISSIONER FORBES: I do.

21 COMMISSIONER GRAHAM: I do.

22 MR. GALVIN: And then if each one of
23 you could sign your sheet in front of me, and then I
24 will just notarize it.

25 Congratulations. Thank you, and

1 welcome back.

2 (Applause)

3 CHAIRMAN HOLTZMAN: Excellent.

4 I would also like to make a note that
5 Pat, our secretary, did a little background research
6 for us just to double check that all of the
7 Commissioners that are currently serving, as well as
8 the three newly appointed or reappointed
9 Commissioners, are all up to date with their basic
10 course in land use and planning, so that means that
11 everybody is current with their state statute
12 requirement.

13 (Board members confer)

14 CHAIRMAN HOLTZMAN: You don't have to
15 do that again, right?

16 Also in our packets today we have the
17 calendar for the upcoming 2014 year. There are a
18 couple of changes from the normal dates due to
19 holidays and things like that, so please make note
20 of that.

21 We also have a communication from
22 Robert Matule in reference to a property at 1024
23 Adams Street that had made an application to the
24 Planning Board.

25 "This letter will serve as a formal

1 request to withdraw the application without
2 prejudice with respect to the above-captioned
3 property, which application was filed on April 18th,
4 2013.

5 "It is my understanding that the
6 applicant will be making application to be the
7 appointed designated developer in the near future.

8 "Please refund any escrow accounts that
9 you are holding directly for the applicant."

10 MR. GALVIN: So we should -- let's make
11 a motion and a second to accept that withdrawal
12 without prejudice.

13 CHAIRMAN HOLTZMAN: Okay.

14 Is there a motion on the floor, a
15 motion to accept Mr. Matule's communication about
16 withdrawing the application for 1024 Adams Street?

17 COMMISSIONER FORBES: I will make a
18 motion.

19 COMMISSIONER GRAHAM: Second.

20 CHAIRMAN HOLTZMAN: Can we just say
21 "All in favor"?

22 MR. GALVIN: Yes, I think you can.

23 (All Board members answered in the
24 affirmative.)

25 MS. CARCONE: You said there is no

1 resolution?

2 CHAIRMAN HOLTZMAN: No, there's no
3 resolution.

4 MR. GALVIN: There's no need for a
5 resolution for that, because then I will have to
6 ding the escrow, and I don't want to do that, not
7 for a withdrawal.

8 MS. CARCONE: We should do a roll call,
9 Gary.

10 CHAIRMAN HOLTZMAN: Oh, I'm sorry.
11 Yes. Let's do a roll call.

12 MS. CARCONE: Commissioner Holtzman?

13 CHAIRMAN HOLTZMAN: Here.

14 MS. CARCONE: Commissioner Marks?

15 COMMISSIONER MARKS: Present.

16 MS. CARCONE: Commissioner Forbes?

17 COMMISSIONER FORBES: Here.

18 MS. CARCONE: Commissioner Graham?

19 COMMISSIONER GRAHAM: Here.

20 MS. CARCONE: Commissioner Magaletta is
21 absent. Commissioner Mosseri is absent.

22 Commissioner Pinchevsky is absent.

23 Commissioner Weaver?

24 COMMISSIONER WEAVER: Yes.

25 MS. CARCONE: Commissioner Conroy?

1 COMMISSIONER CONROY: Here.

2 CHAIRMAN HOLTZMAN: Right. Frank
3 Magaletta, Commissioner Magaletta, is on his way.
4 He is at his wife's swearing in ceremony for the
5 school board, and Commissioner Pinchevsky said he
6 will be here. He is supposed to be here in
7 approximately a half an hour.

8 We have two resolutions for
9 memorialization as well. We have 1313 Willow
10 Avenue. This was the old pool hall being
11 reconfigured into a restaurant.

12 Were there any questions or comments on
13 the resolution as it was drafted from the
14 Commissioners?

15 None.

16 Is there a motion to accept the
17 resolution?

18 COMMISSIONER GRAHAM: Motion.

19 COMMISSIONER FORBES: I'll second.

20 CHAIRMAN HOLTZMAN: Okay. Ann made the
21 motion, and then --

22 (Board members confer.)

23 MS. CARCONE: I have it.

24 CHAIRMAN HOLTZMAN: You got it, Pat?

25 MS. CARCONE: Yes.

1 CHAIRMAN HOLTZMAN: Go ahead.

2 MS. CARCONE: Commissioner Forbes?

3 COMMISSIONER FORBES: Yes.

4 MS. CARCONE: Commissioner Graham?

5 COMMISSIONER GRAHAM: Yes.

6 MS. CARCONE: Commissioner Weaver?

7 COMMISSIONER WEAVER: Yes.

8 MS. CARCONE: Commissioner Conroy?

9 COMMISSIONER CONROY: Yes.

10 MS. CARCONE: Commissioner Holtzman?

11 CHAIRMAN HOLTZMAN: Yes.

12 We also have a memorialization of the
13 resolution for 80 Park Avenue. This is the
14 commercial condo unit being reconverted into a house
15 of worship.

16 Were there any questions or comments on
17 that resolution as drafted?

18 COMMISSIONER WEAVER: Did we receive --
19 what is the process for receiving confirmation about
20 the number of fixtures?

21 CHAIRMAN HOLTZMAN: Oh, yes. We had
22 asked them to confirm --

23 MS. CARCONE: Yes, they did. They
24 submitted a report to Andy Hipolit, and he commented
25 on it, and he approved it, and I have a copy of it.

1 CHAIRMAN HOLTZMAN: Commissioner Marks?

2 COMMISSIONER MARKS: I was present for
3 the entirety of the hearing on 1313 Willow. Can I
4 vote in favor of that?

5 CHAIRMAN HOLTZMAN: I'm sorry. You
6 were or were not?

7 COMMISSIONER MARKS: I was here for the
8 entirety of it.

9 CHAIRMAN HOLTZMAN: Okay.

10 COMMISSIONER MARKS: So if I can, since
11 I was here, I would like to vote in favor of it.

12 MR. GALVIN: His was the first name.

13 CHAIRMAN HOLTZMAN: Yes. It was the
14 first name on the list. I guess you didn't call
15 him.

16 MS. CARCONE: I'm sorry, I messed up.

17 CHAIRMAN HOLTZMAN: Take your time.

18 MR. GALVIN: Relax.

19 MS. CARCONE: Okay. Stephen Marks?

20 COMMISSIONER MARKS: I vote aye.

21 CHAIRMAN HOLTZMAN: Stephen Marks, he
22 is voting yes, aye.

23 MS. CARCONE: Okay. I didn't hear him.

24 CHAIRMAN HOLTZMAN: Thank you for
25 confirming that.

1 So for the 80 Park Avenue, we have a
2 confirmation, Pat, you said on the toilet fixtures
3 that they --

4 MS. CARCONE: Yes.

5 MR. GALVIN: Just something about
6 toilets is kind of funny.

7 CHAIRMAN HOLTZMAN: It's kind of funny,
8 right.

9 Any other questions or comments?

10 Is there a motion to accept the
11 resolution?

12 COMMISSIONER FORBES: So moved.

13 CHAIRMAN HOLTZMAN: So moved.

14 Okay, is there a second?

15 COMMISSIONER CONROY: Second.

16 CHAIRMAN HOLTZMAN: Thank you.

17 Pat, could you call the vote on 80
18 Park, please?

19 MS. CARCONE: Commissioner Forbes?

20 COMMISSIONER FORBES: Yes.

21 MS. CARCONE: Commissioner Graham?

22 COMMISSIONER GRAHAM: Yes.

23 MS. CARCONE: Commissioner Weaver?

24 COMMISSIONER WEAVER: Yes.

25 MS. CARCONE: Commissioner Conroy?

1 COMMISSIONER CONROY: Yes.

2 MS. CARCONE: Commissioner Holtzman?

3 CHAIRMAN HOLTZMAN: Yes.

4 We also have a presentation this
5 evening from the city, from Caleb, and this is in
6 regards to seven emergency generators that the city
7 is proposing placing in different strategic
8 locations.

9 Can you come forward and tell us what
10 you have for us?

11 Just give your name to the reporter.

12 MR. STRATTON: I am Caleb Stratton,
13 C-a-l-e-b, S-t-r-a-t-t-o-n, and I am a planner with
14 the City of Hoboken.

15 MR. GALVIN: It's not a regular
16 hearing, so we don't really have to put the witness
17 under oath. It is a courtesy review.

18 CHAIRMAN HOLTZMAN: Great.

19 MR. STRATTON: And Russell Meyer from
20 EI Associates is the project manager, and he's
21 designed the generators, and he's here to answer any
22 questions.

23 CHAIRMAN HOLTZMAN: Great.

24 MR. GALVIN: Did you guys see Andy
25 Hipolit's memo?

1 MR. STRATTON: I did.

2 MR. GALVIN: He had one suggestion.

3 CHAIRMAN HOLTZMAN: So maybe we can
4 go -- I think we just want to get an idea of what
5 the scope of the generator is, where it is located.
6 And unless any of the Commissioners really want to
7 get into the detail of the specs on these generators
8 and things of that, I would say let's kind of keep
9 it as a review, and then if we need to dig down into
10 it, we can do that.

11 MR. STRATTON: Then you were all
12 provided with a cover sheet and a package.

13 Do you guys want to start right there
14 on cover sheet one?

15 CHAIRMAN HOLTZMAN: Sure.

16 MR. STRATTON: The first site is at the
17 Ambulance Corps. It is --

18 CHAIRMAN HOLTZMAN: What is the
19 address?

20 MR. STRATTON: -- 707 Clinton Street,
21 and this will be a new installation for the backup
22 generator. It is a 40-kilowatt generator, and it
23 will be sized to provide electricity for the entire
24 facility. Not all of the current generators are
25 sized that way, and that was one of the specific

1 criteria that corresponded.

2 It is going to be located behind the
3 facility, so it will be on the eastern portion of
4 the building, and it will be located above grade on
5 an elevated platform because it is in the flood
6 plain.

7 It is going to have the maximum level
8 of sound enclosure to hopefully not impact, to at
9 least have as low as possible of an impact to the
10 neighbors, so that is the nuts and bolts of it.

11 Do you have any questions?

12 CHAIRMAN HOLTZMAN: Joe, we had some
13 conversation about the enclosure that this goes in
14 as well, and what that is going to do?

15 MR. VENEZIA: Correct.

16 MR. GALVIN: Give us your last name.

17 MR. VENEZIA: Sure. It's Joe Venezia,
18 V-e-n-e-z-i-a.

19 MR. GALVIN: Please proceed.

20 MR. VENEZIA: Yes. It is, as Mr.
21 Stratton indicated, they are proposing a level three
22 enclosure for all locations with short of being
23 located inside of the building with the highest
24 level of sound attenuation as possible. In most
25 cases they were in the low 70s or below in terms of

1 decibels.

2 MR. STRATTON: Joe, do you want a copy?

3 I have an extra copy. I think you are
4 looking at an older draft.

5 Do you want a newer one? Russ and I
6 can share.

7 MR. VENEZIA: Sure. Thank you.

8 So the decibel rating is as low as
9 possible given the nature of what they are
10 proposing.

11 CHAIRMAN HOLTZMAN: Can somebody tell
12 us about the box that goes around the generator,
13 just so we get some kind of a feel for that?

14 MR. STRATTON: Sure.

15 Russ?

16 MR. MEYER: They call it a level three.
17 It's basically an insulated box.

18 CHAIRMAN HOLTZMAN: Okay.

19 MR. MEYER: Think of it as a
20 four-cylinder engine in your car. It is a Chevy
21 engine. That is the basis of design and --

22 CHAIRMAN HOLTZMAN: What is this box
23 constructed of? Is it wood, or is it metal? It's
24 some combination?

25 MR. MEYER: It's metal, and it is

1 insulated, and it has some openings to get air
2 through it. And, of course, they have mufflers, and
3 it is basically put in a small car engine in the
4 back of the building.

5 MR. GALVIN: Let's just clear up your
6 credentials. What's your status?

7 MR. MEYER: I'm with EI Associates.

8 MR. GALVIN: Are you an engineer?

9 MR. MEYER: I am an engineer, project
10 manager.

11 MR. GALVIN: Have you ever testified
12 before a Board before?

13 MR. MEYER: No.

14 MR. GALVIN: No.

15 CHAIRMAN HOLTZMAN: You're doing great.

16 MR. GALVIN: But how many years were
17 you doing this kind of work?

18 MR. MEYER: Thirty.

19 CHAIRMAN HOLTZMAN: Okay.

20 Is there anything else you wanted to
21 throw on that, Joe?

22 MR. VENEZIA: Well, I just wanted to
23 indicate, I have used these elsewhere, and the level
24 of sound, you could basically carry on a regular
25 conversation standing outside of it, so it is

1 similar to the sound level of passing by traffic,
2 that sort of background level. It certainly goes
3 above and beyond normal standards to provide the
4 best attenuation possible.

5 MR. STRATTON: There are three
6 different levels of sound attenuation. You could
7 have the general levels one, two, three, and level
8 three is the highest of sound attenuation.

9 CHAIRMAN HOLTZMAN: Great.

10 With regard to specifically this one at
11 the Ambulance Corps, was there any specific reason
12 why the backyard of the property was chosen as
13 opposed to the roof, which I know that in some of
14 the other instances, the locations -- the generators
15 were put on the roof.

16 MR. STRATTON: Actually Russ brought
17 this up earlier. It used to be a carriage house, so
18 the facility is very, very old and with a wood
19 construction. So the structural engineer that they
20 worked with hasn't even gone on the roof of the
21 building. It is just a very old building, and it is
22 not built the same way as the newer structures go.

23 COMMISSIONER GRAHAM: Can you talk a
24 little bit louder?

25 There's a noise here.

1 CHAIRMAN HOLTZMAN: Unfortunately we
2 have the wind blowing us over here.

3 MR. STRATTON: Yes, I will. I am
4 recovering from a cold, but I will speak up.

5 CHAIRMAN GRAHAM: Okay, thank you.

6 CHAIRMAN HOLTZMAN: Okay, great.
7 I'm sorry. Go ahead, Commissioner.

8 CHAIRMAN HOLTZMAN: I don't think it's
9 the --

10 MR. STRATTON: I don't think turning
11 the heat off is a good option.

12 CHAIRMAN HOLTZMAN: There is an intake
13 vent here that I think is vibrating from the outside
14 wind.

15 Did any of the Commissioners have any
16 questions or comments on 707 Clinton?

17 COMMISSIONER CONROY: No.

18 CHAIRMAN HOLTZMAN: Go to the next
19 location.

20 MR. STRATTON: Does everybody have city
21 hall? Actually what is the next order?

22 CHAIRMAN HOLTZMAN: You tell us what
23 order you want to go in. We have them all.

24 Do you want to do 94 Washington Street?

25 MR. STRATTON: Sure.

1 This will be the largest generator that
2 will be installed. It is going to be a 200-kilowatt
3 generator. It is going to be located on grade
4 behind city hall, actually directly outside of this
5 room. City hall is not in the flood plain, so
6 locating it on grade was I think probably the
7 easiest option.

8 As far as locating it on the roof, I
9 don't know if a structural test was done, but
10 because the generator is largest in terms of
11 kilowatt output, it is also going to be physically
12 the largest. It's going to be approximately 20 feet
13 long with the air intake and exhaust ten feet high
14 and five feet wide, and that is because city hall is
15 the largest facility and has the highest electrical
16 load of all of the other facilities.

17 It will have a level three sound
18 enclosure with a running decibel level of slightly
19 larger than the last one, which will be 70 decibels,
20 and there is actually a chart provided that says
21 there's going to be a gas line of a hundred feet.

22 I think the nearest neighbor is 75 feet
23 directly behind us, so it won't be higher than that
24 or roughly around the same level, and that is
25 essentially it.

1 CHAIRMAN HOLTZMAN: Yes. I took a look
2 at all of the plans kind of closely and specifically
3 this one because it was such a large unit. If I
4 remember correctly, it is like 12 or 13 feet wide
5 and ten feet high and about six feet wide.

6 From the way that at least the plan is
7 drafted, it looks like to me, it is kind of sitting
8 a little bit in the middle of the lawn in the back
9 by Bloomfield Street.

10 I checked with our engineer, and it
11 seems like a piece of equipment like this needs to
12 have some clearance from the building, but it is
13 probably about five feet, so I would ask that you
14 guys just take into consideration if you can get
15 that unit tucked in between the north and the south
16 sort of flanks of the back of city hall, that maybe
17 that thing can get tucked back in there a little
18 tighter, because I know another arm of the
19 administration is also working on doing a very nice
20 project to redesign all of the grounds around city
21 hall, so I don't think anybody wants to have this
22 thing that is probably the size of a large
23 commercial van sitting in the backyard of city hall.

24 MR. MEYER: We actually tucked it into
25 the U-shape of the building, so it doesn't protrude

1 out of how the building is U-shaped. So if you look
2 at our -- S-10 is the easiest one, the last S
3 drawing.

4 CHAIRMAN HOLTZMAN: Oh, that's on the
5 back.

6 MR. MEYER: Yes, the last one. It is
7 tucked in the U-shape of the building.

8 CHAIRMAN HOLTZMAN: All I ask, you
9 know, I think, you know, when you guys are doing the
10 exact placement on this, which it really isn't
11 called out on this because I notice that none of the
12 drawings are really to scale as well, so it is not
13 like we can know exactly where this is located, so
14 if you can do your best to, you know, get that thing
15 tucked in as tight, that was my only comment on that
16 one.

17 COMMISSIONER WEAVER: What are the
18 details for the enclosures?

19 MR. STRATTON: I don't have more
20 information on the fencing details, but we could
21 come back or we could provide images of what the
22 fencing would look like.

23 COMMISSIONER WEAVER: There is a fence
24 around the detail. It seems to reference a chain
25 link fence, which I think is unacceptable.

1 MR. STRATTON: You think that's
2 unacceptable?

3 COMMISSIONER WEAVER: Unacceptable,
4 yes.

5 CHAIRMAN HOLTZMAN: More than think, it
6 is. It's not actually permitted in our code, chain
7 link fences.

8 (Commissioner Gill Mosseri present.)

9 MR. STRATTON: Is that for historic
10 structures or all --

11 CHAIRMAN HOLTZMAN: Chain link fences
12 are not permitted in Hoboken.

13 COMMISSIONER FORBES: Is that in the
14 residential?

15 CHAIRMAN HOLTZMAN: I don't want to
16 speak, specifically to calling it out.

17 MR. MEYER: On city hall, I don't have
18 any fences.

19 CHAIRMAN HOLTZMAN: You do or do not?

20 MR. MEYER: Do not.

21 The fences you see are existing fences
22 that are back there.

23 MR. STRATTON: I think there is a
24 detail --

25 CHAIRMAN HOLTZMAN: I thought there was

1 a detail of some type of an enclosure around every
2 single one of them, no?

3 MR. STRATTON: Page E-40 on the bottom
4 to the right, is that what you are referencing?

5 MR. MEYER: That's a typical detail, if
6 there was a fence.

7 (Board members confer)

8 CHAIRMAN HOLTZMAN: So is there a fence
9 or is there not a fence? Let's get into it. We
10 have one yes and one no.

11 MR. MEYER: Not on this one.

12 CHAIRMAN HOLTZMAN: Okay.

13 MR. STRATTON: So would you prefer to
14 add a fence or a different type of screening?

15 CHAIRMAN HOLTZMAN: Opinions from the
16 Commissioners?

17 COMMISSIONER WEAVER: What do these
18 things look like?

19 MR. STRATTON: I am going to say that
20 if you have ever gone by a construction site that
21 has a chain link fence, and they have plastic slats
22 through it, that is kind of what I envision.

23 CHAIRMAN HOLTZMAN: Ouch.

24 COMMISSIONER WEAVER: No. I'm talking
25 about you said doing screening or not screening --

1 CHAIRMAN HOLTZMAN: What was your
2 question, what does the generator look like?

3 COMMISSIONER WEAVER: Yes. I have seen
4 gen sets that look ugly, and I've seen gen sets that
5 look nice.

6 MR. STRATTON: The way they have
7 written the bid for the generators, there were going
8 to be three different options.

9 So if you are going to go buy a car, it
10 would be a Chevy, a Dodge, or a Ford. We don't know
11 exactly what generator it is going to be. We had
12 speced out the size, so I can't provide you a
13 specific image. I can probably provide you with a
14 few different images of what the generators are
15 going to look like.

16 COMMISSIONER CONROY: Is there any
17 safety concern of how high a fence?

18 Do you need to have a fence or do you
19 not need a fence?

20 MR. MEYER: You don't need a fence.
21 The enclosure is lockable, so it is going to look
22 like a big box.

23 CHAIRMAN HOLTZMAN: Oh, wait a second.
24 Wait a second.

25 In addition to the generator, there is

1 the insulating sound attenuation unit.

2 COMMISSIONER WEAVER: Right, the level
3 three enclosure.

4 MR. MEYER: Right. It is an enclosure,
5 so you won't see an engine.

6 On this one, you will see a muffler on
7 top of a big box basically.

8 CHAIRMAN HOLTZMAN: Go ahead.

9 COMMISSIONER GRAHAM: Isn't it possible
10 to do something to construct some nice wooden fence
11 around it?

12 I mean, a few years ago we had that
13 meeting where we discussed how to make it nicer
14 looking around city hall, gardens and doing a living
15 wall, you know, a plant wall or something like that
16 that makes it nice. The place around it still looks
17 very drab and not inviting. I know we talked about
18 community gardens and what kinds of plants to put
19 there, those living walls, where you put plants up
20 on the wood around and make it look nice. Is that
21 possible?

22 MR. STRATTON: That is something we can
23 consider.

24 CHAIRMAN HOLTZMAN: Right, because this
25 one is incredibly visible. I don't think anybody

1 thinks a ten foot high, 15 foot wide, six foot, you
2 know, a big metal box sitting behind city hall is
3 not going to be a big eyesore and isn't going to go
4 away easy.

5 COMMISSIONER WEAVER: Yeah. And I
6 would suggest -- just sort of picking out colors on
7 every one of them now, with this one, this is a
8 different building, and it should be this color, and
9 I suggest they all should be black.

10 CHAIRMAN HOLTZMAN: The box itself?

11 COMMISSIONER WEAVER: The black box.

12 I mean, we are going to drive up, and
13 there is going to be a bright orange one back there,
14 and we are going to say, "What the hell is this?"

15 MR. STRATTON: I can confirm the
16 colors, but in terms of changing what the
17 manufacturer does, because it is a heat shield, and
18 you are also generating electricity, I don't know if
19 you can paint them, so you may be limited on the
20 color choice, but if we provide a pallet, I am sure
21 you can make it consistent.

22 CHAIRMAN HOLTZMAN: Joe, any insight if
23 a box like this comes in colors, and in black as
24 Commissioner Weaver suggested?

25 MR. VENEZIA: I have seen different

1 colors, but it does depend on the manufacturer.

2 Without looking at the specs, I wouldn't know.

3 COMMISSIONER WEAVER: I've never known
4 a manufacturer not to be able to provide black.

5 MR. VENEZIA: They should be, yes.
6 That is pretty standard.

7 CHAIRMAN HOLTZMAN: Let's go with black
8 as the default, but you will keep us apprised,
9 Caleb.

10 MR. STRATTON: Sure, but consistent.

11 CHAIRMAN HOLTZMAN: I would agree with
12 Commissioner Weaver across the Board, the same
13 thing, even if they are on the roof --

14 COMMISSIONER WEAVER: It's very
15 thinning, even on the roof.

16 CHAIRMAN HOLTZMAN: Okay. So that is
17 city hall, 94 Washington.

18 MR. STRATTON: What is next?

19 CHAIRMAN HOLTZMAN: Whatever you got
20 next. Call them out.

21 COMMISSIONER GRAHAM: 801 Clinton.

22 CHAIRMAN HOLTZMAN: 801 Clinton, go.

23 MR. STRATTON: 801 Clinton, the
24 generator is located at 801 Clinton --

25 CHAIRMAN HOLTZMAN: Yes.

1 MR. STRATTON: -- and this is going to
2 be a roof mounted generator. It is going to replace
3 an existing generator that is undersized, and it is
4 going to be a 40-kilowatt generator, and it is going
5 to have the same level sound enclosure that operates
6 at 61 decibels, and that is the basics.

7 I think that there is -- I think they
8 did a structural test, and because there was an
9 existing generator, the building could accommodate a
10 rooftop generator.

11 CHAIRMAN HOLTZMAN: Sounds good. Black
12 box on the roof, right, Commissioner Weaver?

13 COMMISSIONER WEAVER: Yes.

14 I'm sorry. How far back from the edge
15 of the roof is it?

16 MR. STRATTON: I would have to look at
17 the engineering drawings. Just give me a second.

18 MR. MEYER: It basically replaces what
19 is there. It is about eight to ten feet maybe.

20 MR. STRATTON: This is a picture of the
21 existing generator.

22 MR. MEYER: Do you want to see a
23 picture of the existing generator?

24 We are basically replacing that on the
25 roof.

1 COMMISSIONER WEAVER: Are you just
2 using the existing dunnage?

3 MR. MEYER: No. We are spreading the
4 load a little bit more. You can see that on S-10.

5 CHAIRMAN HOLTZMAN: What does dunnage
6 mean?

7 COMMISSIONER WEAVER: You spread the
8 load out.

9 MR. MEYER: On the new one, we are
10 spreading the load a little more.

11 If you want to pass this around.

12 CHAIRMAN HOLTZMAN: Okay. I have 501
13 Observer, the Triangle Firehouse. You better make
14 Mr. Caulfield happy. He lives across the street.
15 He's going to look out of his window.

16 MR. STRATTON: Which side does he live
17 on?

18 CHAIRMAN HOLTZMAN: He doesn't live
19 there. His office is there.

20 (Laughter)

21 MR. STRATTON: This will be an elevated
22 generator, on grade elevated. I think at least five
23 feet above --

24 MR. MEYER: It is above the FEMA --

25 MR. STRATTON: They designed to the

1 advisory base flood elevations, the latest December
2 2012.

3 MR. MEYER: I believe so.

4 MR. STRATTON: So that is going to be
5 five foot above the existing grade. We have a level
6 three sound enclosure, and it will be located on the
7 south -- the southern side, so the southwest corner
8 of the building on the southern facade.

9 CHAIRMAN HOLTZMAN: Just let me jump in
10 real quick.

11 Stephen, you were involved in some of
12 the specifications of these generators?

13 COMMISSIONER MARKS: Yes.

14 CHAIRMAN HOLTZMAN: So just to be
15 consistent with the standards that we have in
16 Hoboken for our Chapter 104, so does this take into
17 account specifically like a BFE plus the one foot of
18 free board? Is that what we are going with here, or
19 did you guys have some other calculation?

20 COMMISSIONER MARKS: Russ could correct
21 me, if I am wrong, but I think it was the advisory
22 base flood elevation, plus one foot above.

23 MR. MEYER: I think we added two feet
24 above.

25 CHAIRMAN HOLTZMAN: So like a BFE plus

1 two?

2 COMMISSIONER MARKS: Right.

3 CHAIRMAN HOLTZMAN: Okay. So this is
4 the -- you and I had some dialog on this one. In
5 taking a look at this, you know, when you are coming
6 down Newark Street, if you are driving into Hoboken,
7 driving east, obviously you are going to see this
8 generator sitting on a pretty large platform, and
9 then it is a pretty large generator as well.

10 In addition to that, there is already
11 some HVAC condensers that are outside, which I hope
12 they didn't replace them and put them back on the
13 sidewalk since that would be pretty foolish. So I
14 would ask that if you guys are doing work on this
15 site, let's try to see if we can combine getting the
16 fire department on board with putting that condenser
17 or whatever other equipment they got over there off
18 the ground, if we are doing work there already.

19 The second thing is from my own
20 personal point of view, I thought that just seemed
21 to be a very visible corner on the side of a
22 beautiful building, and I thought it might be better
23 to tuck that around the corner on Madison Street on
24 the west side of the building, but that is just my
25 personal view on that.

1 Gill?

2 COMMISSIONER MOSSERI: Is there any
3 reason that it can't go on the roof?

4 MR. STRATTON: Hum --

5 COMMISSIONER MOSSERI: That building is
6 probably over designed --

7 CHAIRMAN HOLTZMAN: Mostly it is a
8 pitched roof on that, isn't it?

9 MR. STRATTON: The very front of the
10 building, there may be a flat section.

11 COMMISSIONER MOSSERI: Is there a
12 possibility to tuck it upstairs?

13 MR. STRATTON: It's something that we
14 possibly could look into.

15 (Commissioner Frank Magaletta present.)

16 CHAIRMAN HOLTZMAN: Please let the
17 record show that Commissioner Frank Magaletta has
18 joined us on the dais.

19 Congratulations are in order,
20 Commissioner, for your wife.

21 COMMISSIONER MAGALETTA: Yes, it is
22 done.

23 CHAIRMAN HOLTZMAN: Congratulations.
24 Terrific.

25 COMMISSIONER GRAHAM: It is the same

1 issue. I mean, where it is placed is very important
2 on this site.

3 CHAIRMAN HOLTZMAN: I think so.

4 COMMISSIONER GRAHAM: The fencing or
5 plants or something, like we do back here, because
6 we are always talking about trying to improve the
7 entrance way into Hoboken, and if we are putting
8 this ugly generator up --

9 COMMISSIONER WEAVER: Yes. I would
10 recommend it not be there --

11 CHAIRMAN HOLTZMAN: Commisisoner
12 Mosseri, did you have something on that?

13 COMMISSIONER MOSSERI: No. The roof is
14 a much better option, right?

15 CHAIRMAN HOLTZMAN: The roof, that was
16 your option.

17 MR. MEYER: We didn't look at the
18 structure of the building on this one, so --

19 COMMISSIONER MOSSERI: Can you perform
20 that analysis?

21 MR. MEYER: Yes, we can.

22 COMMISSIONER GRAHAM: That building
23 also, the way it is structured, you might be able to
24 see something on the roof as well. I am just trying
25 to picture that building.

1 COMMISSIONER WEAVER: Like the view
2 corridor coming down.

3 COMMISSIONER GRAHAM: Yeah, so I would
4 pay a lot of attention to that.

5 CHAIRMAN HOLTZMAN: It is taking up
6 sidewalk room anywhere it goes. We all get that.
7 That is not exactly I don't think a sidewalk that
8 anybody is walking on too much. Mostly people are
9 walking on the north side of the firehouse I think.
10 I am not sure, but I would think.

11 Then that side of Madison, again, that
12 sidewalk usually becomes a parking spot for somebody
13 from the fire department more often than not.

14 Can it go on the western side of the
15 building?

16 MR. STRATTON: There are two pictures
17 in my response letter to Maser's letter.

18 CHAIRMAN HOLTZMAN: Yes, I saw it.

19 MR. STRATTON: There is an entry way
20 for an apparatus in the rear part of the building,
21 and I don't know if the platform would encroach on a
22 turning radius to actually get in or out of there,
23 so I think it is something that we have to look at.

24 CHAIRMAN HOLTZMAN: You have to check
25 it out with the fire department, right, sure.

1 MR. STRATTON: But, yes, it is
2 something that we can definitely look into.

3 (Commissioner Rami Pinchevsky present.)

4 CHAIRMAN HOLTZMAN: Let the record show
5 that Commissioner Rami Pinchevsky has joined us.

6 MR. MEYER: Also, where we located it,
7 there are no windows.

8 COMMISSIONER MOSSERI: Put it on the
9 roof, which is our number one choice.

10 CHAIRMAN HOLTZMAN: We can make a
11 request. I am not sure a motion, but a request.

12 COMMISSIONER MOSSERI: Looking at this,
13 it could be tucked behind any one of these.

14 MR. MEYER: It is pretty --

15 (All Board members talking at once)

16 MR. MEYER: It is a good size.

17 CHAIRMAN HOLTZMAN: Is there any roof
18 that can be used for this?

19 There is a flat roof on the western
20 edge of the building, the highest part of the
21 building.

22 MR. MEYER: On the ground, it is twelve
23 by nine --

24 COMMISSIONER GRAHAM: I don't want it
25 on the ground.

1 COMMISSIONER MOSSERI: What is the
2 height, twelve by nine by what?

3 (Board members confer)

4 MR. STRATTON: Talking about the actual
5 height of the generator itself --

6 COMMISSIONER MOSSERI: Yes. I don't
7 think anybody will care if it is --

8 MR. STRATTON: -- five and a half feet.

9 CHAIRMAN HOLTZMAN: Six feet.

10 COMMISSIONER MOSSERI: What is the
11 facade wall, the parapet?

12 MR. STRATTON: I don't know that off
13 the top of my head.

14 MR. MEYER: We didn't go on the roof on
15 this, but --

16 COMMISSIONER MOSSERI: I knew you were
17 going to be planning to put it -- it is the gateway.
18 Everybody sees it, so if you could put it above.

19 MR. MEYER: We will look at it.

20 COMMISSIONER WEAVER: I know it is my
21 taxpayer dollars that are paying for a lot of this,
22 but I would make a motion, that we make a motion
23 that they go to the Historic Preservation Board --

24 CHAIRMAN HOLTZMAN: Sure.

25 COMMISSIONER WEAVER: -- I mean, what

1 we are talking about here are issues that are very
2 sensitive to the historical property.

3 Mr. Marks?

4 CHAIRMAN HOLTZMAN: Commissioner Marks?

5 COMMISSIONER MARKS: Some of the
6 funding from this is actually coming from FEMA, so
7 because of it is federal funding, they are directing
8 us to, I guess there is a Section 106 review from
9 the State Preservation Office. We have to comply
10 with the U.S. Department of Interior Secretary's
11 standards for the treatment of historic properties,
12 so we will be -- it is being reviewed at the highest
13 levels of the State and Federal Government, so we
14 will have to combine that. Just the generators
15 actual flood proofing of these properties will be
16 reviewed by historic preservation experts, and we
17 are planning to come to the Historic Preservation
18 Commission as well.

19 COMMISSIONER WEAVER: Okay.

20 CHAIRMAN HOLTZMAN: I think that sounds
21 like a great idea. The roof, if possible, that
22 would be Option A, and then Option B is to -- do
23 other people agree that to tuck it around Madison is
24 better than on Newark?

25 COMMISSIONER CONROY: I thought that

1 was an issue with ingress for the firehouse.

2 CHAIRMAN HOLTZMAN: He has to check it
3 out with the fire department, but that would be sort
4 of option two, but obviously, the fire department
5 has to get their equipment in and out of the
6 building. No question, Madison is the best street.

7 COMMISSIONER CONROY: Then if it is
8 where it is going to be, then "prettify" it,
9 "prettify" it. That's the technical word.

10 COMMISSIONER WEAVER: Visual screening.

11 CHAIRMAN HOLTZMAN: I mean, there is
12 this flat roof here. I don't know --

13 MR. GALVIN: We are looking at a Bing
14 map.

15 CHAIRMAN HOLTZMAN: We are trying to
16 look at a Bing map, yeah.

17 MR. GALVIN: We have an angle where
18 there is nothing on the roof. It's looks relatively
19 new. There might be a flat area up there.

20 MR. STRATTON: You're talking about the
21 western or eastern portion?

22 MR. GALVIN: I am thinking on the
23 western side, southwestern side. There might be a
24 flat side on the southwest side.

25 MR. STRATTON: Okay.

1 Any other questions?

2 CHAIRMAN HOLTZMAN: No, we're good. I
3 think we are good on that one.

4 The next one we have is 201 Jeff --

5 MR. STRATTON: Okay. This is located
6 at the intersection of Second and Jefferson Street.
7 This is to replace an existing on-grade generator
8 that was damaged during the storm.

9 This is another generator that will be
10 elevated or on an elevated platform above the flood
11 plain. It is a 50-kilowatt generator with a level
12 three sound enclosure. It's going to be located on
13 the northeast corner of the existing building.

14 CHAIRMAN HOLTZMAN: Right. So I
15 understand that obviously from a cost point of view,
16 it is a lot easier to replace it in an existing
17 location than having to run any additional wiring
18 and cabling that are required for these things.

19 This building also has a very
20 substantial roof, which looks like it is a pretty
21 substantial masonry building, so I would think maybe
22 the roof could be a possibility here as well.

23 (Board members confer and are all
24 talking at once.)

25 CHAIRMAN HOLTZMAN: Right, because the

1 backyard of the firehouse is all residential
2 surrounding it completely at this point.

3 MR. STRATTON: Sure. I think that is
4 something that we can consider.

5 CHAIRMAN HOLTZMAN: Okay.

6 MR. STRATTON: If that proves not to be
7 an alternative, is there any screening, or is there
8 any way we talked about the elevated platform at
9 Madison --

10 CHAIRMAN HOLTZMAN: I think if you have
11 it on the elevated platform, and it is a black box
12 that is pretty much tucked in behind the firehouse,
13 I am not sure we want to bring any attention to it
14 by really screening it, right?

15 COMMISSIONER WEAVER: I don't think so,
16 but I am still worried about the noise.

17 I'm sorry, what kind of engine --

18 MR. MEYER: I'm project manager,
19 mechanical, not electrical.

20 CHAIRMAN HOLTZMAN: Commissioner Marks?

21 COMMISSIONER MARKS: So, Mr. Meyer,
22 from your perspective and professional opinion, is
23 there any reason why we couldn't put the backup
24 generator on the roof of the firehouse?

25 MR. MEYER: We didn't look at the

1 structural integrity of this building. If it is a
2 wood structure, my structural engineer, he shies
3 away from that. I mean, that is a pretty intensive
4 study.

5 COMMISSIONER MARKS: We could ask the
6 city's engineer to look at the structural integrity
7 of the roof to see if it has the load bearing
8 capacity.

9 CHAIRMAN HOLTZMAN: These things, do
10 they sit them on the roof, or do they put like a
11 beam across the masonry parapet?

12 What do they normally do?

13 MR. MEYER: You would have to put up
14 some what you call dunnage to spread the load out
15 across the -- if it is a wooden structure, you have
16 your roof beams up there and spread that out --

17 CHAIRMAN HOLTZMAN: Well, it's not a
18 wooden structure. It's definitely a joisted
19 masonry -- I assume it's probably like a joisted
20 masonry structure --

21 (Everyone talking at once.)

22 MR. MEYER: -- you have to spread the
23 load, so we didn't look at that, so I don't know if
24 it is a sloped roof.

25 I know in the back of the building,

1 there are quite a number of pipes going up there. I
2 don't know what is up there now.

3 MR. GALVIN: I am looking at it from
4 Bing, and it definitely looks flat. It doesn't have
5 any --

6 CHAIRMAN HOLTZMAN: Commissioner Marks,
7 we will get the city engineer to give us some sort
8 of an evaluation, whether this piece of equipment
9 can go on the roof.

10 COMMISSIONER MARKS: Correct.

11 COMMISSIONER GRAHAM: So are we saying
12 we are looking at this again?

13 MR. GALVIN: No. That is not really
14 the way it happens. What you are doing is you are
15 making recommendations to them, and I think you are
16 making a lot of good recommendations that they
17 should take into consideration, but we have no
18 control of what they actually do.

19 CHAIRMAN HOLTZMAN: Being that we have
20 Commissioner Marks here on our Board and in the
21 conversation with the administration, hopefully we
22 will see some of these things come through.

23 The next one I have on my pile is 1313
24 Washington.

25 COMMISSIONER MOSSERI: Is there a

1 restriction on the location, Mr. Marks, or is that
2 as long as it is in the structure, it is fine?

3 COMMISSIONER MARKS: Well, there is a
4 certain -- the city council bonded a certain amount
5 for the generators, and there is a certain amount
6 that's coming from FEMA for -- so the ones that are
7 being replaced, FEMA has a 406 program, and the 406
8 program is basically paying for the replacement of,
9 so the 406 program will look to if it is a historic
10 structure, they will give you a certain amount.

11 COMMISSIONER MOSSERI: To relocate?

12 COMMISSIONER MARKS: Well, they will
13 give you a certain amount to replace.

14 So they may end up recommending after
15 going through like a Shipo process, that it be
16 located on the rooftop, but we are not at that point
17 with them yet. But I think it is an excellent
18 point, and it's definitely worth exploring. You
19 know, we embrace your recommendations and --

20 COMMISSIONER MOSSERI: I just wondered
21 how FEMA was -- whether there was a price
22 restriction that they are only allowed to pay this
23 much, so relocating it onto the roof would be cost
24 prohibitive.

25 COMMISSIONER MARKS: They will give you

1 enough to pay for the replacement of the generator.
2 Anything above and beyond that is on the city's
3 dime.

4 COMMISSIONER MOSSERI: Thank you.

5 CHAIRMAN HOLTZMAN: 1313 Washington?

6 MR. STRATTON: 1313 Washington is the
7 Uptown Firehouse located on Washington.

8 It is also going to be a 50-kilowatt
9 generator, and it will be located in the rear of the
10 building on the ground level. It is going to have
11 the same level sound enclosure.

12 This generator was not proposed to be
13 elevated, but the Washington Street fire station is
14 within the 500-year flood plain, but FEMA does not
15 make elevation recommendations in the 500-year flood
16 plain. That was something I caught when I was
17 reviewing it. I am not sure if that area
18 experienced any flooding, but it is something that I
19 just wanted to bring to your attention.

20 COMMISSIONER GRAHAM: Water came up
21 14th Street.

22 CHAIRMAN HOLTZMAN: I'm sorry?

23 COMMISSIONER GRAHAM: Water came up
24 14th Street.

25 MR. MEYER: I was told water didn't get

1 into the back of this building, but it got into
2 basement of this building.

3 What we did with this one is we put all
4 waterproof enclosures down in the basement, so you
5 shouldn't have any problems.

6 CHAIRMAN HOLTZMAN: We have a flat roof
7 on this building as well, so if you can again get
8 the city engineer maybe to see if that is a first
9 step.

10 COMMISSIONER GRAHAM: I would think
11 there would be a residential neighbor right behind
12 that, too.

13 CHAIRMAN HOLTZMAN: Oh, there is, yes,
14 for sure.

15 MR. MEYER: I think there are some
16 parking garages back there also.

17 COMMISSIONER MAGALETTA: That is all
18 residential and the YMCA --

19 CHAIRMAN HOLTZMAN: Caleb, just to give
20 you some insight in terms of what Commissioners'
21 concerns usually are, we try to take into
22 consideration, you know, the surrounding environment
23 and, you know, the impact of doing anything it's
24 going to have on the neighborhood.

25 Obviously, we all hope emergency

1 generators never come on except to test them, but,
2 you know, that is not reality, so let's try to
3 minimize the impact to the neighborhood when they
4 are going to be used and when they are going to be
5 tested also, right, because these are probably on
6 some kind of a monthly testing maintenance thing I
7 would think.

8 MR. GALVIN: Once a month like for a
9 half hour, something like that?

10 CHAIRMAN HOLTZMAN: The testing?

11 MR. MEYER: Yes, the testing, basically
12 once a month, twenty minutes, a half-hour you run
13 it.

14 MR. GALVIN: We usually recommend that
15 if you were a private applicant, we would be looking
16 for it to be sometime between noon and three
17 o'clock, sometime when it would be the least
18 problematic.

19 MR. STRATTON: Okay.

20 CHAIRMAN HOLTZMAN: Then this one on
21 1313, this is just noted on a concrete padding.

22 You were saying that you thought this
23 was above elevation.

24 MR. STRATTON: It is within the
25 500-year flood plain, but FEMA doesn't issue

1 recommendations for elevations within that area. It
2 is essentially considered maybe an unmapped zone.
3 They are not going to say you should be at 12 feet
4 above, just say it is within the 500-year flood
5 plain.

6 CHAIRMAN HOLTZMAN: Okay. If we can
7 get it on the roof, we don't have to ever worry
8 about it, right?

9 The last one I got is police
10 headquarters, 106 Hudson.

11 MR. STRATTON: This will be an
12 installation on the roof at police headquarters. It
13 is a 150-kilowatt generator, which is the second
14 largest generator we will be doing.

15 Right now the existing generator is
16 undersized for the facility. They were not able to
17 operate it to function without having an additional
18 generator brought in, so this will be sized and
19 designed to accommodate the full load in that
20 facility.

21 Again, it will have a level three sound
22 enclosure, and I think it is in the same spot -- I'm
23 sorry -- the existing generator is on grade, and
24 this will be on the roof.

25 So the existing generator is in the

1 rear of the police department, and this generator
2 will be on the roof of the building.

3 CHAIRMAN HOLTZMAN: Okay.

4 MR. STRATTON: And as Russ put it, it
5 is built like a bomb shelter.

6 MR. MEYER: It is a steel and mortar
7 building. We should have no problems putting it on
8 the roof on this one.

9 We have the design and dunnage, steel,
10 and I believe there was an old air-conditioner that
11 used to sit up there, so we are going to use that
12 old steel, but that location actually.

13 CHAIRMAN HOLTZMAN: Any questions or
14 comments about the police station installation?

15 MR. ROBERTS: I have one question.

16 Is police headquarters in or out of the
17 flood zone?

18 MR. STRATTON: It's outside.

19 MR. ROBERTS: Would that be the most
20 likely command center?

21 MR. STRATTON: Yes.

22 CHAIRMAN HOLTZMAN: Great.

23 I hope we gave you guys some pointers
24 that you will take into consideration --

25 MR. STRATTON: Absolutely.

1 CHAIRMAN HOLTZMAN: -- and I think it
2 would be great if you could maybe -- it doesn't
3 require a presentation, but if you could at least
4 get us some additional information with regard to
5 the sound enclosures, because that definitely will
6 be a visual aspect of this thing, so, you know, what
7 you guys are expecting, what it looks like, let's
8 make sure that it does come in black.

9 MR. GALVIN: I looked up online, and I
10 couldn't see anything black. It seems like gray is
11 the standard color.

12 CHAIRMAN HOLTZMAN: You will let us
13 know.

14 MR. GALVIN: So it looks like white,
15 but I think that is probably some kind of a gray
16 color.

17 MR. MEYER: In the specs, we will give
18 three options, basis of design -- where are you
19 looking at?

20 MR. GALVIN: I'm just saying I just
21 couldn't find anything to say you could have it in
22 black.

23 CHAIRMAN HOLTZMAN: Maybe, Caleb, once
24 you guys kind of flush this thing out, if you care
25 to, you are certainly welcome to come back, if you

1 wanted to pass this information along to the Board
2 or maybe Commissioner Marks can just bring it to us
3 when you guys have updated this.

4 Great. Thank you so much.

5 MR. STRATTON: You're welcome.

6 Do you have any questions about the
7 concerns of the engineer or other responses, or -- I
8 really shouldn't ask you to critique us more once
9 you voted to dismiss us.

10 COMMISSIONER MARKS: When you make the
11 sale, stop selling.

12 (Laughter)

13 MR. STRATTON: Thank you.

14 MR. MEYER: Thank you.

15 CHAIRMAN HOLTZMAN: Well played, young
16 man, yes.

17 Thank you.

18 Now, back to our regularly scheduled
19 program, we have a couple of other items to take
20 care of in terms of housekeeping.

21 We need to do a reorganization as well.
22 We have three positions. We have a Secretary, a
23 Chairman and a Vice Chairman.

24 I would like to make a nomination to
25 certainly keep Pat as our Board Secretary.

1 COMMISSIONER MOSSERI: I second.

2 CHAIRMAN HOLTZMAN: All in favor?

3 (All Board members answered in the
4 affirmative.)

5 CHAIRMAN HOLTZMAN: We have a position
6 for a Chairman.

7 COMMISSIONER FORBES: I would like to
8 nominate Gary Holtzman for Chairman.

9 CHAIRMAN HOLTZMAN: Thank you.

10 COMMISSIONER MARKS: I will second.

11 COMMISSIONER PINCHEVSKY: I second.

12 (Laughter)

13 CHAIRMAN HOLTZMAN: Thank you.

14 MS. CARCONE: Whose second are we
15 taking?

16 CHAIRMAN HOLTZMAN: Commissioner Marks.

17 COMMISSIONER PINCHEVSKY: I was late,
18 so I will defer to Mr. Marks.

19 CHAIRMAN HOLTZMAN: Call the vote on
20 that, Pat -- I'm sorry.

21 Are there any other nominations on the
22 floor?

23 (No response)

24 MS. CARCONE: Okay.

25 Commissioner Marks?

1 COMMISSIONER MARKS: Aye.

2 MS. CARCONE: Commissioner Forbes?

3 COMMISSIONER FORBES: Yes.

4 MS. CARCONE: Commissioner Graham?

5 COMMISSIONER GRAHAM: Yes.

6 MS. CARCONE: Commissioner Magaletta?

7 COMMISSIONER MAGALETTA: Yes.

8 MS. CARCONE: Commissioner Mosseri?

9 COMMISSIONER MOSSERI: Yes.

10 MS. CARCONE: Commissioner Pinchevsky?

11 COMMISSIONER PINCHEVSKY: Sure.

12 (Laughter)

13 CHAIRMAN HOLTZMAN: Commissioner

14 Weaver?

15 COMMISSIONER WEAVER: No.

16 CHAIRMAN HOLTZMAN: Okay. I would like

17 to make a motion for the Vice Chairman position. I

18 would like to make a motion for Commissioner Frank

19 Magaletta.

20 COMMISSIONER MOSSERI: I will second.

21 CHAIRMAN HOLTZMAN: Any there any other

22 nominations for Vice Chair?

23 Okay. Pat, could you call the vote?

24 MS. CARCONE: Sure.

25 Commissioner Holtzman?

1 CHAIRMAN HOLTZMAN: Yes.

2 MS. CARCONE: Commissioner Marks?

3 COMMISSIONER MARKS: Aye.

4 MS. CARCONE: Commissioner Forbes?

5 COMMISSIONER FORBES: Yes.

6 MS. CARCONE: Commissioner Graham?

7 COMMISSIONER GRAHAM: Yes.

8 MS. CARCONE: Commissioner Mosseri?

9 COMMISSIONER MOSSERI: Yes.

10 MS. CARCONE: Commissioner Pinchevsky?

11 COMMISSIONER PINCHEVSKY: Yes,

12 MS. CARCONE: Commissioner Weaver?

13 COMMISSIONER WEAVER: Yes.

14 CHAIRMAN HOLTZMAN: Okay. Great.

15 And the last other item that we have is
16 the appointment of our professionals.

17 Director, you had received a number of
18 answers to your RFP --

19 COMMISSIONER FORBES: RFQ.

20 CHAIRMAN HOLTZMAN: -- RFQ, and you
21 distributed those to all of the Commissioners?

22 COMMISSIONER FORBES: I notified
23 everybody at the last meeting that we had those
24 available, and I have not heard anything from
25 anybody one way or the other. I know that you had

1 asked if people were interested in the review of it
2 to contact you.

3 CHAIRMAN HOLTZMAN: Right.

4 I had spoken to a number of
5 Commissioners. Everybody that I spoke with or that
6 I received calls from wanted to stay the course with
7 the team of professionals that we have.

8 COMMISSIONER FORBES: That is an
9 acceptable way of moving forward.

10 We did go through the RFQ process every
11 year, just so that we do have that available for the
12 review.

13 CHAIRMAN HOLTZMAN: Okay.

14 COMMISSIONER GRAHAM: Can I just point
15 out, I'm sorry, I honestly don't remember you saying
16 that at the last meeting. I might have missed it.
17 But you talked with a few Commissioners. I mean, we
18 go through this exercise, and then people send in
19 resumes, and then just talking to a few
20 Commissioners doesn't seem like a very --

21 COMMISSIONER WEAVER: Fair and open.

22 COMMISSIONER GRAHAM: -- fair and open
23 process. And we usually have -- if we are going to
24 make people submit CVs, I think we should discuss
25 whether we want to do that every year. If we are

1 satisfied, then we should have a fair and open
2 process where we all actually look at these, and
3 it's not just mentioned briefly at a meeting, and we
4 should look at the resumes and have interviews, if
5 we are going to do it that way.

6 If not, then let's just go forward, but
7 I don't see that as a fair and open process.

8 Thank you for the words.

9 COMMISSIONER WEAVER: I don't think
10 this is the way it has been done for the past three
11 years that I have been doing this. So to change now
12 and to make it seem just like a casual, if you want
13 to see them, I will show them to you, that's not --
14 we had a drop box. We had --

15 CHAIRMAN HOLTZMAN: There was --

16 COMMISSIONER WEAVER: -- although I
17 don't agree with it, there is -- there are
18 committees, which have been structured to invite
19 recommendations for certain officials.

20 I'm not -- this is not in any way a
21 comment on the staff that we currently have. I just
22 agree with Commissioner Graham, that it doesn't
23 really seem like it is a fair and open process to
24 the other people who put in the time to put these
25 together.

1 I mean, it costs them money to do this.
2 We think it is not a lot of money because, who
3 knows, maybe they go after these things a lot, so
4 they just change the cover letter and put it out
5 there, but still there is a lot of effort which goes
6 into this, and we should decide beforehand, do we
7 even think it is worthwhile to advertise.

8 COMMISSIONER GRAHAM: Right.

9 CHAIRMAN HOLTZMAN: Do we have a legal
10 requirement on this, Director?

11 COMMISSIONER FORBES: It is in the best
12 practices. Our auditor actually looked for that
13 this year to see that we had gone and advertised the
14 RFQs.

15 COMMISSIONER GRAHAM: But if we are not
16 even looking at them, and you only ask a few people,
17 that's not -- I would think if I was an auditor, I
18 would say, well, you started the process, but I
19 don't think you finished it fairly.

20 CHAIRMAN HOLTZMAN: Fair enough.

21 That being said, I take your comments
22 genuinely, I do.

23 I think we have a requirement to ask
24 for the best practices to make the applications. I
25 could tell you that I did sit down and read all of

1 the applications that did come in. I did speak to
2 some people. I did receive a couple of emails and
3 responses. Brandy did put them up in a drop box, so
4 they were available for everybody to access, if they
5 wanted to.

6 COMMISSIONER GRAHAM: Maybe we should
7 send out an email reminding --

8 CHAIRMAN HOLTZMAN: I'm sorry?

9 COMMISSIONER MOSSERI: I don't remember
10 that email, but I get thousands of emails.

11 VICE CHAIR MAGALETTA: I have a
12 question.

13 CHAIRMAN HOLTZMAN: Sure.

14 VICE CHAIR MAGALETTA: Do we have to
15 make a decision today at this meeting, or can we put
16 this off for the meeting to make that decision, give
17 everybody an opportunity to look at the documents?

18 CHAIRMAN HOLTZMAN: Can you give me
19 guidance here?

20 MR. GALVIN: Well, the Zoning Board is
21 not going to do it at the first meeting. We are
22 going to carry it, because we only have three Board
23 members, and now that we finally are going to be
24 fully staffed, we wanted them to look at it. I have
25 a strong feeling that I will continue there, but I

1 think that they are going to at least set it up to a
2 two-man committee to look at it and come back and
3 say this is what we looked at, and this is what our
4 recommendation is. I understand that process.

5 CHAIRMAN HOLTZMAN: So it sounds like
6 something that we can kick down the road.

7 MR. GALVIN: You could do that, if you
8 wanted to.

9 VICE CHAIR MAGALETTA: When is the next
10 meeting?

11 COMMISSIONER GRAHAM: There should be a
12 structure put in place of exactly what we are going
13 to do. I mean, if they are in the drop box, tell us
14 they are in the drop box, how we are going to look
15 at them, who is responsible, or is somebody
16 responsible for the attorneys and somebody
17 responsible for the planner and making
18 recommendations and make it a little bit more --

19 CHAIRMAN HOLTZMAN: Great.

20 Director, could you just make sure that
21 the drop box gets resent out to everybody?
22 Obviously some people say they got it or didn't get
23 it, so let's just double check that, and I will send
24 out an email as a follow-up as well to that. If
25 people want to do this formally or informally -- go

1 ahead, Rami.

2 COMMISSIONER PINCHEVSKY: I am just
3 questioning whether logistically it is possible to
4 have a formal drawn out process as we have in the
5 past year.

6 I completely agree. I have not heard
7 of this until now as well, but I was missing from
8 the last meeting, so I was thinking that might have
9 been the reason.

10 But, you know, I have participated in a
11 few of these processes, where we interviewed
12 candidates, like to select which folks you want to
13 interview, bring them in, interview them, and then
14 we bring it to the Board and we vote. I personally
15 don't think it is worth doing this lengthy process
16 on an every-year basis.

17 While we are required to bring in or
18 request quotes every year, I don't think again that
19 the long drawn out process that we have gone through
20 in the past is necessary every single year because
21 you are essentially making people apply and then
22 spending more money by coming in to be interviewed
23 when we possibly could be happy and content with the
24 current professionals.

25 That said, I think on a two or

1 three-year basis, it is important that we check out
2 what is out there, check out the new talent to see
3 what is out there.

4 So with that spiel behind us, I don't
5 know if it is logistically possible to have a
6 process where we are going to review all of the
7 candidates and then bring in -- schedule
8 appointments to bring everyone in, three or four
9 candidates for each position, and do an interview.

10 What I would like to see is if we do
11 want to set up a committee that reviews all of them
12 and determines whether there is a need to -- not a
13 need -- but a desire to again do this process, and
14 if not, if there is a general consensus that it is
15 fine as is, I would be happy to take that opinion
16 and vote to leave it as is or go through the
17 process.

18 CHAIRMAN HOLTZMAN: Okay. So then the
19 first step should be, we will make sure that
20 Director Forbes resends out all of the applications
21 that we sent, so that everybody has the documents in
22 their hands to take a look at it.

23 Then what is the best methodology for
24 just getting comments, if people want to move
25 forward to the next step --

1 COMMISSIONER GRAHAM: I didn't mean to
2 say --

3 CHAIRMAN HOLTZMAN: Commissioner
4 Graham?

5 COMMISSIONER GRAHAM: -- that we should
6 set up a whole --

7 CHAIRMAN HOLTZMAN: I understand that
8 you want to review it, and I think it is absolutely
9 fair that you do, so we will restart this one.

10 COMMISSIONER GRAHAM: -- I didn't mean
11 to have committees and bring them in for interviews,
12 only if there was something --

13 CHAIRMAN HOLTZMAN: If you want to get
14 to the next stage --

15 COMMISSIONER PINCHEVSKY: So why don't
16 we set up a three-person committee, whoever is
17 willing to do that, and then at the next meeting,
18 come by, and those who review it can say we accept
19 everything as is and let's move forward with the
20 current professionals, or we think we should
21 interview for this one position or all of them.

22 Then the Board -- you can look at it on your own as
23 well, the Board as a whole, but those three people
24 will be responsible for coming up with some sort of
25 recommendation on how we should move forward at the

1 next meeting.

2 CHAIRMAN HOLTZMAN: Sure.

3 COMMISSIONER GRAHAM: How many
4 applications --

5 COMMISSIONER MOSSERI: How many
6 proposals did we get?

7 COMMISSIONER FORBES: I understood that
8 for the planner, there was about five. I mean, I
9 just opened up the Zoning Board, so those are on my
10 mind, too. But for the attorney, we had one. I
11 think we had four or five for the engineer.

12 I also have the documentation, so you
13 make sure that you see all of them in there.

14 COMMISSIONER MOSSERI: It is basically
15 just three committees or three positions we're going
16 after?

17 COMMISSIONER FORBES: Three positions.

18 COMMISSIONER PINCHEVSKY: Can we have
19 one committee?

20 CHAIRMAN HOLTZMAN: It could be one
21 committee.

22 COMMISSIONER GRAHAM: One committee
23 would be fine.

24 CHAIRMAN HOLTZMAN: So let's get out
25 the documents to everybody.

1 COMMISSIONER WEAVER: I had talked to
2 Keith Furman like 13 or 14 months ago before we
3 started the process, which currently we have, and
4 he -- I said, well, do we have to do this every
5 year, can we do it every two years.

6 So I would ask the auditor, it has to
7 be fair enough, but does it have to be every year,
8 can it be every two years.

9 COMMISSIONER FORBES: I will check.

10 COMMISSIONER PINCHEVSKY: I think it is
11 once a year, but I could be mistaken --

12 (Everyone talking at once.)

13 MR. GALVIN: Let me say this --

14 CHAIRMAN HOLTZMAN: Let Dennis jump in.

15 COMMISSIONER WEAVER: We could sever it
16 at any time I think. I think there is a
17 severability clause in our contract --

18 MR. GALVIN: -- one of the interesting
19 things is the fair and open policy requires there to
20 be bidding where contributions are being made by the
21 professionals. Now, I don't know if our engineer
22 and our planner made any contributions, but I didn't
23 make any contributions.

24 So in light of the fact that I didn't
25 make any contributions, you don't have to go out to

1 bid and you can just reappoint me. But if there
2 were contributions made, then there has to be the
3 process where you at least have to go out and get
4 the resumes and consider it before you possibly
5 reappoint.

6 So where the auditor is saying it is
7 the best practice, it is a good practice to go out
8 and to keep your options open to see, you know, that
9 is the whole thing about keeping the cost of
10 Government down and to make sure you have the best
11 people representing. But, again, I have been
12 reappointed in one community for 20 years straight,
13 so I think I have done a good job. I think I have
14 earned those appointments over those 20 years.

15 I don't know, but other people can
16 submit, if they want to, to see if they can convince
17 the Board that they could do a better job or to do
18 it for less money.

19 COMMISSIONER MOSSERI: I wanted one
20 point of clarification. Is it only one lawyer that
21 submitted?

22 COMMISSIONER FORBES: Yes.

23 MR. GALVIN: Do you mean me or do you
24 mean --

25 (Everyone talking at once.)

1 COMMISSIONER MOSSERI: Instead of that,
2 if there is only one proposal, you're evaluating the
3 same person.

4 CHAIRMAN HOLTZMAN: So let's take that
5 one off the board. So I would like to make motion
6 to reappoint Dennis Galvin as our Board's attorney

7 COMMISSIONER MOSSERI: I'll second.

8 CHAIRMAN HOLTZMAN: All in favor?

9 (All Board members answered in the
10 affirmative.)

11 MR. GALVIN: Thank you.

12 COMMISSIONER MOSSERI: And can we write
13 into our bylaws that every year we ask if an RFP
14 process should be put out rather than --

15 CHAIRMAN HOLTZMAN: She is going to
16 check with the auditor first.

17 (Everyone talking at once.)

18 COMMISSIONER PINCHEVSKY: Do we have
19 request for proposals or just quotes?

20 COMMISSIONER FORBES: It is a Request
21 For Qualifications, which our attorney, the city's
22 attorney, made sure that, you know, we do ask for,
23 you know, those certain documents, the credentials
24 and such that they have, and it is something that we
25 were under a requirement at the state comptroller

1 level to have to do, you know, for different
2 professional services, so that we have been released
3 from, but I still want to make sure we are under the
4 best practice. We were just released in November
5 from the state comptroller requirement, but that
6 doesn't mean that we don't have to go through this
7 process. I want to make sure that we are still
8 following the best practices.

9 COMMISSIONER PINCHEVSKY: For whatever
10 it is worth, I like getting the quotes every single
11 year. But the response could be that we looked at
12 the quotes, and we're happy where we are, and let's
13 move forward. But, you know, a half hour a
14 committee looking at the --

15 COMMISSIONER MOSSERI: I feel it's
16 unfair being a consultant personally to put in a
17 proposal every year, and you are not going to do
18 anything with it, that is a waste of money for the
19 people, and it sometimes discourages you at the end.

20 I know you guys can -- you should
21 either make it we decide every year whether we are
22 going out for proposals or not, or increase the
23 term, because I know Dan is in the same position.
24 It costs us money, and it is not fair to us.

25 COMMISSIONER PINCHEVSKY: Well, I mean,

1 you know, I am also on the consulting side and
2 again, just the qualifications, which is a fairly
3 standard document that's committed, not necessarily
4 in all cases, but --

5 COMMISSIONER MOSSERI: Not in these
6 professionals, how about that?

7 COMMISSIONER PINCHEVSKY: -- versus
8 bringing in a firm with three or four people coming
9 to a meeting spending an hour or two hours, you
10 know, I think that is certainly a much more costly
11 investment on their behalf that I just don't want to
12 put on them every single year if we're staying with
13 the same, so that is fine. But anyway, I think
14 that --

15 CHAIRMAN HOLTZMAN: Commissioner Marks?

16 COMMISSIONER MARKS: I don't want to
17 beat a dead horse --

18 CHAIRMAN HOLTZMAN: But go ahead.

19 COMMISSIONER MARKS: -- but local
20 public contracts go out for bids for granting
21 professional service contracts for more than one
22 year, correct, Mr. Galvin?

23 MR. GALVIN: Correct.

24 COMMISSIONER MARKS: So we could, even
25 if we wanted to grant our professionals more than a

1 one year, a two-year contract or a three-year
2 contract for professional services, we are not able
3 to.

4 COMMISSIONER MOSSERI: I thought I had
5 read you could just select them.

6 CHAIRMAN HOLTZMAN: You can, but you
7 have to go through the process of saying we would
8 select you --

9 MR. GALVIN: I was reappointed last
10 night in Summit. There was no request for bids in
11 Summit, because I made no contributions. There is a
12 group of paperwork that I have to fill out and the
13 Board just elected to reselect me.

14 COMMISSIONER GRAHAM: I don't think
15 Maser would make the mistake --

16 (Everyone talking at once.)

17 MR. ROBERTS: I think there is a
18 disclosure, but you have to do it, it's either all
19 one way or all the other, because --

20 CHAIRMAN HOLTZMAN: Okay. We still
21 have a hearing on our agenda, guys, so I think we
22 got that.

23 COMMISSIONER MOSSERI: I request
24 clarification.

25 CHAIRMAN HOLTZMAN: We will get it

1 figured out.

2 Thank you, Commissioners.

3 Yes, Director?

4 COMMISSIONER FORBES: Do we have to
5 officially approve the meeting schedule?

6 I will just make a motion that we
7 approve the meeting schedule.

8 CHAIRMAN HOLTZMAN: I will second that.

9 All in favor of our meeting calendar,
10 aye?

11 (All Board members voted in the
12 affirmative.)

13 CHAIRMAN HOLTZMAN: Great.

14 COMMISSIONER PINCHEVSKY: Do you want
15 to set up a committee for this year since we already
16 got the quotes?

17 COMMISSIONER GRAHAM: Gary, you can
18 send out an email --

19 CHAIRMAN HOLTZMAN: I'm sorry.

20 I will send out an email. Let Brandy
21 get everybody documents, and I will send out a
22 follow-up email right away and say, you know, who
23 wants to be involved in it, take a look at them, and
24 let's see and then maybe move to the next level.

25 Okay. Great.

(Continue on the next page.)

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CITY OF HOBOKEN
PLANNING BOARD

- - - - - X
1125-1131 Jefferson Street, 457 12th :January 7, 2014
Street, 1124-1130 Adams Street : 8 p.m.
Block 104, Lots 13-21 :
Applicant: TDC/URSA Hoboken Sales :
Center, LLC :
Amended Preliminary & Final Site Plan :
- - - - - X

Held At: 94 Washington Street
Hoboken, New Jersey

B E F O R E:

- Chairman Gary Holtzman
- Vice Chair Frank Magaletta
- Commissioner Stephen Marks
- Commissioner Brandy Forbes
- Commissioner Ann Graham
- Commissioner Gill Mosseri
- Commissioner Rami Pinchevsky
- Commissioner Dan Weaver
- Commissioner Sasha Conroy

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

- David Glynn Roberts, AICP/PP, LLA, RLA
Board Planner

- Joseph R. Venezia, PE, PP, CME
Board Engineer

- Patricia Carcone, Board Secretary

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

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

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

7 JOHN J. CURLEY, LLC
8 1202 Plaza Ten
9 Jersey City, New Jersey 07311
10 BY: JOHN J. CURLEY, ESQ.,
11 Attorneys for the Applicant.

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

13 ARSENEAULT, WHIPPLE, FASSETT & AZZARELLO, LLP
14 BY: JACK ARSENEAULT, ESQUIRE
15 560 Main Street
16 Chatham, New Jersey 07928
17 973-635-3366

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1 CHAIRMAN HOLTZMAN: We now have our
2 hearing for 1125-1131 Jefferson.

3 Mr. Curley?

4 MS. CARCONE: Mr. Marks, are you
5 staying for the hearing, and did you read the
6 transcript?

7 COMMISSIONER MARKS: Yes, and I read
8 the transcript.

9 CHAIRMAN HOLTZMAN: Terrific.

10 Mr. Curley, the floor is yours, sir.

11 MR. CURLEY: Good evening, Mr.

12 Chairman, and members of the Baord.

13 My name is John J. Curley, C-u-r-l-e-y.

14 I represent the applicant. This is a continuation
15 from a hearing that was conducted on December 3,
16 2013. I believe we were up to the point of my
17 calling the landscape architect, which I would like
18 to do right now.

19 CHAIRMAN HOLTZMAN: Terrific.

20 MR. CURLEY: Mr. Carman?

21 MR. CARMAN: Good evening, ladies and
22 gentlemen. My name is Thomas S. Carman.

23 MR. GALVIN: Keep going. Spell your
24 last name.

25 MR. CARMAN: C-a-r-m-a-n.

1 MR. GALVIN: Do you swear to tell the
2 truth, the whole truth, and nothing but the truth,
3 so help you God?

4 MR. CARMAN: I do.

5 T H O M A S S . C A R M A N, LLA, 200 Union
6 Avenue, Brielle, New Jersey, having been duly sworn,
7 testified as follows:

8 MR. GALVIN: Please proceed.

9 MR. CURLEY: Mr. Carman, can you please
10 review your credentials as a landscape architect?

11 MR. GALVIN: No, come on. We will
12 accept Mr. Carman's credentials as a landscape
13 architect, right?

14 CHAIRMAN HOLTZMAN: Yes.

15 THE WITNESS: I have had the pleasure
16 of appearing before this Board in the past, and I am
17 a licensed landscape architect in the State of New
18 Jersey.

19 CHAIRMAN HOLTZMAN: Thank you.

20 THE WITNESS: The graphic that we have
21 here is a rendered version. It is a composite
22 drawing of the street level and the landscape.

23 MR. GALVIN: And this is the Tree D
24 Plan?

25 THE WITNESS: That is correct, Tree D,

1 like 3D.

2 (Board members confer.)

3 THE WITNESS: SA-1 was dated 12/4/13.

4 We have 12th Street at the bottom of
5 the drawing, Adams and then Jefferson Street.

6 The street scape, it is an originally
7 detailed street scape that has concrete sidewalks,
8 and it has a concrete paver band that really
9 continues the treatment that is in the south. The
10 south happens to be the top of the street. North is
11 pointing down, but continuing that treatment around
12 and kind of completing the street scape within this
13 block.

14 The street trees are Hornbeam, Linden
15 and Zelkova, all trees that are on the acceptable
16 shade tree list, and the building is accentuated
17 with additional plant material between the sidewalk
18 and the building face.

19 There are a series of Columnar and
20 ornamental trees on Adams and then also on Jefferson
21 providing some additional vertical elements along
22 the sidewalk.

23 There is evergreen and deciduous shrubs
24 within this planting zone to again accent the
25 building and also to provide -- soften the impact

1 that since the building has been raised, as it was
2 discussed at the previous hearing, and also the
3 ramps and the stairs, planting, planting on either
4 sides of that. There are also perennials to provide
5 some additional seasonal interest.

6 Along 12th Street, since the planting
7 between the building and the sidewalk is a little
8 tighter, we have to provide some additional vertical
9 elements. We have a green screen. It is
10 essentially an element that is attached to the wall.
11 It is four foot wide by 12 foot high, and then we
12 are providing a climbing hydrangea that would climb
13 up that and create a portion of a living wall at an
14 interval, and you would be walking along it.

15 Moving up one level on to the courtyard
16 space, which is above the parking garage, we have a
17 series of private terraces for those residents who
18 have a unit right on the second floor. There are
19 also two access points, common access points, for
20 any of the residents to come out into this area
21 right here, where there is some table and chair
22 seating, and then some additional planting.

23 That being an intensive rooftop, an
24 intensive green rooftop, we have twelve inches of
25 soil for the shrub and ground cover planting, and

1 then 30 inches of soil for the trees.

2 These are two trees that actually on
3 the adjacent property, there are three of the same
4 species as Zelkova planted right here, so it creates
5 kind of a nice buffer of trees from the adjoining
6 property.

7 On the rooftop, there is five bollard
8 lights. They are 13-watt compact fluorescent
9 fixtures providing a low level of light for the
10 residents there.

11 During the last meeting, Mr. Caulfield
12 had mentioned an underground tank that is proposed,
13 and this tank captures rainwater from the roof, as
14 well as captures the HVAC condensate, and we are
15 using then to irrigate the street scape.

16 So this tank, being that it captures
17 the condensate, the condensate is generating a lot
18 of water during the summer months when we really
19 wouldn't be seeing rain, so it is a really good
20 sustainable system in that, you know, during the
21 spring when we are seeing more rain, it is capturing
22 that when the HVAC is not really in use, so a split
23 system that complements it.

24 That is it.

25 MR. CURLEY: Mr. Carman, have you

1 submitted this plan to the Shade Tree Commission?

2 THE WITNESS: Thank you.

3 I have. I submitted this to the Shade
4 Tree Commission, and we received a recommendation
5 letter back from the Commissioner yesterday. There
6 were -- it is dated January the 6th from James
7 Tricarico, and there were three recommendations that
8 they had.

9 The first recommendation along the
10 street scape, we have tree grates proposed, that are
11 four-by-four tree grates. They were recommending
12 that the tree grate be eliminated and use a tree
13 guard around the edge.

14 A tree guard is a lower -- it's a wire
15 wicket, but it is also referred to where it creates
16 an edge for the tree.

17 There is a lot of mixed feelings on
18 tree grates, that as the tree grows and expands, if
19 it is not trimmed down, a tree could begin to grow,
20 if the maintenance is not kept up, so that is why
21 the Commission, the Shade Tree Commission,
22 recommended going with the tree guard.

23 We are open to that. The only downside
24 with the tree guard is as there is parallel parking,
25 it is a little bit higher element that the car door

1 could potentially open against.

2 The second comment was to expand those
3 tree pits from a four-by-four to three-by-eight.

4 Yes?

5 CHAIRMAN HOLTZMAN: I believe the Shade
6 Tree Commission, I am not sure if they provided it
7 to you, but I know that they do have a standard tree
8 guard that they have recommended in the past, and
9 that guard does taper on an angle towards the curb.
10 It doesn't come full fence height to the curb --

11 THE WITNESS: Okay, good.

12 CHAIRMAN HOLTZMAN: -- so you might
13 want to reach out to them just to get their
14 specifications on it, because I know they worked
15 with one of the local ironwork folks to come up with
16 an exact model.

17 THE WITNESS: Sure. Okay. I will do
18 that.

19 VICE CHAIR MAGALETTA: A tree socket as
20 well.

21 THE WITNESS: That is fine.

22 Then the expanding of that tree pit,
23 that is another item that we are fine with.

24 And then the last item had to do with
25 just checking the overhead wires and confirming that

1 where there are overhead wires, that we are using a
2 low tree species from the other ones, so I have to
3 go out there. When I got here today, I didn't get
4 there, but I will check it.

5 MR. GALVIN: So you can comply with the
6 recommendations of the Shade Tree Commission?

7 THE WITNESS: We can.

8 MR. GALVIN: Okay. Outstanding.

9 CHAIRMAN HOLTZMAN: Any questions or
10 comments?

11 Frank Magaletta?

12 VICE CHAIR MAGALETTA: On the
13 condensate, how is it piped to the tree?

14 Is it directly underneath, because I
15 have seen some projects in town where the condensate
16 just drips down the sidewalk and leaves a trail, and
17 it's very messy, and it freezes sometimes, so how
18 does it work?

19 THE WITNESS: No. This would be a drip
20 system, an underground drip system, so there would
21 be drip lines within the plant beds themselves, and
22 that drip system is going to below the mulch, so it
23 goes into the bushes and not the trees.

24 CHAIRMAN HOLTZMAN: Pat, do we have a
25 copy of the letter, this letter?

1 MR. CAULFIELD: From the Shade Tree
2 Commission, no, we don't.

3 MR. GALVIN: Let's mark that as an
4 exhibit, and then I will probably be looking for
5 this when I do the resolution, and I will attach it.

6 MR. CURLEY: I don't know that we
7 marked any exhibits at the last hearing.

8 MS. CARCONE: No, you didn't.

9 What are you marking this as?

10 Do you have a copy of this?

11 MR. CURLEY: Sure.

12 MS. CARCONE: What did you say we were
13 marking this as?

14 MR. GALVIN: We can make it Board or
15 Applicant 1, but let's just mark it Applicant's A-1.

16 MS. CARCONE: A-1.

17 CHAIRMAN HOLTZMAN: A-1.

18 (Exhibit A-1 marked)

19 MR. GALVIN: But we will probably
20 attach that to the resolution.

21 MS. CARCONE: Okay.

22 MR. CURLEY: Any other questions?

23 VICE CHAIR MAGALETTA: Yes.

24 With respect to the area, the outdoor
25 area, I know last time Mr. Caulfield talked about

1 how the roof was going to have -- is that the only
2 spot -- is there anything on the roof that will be
3 green, other than --

4 THE WITNESS: On the landscaped deck
5 level above the garage --

6 VICE CHAIR MAGALETTA: Yes.

7 THE WITNESS: -- yes, there are --
8 whatever the trees, within these two trees, and then
9 all planted underneath there are shrubs and ground
10 cover, and then between the garden terraces, there
11 is a hedge provided and a separation buffer as well,
12 and then a few ornamental trees as well.

13 VICE CHAIR MAGALETTA: The other part
14 to the other roofs, there will be nothing on there
15 at all?

16 THE WITNESS: No.

17 CHAIRMAN HOLTZMAN: Director Forbes?

18 COMMISSIONER FORBES: You had mentioned
19 that the adjacent building has the three similar
20 trees.

21 What is the divider?

22 I mean, if you are going to see those
23 trees, what is the divider between those two
24 buildings?

25 THE WITNESS: So there is a 42-inch

1 high parapet masonry edge that comes up on the
2 adjacent building, as well as would be on this
3 building, and then there is a rail that goes along
4 on the adjacent building on top of the parapet as
5 well. It is actually an open rail, but with that --
6 with those other three trees, there is a much wider
7 planter that runs along the edge, so it is very --
8 it is a very limited amount of area where those two
9 parapets come up to one another.

10 COMMISSIONER FORBES: So you would
11 visually be able to see the trees, but it is not an
12 access point between the buildings?

13 THE WITNESS: Correct.

14 CHAIRMAN HOLTZMAN: Any comments from
15 the professionals?

16 MR. ROBERTS: Just a couple of
17 questions.

18 One Mr. Magaletta already touched on,
19 and that was on the roof of the main building, there
20 is shown a terrace and a wooden decking to use
21 private spaces and private decks, and his question
22 was: Was there any landscaping proposed.

23 There is none shown on the plan, so I
24 imagine, if there is going to be anything up there,
25 it's nothing --

1 THE WITNESS: Right. Any planting -- I
2 would imagine that any of the residents who would be
3 up in that space would provide their only potted
4 plants and possibly, you know, maybe even grow
5 something in a container, but we are not proposing
6 anything specifically up there.

7 MR. ROBERTS: Then the second question
8 is: On the landscape, the non potable water, is
9 that expected, or is that projected to provide
10 enough water for all of the irrigation or will that
11 just supplement it?

12 THE WITNESS: Our belief is between the
13 condensate and the runoff, we would for the street
14 level, we feel pretty confident that we will be able
15 to -- that that will take care of the irrigation
16 there.

17 There is always the possibility that it
18 may need to be supplemented, but by the calculations
19 that we ran, we feel that the condensate will
20 provide it.

21 MR. ROBERTS: If you needed to
22 supplement, how would you do it?

23 Are you going to have a separate
24 irrigation system or a separate supply to the
25 irrigation system?

1 THE WITNESS: No. I guess then at that
2 point it possibly would have to be -- there would be
3 hosed bibs throughout that if there --

4 MR. ROBERTS: It would have to be done
5 manually.

6 THE WITNESS: -- yes, if during a
7 severe situation, it would be manually.

8 MR. ROBERTS: Also, you had mentioned
9 the green screen, which we pointed out in our
10 letter, a relatively new concept that I have not
11 seen personally yet. You mentioned that it was just
12 a hydrangea, just one species on that?

13 THE WITNESS: That's correct.

14 MR. ROBERTS: Because a lot of times
15 green walls have a variety of --

16 THE WITNESS: Right, well --

17 MR. ROBERTS: -- maybe if you could get
18 into a little bit more detail on what to expect to
19 see with them.

20 THE WITNESS: Yes. So that the green
21 screen, this specific one is a wire mesh that's
22 attached to the wall, a framework, and it is a vine
23 that is planted, it is traditionally planted, and it
24 would -- when it goes in it, it will not -- it
25 certainly will not be full coverage. That whole

1 four-by-twelve-foot area will not all be full of
2 vines. It will take some time for that to fill in.

3 But that one variety, being that it is
4 a climbing vine, when it is climbing, it is
5 typically best to just use one variety.

6 If it is an actual living wall where
7 there is soil media there, then it is something
8 where we would use different types. That is much
9 more intensive in terms of maintenance, and then
10 also on the street, where people are walking by a
11 vine, a climbing vine is a lot hardier for that
12 application, which is why we chose it.

13 MR. ROBERTS: All of this will be set
14 back from the street up against the wall --

15 THE WITNESS: Right, but only set back
16 by -- if this rail was it, you are only talking
17 about a four or so foot setback.

18 MR. ROBERTS: What is your estimate to
19 the timing in terms of when those plants reach
20 maturity on the screen?

21 THE WITNESS: Full plantings could be
22 seven years.

23 MR. ROBERTS: Okay.

24 CHAIRMAN HOLTZMAN: Any other comments,
25 questions?

1 Thank you.

2 THE WITNESS: Thank you.

3 (Witness excused)

4 VICE CHAIR MAGALETTA: Mr. Curley, I
5 have a question. This is a preliminary question I
6 should have asked well before.

7 In the original developer's agreement,
8 Frank Rea was the redeveloper, and right now the
9 applicant is TDC/URSA. How did you get from Rea --
10 just for the record, how did you get from Rea to
11 TDC/URSA? Was there an assignment --

12 MR. CURLEY: There was an assignment
13 and assumption agreement approved by the city
14 council and by the corporation counsel at some time
15 in the past. I can't tell you exactly when it
16 occurred. Mr. Rea remained a person with a passive
17 interest. However, he no longer has any interest in
18 the developer, and he basically has been completely
19 bought out.

20 VICE CHAIR MAGALETTA: So he is not in
21 the disclosure?

22 MR. CURLEY: No. He was bought out
23 prior to the filing of the application.

24 VICE CHAIR MAGALETTA: It was directly
25 to Rea and TDC/URSA --

1 MR. CURLEY: TDC/URSA was once owned by
2 URSA Development Group and by Tarragon Corporation.
3 Tarragon Corporation underwent a bankruptcy. As a
4 result of that bankruptcy, URSA Development bought
5 out the Tarragon interest.

6 VICE CHAIR MAGALETTA: Okay. That was
7 approved by the Bankruptcy Court obviously?

8 MR. CURLEY: Yes.

9 VICE CHAIR MAGALETTA: Thank you.

10 MR. CURLEY: Mr. Pavlovich.

11 MR. GALVIN: Raise your right hand.

12 Do you swear to tell the truth, the
13 whole truth, and nothing but the truth, so help you
14 God?

15 MR. PAVLOVICH: I do.

16 J O H N P A V L O V I C H, PE, having been duly
17 sworn, testified as follows:

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

20 THE WITNESS: It's John Pavlovich,
21 P-a-v-l-o-v-i-c-h.

22 CHAIRMAN HOLTZMAN: Traffic expert?

23 MR. CURLEY: Yes.

24 MR. GALVIN: Mr. Chairman, do we accept
25 his credentials?

1 THE WITNESS: I have testified before
2 the Board several times before.

3 MR. GALVIN: Could you give us a couple
4 of the Boards you appeared before? I remember you.

5 THE WITNESS: Sure.

6 Hoboken, Weehawken, Jersey City,
7 Teaneck, and Rutherford.

8 CHAIRMAN HOLTZMAN: Thank you.

9 MR. CURLEY: Mr. Pavlovich, did you do
10 a traffic study and prepare a traffic report?

11 THE WITNESS: Yes, I did.

12 MR. CURLEY: What were your findings?

13 THE WITNESS: The findings were --
14 first, the typical traffic report looking at
15 existing conditions, the conditions in the future
16 two years from now without the project and two years
17 from now with the project.

18 Looking at those numbers and estimating
19 traffic that would be generated by the project, it
20 was shown to be no difference in the level of
21 service at the intersections, for the unsignalized
22 intersection among Adams, Jefferson and also along
23 Madison, with the exception of all of the movements,
24 to the left turn movement that Jefferson, from 11th
25 Street going south on Jefferson, all of the other

1 movements would be at level of service C or better.
2 Level service C is primarily because of the traffic
3 on Grand, they have to make a right turn onto 11th
4 to go south on Jefferson to continue south of that
5 part of town. There was comment --

6 CHAIRMAN HOLTZMAN: For those of us
7 laymen, can you stipulate and give us a little
8 explanation on level service C?

9 THE WITNESS: In terms of what?

10 Level service C or all of the levels of
11 service are established by the number of average
12 seconds of delay that a vehicle would experience if
13 it had to stop or go through an intersection.
14 The intersection approaches that are affected by
15 that are those approached at the stop signs, at the
16 unsignalized intersections.

17 And the intersection, which is
18 particularly a left turn, is Jefferson because of
19 the stop sign, and there is traffic coming down on
20 Jefferson. In order for the traffic to proceed from
21 the stop sign, they have to wait for gaps in the
22 traffic. But even with that situation and the
23 traffic movement for that left turn is almost like
24 200 vehicles, 200, 225 vehicles, and that is the
25 reason for the traffic being at level of service C

1 for that approach. But that is a no-go condition
2 over at the project, not because of the project.

3 CHAIRMAN HOLTZMAN: Commissioner
4 Graham?

5 COMMISSIONER GRAHAM: Could you
6 describe what level service C means, please?

7 THE WITNESS: Level service C means
8 that the traffic that would be on that approach that
9 stops at the intersection, they would experience on
10 average, an average delay for a vehicle would be
11 roughly about 15 seconds of delay.

12 COMMISSIONER GRAHAM: I think you have
13 misspoken. You said people coming from Grand turn
14 left onto --

15 THE WITNESS: No. People from Grand,
16 the traffic on Grand makes a right onto 11th and
17 then they go over --

18 COMMISSIONER GRAHAM: I mean, coming
19 which way on Grand?

20 CHAIRMAN HOLTZMAN: Can we put the map
21 up just for --

22 COMMISSIONER GRAHAM: You are talking
23 about Grand going south, and I am talking about
24 Grand going north.

25 CHAIRMAN HOLTZMAN: Let's put the map

1 up.

2 COMMISSIONER GRAHAM: There are two
3 streams that come together there.

4 CHAIRMAN HOLTZMAN: That's actually --
5 south is to the top of that form, so you might want
6 to just flip that over to make it obvious for
7 everybody.

8 Great.

9 THE WITNESS: This is Adams Avenue
10 going northbound, Jefferson coming southbound.

11 The street on the other side of Adams
12 is Grand. The traffic coming south on Grand, they
13 can't proceed any further south --

14 COMMISSIONER GRAHAM: I know that.

15 THE WITNESS: -- than 11th, so they
16 make the right turn. They come along 11th, and they
17 do the little dog leg on the southbound side to 11th
18 Street, and then they make a left turn onto
19 Jefferson.

20 COMMISSIONER GRAHAM: My point was
21 there is traffic coming north on Grand also that
22 turn left there, and they come together, and they're
23 both coming, so you also have to pay attention to
24 that.

25 THE WITNESS: Right.

1 There are some vehicles that make the
2 move, yes. It is a combination of both, but the
3 predominant movement is the southbound Grand.

4 COMMISSIONER GRAHAM: Becoming more and
5 more.

6 CHAIRMAN HOLTZMAN: Did you have any
7 more specific questions about that, Commissioner
8 Graham?

9 COMMISSIONER GRAHAM: No.

10 CHAIRMAN HOLTZMAN: I just wanted to
11 make sure that we got that squared away, right?

12 COMMISSIONER GRAHAM: I am going to
13 defer to the traffic expert.

14 CHAIRMAN HOLTZMAN: Thank you.

15 COMMISSIONER MOSSERI: I have a
16 question --

17 CHAIRMAN HOLTZMAN: Commissioner
18 Mosseri, yes.

19 COMMISSIONER MOSSERI: -- there were
20 questions asked the last time about it.

21 THE WITNESS: What's the question?

22 COMMISSIONER MOSSERI: I wanted to ask
23 you a little bit about why Clinton Street and 12th
24 Street were not included in your analysis.

25 THE WITNESS: What we tried to do is

1 take a sample of the intersection because when we
2 looked at the total traffic that would be generated
3 by the project, you're talking about roughly 20 --
4 without any adjustments for transit, it is 20
5 vehicles per hour, which is roughly, you know, one
6 vehicle every three minutes, so that level of
7 traffic isn't really going to have any appreciable
8 effect on traffic conditions at any particular
9 intersection.

10 COMMISSIONER MOSSERI: Well, I
11 understand that, but do you perceive that the level
12 of service may not be true specifically on the
13 intersection -- so you didn't do Clinton Street and
14 12th Street, that is past level of service F at this
15 point, specifically for the northbound movement on
16 Clinton Street in the a.m. if you have been out
17 there.

18 Did you do any Q observations?

19 THE WITNESS: We did Q observations in
20 October.

21 And once again, when you do spot
22 observations, it is one observations, two
23 observations throughout the entire year. But we had
24 done counts in previous years and looking at the
25 traffic levels, there didn't seem to be that much of

1 a change when you are looking at the traffic
2 conditions from 2006 or so without the developments,
3 and now those other developments have come into
4 being in that particular area.

5 COMMISSIONER MOSSERI: So, again, my
6 question is: What is your Q observation on Clinton
7 Street as it heads towards 12th Street?

8 THE WITNESS: That the traffic
9 levels -- the Qs, there are some Qs backing out from
10 12th.

11 COMMISSIONER MOSSERI: To 11th?

12 THE WITNESS: Right, but not really
13 that much. There were not much Qs associated on
14 Clinton from what I had seen.

15 COMMISSIONER MOSSERI: Well, I take
16 that route every morning, and then it goes past 11th
17 Street.

18 So my question to you is, I know we are
19 not adding a lot of traffic, but you are certainly
20 impacting the level service F.

21 Is there a way to reduce at least on
22 12th and Willow to have a better level of service on
23 eastbound, which I don't see you putting in here.

24 THE WITNESS: Yes.

25 The traffic level of service at Willow

1 and 12th, it is a signalized intersection, and they
2 could easily take a few seconds of green time from
3 Willow and allocate it to 12th, which would have
4 that backup on 12th Street, and it would get rid of
5 that Q.

6 COMMISSIONER MOSSERI: So I don't see
7 that recommendation in here. If you are going to
8 make the recommendation, could you make some --

9 THE WITNESS: Well, the recommendation
10 is normally associated with the impacts from the
11 project. That Q is not associated with the project
12 itself --

13 COMMISSIONER MOSSERI: But you are
14 making the level of service F worse.

15 MR. VENEZIA: Well, there are certain
16 parts. There is an increase at --

17 (Mr. Venezia and the witness speaking
18 at the same time)

19 THE WITNESS: Between the no build and
20 the build, it is about three or three and a half
21 seconds.

22 MR. VENEZIA: From --

23 THE WITNESS: Well, --

24 MR. VENEZIA: -- because I have seen
25 the no build to build is approximately an additional

1 three or four seconds.

2 THE WITNESS: But, once again, the
3 signal timing changes that -- that is a
4 recommendation, and that is what I was going to be
5 concluding. It may not be stated in that report,
6 but I was looking at the improvements that were
7 associated with the development, so that project
8 improvement or that improvement itself would be
9 associated with the condition, even if you didn't
10 have a project, that would be a recommendation that
11 the traffic engineer would make to the town.

12 COMMISSIONER MOSSERI: I don't see it
13 in here, that's why.

14 CHAIRMAN HOLTZMAN: Right. I am not
15 sure it is their jurisdiction to necessarily tell
16 the town.

17 But is that a conclusion that you are
18 in agreement with?

19 COMMISSIONER MOSSERI: Is there a way
20 to make it -- that level service F set back to at
21 least its current level?

22 THE WITNESS: Yes. That would be
23 taking maybe four seconds of green time from Willow
24 and changing that and shifting that over to be on
25 12th Street.

1 COMMISSIONER MOSSERI: Right, because
2 you are adding an impact. It's not significant, but
3 there is an impact there.

4 At level of service F, what is the --
5 when do you become significant?

6 THE WITNESS: Level service F starts at
7 80, above 80 seconds of delay --

8 COMMISSIONER MOSSERI: Yes, I know.
9 But what did we determine significant, that it's a
10 significant impact?

11 THE WITNESS: Typically ten percent of
12 the no build condition.

13 CHAIRMAN HOLTZMAN: So, Commissioner
14 Mosseri, then is it your recommendation that perhaps
15 the Board makes a recommendation to the
16 administration to take a look at the timing on that
17 light?

18 COMMISSIONER MOSSERI: I would say that
19 you could make that recommendation.

20 CHAIRMAN HOLTZMAN: They could make
21 that recommendation, but they are building their
22 building. We are trying to look at a little bit
23 more macro view of the neighborhood, not
24 necessarily --

25 COMMISSIONER MOSSERI: Yeah, I mean --

1 CHAIRMAN HOLTZMAN: -- the traffic
2 light is not their jurisdiction either.

3 COMMISSIONER CONROY: Well, I have a
4 solution. Why don't we just go ahead and make that
5 recommendation --

6 CHAIRMAN HOLTZMAN: So do you concur
7 with those findings?

8 COMMISSIONER MOSSERI: Yes. I mean, I
9 just saw the impact, the additional impact. I know
10 it is a bad intersection --

11 CHAIRMAN HOLTZMAN: That's a great
12 call.

13 COMMISSIONER MOSSERI: -- I just
14 wondered why Clinton and 12th wasn't included to at
15 least spotlight that it's -- that you are adding to
16 a Q, correct? And at level service F, you could
17 start toppling something.

18 CHAIRMAN HOLTZMAN: Commissioner Marks,
19 did you follow the conversation on that?

20 I know that got a little in the weeds
21 there on the technical stuff.

22 COMMISSIONER MARKS: I don't have any
23 objection. If the Board wants to make that
24 recommendation to the city, that is perfectly
25 acceptable.

1 COMMISSIONER MOSSERI: That was my
2 concern. It is F and worse F.

3 CHAIRMAN HOLTZMAN: Do we need to do
4 anything formally to do that, or is that information
5 that you can pass along to the administration?

6 MR. GALVIN: Do you want a letter from
7 us?

8 I think that's what we will do. I
9 think after we conclude the hearing, we will take
10 two seconds to say, do we want to send a letter. If
11 we do, then we will send a letter.

12 CHAIRMAN HOLTZMAN: Great. Great.

13 Gill will do a pass to give a read on
14 that letter that we're going to send to the
15 administration.

16 COMMISSIONER MOSSERI: I just wanted to
17 put that out there. I think that your report should
18 have a recommendation to mitigate that.

19 MR. GALVIN: If this was something like
20 a curb cut or something that would make the
21 applicant seek the curb cut from council, but, you
22 know, it's something that's --

23 CHAIRMAN HOLTZMAN: Mr. Curley, do you
24 think we can get a little letter from you guys
25 saying, gee, we think that's a great idea that we

1 make this timing change on the light, and we will
2 pass that along to the administration?

3 MR. CURLEY: In the morning, I would
4 like the green to be the other way.

5 (Laughter)

6 CHAIRMAN HOLTZMAN: I take that as a
7 no.

8 (Laughter)

9 We will send our own letter.

10 MR. GALVIN: I think that is what we
11 should do.

12 (Everyone talking at once.)

13 CHAIRMAN HOLTZMAN: Joe, do you have
14 anything else?

15 MR. VENEZIA: We would need to go
16 through the county on that --

17 MR. GALVIN: Well, we can send a letter
18 to the city, and then the city can --

19 CHAIRMAN HOLTZMAN: The city can run it
20 up the flag pole, right?

21 MS. GALVIN: -- they can then ask the
22 county engineer to make that change, and it probably
23 will get done.

24 CHAIRMAN HOLTZMAN: Commissioner
25 Magaletta?

1 VICE CHAIR MAGALETTA: I have a
2 question.

3 CHAIRMAN HOLTZMAN: Go ahead.

4 VICE CHAIR MAGALETTA: On your study on
5 Page 4, it states that the study was done on
6 weekdays from 7 a.m. to 9 a.m., and then from 4 p.m.
7 to 6:30 p.m.

8 Now, this building is going to be a lot
9 more three-bedroom units and a lot more families,
10 and part of the study was Willow Avenue and 12th
11 Street, how the intersection backs up, as Mr.
12 Mosseri was talking about how it backs up.

13 Why did you -- while the school is
14 right there, and there's a lot of traffic there, not
15 only because of buses for the school, why did it
16 only start at four and 6:30 because school lets out
17 at 2:30?

18 THE WITNESS: Typically when you do the
19 analysis, you are looking at the a.m. and p.m. peak
20 hours. The trip generation rates that are in the
21 trip generation manuals apply to the peak hours.

22 When you move the analysis period up to
23 2:30, three o'clock, the trip generation rates don't
24 really apply to what's considered the off-peak
25 hours.

1 VICE CHAIR MAGALETTA: I'll tell you
2 this: The peak hours in Hoboken start around 3:30
3 or three o'clock and certainly there in that area
4 because there is a school --

5 THE WITNESS: But if I were looking at
6 that for those off peak hours, I think the site, the
7 development would be generating far less vehicle
8 trips during that off-peak than during those peak
9 hours, so as a result there would be no really
10 impact at all associated with the project.

11 There may be traffic conditions that
12 warrant some remediation or improvement, but there
13 wouldn't be anything that would be associated with
14 the project.

15 VICE CHAIR MAGALETTA: I was wondering
16 if that would add to the backup on 12th that we are
17 talking about.

18 THE WITNESS: It would be true
19 absolutely.

20 VICE CHAIR MAGALETTA: Thank you.

21 CHAIRMAN HOLTZMAN: Anything else from
22 the Commissioners?

23 Thank you.

24 Mr. Curley?

25 MR. CURLEY: Thank you.

1 MR. GALVIN: Let the record reflect
2 there is nobody here from the public.

3 CHAIRMAN HOLTZMAN: Is there anyone
4 here from the public to make comment?

5 No.

6 THE WITNESS: Thank you.

7 (Witness excused.)

8 MR. CURLEY: I have to recall Mr.
9 Caulfield for some changes that he made to his plan
10 that we should review.

11 MR. GALVIN: Are we close to the end?

12 MR. CURLEY: Yes.

13 MR. CAULFIELD: I will just take a few
14 minutes of your time.

15 (Board members confer.)

16 MR. GALVIN: You are already under
17 oath, so go ahead.

18 J A M E S C A U L F I E L D, having been
19 previously sworn, testified further as follows:

20 THE REPORTER: Would you just state
21 your name again?

22 THE WITNESS: Caulfield,
23 C-a-u-l-f-i-e-l-d, first name James.

24 One: We talked about the
25 thousand-gallon holding tank for irrigation. There

1 will be a pump in there, and that it will be
2 regulated by a pump. It will not just be regulated
3 by gravity off the roof. All right?

4 If we don't have water in that tank, it
5 will be juiced by domestic water, so the pump can
6 handle it. It will not be something that's going to
7 run across the sidewalk or just drain off the roof.
8 It will be a holding system.

9 The second thing is the 12th Street
10 issue, I know Jack is getting old in this case, but
11 we reviewed that in our case, and we tried to sit
12 with Hoboken Housing to see if we could move the
13 curb on 12th Street north and create two traffic
14 lanes between Willow and Clinton, so that when you
15 come up, you can have direct traffic going north,
16 and then traffic that would go directly east or to
17 the south, and that would eliminate a lot of the
18 problems on that street to have two lanes of traffic
19 there, because what has happened is that with the
20 work on the 14th Street viaduct, they shut down that
21 road down --

22 CHAIRMAN HOLTZMAN: Right.

23 THE WITNESS: -- and that is what
24 caused this problem. All of that traffic has to go
25 up. It would not affect Hoboken Housing to move

1 that curb ten feet to the north. They have a
2 parking lot there. There is one or two trees that
3 would be moved, but I mean, it would really solve 90
4 percent of the problem that we have in this area.

5 You know, changing the light would
6 certainly help, but this would make the biggest
7 difference you could have by increasing that street
8 and have two lanes going in an eastbound direction.

9 MR. CURLEY: Mr. Caulfield, on the
10 plan, Z-2 was changed. Is that correct?

11 THE WITNESS: When we spoke at the last
12 meeting, a couple of -- I forget, one of the
13 professionals were exactly right. You needed three
14 handicapped spaces, not two, and that has been
15 amended and changed.

16 An item came up about the electric
17 cars. We have installed a station for two electric
18 cars, and if the need comes up for more, we will
19 install those. But at this point in time, the
20 station will be put in for two electric cars.

21 The third item is: There was a
22 question of were we going to allow cars to back in
23 going forward at the entrance, and we're going to
24 put a restriction sign that's going to have to tell
25 them to back in. We will enforce that the best we

1 can, but there is no guarantee, but I am sure once
2 we get people used to it, they will back in all of
3 the time.

4 So the changes that we made were really
5 directly brought on by the comments of the Board.

6 MR. CURLEY: These are, to repeat,
7 assigned spaces?

8 THE WITNESS: These are all assigned
9 spaces.

10 MR. CURLEY: The other change that you
11 made was the calculation on the sewage usage?

12 THE WITNESS: Right.

13 On one of them, they were off by about
14 12 gallons, and we made a correction to bring it up
15 and have them coincide.

16 MR. CURLEY: No other changes, right?

17 THE WITNESS: No other changes.

18 CHAIRMAN HOLTZMAN: So, Joe, I know
19 that there was a list that Andy had put together,
20 and it sounds like Mr. Caulfield has addressed the
21 parking issue.

22 Was there still an issue with regard to
23 the paving that we were looking for some details on?

24 THE WITNESS: No. We addressed that at
25 the last meeting. We were going to make it 45 and

1 then pave on Jefferson Street --

2 CHAIRMAN HOLTZMAN: So that's noted on
3 the plans as well? Are we up to speed on that?

4 MR. VENEZIA: Yes. They have indicated
5 the paving, I believe, on one --

6 THE WITNESS: I think the only thing
7 open was that we would like to do the paving work
8 and not have to put -- because we really think it is
9 important, that that street in that area be
10 improved --

11 CHAIRMAN HOLTZMAN: Yeah. I had a
12 chance to go out and visit the site, and while the
13 sidewalks look like they are in pretty good shape
14 around the site, right?

15 THE WITNESS: Right.

16 CHAIRMAN HOLTZMAN: I guess there is
17 some concern also, it looks like they are all
18 relatively new with the curbs and everything else --

19 THE WITNESS: On Adams and 12th Street,
20 yes.

21 CHAIRMAN HOLTZMAN: Right.

22 So is there anything that you take into
23 consideration for -- obviously, you have not done
24 anything on the site yet. There is going to be a
25 lot of equipment that is going to go across those

1 sidewalks and everything else --

2 THE WITNESS: All curbs and sidewalks
3 will be replaced throughout the whole site --

4 CHAIRMAN HOLTZMAN: Okay.

5 THE WITNESS: -- what we are saying is
6 that the pavement that has to be improved, we would
7 like to do it, and not, I hate to say it, rely on
8 the city to do it, for fear they might think some
9 other spot is important and take it out --

10 MR. CURLEY: Let's clarify that. 12th
11 Street has been repaved and does not need work. Is
12 that correct?

13 THE WITNESS: Well, when we are talking
14 about work, we are talking about paving, not
15 sidewalks and curbs --

16 CHAIRMAN HOLTZMAN: I got you.

17 THE WITNESS: -- so Adams Street and
18 12th Street are completely repaved, and they are in
19 fine shape.

20 The problem we have is that along
21 Jefferson Street approximately 110 feet from the
22 corner going to the south, there is a problem with
23 the center of the street --

24 CHAIRMAN HOLTZMAN: Yes. It's really
25 high, right?

1 THE WITNESS: -- because the sewers are
2 under there, so we want to fill in and raise the
3 curb and humor that properly, so it drains properly,
4 but we would like to do that.

5 Now, I am not saying we are not going
6 to use the same contractors the city does, but we
7 would like to make sure that when our project is
8 done, that street is done.

9 MR. GALVIN: Okay. So if you do one
10 street, then that covers two half widths, and then
11 there's still two half widths to contribute, right?

12 THE WITNESS: Not necessarily, if you
13 don't have to improve it.

14 MR. GALVIN: I don't know about that.

15 MR. VENEZIA: I mean there are
16 provisions for doing the half width per the
17 ordinance requirements on both -- on all frontages.
18 They are proposing one that hasn't been done, and
19 the other has. They are doing full width along
20 Jefferson, maybe a possibility or a contribution --

21 CHAIRMAN HOLTZMAN: Right.

22 If I understand it, and don't hesitate
23 to reel me in, but if I understood it, and,
24 Director, I know this falls under the Redevelopment
25 Zone, so maybe you can chime in here as well, that

1 the applicant was responsible for half of the width
2 of the street around their property, at which point
3 if it's something that this property owner is going
4 to do by themselves, that is great. It sounds like
5 they want to make sure it gets done right, and
6 obviously we will all get the engineering signed off
7 on, and everybody will be together on that.

8 On the other hand, is it correct that
9 the half width for the other sides of the property
10 that do not necessarily -- are not in bad condition
11 and don't necessarily need to be repaved at this
12 point are still part of the contribution that they
13 owe to the city being that the city paid for
14 repaving those streets in recent history?

15 Am I making myself clear?

16 COMMISSIONER FORBES: No.

17 CHAIRMAN HOLTZMAN: I'm not sure if
18 I'm --

19 COMMISSIONER FORBES: I don't think
20 that they would. Are you saying would they owe the
21 city for --

22 CHAIRMAN HOLTZMAN: I was under the
23 impression, and again, I might be wrong, that is
24 this is the parcel of property, and that half of the
25 width that goes around all of the property would be

1 repaved, either it gets repaved by the applicant, or
2 they give us a contribution to do it.

3 COMMISSIONER FORBES: We have an
4 ordinance that is an off track improvement
5 contribution ordinance, where in such situations,
6 where if we know that the other side is going to
7 have construction, they could do that contribution.
8 However, we do not have a trust fund that is
9 established for that to collect the funds. Even
10 though we have the ordinance, we can't legally
11 collect those funds at this time, so I would say
12 have them do the improvement.

13 MR. CURLEY: That would mean the
14 improvement of the whole width of Jefferson Street
15 in lieu of any contributions for off-site paving?

16 MR. VENEZIA: Jefferson is shorter, the
17 shorter frontage of the two, which would benefit
18 them. However, no work is needed on 12th Street.
19 As you indicated, it is not set up, the town to
20 implement that, so then that would be acceptable to
21 have the full width on Jefferson.

22 CHAIRMAN HOLTZMAN: Commissioner Marks,
23 any insight on this one?

24 COMMISSIONER MARKS: I mean that sounds
25 to me like a perfectly acceptable outcome.

1 Having been on the Board for a year
2 now, I am not up to speed on the ordinance or the
3 limitations of the ordinance. I am really at a
4 loss, but I think that what was suggested is
5 perfectly acceptable.

6 CHAIRMAN HOLTZMAN: Thank you.

7 COMMISSIONER PINCHEVSKY: Can I ask a
8 question?

9 CHAIRMAN HOLTZMAN: Of course, Mr.
10 Pinchevsky.

11 COMMISSIONER PINCHEVSKY: Have other
12 applicants that were in similar situations that
13 weren't paving on their own, did they have to
14 contribute their half width? And if so, where did
15 they contribute it to?

16 COMMISSIONER FORBES: We have not
17 collected any funds because we do not have the
18 ability -- we can't legally collect those funds
19 without approval from the State to have a trust fund
20 specifically for that.

21 We have submitted to the State at the
22 end of 2013, we submitted when we discovered that,
23 you know, we do not have this trust fund
24 established, we submitted to the State for what is
25 called a dedication by rider, where we are

1 requesting that they allow us to collect on that
2 trust. We have not heard back from them. This is
3 not one of their standard trusts.

4 COMMISSIONER PINCHEVSKY: So if they
5 come bank, and everything is granted, are we going
6 to go back to past applicants and say, we are ready
7 to collect now?

8 MR. GALVIN: No.

9 COMMISSIONER FORBES: Only if they --
10 well, if they had a requirement, but I don't know
11 that we had those requirements, specific dollar
12 amount requirements.

13 MR. GALVIN: It will get sketchy. Some
14 you might be able to, and some you might not be able
15 to.

16 COMMISSIONER FORBES: I know.

17 COMMISSIONER PINCHEVSKY: I was
18 wondering if we impose this fee, or I don't know --

19 COMMISSIONER FORBES: We haven't as a
20 Planning Board.

21 COMMISSIONER PINCHEVSKY: Well, okay.

22 Well, if we are going to impose them, I
23 just think it is important to set some sort of
24 precedent on how we are going to do that, and if the
25 ordinance is just a calculation --

1 COMMISSIONER FORBES: If we hear back
2 from the State that we cannot collect this, then we
3 should not --

4 COMMISSIONER PINCHEVSKY: Okay. So we
5 as a Board, we are not going to be collecting until
6 we hear from the State and we have a place to
7 collect. Okay, thank you.

8 CHAIRMAN HOLTZMAN: Thank you.
9 Anything else from you, Mr. Caulfield?

10 THE WITNESS: No, I am finished.

11 MR. CURLEY: Thank you, Mr. Caulfield.
12 That concludes the presentation on the
13 application.

14 CHAIRMAN HOLTZMAN: Okay.
15 Any questions or comments from the
16 professionals?

17 Dave?

18 MR. ROBERTS: Yes. Actually I have a
19 follow-up.

20 I'm sorry, Jim.

21 One thing, and I know I wasn't at the
22 initial meeting last month, the deck on the roof, it
23 is really the outdoor plaza and the individual 10 by
24 13 or whatever --

25 THE WITNESS: All the way up, right.

1 MR. ROBERTS: -- I was looking into
2 that just to see how it could be done, and what came
3 about from that is that when I relooked at the
4 schedule, and this is really a question, and it will
5 turn into question, the FAR for Zone 1, there are
6 two provisions where you can exceed three, and I
7 notice in your schedule you had -- the FAR said 3.96
8 and that it complied --

9 THE WITNESS: Because of the corner
10 lot.

11 MR. ROBERTS: -- so the two ways that
12 it could go above three would be, one, to provide
13 public open public space, and the other is because
14 it wraps around. I know the density was based on
15 basically dividing the FAR by a thousand with the
16 number of units, 60 is three, 20,000 square foot
17 lots. You are not asking for any relief on the
18 density, and that same provision on the plan allows
19 for more density, if you provide public open space,
20 so I think where that extra .96 feet of -- I'm
21 sorry -- .96 FAR came from was the wrap-around --

22 THE WITNESS: Right. But the
23 wrap-around calculations do not apply to density.
24 Density is just the lot size.

25 MR. ROBERTS: Right. I just wanted to

1 make sure if you were taking credit for public open
2 space, I just wanted to know where that was --

3 THE WITNESS: No --

4 MR. ROBERTS: -- if you're not, I just
5 wanted to clarify that --

6 THE WITNESS: -- the wrap-around space
7 is based on that 70 foot Q, and that is how it
8 works.

9 MR. ROBERTS: Correct.

10 So based on the two corners just so the
11 Board knows, 3.96, you're taking advantage of that
12 wrapping around the corner provision of Zone 1
13 because there is slight differences in Zone 1 and
14 Zone 2 in terms of how they count the top space as
15 public versus private, and obviously this is private
16 open space on top of the roof, and I just wanted to
17 make sure for the record that we were clear that
18 there was no credit being taken.

19 THE WITNESS: No. Right.

20 MR. ROBERTS: Thank you, Mr. Chairman.

21 CHAIRMAN HOLTZMAN: Thank you, Dave.

22 So you're comfortable with confirming
23 the FAR calculation, right?

24 MR. ROBERTS: Yes.

25 CHAIRMAN HOLTZMAN: Any questions or

1 comments from any Commissioners?

2 Commissioner Graham?

3 Commissioner Weaver?

4 COMMISSIONER WEAVER: What is the
5 ramp --

6 CHAIRMAN HOLTZMAN: The ramp?

7 COMMISSIONER WEAVER: -- what is the
8 vehicular ramp material?

9 THE WITNESS: It's concrete. It will
10 have expansive joints and posts.

11 COMMISSIONER MOSSERI: I keep looking
12 at your parking lot layout, and you have people
13 trying to park off a ramp?

14 THE WITNESS: Oh, you can, because it
15 is less than one and ten, and we do it at the public
16 parking garage right around the corner.

17 COMMISSIONER MOSSERI: And then these
18 spaces that, you know, they go from eight-six to it
19 looks like seven --

20 THE WITNESS: Seven-six.

21 CHAIRMAN HOLTZMAN: Can we just go back
22 to the ramp for a second?

23 Was there a discussion about the ramp
24 here also having some flow-through?

25 COMMISSIONER WEAVER: Talking about the

1 exterior ramp.

2 THE WITNESS: Pedestrian ramp or
3 vehicular?

4 COMMISSIONER WEAVER: Vehicular
5 exterior ramp.

6 THE WITNESS: There is no exterior
7 ramp.

8 CHAIRMAN HOLTZMAN: The ramp is in the
9 building.

10 THE WITNESS: The ramp is in the
11 building.

12 COMMISSIONER WEAVER: Okay, sorry.

13 THE WITNESS: This is the ramp right
14 here.

15 CHAIRMAN HOLTZMAN: And that ramp, if I
16 remember correctly on the revised conversation to
17 deal with the flood plain issues --

18 THE WITNESS: We are going to add it as
19 one of the flood plain issues --

20 CHAIRMAN HOLTZMAN: -- that it will
21 have some flow-through in the ramp, so it's not
22 going to be solid concrete.

23 THE WITNESS: No, and that ultimately
24 will vary depending on what is going to be required.

25 CHAIRMAN HOLTZMAN: Commissioner

1 Mosseri, do you got something there?

2 COMMISSIONER MOSSERI: Yes.

3 I'm just -- that 12-3 entrance to
4 your -- it is hard to explain. Is that 12-3
5 adequate for a turn?

6 THE WITNESS: Yes, because it is based
7 on your standards in your zoning books, yes.

8 COMMISSIONER MOSSERI: It's a tight
9 turn.

10 THE WITNESS: But the reason -- we
11 entertained making it bigger, but then we were going
12 to lose space on the streets and a couple of other
13 problems, and on other garages, the use that goes in
14 and out of these garages, I don't think these cars
15 are used five times a week. They are not used once
16 a day, but we have not had one problem with
17 intermingling of in and out traffic on any of these
18 properties.

19 CHAIRMAN HOLTZMAN: Right. It is not a
20 daily parking lot. I think that is really your
21 point.

22 THE WITNESS: It is assigned parking.

23 COMMISSIONER MOSSERI: It is a little
24 tight.

25 THE WITNESS: Oh, yes.

1 Thank you.

2 COMMISSIONER GRAHAM: Can I just make a
3 comment?

4 CHAIRMAN HOLTZMAN: Go ahead, sure.

5 COMMISSIONER GRAHAM: This is not
6 specifically to this applicant, but just in general.
7 I just wonder, here we have another what, 54 units
8 going in?

9 I just wonder how we are going to
10 address as a Planning Board, and I think I mentioned
11 this before, and Mr. Caulfield said, you know, the
12 cars are not going to be used on a daily basis.
13 Primarily the people in these buildings are either
14 going to get in their car, and they are going to go
15 west or they are going to primarily use public
16 transportation to get into the city.

17 How are we addressing working with New
18 Jersey Transit to deal with the load on these buses,
19 because the lines in the peak hours in the morning
20 and the peak hours coming home from the Port
21 Authority are horrendous, absolutely horrendous. We
22 keep adding buildings and adding buildings and
23 adding people that are going to go into the city,
24 and there just isn't -- the capacity is just
25 becoming too much. I mean, last night I stood in

1 line for a half hour or 45 minutes to get home.

2 In the morning, the lines go around,
3 you know, 11th and Clinton, and I just wonder how we
4 are dealing with this, how are we addressing this
5 with New Jersey Transit, and what other means we can
6 use, because that's -- Hoboken is a city where
7 people go into New York and work, and unless we can
8 do something. We talk about cars, and I know there
9 are too many cars, and we have to deal with that,
10 too, but we also have to address public
11 transportation.

12 What do we do about that, and what do
13 we do with our applicants to encourage them to
14 address public transportation as well as cars?

15 I know that is not a question that can
16 be answered tonight, but I think it is something we
17 have to think about --

18 CHAIRMAN HOLTZMAN: Thank God.

19 COMMISSIONER GRAHAM: -- I want a
20 complete answer -- no --

21 (Laughter)

22 -- I mean, we just have to deal with
23 this issue. I said this before, and I am going to
24 keep saying it, we really have to do something about
25 it.

1 CHAIRMAN HOLTZMAN: If you have some
2 specific suggestions on it, you know, I think your
3 point is very valid.

4 COMMISSIONER GRAHAM: I wish I could
5 magically talk to New Jersey Transit and have them
6 put more buses or, you know, another bus on another
7 street or do something, because that part of town,
8 and I think it is happening in other parts of town,
9 too, the lines are very long.

10 CHAIRMAN HOLTZMAN: The point is very
11 well taken, Commissioner.

12 COMMISSIONER WEAVER: Yeah. Part of
13 the problem is -- I mean, we had this
14 conversation -- the Port Authority I think is
15 running at like 140 percent capacity, so it becomes
16 a bigger question, which is like, let's say we put
17 more buses out there, how are they going to get into
18 the Port Authority?

19 COMMISSIONER GRAHAM: They were
20 supposed to build a tunnel, but that is another
21 issue.

22 CHAIRMAN HOLTZMAN: Call the Governor,
23 call the Governor, call the Govenor.

24 COMMISSIONER GRAHAM: Okay. That will
25 solve it.

1 CHAIRMAN HOLTZMAN: Are there any --
2 dare I ask, any other questions perhaps relevant to
3 this application that we can deal with this evening?

4 (Laughter)

5 COMMISSIONER PINCHEVSKY: What was the
6 unit breakdown? I don't have the information in
7 front of me --

8 CHAIRMAN HOLTZMAN: They gave us the
9 detail.

10 COMMISSIONER PINCHEVSKY: -- would
11 somebody mind repeating what it was?

12 CHAIRMAN HOLTZMAN: Mr. Curley, is that
13 something that you have relatively easy access to?

14 And it did change from the original,
15 just so you know.

16 Go ahead, Mr. Curley.

17 MR. CURLEY: Yes.

18 14 one-bedrooms, 20 two-bedrooms, and
19 20 three-bedrooms.

20 CHAIRMAN HOLTZMAN: Dennis drafted off
21 a number of conditions. Let's just give it a
22 preliminary read and see if there is anything that
23 we need to change or to add to that, so just give
24 him a minute.

25 Go ahead.

1 MR. GALVIN: One: The building is to
2 fully comply with the Hoboken flood ordinance, and
3 the plans will be revised to accommodate that
4 ordinance.

5 Two: The applicant will make a half
6 width -- no -- two: The applicant must supply a
7 post construction certification from its engineer
8 that the ramps fully comply with the ADA.

9 Three: The applicant will comply with
10 the recommendations of the Shade Tree Commission,
11 which are attached as Exhibit A.

12 Four: The applicant in exchange for
13 this approval agrees that its prior approval is
14 abandoned, right, that is the case law, right?

15 MR. CURLEY: That's correct.

16 Substantially different, and it is abandoned.

17 MR. GALVIN: Right. Thank you, sir.

18 (Ms. Carcone sneezed.)

19 MR. GALVIN: God bless you --

20 MS. CARCONE: Thank you.

21 MR. GALVIN: -- that is not a
22 condition.

23 (Laughter)

24 Five: The applicant is to fully -- the
25 applicant is to fully improve and pave Jefferson

1 Street in lieu of making a contribution in
2 accordance with Ordinance Section 196-31(a). This
3 improvement is to be subject to a developer's
4 agreement with the city.

5 I have to clean that up. You have to
6 have a developer's agreement because they are going
7 to tell you how to do it. They are going to
8 supervise it and all of that jazz. It is not going
9 to involve me. It will have to be the city
10 attorney.

11 CHAIRMAN HOLTZMAN: Any questions or
12 comments on the five conditions Dennis read off to
13 us?

14 MR. CURLEY: Do you want to also add
15 the assigned spaces?

16 CHAIRMAN HOLTZMAN: That the spaces
17 will be assigned to a unit?

18 (Board members all talking at once)

19 CHAIRMAN HOLTZMAN: Okay.

20 If we have those conditions, and there
21 are no questions or comments, is there a motion on
22 the floor to accept the conditions as approved?

23 COMMISSIONER CONROY: Motion.

24 CHAIRMAN HOLTZMAN: A motion is on the
25 floor. Is there a second on the floor?

1 I will second the motion.

2 MS. CARCONE: Commissioner Marks?

3 COMMISSIONER MARKS: Aye.

4 MS. CARCONE: Commissioner Forbes?

5 COMMISSIONER FORBES: I'm not voting.

6 MR. GALVIN: Not voting.

7 CHAIRMAN HOLTZMAN: Because she stepped
8 off a few seconds.

9 MR. GALVIN: And she stepped away.

10 MS. CARCONE: Commissioner Magaletta?

11 VICE CHAIR MAGALETTA: No.

12 MS. CARCONE: Commissioner Graham?

13 COMMISSIONER GRAHAM: No.

14 CHAIRMAN HOLTZMAN: Commissioner
15 Mosseri?

16 COMMISSIONER MOSSERI: Abstain.

17 MR. GALVIN: Abstain?

18 COMMISSIONER MOSSERI: Can I not vote?

19 MR. GALVIN: Not voting.

20 COMMISSIONER MOSSERI: Not voting,
21 sorry.

22 MR. GALVIN: You're not voting because
23 you didn't read the transcript?

24 COMMISSIONER MOSSERI: No. I just
25 don't feel fully --

1 MR. GALVIN: Why don't we skip over you
2 for this second. You should always vote. You
3 should always flip that coin. You are going to
4 create a problem.

5 COMMISSIONER MOSSERI: Okay.

6 MS. CARCONE: Commissioner Pinchesky
7 is not eligible to vote?

8 COMMISSIONER PINCHEVSKY: Not voting.

9 CHAIRMAN HOLTZMAN: Commissioner
10 Weaver?

11 COMMISSIONER WEAVER: Yes.

12 MS. CARCONE: Commissioner Conroy?

13 COMMISSIONER CONROY: Yes.

14 MS. CARCONE: Commissioner Holtzman?

15 CHAIRMAN HOLTZMAN: Yes.

16 MS. CARCONE: Commissioner Mosseri?

17 COMMISSIONER MOSSERI: I must vote, is
18 that what you're saying?

19 MR. GALVIN: No. Now it looks like it
20 is going to carry whether you vote either way, so --

21 (Laughter)

22 COMMISSIONER MOSSERI: I will keep my
23 not voting.

24 MS. CARCONE: Not voting, okay, so it
25 is four to two.

1 MR. GALVIN: It creates big issues, if
2 at the Zoning Board, you have a three-three tie,
3 it's denied.

4 COMMISSIONER MOSSERI: Well, there's no
5 tie.

6 CHAIRMAN HOLTZMAN: The motion carries.
7 Thank you.

8 MR. CURLEY: Thank you.

9 (The matter concluded.)

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C E R T I F I C A T E

I, PHYLLIS T. LEWIS, a Certified Court Reporter, Certified Realtime Court Reporter, and Notary Public of the State of New Jersey, do hereby certify that the foregoing is a true and accurate transcript of the testimony 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, CSR, CRR

PHYLLIS T. LEWIS, C.S.R. XI01333 C.R.R. 30XR15300

Notary Public of the State of New Jersey

My commission expires 11/5/2015.

This transcript was prepared in accordance with NJ ADC 13:43-5.9.

CITY OF HOBOKEN
PLANNING BOARD

----- X
REGULAR MEETING OF THE HOBOKEN :January 7, 2014
PLANNING BOARD : 9 p.m.
----- X

Held At: 94 Washington Street
Hoboken, New Jersey

B E F O R E:

- Chairman Gary Holtzman
- Vice Chair Frank Magaletta
- Commissioner Stephen Marks
- Commissioner Brandy Forbes
- Commissioner Ann Graham
- Commissioner Gill Mosseri
- Commissioner Rami Pinchevsky
- Commissioner Dan Weaver
- Commissioner Sasha Conroy

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

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

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

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

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

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1 (Board members all talking at once.)

2 THE REPORTER: Is this on the record or
3 not?

4 MR. GALVIN: Yes. We have to still be
5 on the record for one more second.

6 We need a motion and a second to send a
7 letter regarding the traffic light.

8 COMMISSIONER CONROY: Motion.

9 COMMISSIONER WEAVER: Second.

10 MR. GALVIN: You are going to help Pat
11 write the letter.

12 COMMISSIONER MOSSERI: Easy enough.

13 CHAIRMAN HOLTZMAN: Okay.

14 Is there a motion to close the meeting?

15 Dennis has something.

16 MR. GALVIN: I will be quick. I just
17 want you to know that I was before a judge on the
18 Shipyard matter. I had oral argument for relatively
19 a short time. We have no outcome. I am hoping to
20 get an outcome by the end of the week and then I
21 will be able to talk to you soon thereafter.

22 (Board members all talking at once.)

23 COMMISSIONER CONROY: Do you need a
24 vote on that?

25 MR. GALVIN: Yes, we need a vote.

1 COMMISSIONER MOSSERI: Email me. I can
2 write some of the services --

3 CHAIRMAN HOLTZMAN: Is there a motion
4 to close the meeting?

5 COMMISSIONER WEAVER: I make a motion
6 to ask the mayor to fix this stupid fan.

7 (Laughter)

8 (Board members all talking at once.)

9 CHAIRMAN HOLTZMAN: All in favor, aye?

10 (All Board members voted in the
11 affirmative.)

12 (The meeting concluded at 9:30 p.m.)

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C E R T I F I C A T E

I, PHYLLIS T. LEWIS, a Certified Court Reporter, Certified Realtime Court Reporter, and Notary Public of the State of New Jersey, do hereby certify that the foregoing is a true and accurate transcript of the testimony 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, CSR, CRR

PHYLLIS T. LEWIS, C.S.R. XI01333 C.R.R. 30XR15300

Notary Public of the State of New Jersey

My commission expires 11/5/2015.

This transcript was prepared in accordance with NJ ADC 13:43-5.9.