

CITY OF HOBOKEN
Subdivision & Site Plan Review

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SUBDIVISION & SITE PLAN REVIEW : February 10, 2016
COMMITTEE MEETING OF THE HOBOKEN :
PLANNING BOARD : 7:04 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 Ryan Peene

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

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

Patricia Carcone, Board Secretary

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

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

2 LAW OFFICE OF DENNIS M. GALVIN
3 730 Brewers Bridge Road
4 Jackson, New Jersey 08527
5 (732) 364-3011
6 BY: STEVEN M. GLEESON, ESQUIRE
7 Attorney for the Board.

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I N D E X

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Board Business

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HEARINGS

319 Washington Street

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713-5 Monroe Street

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1 into the record here. The first is from Mr. Matule
2 regarding 901-903 Hudson Street:

3 This matter was heard by the
4 Subdivision and Site Plan Review Committee Meeting
5 on January 13th. At that time there were several
6 deficiencies noted, as well as additional questions
7 raised by the Board professionals.

8 The matter has been rescheduled for the
9 SSP Meeting on February 18th. At this time we
10 anticipate we will not have revised drawings ready
11 to be submitted to the Board professionals in a
12 timely manner and are requesting that this matter be
13 carried to the March SSP Meeting.

14 The applicant consents to an extension
15 of time within which the Board has to act through
16 April 5th, 2016.

17 And that is that one.

18 And the second --

19 MS. CARCONE: I think that meeting is
20 the 9th of March, not the 18th. The next meeting is
21 March 9th, the work session.

22 CHAIRMAN HOLTZMAN: Okay.

23 MS. CARCONE: Did you say the 18th?

24 COMMISSIONER PEENE: February 18th.

25 CHAIRMAN HOLTZMAN: It was scheduled

1 for the February 18th meeting.

2 MS. CARCONE: It was scheduled for
3 tonight's meeting, and we bumped it up a month to
4 March 9th.

5 CHAIRMAN HOLTZMAN: Oh, so that is
6 incorrect on the first thing. That was supposed to
7 be February 10th I guess. It was supposed be on the
8 February 10th meeting. It is now being moved to the
9 March meeting --

10 MS. CARCONE: Which is March 9th.

11 CHAIRMAN HOLTZMAN: -- and Mr. Matule
12 has extended our time to act until April 5th, so we
13 should be within our comfort zone, right?

14 MS. CARCONE: Yes, and it is deemed
15 incomplete anyway.

16 CHAIRMAN HOLTZMAN: And it's deemed
17 incomplete anyway, that's right.

18 The second matter is a letter we
19 received from Gary Hall from McCarter & English:

20 Architect Geitz and others are
21 continuing to refine and clarify the proposal, and I
22 have been advised that additional time is needed in
23 order to properly complete that process.

24 Accordingly, we ask that this matter be
25 listed on the committee agenda as being carried to

1 the next meeting, which will presumably be on March
2 9th.

3 We anticipate submitting an adjusted
4 and clarified proposal sufficiently in advance of
5 that meeting to allow time for review and comment by
6 the Planning Board professionals.

7 I have also advised that some of the
8 processing delays, Mr. Geitz is being provided with
9 a check addressed for prior requests for
10 replenishment of technical review escrow.

11 I think that's it.

12 VICE CHAIR MAGALETTA: Did you put the
13 address in the record?

14 CHAIRMAN HOLTZMAN: The address from --

15 VICE CHAIR MAGALETTA: Of the
16 application.

17 CHAIRMAN HOLTZMAN: I'm sorry. This is
18 for 1000 Jefferson, right.

19 So those are our two letters for issues
20 to be extended.

21 (Continue on the next page)

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CITY OF HOBOKEN
Subdivision & Site Plan Review
HOP-16-1

- - - - - X
RE: 319 Washington Street : February 10, 2016
Block 214, Lot 8 :
Applicant: Road, LLC : 7:10 p.m.
Minor Site Plan Review :
- - - - - X

Held At: 94 Washington Street
Hoboken, New Jersey

B E F O R E:

Chairman Gary Holtzman
Vice Chair Frank Magaletta
Commissioner Ryan Peene

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9 Two Hudson Place (5th Floor)
10 Hoboken, New Jersey 07030
11 Attorney for the Applicant.

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1 CHAIRMAN HOLTZMAN: The first hearing
2 that we have tonight is for 319 Washington Street.

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

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

7 This is a project with respect to
8 property at 319 Washington Street, which is
9 currently a hundred percent lot coverage at grade
10 and a second story addition. The plan is to add two
11 additional residential floors to the building.

12 We received reports from Mr. Hipolit
13 and Mr. Roberts. Mr. Roberts called out the need
14 for a variance, which we had not applied for, for
15 expansion of a nonconforming structure.

16 Yesterday we filed an amendment to the
17 application, paid the fee, and requested a variance
18 for expansion of a nonconforming structure, and also
19 filed a letter report from our planner, Kenneth
20 Ochab.

21 I spoke briefly with Mr. Hipolit on the
22 telephone today. He said he wasn't going to be
23 here, but he inquired as to whether we had any
24 documentation regarding any environmental history of
25 the property. I am not aware that there is a Phase

1 I or anything of that nature because of the nature
2 of the property being on Washington Street being a
3 commercial property. No one is aware of any history
4 of it being an industrial use or anything of that
5 nature, and that is pretty much the story.

6 I have Mr. Nastasi here and Mr.
7 Wurster. They can address any of the technical
8 issues.

9 CHAIRMAN HOLTZMAN: Okay.

10 Dave, you have some items on your
11 review letter here that you wanted to highlight?

12 MR. ROBERTS: Yes. I think what we --

13 CHAIRMAN HOLTZMAN: I'm sorry. Let me
14 just interject real quickly.

15 MR. ROBERTS: Sure.

16 CHAIRMAN HOLTZMAN: I think there were
17 some inaccuracies on our professional review
18 letters, which were pointed out by the Flood Plain
19 Manager, that this property is actually completely
20 outside of the flood plain, so they are not subject
21 to any of those -- that ordinance.

22 MR. ROBERTS: Yeah. I think what we
23 said was that would only be -- they had asked for a
24 waiver or I guess indicated that a review letter was
25 not applicable, and we just said that we would say

1 no objection to a waiver of the requirement, if the
2 property is located outside of the flood hazard
3 area, so she is confirming that that is the case.

4 CHAIRMAN HOLTZMAN: Right.

5 MR. ROBERTS: So, again, we would
6 say -- because it is a checklist item, if you want
7 to waive it, because it's not in a flood zone,
8 that's perfectly acceptable.

9 CHAIRMAN HOLTZMAN: Sure.

10 MR. ROBERTS: And I think Bob's already
11 addressed the issue about the proof of variance
12 because he submitted some additional information
13 today.

14 There are a couple of issues or I guess
15 items of the stormwater management plan that Andy
16 has pretty much articulated in his letter, so I
17 think that can be accommodated.

18 I know Andy said that he didn't feel
19 that any of them were -- anything that would prevent
20 you from being complete, but there are a couple of
21 things that need to be kind of cleaned up between
22 now and the hearing.

23 He did mention that he is interested
24 because of the fact that the application involves an
25 excavation of the lowest floor, or based on our

1 understanding, that he was concerned about anything
2 that might involve contaminated fill being
3 excavated, and that is why the question of a Phase I
4 came up. So I think he requested a Phase I. That
5 is my understanding. But I think if that is
6 submitted within a timely fashion, again, we don't
7 feel it is an issue that would prevent completeness
8 by the Board.

9 As far as our letter goes, we
10 mentioned --

11 CHAIRMAN HOLTZMAN: So let's take them
12 one at a time.

13 MR. ROBERTS: Okay.

14 CHAIRMAN HOLTZMAN: So is the applicant
15 willing to get a Phase I report created for us so
16 that we can --

17 MR. MATULE: Sure.

18 CHAIRMAN HOLTZMAN: -- feel that in
19 signing off on that, that there is no issue?

20 MR. MATULE: Yes.

21 CHAIRMAN HOLTZMAN: Great.

22 MR. MATULE: I mean, my understanding,
23 and certainly Mr. Nastasi's office can speak to
24 this, if need be, but the amount of excavation in
25 the basement is approximately one foot, you know,

1 they are not going way down. But we will get a
2 Phase I.

3 CHAIRMAN HOLTZMAN: You have been in
4 the room long enough with us on these other
5 contaminated sites to know that that doesn't always
6 answer the question.

7 MR. MATULE: Right, so we will get a
8 Phase I.

9 CHAIRMAN HOLTZMAN: Great.

10 Just to kind of walk it back just a
11 second, normally we are very concerned with lot
12 coverage as a team generally, and I just wanted to
13 point out that there were two things that I picked
14 up on from some of the review letters also, which
15 was that this is in the central business district,
16 which also has a different allowance for lot
17 coverage, which 80 percent is allowed, and currently
18 they have an existing building that is a hundred
19 percent.

20 I did want to clarify, though, Mr.
21 Matule's opening remark was that they were just
22 adding two floors to the building. I am under the
23 impression that we are talking about a
24 hundred-year-old frame building, so that there is no
25 part of this that is going to exist in the front.

1 MR. NASTASI: If I can speak to that --

2 CHAIRMAN HOLTZMAN: Sure.

3 MR. NASTASI: -- the rear structure is
4 noncombustible masonry. It is the front structure
5 on Washington Street that is the hundred-year-old
6 wood structure. We definitely want to make that a
7 noncombustible structure, but the rear structure can
8 stay, because it's perfectly --

9 VICE CHAIR MAGALETTA: Yeah.

10 I know you said that in the
11 application, but I also saw something about the
12 front you said, you know, it is wood and it's
13 covered with the siding, but I also thought there
14 was something about retaining part of that.

15 CHAIRMAN HOLTZMAN: Right. They did
16 a -- did you see the historic preservation review?

17 VICE CHAIR MAGALETTA: Yeah, so --

18 MR. WURSTER: Oh, that was --
19 there's --

20 THE REPORTER: I'm sorry. What is your
21 name?

22 MR. WURSTER: David Wurster from
23 Nastasi Architects, W-u-r-s-t-e-r.

24 CHAIRMAN HOLTZMAN: And what is your
25 role here, David?

1 MR. WURSTER: I'm an architect with
2 Nastasi Architects.

3 We are going to retain some of the
4 components of the existing facade mainly the
5 Transcend windows on the doors to reinstall a new
6 facade.

7 VICE CHAIR MAGALETTA: So you will take
8 them from the site and return them. You're not
9 going to keep them in place while construction is
10 going on --

11 MR. WURSTER: Correct.

12 VICE CHAIR MAGALETTA: -- so
13 effectively the front is coming down. The back will
14 stay up as is --

15 CHAIRMAN HOLTZMAN: The rear garage --

16 VICE CHAIR MAGALETTA: -- the rear
17 garage --

18 CHAIRMAN HOLTZMAN: -- I guess, right,
19 because there's a garage back there on Court Street
20 currently.

21 MR. NASTASI: That is a masonry
22 structure.

23 CHAIRMAN HOLTZMAN: Right.

24 VICE CHAIR MAGALETTA: Right, right,
25 right.

1 CHAIRMAN HOLTZMAN: Okay. I'm sorry.

2 Go ahead.

3 MR. ROBERTS: And the only other thing
4 I would mention, this is a little different than
5 most of the ones we have been getting in that
6 there's -- Court Street is basically -- it's almost
7 like a back alley, cobblestone alley. There's no
8 real donut because of Court Street --

9 CHAIRMAN HOLTZMAN: Right.

10 VICE CHAIR MAGALETTA: Right.

11 MR. ROBERTS: -- so in this case the
12 building has two fronts, one on each side, and so it
13 makes it a little different in terms of the concerns
14 about building coverage I think.

15 VICE CHAIR MAGALETTA: Yeah. That's
16 what the application -- I hear you. I hear you. I
17 agree with you on that.

18 MR. ROBERTS: Yes. I mean, as far as
19 completeness goes, it is not an issue.

20 VICE CHAIR MAGALETTA: I just have one
21 question.

22 On the site plan application for number
23 11, a traffic study circulation plan, I don't think
24 you need it. But is this a situation where there is
25 an increase in density because you are putting the

1 residential above, and therefore, technically you
2 might need it, although I don't think you need it
3 here, because it's not that much of an increase, but
4 would you technically need it?

5 MR. MATULE: My answer is no --

6 VICE CHAIR MAGALETTA: No.

7 (Laughter)

8 MR. MATULE: -- what the checklist
9 says -- what the checklist says is --

10 VICE CHAIR MAGALETTA: Sorry.

11 MR. MATULE: -- if you are creating ten
12 or more parking spaces.

13 VICE CHAIR MAGALETTA: Yeah. But then
14 if you read farther down -- or actually -- ten or
15 more dwelling units, 5000 square feet of commercial
16 space and/or any increase in density or intensity of
17 use.

18 MR. MATULE: That is for minor site
19 plan approval. That's the --

20 VICE CHAIR MAGALETTA: This is a site
21 plan application. It is right there, number eleven.

22 And, again, I am just saying
23 technically do you need it.

24 If you ask me for a waiver, I will say
25 yes, but I just wanted to know technically if we

1 should in the future maybe be mindful of it, if I am
2 reading it right or not. That's all I want to
3 know --

4 MR. MATULE: Well --

5 VICE CHAIR MAGALETTA: -- you think no,
6 of course.

7 MR. MATULE: -- well, I think we are
8 conflating what triggers minor site plan approval
9 and what triggers the need for a traffic report.

10 My understanding is the traffic report
11 is only required if you are creating ten or more
12 parking spaces on the site, which we are not.

13 VICE CHAIR MAGALETTA: Again, this
14 is -- number 11 says: Ten or more dwelling units,
15 not parking spaces. This is on your site plan
16 application.

17 MR. MATULE: Okay. We have two
18 dwelling units.

19 (Laughter)

20 VICE CHAIR MAGALETTA: I know. I know,
21 but you also have an increase in density, and that
22 is the only reason why I am saying is it applicable,
23 and again, since it's only two units, I am fine with
24 waiving it, if you ask for it. I just want to make
25 sure that if it is appropriate, then you just ask

1 for it. That's all.

2 (Laughter)

3 MR. MATULE: I have no objection to
4 asking for the waiver, if we need it. You know, it
5 is sort of like, you know, if it applies, we are
6 asking for a waiver.

7 CHAIRMAN HOLTZMAN: If it applies, ask
8 for the waiver. How about that?

9 MR. ROBERTS: Yeah. Actually I am
10 looking at it, and I'm looking at the way this is
11 phrased, and I think it might be -- it is probably
12 the way the sentence was constructed --

13 CHAIRMAN HOLTZMAN: I'm sure that
14 the --

15 MR. ROBERTS: -- but I think intensity
16 of use was meant to go along with the 5,000 square
17 feet, not the residential.

18 VICE CHAIR MAGALETTA: Fine. Thank
19 you.

20 CHAIRMAN HOLTZMAN: And I am sure that
21 we will have some testimony about impact anyway.

22 VICE CHAIR MAGALETTA: Yeah.

23 COMMISSIONER PEENE: So to Frank's
24 point, number 28, a waiver was requested for a
25 stormwater management report.

1 Being that this is increasing in
2 density, and you note here that you are using an
3 existing sewer line, will the density have any
4 effect, and can you provide calculations --

5 MR. MATULE: I think that could be
6 answered by the architect, but --

7 VICE CHAIR MAGALETTA: Or the engineer.

8 MR. NASTASI: It is more of a civil
9 engineer, but we could provide that --

10 COMMISSIONER PEENE: Okay. That's in
11 the calculations --

12 CHAIRMAN HOLTZMAN: Yeah. That is in
13 Mr. Hipolit's letter, that you are increasing the
14 density on an already existing set of utilities, so
15 his concern was that water, sewerage, and any other
16 utilities be able to be scalable with what it is
17 that is being proposed.

18 MR. NASTASI: Similar to his report, we
19 will provide it for the Planning Board.

20 CHAIRMAN HOLTZMAN: Did you get a
21 chance to review the professionals' review letters?

22 MR. WURSTER: We did, yes, yes.

23 CHAIRMAN HOLTZMAN: Okay. Was there
24 anything in there that looked to be problematic or
25 couldn't be dealt with or --

1 MR. NASTASI: I think we are okay.

2 CHAIRMAN HOLTZMAN: Okay.

3 Was there a stormwater management -- I
4 know there was a stormwater management plan --

5 MR. MATULE: I don't believe we
6 submitted a stormwater management report --

7 CHAIRMAN HOLTZMAN: Right. That's --

8 MR. MATULE: -- again, generally as a
9 checklist item, it's if we are in a flood zone --

10 CHAIRMAN HOLTZMAN: Right --

11 MR. MATULE: -- which we are not.

12 CHAIRMAN HOLTZMAN: -- so which you are
13 not, so technically it doesn't apply.

14 However, we, of course, like to have
15 good neighbors, who even our neighbors on high
16 ground, like our friends at Stevens have helped us
17 out, when they have done additional work and put in
18 some nice stormwater management, so the water stops
19 rolling downhill and floods our friends at ShopRite.

20 So even though you may not be required
21 to, and I don't see it proposed, perhaps --

22 MR. MATULE: We can take it under
23 advisement --

24 CHAIRMAN HOLTZMAN: -- you get with
25 your applicant and ask if they would like to be a

1 good neighbor.

2 MR. MATULE: Talking about some type of
3 stormwater detention?

4 CHAIRMAN HOLTZMAN: You are taking up
5 the entire building. You're lowering the basement
6 floor and everything else, so really it gives us an
7 opportunity to at least do something. We got a --

8 VICE CHAIR MAGALETTA: A hundred
9 percent lot coverage.

10 CHAIRMAN HOLTZMAN: -- you have a
11 hundred percent lot coverage versus the 80 percent.
12 We got a couple of big roofs up there. Maybe we can
13 put them to use in some way.

14 MR. NASTASI: Fair enough.

15 VICE CHAIR MAGALETTA: And just one
16 more question.

17 The commercial space is 3860, right,
18 3,800 square feet?

19 Is that going to be one commercial
20 space or two commercial spaces?

21 MR. NASTASI: It has to be one based on
22 the ordinances.

23 VICE CHAIR MAGALETTA: Okay. I wasn't
24 sure if it was one or two. That is fine. You can
25 just clarify it at the hearing.

1 MR. NASTASI: The way the CBD is
2 written, if you have a second floor commercial space
3 on Washington Street, it is one contiguous
4 commercial space --

5 VICE CHAIR MAGALETTA: Okay. Thank
6 you.

7 CHAIRMAN HOLTZMAN: That it's one -- so
8 the grade and the second floor are both the same
9 unit?

10 MR. NASTASI: I think that is the way
11 it is written.

12 MR. MATULE: Yes, that is my
13 understanding.

14 VICE CHAIR MAGALETTA: A bunch of
15 places are like that over there.

16 CHAIRMAN HOLTZMAN: So they couldn't
17 use the second floor just as office space then or
18 something?

19 MR. MATULE: Well, I suppose they
20 could, but I think the plan is to make it one
21 unified commercial space.

22 CHAIRMAN HOLTZMAN: Is that what the
23 applicant --

24 VICE CHAIR MAGALETTA: Yeah, not retail
25 space, it's all commercial space --

1 CHAIRMAN HOLTZMAN: -- is wanting to
2 do, or is that what the applicant is getting backed
3 into doing?

4 MR. MATULE: As I understand it, that
5 is what the applicant wants to do.

6 MR. NASTASI: I think it is both. I
7 think the ordinance is written that way, and I think
8 that's what the applicant would like to do.

9 VICE CHAIR MAGALETTA: Do you know
10 what -- this doesn't matter, but do you know what
11 the space is going to be used for?

12 Is that anticipated?

13 MR. NASTASI: I know what we are
14 talking to, but nothing --

15 VICE CHAIR MAGALETTA: Okay. You don't
16 have to --

17 MR. NASTASI: -- I might have -- by the
18 Planning Board meeting, we might already know that.

19 VICE CHAIR MAGALETTA: -- okay.

20 CHAIRMAN HOLTZMAN: I know that also in
21 the review letter there were concerns, because
22 obviously it has been a food service restaurant
23 previously, and that if there was going to be food
24 service applications in the future, that those types
25 of things be taken into consideration.

1 Also there were specific callouts,
2 which don't seem to have been detailed yet about
3 HVAC unit noise, generator issues, which aren't
4 called out, and, you know, if those things were
5 being planned.

6 Do you know, are they being planned,
7 any of those, like generator issues or --

8 MR. NASTASI: We haven't done the
9 construction drawings yet, but we can address that
10 before the Planning Board, yes.

11 CHAIRMAN HOLTZMAN: And Andy's callout
12 was basically if you are going to propose it, we
13 have a set of standards, so let's make sure that we,
14 you know, get that done first, so that we don't have
15 to rewind.

16 MR. NATASI: Sounds good.

17 CHAIRMAN HOLTZMAN: Mr. Peene?

18 COMMISSIONER PEENE: No. Just about
19 ADA compliance as well.

20 CHAIRMAN HOLTZMAN: Right.

21 Anything else, Dave, that --

22 MR. ROBERTS: I think that --

23 CHAIRMAN HOLTZMAN: -- we're good --

24 MR. ROBERTS: -- I think that the
25 letters are pretty much self-explanatory, and I

1 think they are all pretty easy items to address
2 between now and the meeting.

3 CHAIRMAN HOLTZMAN: Gentleman, in favor
4 of moving forward on this one?

5 VICE CHAIR MAGALETTA: Yes. Deem it
6 complete, yes.

7 COMMISSIONER PEENE: Yes.

8 CHAIRMAN HOLTZMAN: Deem it complete.
9 Great.

10 Pat?

11 MS. CARCONE: We are up to April.
12 April 5th is the first meeting.

13 VICE CHAIR MAGALETTA: Plenty of time.

14 MS. CARCONE: Should we shoot for that
15 and see how March goes?

16 MR. ROBERTS: Yeah.

17 And also, Mr. Chairman, when I spoke to
18 Mr. Hipolit earlier today about the Phase I, he said
19 if we have that sometime by the end of March, that
20 would be plenty of -- that would be enough time,
21 so --

22 MR. MATULE: Okay.

23 CHAIRMAN HOLTZMAN: So really the
24 concern is just historic fill mostly, right?

25 MR. MATULE: With the April 5th date, I

1 am sure we can address all of these issues and
2 circle back to the Board professionals in plenty of
3 time.

4 CHAIRMAN HOLTZMAN: Great. Thank you,
5 Mr. Matule.

6 Thank you, guys.

7 MR. MATULE: Thank you.

8 Have a great evening.

9 VICE CHAIR MAGALETTA: Good night.

10 MS. CARCONE: Good night.

11 (The matter concluded.)

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C E R T I F I C A T E

I, PHYLLIS T. LEWIS, a Certified Court Reporter, Certified Realtime Court Reporter, and Notary Public of the State of New Jersey, do hereby certify that the foregoing is a true and accurate transcript of the proceedings as taken stenographically by and before me at the time, place and date hereinbefore set forth.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel to any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.

s/Phyllis T. Lewis, CCR, CRCR

PHYLLIS T. LEWIS, C.C.R. XI01333 C.R.C.R. 30XR15300
 Notary Public of the State of New Jersey
 My commission expires 11/5/2020.
 Dated: 2/11/16
 This transcript was prepared in accordance with
 NJAC 13:43-5.9.

CITY OF HOBOKEN
Subdivision & Site Plan Review
HOP-16-2

- - - - - X
RE: 713-715 Monroe Street : February 10, 2016
Block 82, Lots 7 and 8 :
Applicant: 713-5 Monroe Street, LLC : 7:25 p.m.
Minor Site Plan Review & Variances :
- - - - - X

Held At: 94 Washington Street
Hoboken, New Jersey

B E F O R E:

Chairman Gary Holtzman
Commissioner Ryan Peene

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

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

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1 CHAIRMAN HOLTZMAN: Bruce, you are up,
2 713 Monroe.

3 Mr. Burke, good evening.

4 MR. BURKE: Good evening, Mr. Chairman,
5 and Board.

6 James Burke representing the applicant.

7 CHAIRMAN HOLTZMAN: Please let the
8 record show that Mr. Magaletta is stepping off.

9 VICE CHAIR MAGALETTA: Have a good
10 night.

11 CHAIRMAN HOLTZMAN: Thanks, Frank.

12 MR. BURKE: Good night.

13 VICE CHAIR MAGALETTA: Good night.

14 (Vice Chair Magaletta excused)

15 MR. BURKE: As Mr. Roberts points out
16 in his review letter, this application was before
17 the Board -- not this application, but a prior
18 application on November 10th. It was an 83 percent
19 lot coverage request. I think I can safely say that
20 went over like a lead balloon, so the applicant
21 has -- we regrouped and now we are back before you.

22 During that meeting, several
23 Commissioners pointed out that they had seen
24 applications involving 50 by a hundred lots, where
25 parking was fit into those schemes, and so Bruce

1 worked to do that.

2 I found another set from another
3 architect, and he looked at it, and Bruce was able
4 to fit parking into the 60-foot footprint. Certain
5 things had to change. You know, the bike room had
6 to leave and so forth, but that is the trade-off.

7 CHAIRMAN HOLTZMAN: Okay.

8 MR. BURKE: So at this point, most of
9 the variances have gone away. There's several
10 variances --

11 CHAIRMAN HOLTZMAN: Yes. I had a
12 couple of outstanding questions, Dave.

13 MR. BURKE: Yes.

14 CHAIRMAN HOLTZMAN: I'm sorry.

15 MR. BURKE: No, that's okay, Chairman.

16 CHAIRMAN HOLTZMAN: Great. Thank you.

17 MR. BURKE: Okay.

18 CHAIRMAN HOLTZMAN: We did have a
19 request also for a Phase I from this applicant as
20 well. Did you guys receive that request from our
21 professionals?

22 MR. BURKE: I received that today from
23 Andy about three o'clock, and I represented to the
24 applicant when he bought the property, that I am 99
25 percent sure one has already been done --

1 CHAIRMAN HOLTZMAN: Great. That makes
2 it easy then.

3 MR. BURKE: -- so we will get it to
4 Andy Hipolit --

5 MR. ROBERTS: That was actually in the
6 Maser review letter on February 4th --

7 CHAIRMAN HOLTZMAN: Right.

8 MR. ROBERTS: -- item number 33.

9 CHAIRMAN HOLTZMAN: Yes, so --

10 MR. BURKE: I have not seen that
11 letter, though. That is all right. That's all
12 right, but Andy --

13 CHAIRMAN HOLTZMAN: Well, it is not all
14 right, so let's walk it back a second.

15 MR. BURKE: Okay.

16 CHAIRMAN HOLTZMAN: So we have two
17 review letters, the planning letter and an
18 engineer's letter.

19 MR. BURKE: Correct.

20 CHAIRMAN HOLTZMAN: You guys are not in
21 receipt of these?

22 MR. BURKE: I received Mr. Roberts'
23 letter, but I have not seen Andy's letter. He
24 called me today, and he did say he is satisfied
25 with --

1 MR. ROBERTS: Maybe I might have copied
2 Jim directly when I emailed it to Pat. I try to do
3 that when I --

4 CHAIRMAN HOLTZMAN: Okay. Let's just
5 make sure Mr. Burke gets --

6 MS. CARCONE: Yes, usually they are
7 copied.

8 I mean, I have a copy here, if you need
9 it.

10 MR. BURKE: Yes, if you have an extra
11 copy.

12 MS. CARCONE: Yes.

13 CHAIRMAN HOLTZMAN: And if you could
14 just make sure you resend --

15 MS. CARCONE: Before any meeting, if
16 you don't have the memos, just ask because --

17 CHAIRMAN HOLTZMAN: It's pretty
18 standard stuff, right.

19 MS. CARCONE: -- it's pretty standard
20 stuff that they're --

21 CHAIRMAN HOLTZMAN: You will make sure
22 just to send it to him electronically as well, in
23 case he needs to forward it?

24 MS. CARCONE: Yes.

25 MR. ROBERTS: Pat is very honest about

1 getting them a week ahead of time.

2 (Laughter)

3 If she has them, then you should get
4 them.

5 MS. CARCONE: Yes.

6 CHAIRMAN HOLTZMAN: Okay. So we got
7 that. All right.

8 So the Phase I was called out. That
9 was Dave's point in Andy's original letter, so let's
10 make sure that Bruce gets a copy of these as well.

11 Bruce, did these find their way to you
12 or --

13 MR. STIEVE: I have the planner's
14 report, but I did not have the engineering report.

15 CHAIRMAN HOLTZMAN: Okay. It fell
16 through the hole. No problem. We will figure it
17 out.

18 I know that in Andy's letter, there
19 were quite a number of callouts for the stormwater
20 issues.

21 MR. ROBERTS: Yes. He says --
22 basically the way he put it to me was it needs some
23 more work, but he didn't think it was, you know --
24 he thought it could be accomplished in time,
25 especially if this doesn't get on until April, that

1 they would have time to get that. You know, they
2 were pretty specific, and I think if they could be
3 met in time for --

4 CHAIRMAN HOLTZMAN: Bruce?

5 MR. STIEVE: Yes.

6 We can have -- I am looking at the
7 nature of the comments, and I believe they can be
8 addressed.

9 CHAIRMAN HOLTZMAN: Okay.

10 So here is what I would like to have
11 happen just in terms of trying to do this in a time
12 saving linear approach. It looks like you have a
13 list of stuff to tighten up there. None of it looks
14 to be insurmountable.

15 MR. STIEVE: That is correct.

16 CHAIRMAN HOLTZMAN: Right?

17 MR. STIEVE: That's correct.

18 CHAIRMAN HOLTZMAN: Can I just --

19 MR. STIEVE: Yes, I'm sorry.

20 CHAIRMAN HOLTZMAN: -- thanks.

21 And we did not receive a revised review
22 letter from the Flood Plain Manager. So as opposed
23 to sending her down another rat hole of reviewing
24 something that obviously isn't a hundred percent
25 complete yet, if you can make sure that you tighten

1 up your plan, and then get it to her, and if you can
2 kind of communicate that to her as well, so that she
3 is not sitting there trying to review a plan that
4 you are going to then go and make some adjustments
5 to and cause everybody to have to re-review it.
6 That is not efficient.

7 MR. STIEVE: That is not a problem. We
8 can do that.

9 CHAIRMAN HOLTZMAN: Great.

10 I think it was in the review letters or
11 in the statement from -- of a neighborhood impact,
12 that they had applied for demolition. I think these
13 buildings have been demolished already.

14 Is that correct?

15 MR. STIEVE: That's correct.

16 CHAIRMAN HOLTZMAN: They are gone at
17 this point?

18 MR. STIEVE: Yes.

19 CHAIRMAN HOLTZMAN: I thought I drove
20 by there and --

21 MR. STEIVE: Yeah, there's a hole.

22 CHAIRMAN HOLTZMAN: -- okay.

23 When we eventually get there, we will
24 be provided with some photos or something of what
25 the current status is of the site because obviously

1 all of the review letters and everything shows a
2 site with two buildings on it, so let's make sure we
3 are dealing with what exists today.

4 MR. STIEVE: I will take photographs
5 and I can send you them.

6 CHAIRMAN HOLTZMAN: Or just prior to
7 the meeting, yes.

8 MR. ROBERTS: I think part of the
9 problem is the last time when we got the -- by the
10 time we got the application and got it kind of in
11 the pipeline for tonight, we were relying on the
12 photos from the last review letter. So in the
13 meantime, we will get that back out for the Board --

14 CHAIRMAN HOLTZMAN: Yeah. Just update
15 everything. We just have to get it updated, so that
16 we don't have, you know, inconsistencies.

17 There was a specific callout about
18 patio size.

19 MR. ROBERTS: Yeah, that was in our
20 letter, Mr. Chairman.

21 There is a stipulation in the
22 ordinance, I think we might have cited the section
23 in the letter, that limits, I believe, it's patio
24 coverage is limited to 30 percent. So I think, and
25 I think it is, we called it out as -- it's in the

1 other letter -- we called it out as being a need for
2 relief on this, unless the plans are modified,
3 but --

4 MR. BURKE: And we are going to modify
5 it. We will eliminate that as a variance possibly.

6 CHAIRMAN HOLTZMAN: Okay. So you will
7 take care of that.

8 MR. BURKE: Yes.

9 MR. ROBERTS: I'm checking this to
10 see --

11 MR. STIEVE: We're going to increase
12 the planter area.

13 CHAIRMAN HOLTZMAN: And then I thought
14 I was reading it closely, but maybe I was a little
15 too tired, but I saw a lot of discussion about a
16 green roof, but I didn't see it. And then there
17 were questions on your review letter regarding a
18 roof variance, but I didn't see anything on the
19 roof, so at that point I gave up and I said I guess
20 I'll just ask everybody.

21 MR. ROBERTS: Yes.

22 I think this is a point in our letter,
23 number six, where there was a discussion at the SSP
24 for the last application as to whether there would
25 be a necessary variance for 30 percent maximum roof

1 coverage. I don't know if that's been done --

2 CHAIRMAN HOLTZMAN: Well, that is what
3 I didn't understand. Why were we referring back to
4 the previous application?

5 MR. ROBERTS: I think we may have
6 thought that they were retaining that approach.
7 Maybe we can clear that up now. We just raised it
8 as a question.

9 MR. STIEVE: Yes.

10 At this point in time, there is not a
11 green roof on the project, and we are below the --

12 MR. ROBERTS: 30 percent.

13 MR. STIEVE: -- 30 percent.

14 MR. ROBERTS: So there was a decision
15 to not have a green roof at this time --

16 MR. STIEVE: At this time. No, they
17 are going with a cool roof.

18 CHAIRMAN HOLTZMAN: Right. I saw that
19 note, that it's a white roof or a cool roof, right?

20 MR. STIEVE: Right, yeah.

21 And then they bumped up the stormwater,
22 which again we will have to get clarified to handle
23 the water, and then they are also proceeding with
24 the water connection from the rear yard.

25 So, again, we are going to do the same

1 system that we did before. We're going to use
2 permeable pavers. We are going to be doing lawn
3 over gravel with a drain that connects to the
4 stormwater retention system.

5 That is what is being proposed at this
6 point.

7 CHAIRMAN HOLTZMAN: Okay.

8 MR. STIEVE: The roof coverage, I
9 believe the roof coverage variance that is
10 actually -- it actually relates to the elevator.
11 The elevator bulkhead is adjacent to the property --

12 CHAIRMAN HOLTZMAN: Does that got to
13 get pulled back --

14 MR. STIEVE: What's that?

15 CHAIRMAN HOLTZMAN: -- does that need
16 to get pulled back, is that what you are saying?

17 MR. STIEVE: Well, it can't get pulled
18 back based on the parking layouts.

19 MR. BURKE: That was a change in order
20 to fit the parking in 60 percent lot coverage, some
21 of that equipment had to be moved to a different
22 part of the building.

23 Is that right, Bruce?

24 MR. STIEVE: That's correct.

25 And basically, again, we looked at the

1 other projects that were submitted and approved and
2 this seems to be a standard way of making this
3 system work, that the elevator lobby gets pushed up
4 against one side of the building, and the parking
5 gets pushed up on the other side of the building,
6 and there's a requirement that rooftop equipment be
7 set back three feet from an adjoining property line.

8 MR. ROBERTS: What we called out, Mr.
9 Chairman, are height, which is the same pretty much
10 as last time, 43. The impervious patio coverage,
11 which is --

12 CHAIRMAN HOLTZMAN: I think I had it at
13 51 I thought in the notes --

14 MR. ROBERTS: Well, no --

15 CHAIRMAN HOLTZMAN: -- this.

16 51 high?

17 MR. ROBERTS: I'm showing 43 --

18 MR. STIEVE: Yeah, it is 43 feet.

19 MR. BURKE: 43. It's three feet.

20 CHAIRMAN HOLTZMAN: Where the heck did
21 I get the 51?

22 MR. GLEESON: I think that may have
23 been in Andy's report, because I know I saw that
24 somewhere as well.

25 CHAIRMAN HOLTZMAN: It's 51 above

1 grade.

2 MR. ROBERTS: Maybe, yeah, that is
3 possible.

4 MR. STIEVE: Yeah, that's possible --

5 CHAIRMAN HOLTZMAN: We don't count
6 from --

7 MR. STIEVE: -- right. It's from
8 design flood elevation, it is 43 feet zero inches.
9 The design flood in this location --

10 MR. ROBERTS: You're right. It is in
11 Andy's letter.

12 CHAIRMAN HOLTZMAN: Okay. So we got to
13 square that inconsistency story.

14 MR. ROBERTS: I will mention that to
15 Andy.

16 CHAIRMAN HOLTZMAN: You won't be the
17 only one.

18 (Laughter)

19 MR. ROBERTS: Then he just texted me,
20 "Should I come?"

21 I said, "Maybe not."

22 (Laughter)

23 MR. ROBERTS: So --

24 CHAIRMAN HOLTZMAN: Tell him not to. I
25 know -- I am sorry -- he was trying to coordinate

1 between too many meetings on one day.

2 MR. ROBERTS: Yes. I told him I
3 thought we would be okay. We would be okay without
4 him.

5 And then, Mr. Chairman, it was patio
6 coverage, not roof coverage was the other, that
7 which what we talked about, 30 percent --

8 CHAIRMAN HOLTZMAN: Okay.

9 MR. ROBERTS: -- and then the rooftop
10 setback, which is --

11 CHAIRMAN HOLTZMAN: So have we had
12 these elevator bulkheads?

13 MR. ROBERTS: Up against the side of
14 the building before?

15 CHAIRMAN HOLTZMAN: I don't recall
16 that.

17 MR. ROBERTS: I don't. I have to admit
18 I don't. I can't think of a specific example of it,
19 but I could see the logic behind making more room --

20 CHAIRMAN HOLTZMAN: From a design point
21 of view.

22 MR. ROBERTS: -- making more room, open
23 area for parking.

24 CHAIRMAN HOLTZMAN: I think we got to
25 flush that out in terms of what the issues are.

1 MR. ROBERTS: Right. I have a feeling
2 it might have something to do with what Ann
3 explained to us earlier about the parapets. Maybe
4 the same type of thinking.

5 CHAIRMAN HOLTZMAN: Can you follow up
6 with that?

7 MR. ROBERTS: I'll check with her, yes.

8 MR. STIEVE: We have located all of the
9 building mechanicals central on to the roof. It is
10 just the elevator that comes up on the edge of the
11 roof.

12 CHAIRMAN HOLTZMAN: I got you.

13 Yes. We haven't seen it before, so I
14 want to make sure that if there is anything that we
15 are not thinking of, we got to kind of work through
16 that.

17 MR. ROBERTS: Yeah. Because I think if
18 there's -- you would have to counterbalance the
19 benefit of the setback versus the benefit of the
20 extra parking.

21 CHAIRMAN HOLTZMAN: Okay. So if you
22 could check with the zoning officer on that and see
23 if there are any other concerns about that being on
24 the property line.

25 MR. ROBERTS: Okay. Got it.

1 CHAIRMAN HOLTZMAN: There was another
2 callout about the generator as well.

3 MR. ROBERTS: Yeah, just pretty much
4 the standard --

5 CHAIRMAN HOLTZMAN: Standard stuff.

6 MR. ROBERTS: -- standard stuff about
7 if there is going to be a generator, that the sound
8 attenuation be provided.

9 MR. STIEVE: And we will provide a
10 detail on our drawings for that.

11 CHAIRMAN HOLTZMAN: Okay.

12 I think you got a fair amount of
13 homework over there, Bruce.

14 I am not comfortable with this moving
15 forward at this point, and we are a little bit long
16 on our calendar anyway, so if you can get this plan
17 tightened up, get with Dave and get the stormwater
18 management issues squared away and get that to the
19 Flood Plain Manager, so we can get a review letter
20 from her as well.

21 We'll see you back in a month and
22 hopefully all of that is squared away, and we'll
23 keep you moving on the calendar.

24 MR. BURKE: Mr. Chairman, I would like
25 to raise one other point.

1 CHAIRMAN HOLTZMAN: Sure.

2 MR. BURKE: The prior application had
3 bay windows, and the bay windows have been
4 eliminated, and there is dialogue and discussions
5 over, you know, potential give-backs, if there are
6 bay windows.

7 And I was looking at the ordinance, and
8 basically the ordinance says, as I read it, that you
9 can have a 30-inch bay window over a public
10 sidewalk, and basically as of right. So I don't
11 know, has that been addressed by this Board before?

12 MR. ROBERTS: It does.

13 CHAIRMAN HOLTZMAN: It is as of right,
14 and it is permitted in our ordinance. However, it
15 also does require you to do another hurdle, which is
16 the City Council needs to grant you a license
17 because it is in the public right-of-way.

18 So we might say it is okay over here,
19 and just last week the City Council said it is not
20 okay --

21 MR. BURKE: Okay.

22 CHAIRMAN HOLTZMAN: -- so it always
23 opens up an issue as to what are the trade-offs.

24 If then an applicant can go to the City
25 Council and say, we are proposing these bay windows,

1 we are allowed to put them in by ordinance, and we
2 have also offered some neighborhood contribution, I
3 am sure that probably helps to sway the City Council
4 members to say yes, that seems like a fair
5 trade-off.

6 The other way to deal with this, and
7 this was in the conversation that the City Council
8 had, which was you don't have to have the building
9 at the front lot line. If you had brought the
10 building back two feet, you could have your bay
11 windows, and you wouldn't even enter into the public
12 right-of-way, so it is a trade-off from a design
13 thing.

14 I really don't want to offer influence
15 on it, but it is just something that the architect
16 and the applicant have to figure out what is the
17 right trade-off.

18 You could certainly move the building
19 back, you know, five feet. You could come back from
20 the front property line and have planting beds, bay
21 windows and stoops, and you even wouldn't have to
22 talk to the City Council about a right-of-way
23 license.

24 MR. BURKE: So from the perspective of
25 the Planning Board, if an applicant came before you

1 with a 30 or 28-inch bay window, from your
2 perspective, it is as of right or is that a part of
3 the overall review?

4 MR. ROBERTS: In other words, you
5 wouldn't need any relief from it because it complies
6 with the ordinance.

7 MR. BURKE: Right, right.

8 MR. ROBERTS: We have had a couple
9 where we caught some bay windows that were like
10 three and a half feet --

11 MR. BURKE: Right, but that's --

12 MR. ROBERTS: -- but most of them, they
13 show either two and a half. They're dimensioned at
14 two foot six or whatever. That is permissible. We
15 always point out to them that there is no guarantee
16 that the City Council is going to grant that, so it
17 is not something that the Planning Board has
18 jurisdiction over. We recognize that bay windows
19 are there.

20 The ordinance mentions that they are
21 trying to encourage diversity of facades, and that
22 is one of the reasons why they have that two foot
23 six inch allowance, but you have to justify it on a
24 case-by-case basis depending on the block, on the
25 width of the sidewalk and a lot of other things.

1 There might be some concerns that City
2 Council has whether there's enough room on the
3 sidewalk for bay windows.

4 MR. BURKE: All right.

5 The last question then because --

6 CHAIRMAN HOLTZMAN: No, no, no.
7 Continue. That is what we are here for.

8 MR. BURKE: If an applicant came before
9 you with a 30-inch bay window, and you said fine,
10 it's as of right, but you have to go to the Council.

11 If the Council said no, does the
12 applicant have to come back here?

13 CHAIRMAN HOLTZMAN: Yes.

14 MR. BURKE: Okay. I'm glad I asked the
15 question.

16 COMMISSIONER PEENE: In this case, you
17 know, Commissioner Forbes is the one who -- you
18 know, we don't go to Council meetings, and you know,
19 we are not given a report on every application.

20 But Commissioner Forbes takes that onus
21 on there, and from a workload perspective, too, it
22 really puts the onus on her to educate every City
23 Council member on every application, you know,
24 because it is coming up more and more often, and it
25 is another layer of government, so we are saying

1 that for full disclosure.

2 CHAIRMAN HOLTZMAN: So it is a good
3 thing, but on the other hand, I think what Mr. Peene
4 is bringing up is a fair point, which is, Director
5 Forbes is not the one that should be selling this
6 project to the City Council either. The same way we
7 have the full architect, engineers and everybody
8 else who comes and shows us the whole story, and
9 that is what is going to happen in the future at the
10 City Council.

11 So I would, if you propose such a
12 thing, most of our applicants welcome the
13 opportunity to then go to the City Council to make
14 their case, so that they can come up with beautiful
15 elevation renderings and show how this is, you know,
16 a really pretty building, and it is a benefit, and
17 all of the positives as opposed to them just looking
18 at something on their agenda of 67 different items
19 and going like, oh, what is this about.

20 So that is an important thing to
21 remember is when you are starting your document
22 procedure of construction documents and zoning
23 approvals is that that is going to come to the City
24 Council, and now people are coming with the whole
25 show, so that they can show what the trade-offs are.

1 Hey, if we move the building back, so that we don't
2 use any of the public right-of-way, well, we are
3 encroaching into the donut hole a little bit. And
4 on the side of us, we have buildings that are at 60
5 percent, so now we are the guy who is going to stick
6 out the back.

7 Then everybody looks at it and says,
8 okay, well, that is the fair trade-off. Then let's
9 have the bay window out the front. Maybe that makes
10 more sense. But somebody has to make that
11 presentation to them, and you also have to make that
12 presentation to us honestly --

13 MR. STIEVE: Sure.

14 CHAIRMAN HOLTZMAN: -- and depending
15 upon what the conditions are of your site, maybe it
16 makes sense to set it back a couple feet from the
17 front property line.

18 MR. ROBERTS: The other thing, too, I
19 think that what has been pointed out in the Planning
20 Board meetings is that by having that protrusion, it
21 provides more space inside the units, which provides
22 more value. So effectively by using a portion of
23 the city's right-of-way, that two and a half feet,
24 you are gaining space inside the interior of the
25 building, and that there is a value to that.

1 CHAIRMAN HOLTZMAN: You are gaining
2 space. You are gaining square footage, and it
3 doesn't count as your lot coverage because it is in
4 our right-of-way.

5 MR. ROBERTS: The city's property, so
6 you are gaining the benefit of the city's
7 property --

8 CHAIRMAN HOLTZMAN: And you get to sell
9 it.

10 MR. ROBERTS: Right, so there is a
11 compensation --

12 COMMISSIONER PEENE: We crept up to
13 \$700 a square foot, too, so there is some
14 compensation.

15 MR. BURKE: So the concept of as of
16 right has a footnote, and it is not quite as of
17 right --

18 MR. ROBERTS: Because it is as of right
19 on somebody else's property.

20 MR. BURKE: -- and other
21 considerations --

22 CHAIRMAN HOLTZMAN: Fair point, Mr.
23 Burke, yes.

24 MR. BURKE: Okay. It was a very good
25 conversation because it cleared up in my mind a way

1 to proceed.

2 CHAIRMAN HOLTZMAN: And I just want to
3 say, you know, to Bruce, we don't want to squelch
4 the --

5 MR. ROBERTS: Creativity.

6 CHAIRMAN HOLTZMAN: -- creativity or
7 the architecture, but we also want to be realistic
8 as to what the hurdle is.

9 MR. STIEVE: Right.

10 MR. ROBERTS: And part of it is, too,
11 that we are trying to be more aware of the block
12 itself, you know, effectively the bigger
13 neighborhood that the property is part of --

14 MR. BURKE: Yeah.

15 MR. ROBERTS: -- and that sometimes
16 when it gets to this situation, it is the block
17 front. You know, what is the situation along the
18 block front, are there street trees or are there not
19 street trees, and is the sidewalk in good condition
20 or bad condition.

21 CHAIRMAN HOLTZMAN: And also what else
22 is being built behind it, and I think they have some
23 buildings going in directly behind them as well,
24 right?

25 MR. ROBERTS: Yes. The 700 block has

1 something else going on.

2 MR. BURKE: All of these bay -- the bay
3 windows that were on the prior application were all
4 on the public sidewalk, not in the --

5 CHAIRMAN HOLTZMAN: No, no, no. That
6 is not what I was referring to.

7 MR. ROBERTS: Other projects in the
8 back --

9 MR. BURKE: Oh, I see.

10 CHAIRMAN HOLTZMAN: Other projects on
11 the street behind you, so we are also trying to take
12 that into consideration from a neighborhood planning
13 standpoint --

14 MR. BURKE: I see, okay, yeah.

15 CHAIRMAN HOLTZMAN: -- depending upon
16 where the back of your building ends up, what else
17 is back there, what else -- what is directly in back
18 of you, what are on the sides.

19 MR. BURKE: Got it, okay.

20 CHAIRMAN HOLTZMAN: Okay.

21 So we will deem this application
22 incomplete at this point, and we will see you guys
23 next month hopefully with everything buttoned up.

24 MR. BURKE: All right.

25 Thank you, Mr. Chairman.

1 MR. ROBERTS: And I would say that
2 Andy's, as far as the stormwater part, I think his
3 notes were pretty specific, so I think it'll be
4 okay --

5 CHAIRMAN HOLTZMAN: So we will get a
6 copy of it to both of you guys electronically, so
7 that you can make sure it is all squared away.

8 And what I would say, Bruce, is if
9 there is any question about this, about complying
10 with the engineering report, you got to pick up the
11 phone --

12 MR. STIEVE: And reach out.

13 CHAIRMAN HOLTZMAN: -- as soon as
14 possible, and get Andy and you guys on the same page
15 here, so that we are all doing this the right way.

16 MR. STEIVE: We will.

17 CHAIRMAN HOLTZMAN: Thank you,
18 gentlemen.

19 MR. BURKE: Thank you.

20 COMMISSIONER PEENE: Motion to adjourn.

21 CHAIRMAN HOLTZMAN: Accepted.

22 All in favor, aye?

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

25 CHAIRMAN HOLTZMAN: Thank you.

(The meeting concluded at 7:45 p.m.)

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C E R T I F I C A T E

I, PHYLLIS T. LEWIS, a Certified Court Reporter, Certified Realtime Court Reporter, and Notary Public of the State of New Jersey, do hereby certify that the foregoing is a true and accurate transcript of the proceedings as taken stenographically by and before me at the time, place and date hereinbefore set forth.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel to any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.

s/Phyllis T. Lewis, CCR, CRCR

 PHYLLIS T. LEWIS, C.C.R. XI01333 C.R.C.R. 30XR15300
 Notary Public of the State of New Jersey
 My commission expires 11/5/2020.
 Dated: 2/11/16
 This transcript was prepared in accordance with
 NJAC 13:43-5.9.