

CITY OF HOBOKEN
PLANNING BOARD

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REGULAR MEETING OF THE HOBOKEN : January 13, 2016
PLANNING BOARD SUBDIVISION & SITE :
PLAN COMMITTEE : 7:09 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 Caleb McKenzie
Commisioner Ryan Peene

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

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

Andrew R. Hipolit, PE, PP, CME
Board Engineer

Patricia Carcone, Board Secretary

PHYLLIS T. LEWIS
CERTIFIED SHORTHAND REPORTER
CERTIFIED REALTIME REPORTER
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1 CHAIRMAN HOLTZMAN: Okay. We are going
2 to get started, folks.

3 It is 7:09 on Wednesday, January 13th.
4 This is the City of Hoboken Site Plan Review
5 Committee Meeting.

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

14 We are also providing copies to The
15 Hoboken Reporter now. Is that correct?

16 MS. CARCONE: Not as of yet. I haven't
17 done that yet.

18 CHAIRMAN HOLTZMAN: Okay. We are
19 transitioning.

20 MS. CARCONE: We are transitioning. I
21 guess it's --

22 CHAIRMAN HOLTZMAN: No problem.

23 VICE CHAIR MAGALETTA: Ahead of time.

24 (Laughter)

25 CHAIRMAN HOLTZMAN: We will get to that

1 eventually. No problem.

2 All right. Great.

3 Can you just you call the roll, Pat?

4 MS. CARCONE: Commissioner Holtzman?

5 CHAIRMAN HOLTZMAN: Here.

6 MS. CARCONE: Commissioner Magaletta?

7 VICE CHAIR MAGALETTA: Here.

8 MS. CARCONE: Commissioner Mc Kenzie?

9 COMMISSIONER MC KENZIE: Here.

10 MS. CARCONE: Commissioner Peene?

11 COMMISSIONER PEENE: Here.

12 CHAIRMAN HOLTZMAN: Thank you.

13 (Continue on next page)

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CITY OF HOBOKEN
Subdivision & Site Plan Review
HOP-15-25

- - - - - X
RE: 722-730 Jefferson Street : January 13, 2016
Block 83, Lots 20-24 :
Applicant: 732 Jefferson Street, LLC : 7:10 p.m.
Preliminary 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 Caleb McKenzie
Commissioner Ryan Peene

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

David Glynn Roberts, AICP/PP, LLA, RLA
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7 ROBERT C. MATULE, ESQUIRE
8 Two Hudson Place (Fifth Floor)
9 Hoboken, New Jersey 07030
10 (201) 659-0403
11 Attorney for the Applicant.

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

13 MINERVINI VANDERMARK
14 BY: Frank Minervini

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1 CHAIRMAN HOLTZMAN: So the first item
2 on our agenda is 722-730 Jefferson.

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

5 CHAIRMAN HOLTZMAN: Good evening, Mr.
6 Matule.

7 MR. MATULE: Robert Matule appearing
8 with Mr. Minervini.

9 This is our second appearance on this
10 matter. The last time we were here, we did not have
11 the report from the Flood Plain Administrator. That
12 has now been issued.

13 I don't think there is anything on
14 there that Mr. Minervini can't address, and I have
15 also -- there was a request whether or not we had
16 gotten a Phase I. We did, and I emailed copies of
17 that --

18 CHAIRMAN HOLTZMAN: Let's take care of
19 the first one first, though, please, Mr. Matule.

20 Mr. Hipolit, you also had a chance to
21 review the Flood Plain Administrator's review
22 letter?

23 MR. HIPOLIT: I do. I have it, but
24 there are some changes they have to make, but they
25 can make them all. There's nothing major --

1 tonight for this meeting.

2 (Laughter)

3 MR. GALVIN: Whoa.

4 MR. HIPOLIT: I have just a few
5 questions.

6 CHAIRMAN HOLTZMAN: Please.

7 MR. HIPOLIT: On riparian, did you
8 submit the documents?

9 Have you received the riparian --

10 MR. MATULE: I did. I believe I gave
11 you a copy. I have another copy I can give you of
12 the filed riparian grant from the State of New
13 Jersey.

14 MR. HIPOLIT: Yup. I'll just take
15 that.

16 If that's the only copy you have, you
17 can email it to me.

18 MR. MATULE: No, no. I have extra.

19 MR. HIPOLIT: That's fine.

20 MR. MATULE: But there was actually a
21 grant issued by the state, and it is recorded of
22 record.

23 MR. HIPOLIT: Great.

24 As part of your regular hearing, are
25 you going to talk about your green roof maintenance

1 plan?

2 Did you provide one of those?

3 MR. MINERVINI: Yes.

4 MR. MATULE: Yes.

5 I noticed, and I don't know if it's on
6 this set --

7 MR. MINERVINI: We have started a --

8 MR. MATULE: -- the most recent set I
9 looked at today, and Mr. Minervini's office is
10 actually putting it right on the plans.

11 MR. MINERVINI: Yes.

12 MR. HIPOLIT: Okay.

13 CHAIRMAN HOLTZMAN: Great.

14 MR. HIPOLIT: And then the last item is
15 you do all estimates, and you have the right-of-way
16 projections, which you will need city approval
17 for --

18 MR. MINERVINI: Yes.

19 MR. HIPOLIT: -- and then the street
20 trees. I know the Board had some concern about
21 street trees, and maybe additional street trees.
22 That is what my notes say --

23 MR. MINERVINI: Additional street
24 trees.

25 MR. HIPOLIT: -- where we could provide

1 them.

2 MR. MINERVINI: Okay. I will take a
3 look at it, of course, but this is generally the
4 spacing that is recommended by the Shade Tree
5 Commission, but I will take another look and see if
6 we can rearrange --

7 CHAIRMAN HOLTZMAN: There might be some
8 other spaces on the street --

9 MR. HIPOLIT: That was the comment,
10 right. It wasn't really necessarily adjacent to
11 your site. It was anywhere else on that block side.

12 MR. MINERVINI: Okay.

13 CHAIRMAN HOLTZMAN: Dave, did you have
14 other follow-ups?

15 MR. ROBERTS: Not for completeness, Mr.
16 Chairman. I did look at the -- I wasn't at the last
17 SSP, but I did take a look at the transcript that
18 Phyllis provided, and it was Phase 1 and the flood
19 letter I think that caused them to come back
20 tonight, so that is why we didn't generate another
21 letter because we didn't get another set of plans
22 so --

23 MR. MINERVINI: Correct.

24 CHAIRMAN HOLTZMAN: Mr. Peene, any
25 questions or issues?

1 COMMISSIONER PEENE: Nope.

2 CHAIRMAN HOLTZMAN: Mr. Magaletta?

3 VICE CHAIR MAGALETTA: Yeah.

4 So on your December 3 letter, you
5 talked about some missing variances, which were not
6 set forth in the application. Are those now in
7 there?

8 MR. ROBERTS: Well, I think there was
9 one issue about the floor-to-ceiling height of nine
10 feet. That turned out not to be a variance. That
11 was cleared up at the last meeting. I am not aware
12 of any other additional variances --

13 VICE CHAIR MAGALETTA: Okay.

14 Paragraph 5 you said was building
15 depth, a variance for preexisting, nonconforming
16 depth. That was really it. I mean --

17 MR. ROBERTS: Yes.

18 VICE CHAIR MAGALETTA: -- it wasn't --
19 other than the building depth, I wasn't really --
20 you know, that was the only thing that I thought was
21 of significance.

22 MR. ROBERTS: Right.

23 I am not aware of anything different
24 since at the last meeting.

25 VICE CHAIR MAGALETTA: Okay. So then

1 they need a variance for the building depth?

2 MR. ROBERTS: Right.

3 MR. MATULE: Correct, and rear yard
4 depth.

5 VICE CHAIR MAGALETTA: Is that on
6 there?

7 MR. MATULE: Yes, it's on there.

8 VICE CHAIR MAGALETTA: Okay.

9 CHAIRMAN HOLTZMAN: Okay.

10 MR. MATULE: We are asking for three
11 variances, the lot coverage, the rear yard depth,
12 and the building --

13 VICE CHAIR MAGALETTA: Building depth,
14 okay.

15 MR. MATULE: -- depth.

16 VICE CHAIR MAGALETTA: Okay.

17 CHAIRMAN HOLTZMAN: Any questions or
18 comments, Mr. McKenzie?

19 COMMISSIONER MC KENZIE: No.

20 VICE CHAIR MAGALETTA: Mr. Minervini,
21 are you going to bring just a rendering, a colored
22 rendering of the front facade?

23 MR. MINERVINI: Yes.

24 VICE CHAIR MAGALETTA: Okay. Great.
25 Thank you.

1 MR. MINERVINI: As well as in this
2 case, we are going to take some photographs from
3 above using a drone that will really help describe
4 the local condition, why this lot coverage makes
5 sense in this case, so we will try to make it nice
6 and easy for you to understand.

7 VICE CHAIR MAGALETTA: Thank you.

8 MR. GALVIN: Bob, I had proposed a lot
9 coverage of 81.2 percent or 70.6.

10 60 percent is the maximum. For
11 proposed rear yard setback of zero feet and 25 feet
12 ground level, where as 30 feet is required.

13 For a proposed rear yard setback of 15
14 feet and 40 feet for the upper floors, and for
15 proposed rear wall distance from the street line of
16 75 feet and 65, where 70 feet is required.

17 MR. MATULE: Right.

18 MR. GALVIN: Do you have all of that?

19 I couldn't tell from what you said if
20 we were in sync.

21 MR. MATULE: Well, because of the
22 irregular shape of the rear property line, it is a
23 hundred feet deep for part of the lot, and 75 feet
24 deep for the other part. That is why we got zero in
25 one part and 40 feet in another.

1 MR. GALVIN: Okay. I just want to make
2 sure you are noticing for it, that's all, because it
3 sounded like -- I thought I heard less variances on
4 that. I'm sorry.

5 MR. MINERVINI: Although, just to that
6 point --

7 MR. MATULE: Well, if my building is --
8 when I am asking for a rear wall depth of 75 feet,
9 and another part of the building is only 73 feet,
10 you know, I am assuming that 75 feet is sufficient
11 notice --

12 MR. GALVIN: Yeah, yeah, yeah --

13 MR. MATULE: -- to take the whole thing
14 or the lesser included portion --

15 MR. GALVIN: -- no, no. I know. I
16 know. But for some reason, I saw this as four
17 different things, and you said three different
18 things, and I am just picking up on it numerically,
19 not by substance.

20 MR. MATULE: Okay.

21 MR. MINERVINI: That ground floor is
22 set back five feet, so that is actually seven feet
23 up to this point --

24 MR. GALVIN: And we got to --

25 MR. MINERVINI: -- so that the building

1 depth is not 75 feet at its max, because this --

2 MR. MATULE: It's from the front lot
3 line, though. It's not from the front face of the
4 building --

5 MR. MINERVINI: Okay, fine.

6 MR. MATULE: -- but now that you are
7 bringing that up, Mr. Minervini, that leads me to
8 believe that we might need to have a variance for
9 the front zero -- where the five foot front yard
10 setback, if it is set back five feet on the ground
11 floor.

12 MR. MINERVINI: On a portion of the
13 ground floor, this section, we have set it back five
14 feet, so the actual structure is 70.

15 So Bob is making the point, do we
16 then -- are we required to ask for a front yard
17 variance there, where the building is set back.

18 MR. MATULE: Yes, I think we do.

19 MR. GALVIN: It's better to ask than
20 not ask, okay?

21 MR. MINERVINI: Okay.

22 CHAIRMAN HOLTZMAN: And then for
23 noticing --

24 MR. MATULE: We will have to amend the
25 plan to show that.

1 MR. GALVIN: And for noticing purposes,
2 right.

3 CHAIRMAN HOLTZMAN: All right. So --

4 MR. GALVIN: And, Pat, I have a -- I'm
5 so sorry, dear -- there is somebody out there, I
6 don't know which file it is, that has a wall that we
7 have to pay attention to, where the person is not
8 available. That is not this case, right?

9 MS. CARCONE: No. That's 502-510
10 Madison, and that got bumped up to February 2nd,
11 so --

12 MR. GALVIN: That probably resolves
13 that problem. Okay. I mean, maybe the person who
14 is concerned about it can show up themselves --

15 MS. CARCONE: Yes.

16 MR. GALVIN: Okay.

17 CHAIRMAN HOLTZMAN: Okay.

18 MR. GALVIN: Sorry, guys. So the word
19 "wall" triggered that for me.

20 (Laughter)

21 CHAIRMAN HOLTZMAN: So you guys are on
22 the same page --

23 MR. MATULE: Yes.

24 CHAIRMAN HOLTZMAN: -- we're going to
25 have a list of four variances, so that your notice

1 is fully compliant and up to Dennis' higher
2 standards than yours?

3 MR. GALVIN: No, the same standards.

4 (Laughter)

5 You guys gave us the green roof
6 maintenance plan, right?

7 MR. HIPOLIT: No.

8 MR. GALVIN: Okay.

9 MR. MATULE: It is going to be on the
10 plan.

11 MR. HIPOLIT: It's going to be on the
12 plan.

13 MR. GALVIN: Okay.

14 MR. MINERVINI: I already generated
15 one. It's on the newer sets, and I hear what you're
16 saying, but I could certainly add it to this and add
17 it separately, if you want me to send it to you --

18 MR. HIPOLIT: No, no, no. If it is on
19 the plan, that's fine.

20 MR. MINERVINI: Okay.

21 MR. HIPOLIT: If it's on the plan,
22 that's fine.

23 CHAIRMAN HOLTZMAN: Great.

24 Frank, did you have any other --

25 VICE CHAIR MAGALETTA: No.

1 CHAIRMAN HOLTZMAN: -- or you're good?

2 Mr. Peene, are you okay with the
3 application to proceed?

4 COMMISSIONER PEENE: I am.

5 CHAIRMAN HOLTZMAN: Caleb?

6 COMMISSIONER MC KENZIE: Yes.

7 CHAIRMAN HOLTZMAN: Frank?

8 VICE CHAIR MAGALETTA: Yes.

9 CHAIRMAN HOLTZMAN: Great.

10 So we are good, and we will consider
11 this complete.

12 VICE CHAIR MAGALETTA: Yes.

13 CHAIRMAN HOLTZMAN: Ms. Carcone, how is
14 our calendar over there?

15 MS. CARCONE: Do you want to talk about
16 adding another meeting in February now?

17 CHAIRMAN HOLTZMAN: Yes, we do.

18 MS. CARCONE: Is this a good time to
19 bring it up?

20 CHAIRMAN HOLTZMAN: It's as good of a
21 time as any, yes.

22 MS. CARCONE: We do have the date of
23 February 25th.

24 CHAIRMAN HOLTZMAN: So to bring the
25 Commissioners up to date, I was talking to Pat about

1 this. She was looking at the calendar, and to try
2 to give us a little space between each of the
3 meetings, the only date that sort of works is
4 February 25th --

5 MS. CARCONE: It's a Thursday night.

6 CHAIRMAN HOLTZMAN: -- so that we don't
7 have things on back-to-back nights. It is four days
8 different, though, from our March meeting for the
9 Regular Board hearing. That is the only kind of
10 date that works that doesn't have our SSP team
11 going, you know, Wednesday and Thursday back to back
12 in a row.

13 COMMISSIONER PEENE: I will not be able
14 to attend. I'll be away.

15 CHAIRMAN HOLTZMAN: Okay. On the 25th?

16 MR. HIPOLIT: I am away, too.

17 CHAIRMAN HOLTZMAN: On the 25th,
18 uh-huh.

19 VICE CHAIR MAGALETTA: It's a Thursday,
20 right?

21 MS. CARCONE: It is a Thursday, yes.

22 You are available, Dennis?

23 MR. GALVIN: Yes, I am.

24 (Laughter)

25 CHAIRMAN HOLTZMAN: What do you think,

1 Commissioners?

2 MS. CARCONE: How about Andy and Dave,
3 is that good --

4 MR. HIPOLIT: I am away.

5 MS. CARCONE: You're away?

6 MR. HIPOLIT: Yes.

7 CHAIRMAN HOLTZMAN: Frank?

8 Caleb is okay with it?

9 COMMISSIONER MC KENZIE: I am.

10 CHAIRMAN HOLTZMAN: The world ain't
11 coming to an end because you ain't going to be
12 there.

13 (Laughter)

14 VICE CHAIR MAGALETTA: Nice.

15 Yeah, I am okay with that.

16 CHAIRMAN HOLTZMAN: The 25th, I guess
17 it is.

18 MS. CARCONE: Dave?

19 MR. ROBERTS: Yes, I am good.

20 MS. CARCONE: You're good?

21 MR. ROBERTS: I am putting it in now.

22 MS. CARCONE: All right.

23 So I guess we can play with all of the
24 projects that are -- we have five projects scheduled
25 for the 2nd that are all of yours, Bob, so we can

1 shuffle those around and move some to the 25th and
2 then some to the 1st.

3 MR. MATULE: Talk to me.

4 (Laughter)

5 MR. GALVIN: If only you had an easy
6 case, we could move it along, you know.

7 MR. MATULE: This is an easy case.

8 MS. CARCONE: We can talk about that
9 tomorrow, about where we are going to put
10 everything.

11 MR. MATULE: Yes. I mean, I don't have
12 the list --

13 CHAIRMAN HOLTZMAN: You guys will work
14 that out?

15 MS. CARCONE: We can work that out.

16 MR. MATULE: We will work it out.

17 CHAIRMAN HOLTZMAN: Okay.

18 MR. GALVIN: I suspect we are going to
19 need meetings in March and April, too.

20 CHAIRMAN HOLTZMAN: So we are putting
21 this on for the books right now for 2/25, a Special
22 Meeting?

23 MR. MATULE: Right.

24 MS. CARCONE: So we will be meeting in
25 February on the 2nd, the 10th, and the 25th.

1 CHAIRMAN HOLTZMAN: Okay. All right.

2 So this one is done, right?

3 We are good here.

4 MR. MATULE: Yes.

5 (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: January 14, 2016
This transcript was prepared in accordance with
NJAC 13:43-5.9.

CITY OF HOBOKEN
Subdivision & Site Plan Review
HOP-15-28

- - - - - X
RE: 133 Monroe Street : January 13, 2016
Block 28, Lot 17 :
Applicant: 133 Monroe, LLC : 7:20 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
Vice Chair Frank Magaletta
Commissioner Caleb McKenzie
Commissioner Ryan Peene

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

David Glynn Roberts, AICP/PP, LLA, RLA
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10 (201) 659-0403
11 Attorney for the Applicant.

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

13 MINERVINI VANDERMARK
14 BY: Frank Minervini

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1 CHAIRMAN HOLTZMAN: 133 Monroe.

2 MR. MINERVINI: 133 it is.

3 CHAIRMAN HOLTZMAN: Nobody moved too
4 fast, right?

5 MR. MINERVINI: Just switching --

6 CHAIRMAN HOLTZMAN: Switching hats?

7 MR. MINERVINI: -- switching hats.

8 (Laughter)

9 (Board members confer.)

10 MR. MATULE: Good evening, Mr.

11 Chairman.

12 Robert Matule, appearing on behalf of
13 the applicant.

14 This is an application for a
15 three-family house at 133 Monroe Street to replace
16 the existing structure that is there.

17 We do have a review letter from the
18 Flood Plain Manager, which I believe Mr. Minervini
19 has reviewed with her --

20 MR. MINERVINI: Uh-huh.

21 MR. MATULE: -- and we also have the
22 Maser letter.

23 So, Mr. Minervini, maybe you could
24 address that to the extent that you feel you need
25 to?

1 MR. MINERVINI: Do you want to go
2 through each point on the letter, or are there
3 specific items you wanted to discuss?

4 CHAIRMAN HOLTZMAN: Here is a callout
5 that I know everybody had on their list of issues.

6 I think was this the rear yard that is
7 listed as a deck. Can you --

8 MR. MINERVINI: Okay.

9 CHAIRMAN HOLTZMAN: -- but it is
10 specified as a synthetic lawn I think, so why are we
11 calling it a deck? Is it not a deck or --

12 MR. MINERVINI: It is at the second
13 floor level.

14 CHAIRMAN HOLTZMAN: I thought that was
15 a rear yard -- it is at a second floor level?

16 MR. MINERVINI: It's at a second floor
17 level.

18 CHAIRMAN HOLTZMAN: So what about the
19 rear, rear yard, isn't there still a rear yard that
20 is behind the wall?

21 Am I reading this plan totally wrong?

22 MR. MINERVINI: No. I think what is
23 confusing on is our Sheet Z-2, and I should correct
24 this, we are calling it a rear yard even though it
25 is not at grade level. It is at the second floor.

1 It is the roof of the structure below.

2 MR. MATULE: Well, I think the only
3 thing that is really confusing was the ground floor
4 plan --

5 (Counsel confers)

6 MR. MINERVINI: Oh, I'm sorry. Thank
7 you, Bob.

8 No, no. If I may, I'm sorry.

9 I have just been reminded that we have
10 redesigned it, so there is a garden at the ground
11 floor. Initially the project had a hundred percent
12 lot coverage.

13 So, Chairman, you are exactly right.
14 This is at grade level. However, we can replace the
15 SYNLawN with a natural grass.

16 CHAIRMAN HOLTZMAN: I am going to have
17 to ask for the testimony on that one again, that
18 we're going to have. "Mr. Chairman, you are a
19 hundred percent right."

20 I'm going to have to frame that one.

21 (Laughter)

22 MR. MATULE: Want to read that back?

23 CHAIRMAN HOLTZMAN: Yeah. Could we read
24 that back?

25 MR. GALVIN: Play back the videotape.

1 (Laughter)

2 MR. MINERVINI: Thank you.

3 CHAIRMAN HOLTZMAN: So let's recap.

4 We have a building that is on the plans
5 that I read at least 75 percent, is that correct?

6 MR. MINERVINI: Yes.

7 CHAIRMAN HOLTZMAN: And there is a rear
8 yard, meaning an actual --

9 MR. MINERVINI: Rear yard at grade
10 level.

11 CHAIRMAN HOLTZMAN: -- grade level --

12 MR. MINERVINI: Yes.

13 CHAIRMAN HOLTZMAN: -- but the plan
14 that I still am looking at still says that that
15 backyard is a deck, and it is called out in Mr.
16 Roberts' report as well.

17 MR. MATULE: I think the correct tag on
18 that should say "Rear yard for Unit 2."

19 CHAIRMAN HOLTZMAN: I just want to make
20 sure that we are calling it what it is --

21 MR. MINERVINI: Yes, I will correct
22 that --

23 CHAIRMAN HOLTZMAN: -- because it
24 technically can be a deck, if it was 18 inches off
25 the ground or something, so I didn't think that's

1 what it was.

2 MR. MINERVINI: Grade level, and I will
3 correct that.

4 MR. HIPOLIT: I mean, every plan says
5 deck, so --

6 MR. MATULE: One of the other callouts
7 was those air-conditioning --

8 MR. MINERVINI: Yes.

9 CHAIRMAN HOLTZMAN: Air-conditioning
10 units, the condensers in the backyard --

11 MR. MATULE: They are gone, and that
12 was drafting error as well.

13 CHAIRMAN HOLTZMAN: Right.

14 MR. MINERVINI: They are on the roof,
15 upper roof.

16 CHAIRMAN HOLTZMAN: Right.

17 MR. HIPOLIT: Can we discuss the rear
18 yard for a second?

19 CHAIRMAN HOLTZMAN: We can.

20 MR. HIPOLIT: So the rear yard is going
21 to be at grade, green space?

22 MR. MINERVINI: Yes.

23 MR. HIPOLIT: A great opportunity to
24 store some stormwater. I know -- I mean, you could
25 say, hey, we will change it to grass.

1 But I think if you make a -- I am not
2 against grass. I like grass, but you can also
3 provide storage below the grass if you had the right
4 section, or you can stay with synthetic turf and
5 provide stormwater storage below the synthetic turf,
6 so we can't make a decision tonight, but I think you
7 kind of should look at both.

8 MR. MINERVINI: Our design currently is
9 to have the stormwater retention system in the rear
10 yard -- beneath the rear yard, I should say --

11 MR. HIPOLIT: Oh, okay.

12 MR. MINERVINI: -- so are you asking
13 for additional or --

14 MR. HIPOLIT: I'm just asking -- I'm
15 asking there's somewhere, where we can get as much
16 as we can get. So if we can gain a little more with
17 being innovative in this rear yard, why not?

18 MR. MINERVINI: Yes. I will certainly
19 speak to the applicant about that and --

20 MR. HIPOLIT: I think if you are using
21 some type of synthetic turf, as long as the Board is
22 not against that, you can plant, you know, in
23 different planters or boxes above the real green
24 stuff there --

25 MR. MINERVINI: Which is what the

1 design shows --

2 MR. HIPOLIT: -- right.

3 You could have a good-sized stone
4 section, a foot or more of storage, which drains
5 into their storage system, and they kind of work
6 together, and you get some extra storage, and under
7 the turf they need drainage anyway, so...

8 CHAIRMAN HOLTZMAN: All right.

9 Historically the team is pretty much I
10 think if we can have a lawn, it is a nice thing to
11 have. If it is impractical in the situation, I
12 think most of the time the team is accepting of that
13 as long as the trade-off is that we are putting that
14 underneath to good use --

15 MR. MINERVINI: Okay.

16 CHAIRMAN HOLTZMAN: -- and more often
17 than not, what you are telling us is that it is
18 better from a storm detention anyway, because we got
19 like no percolation in our soil to begin with.

20 MR. HIPOLIT: You have none.

21 CHAIRMAN HOLTZMAN: One of the things
22 that I saw on one of the documents that I didn't see
23 explained was that there was a note about a hardship
24 variance.

25 MR. MATULE: We may have checked both

1 in the application --

2 CHAIRMAN HOLTZMAN: I think you did.

3 MR. MATULE: -- because generally we
4 keep that option available when we are working with
5 an undersized --

6 CHAIRMAN HOLTZMAN: Okay.

7 MR. MATULE: -- because theoretically
8 it is a hardship --

9 CHAIRMAN HOLTZMAN: Is that a card that
10 you're playing or --

11 MR. MATULE: Pardon?

12 CHAIRMAN HOLTZMAN: -- is that a card
13 that we are playing here?

14 MR. MATULE: I don't have the planner's
15 report in front of me, but I can get it. I mean,
16 we --

17 MR. GALVIN: I have no problem with
18 them asking for that. We may not find -- we may not
19 agree it is a hardship application.

20 CHAIRMAN HOLTZMAN: Okay.

21 MR. GALVIN: That is the Board's call,
22 but they can certainly request that variance.

23 CHAIRMAN HOLTZMAN: Okay.

24 MR. GALVIN: And, again, normally, if
25 we grant -- if we grant an approval, I want to put

1 all of the proofs that I can in there to make it as
2 strong as possible.

3 I think one of the questions we had
4 recently by Councilman Doyle was, we had a case like
5 that, and I put in it is a C1 and C2, because some
6 of the testimony was that something was undersized
7 or there was an existing condition. Technically
8 that is a C1. That is what the proofs are in a C1
9 variance, so if we approve an application, I don't
10 see any harm in using that language --

11 CHAIRMAN HOLTZMAN: I didn't
12 necessarily say that there was harm in it. I just
13 wanted to know if there was --

14 MR. GALVIN: No. But the question was
15 that there might be, that there would be precedence
16 as to setting that we said that one was undersized,
17 but then that would apply to some other situation,
18 so I get the sensitivity of it. But zoning
19 shouldn't work that way. It depends on the
20 circumstances of the case.

21 MR. MATULE: Again, yes, I just checked
22 it really so the Board would have the flexibility
23 depending on what fact findings they make --

24 CHAIRMAN HOLTZMAN: Okay.

25 MR. MATULE: -- that I would rather

1 call it out and not use it than not call it out and
2 try to use it.

3 CHAIRMAN HOLTZMAN: Okay. I got it.

4 MR. GALVIN: Does that affect the 75
5 percent?

6 I mean, you know, I am going to leave
7 the case until we get to the case, but 75 percent
8 seems a little high --

9 MR. MATULE: Generally if it were a
10 conforming lot, I would agree, but usually when we
11 have an undersized lot, to get, you know, workable
12 sized units, it does drive that number up.

13 MR. GALVIN: A hundred feet. It is a
14 hundred feet short.

15 I am just saying rather than -- I want
16 to get you guys, if this is a case that gets
17 approved, there is a possibility when you do that,
18 that we have to send you away, and then you have to
19 come back, and that will take more time. That's
20 all.

21 MR. MINERVINI: I am not embarrassed to
22 bring this design to the full Board --

23 MR. MATULE: It is a 60 foot
24 building --

25 MR. MINERVINI: -- I think we got some

1 very good reasons for it.

2 MR. GALVIN: Then --

3 CHAIRMAN HOLTZMAN: You'll make the
4 case.

5 MR. GALVIN: -- you got to do what you
6 got to do, but --

7 MR. HIPOLIT: The other -- two other
8 things. One is: The city has done some
9 improvements at this intersection, which you should
10 reflect on your plan, so just reflect those city's
11 improvements.

12 And then number two, we just had a
13 couple things on the letter that I am sure you'll be
14 compliant with --

15 CHAIRMAN HOLTZMAN: Did you ask -- we
16 also discussed, I don't think it was in the letter,
17 but the Phase I?

18 MR. HIPOLIT: That's in here.

19 CHAIRMAN HOLTZMAN: That's in there.

20 MR. HIPOLIT: Yes, it's in there.

21 CHAIRMAN HOLTZMAN: Thank you.

22 MR. HIPOLIT: I think there is a couple
23 things that you should provide in your application.

24 The taxes are paid? We got
25 confirmation of that?

1 CHAIRMAN HOLTZMAN: I think we got the
2 sheet. It showed up late or something like that.
3 I think it was there.

4 MR. MATULE: Which is that?

5 CHAIRMAN HOLTZMAN: The taxes.

6 MR. HIPOLIT: The comment in number 7,
7 number 7 in my letter, I have four things: Taxes
8 are paid, contribution disclosure statement,
9 neighborhood impact report, and stormwater
10 management plan. We didn't get those. Your
11 stormwater might be on the plans --

12 MR. MATULE: On January 8th, I sent you
13 the neighborhood impact report. I don't know why
14 you didn't get it.

15 MR. HIPOLIT: That's fine.

16 MR. MATULE: The contribution
17 disclosure statements, you know, we usually give
18 those to Pat.

19 MR. HIPOLIT: Okay.

20 MR. MATULE: I gave you a copy of the
21 tax -- the city's tax records --

22 CHAIRMAN HOLTZMAN: It was in there.

23 MR. MATULE: -- showing the taxes were
24 current --

25 CHAIRMAN HOLTZMAN: Yes.

1 MR. HIPOLIT: Good. Did your
2 stormwater --

3 MR. MATULE: -- and we also have a -- I
4 believe I sent to you by email the transaction
5 screening report --

6 MR. HIPOLIT: You did. I have it.

7 MR. MATULE: -- which was in lieu of a
8 Phase I.

9 MR. HIPOLIT: I have that. We are
10 looking at that right now, so I do have that.

11 MR. MATULE: So I believe at least we
12 tried to address all of the items.

13 MR. HIPOLIT: Yeah. So from a
14 completeness respect, you're okay. That's okay.

15 CHAIRMAN HOLTZMAN: I thought --

16 MR. MATULE: I don't believe we have a
17 stormwater management plan yet, but that is in the
18 works, right, Frank?

19 MR. MINERVINI: Yes.

20 CHAIRMAN HOLTZMAN: I thought there was
21 a note, I think in one of the review letters about a
22 generator, but I think at least in the copy of the
23 plans that I looked at, it wasn't detailed on the
24 plans.

25 MR. HIPOLIT: It's not.

1 MR. ROBERTS: We made a note about the
2 mechanical units in the rear yard.

3 CHAIRMAN HOLTZMAN: The condensers in
4 the backyard.

5 MR. HIPOLIT: And we have a comment
6 about a generator.

7 Do you have a generator proposed?

8 MR. MINERVINI: Yes. It did make it to
9 the plans, so I think we will it before the revised
10 plans --

11 CHAIRMAN HOLTZMAN: And flood vent
12 details will be added, too, because especially with
13 that extended back wall, that is kind of critical to
14 making equilibrium --

15 MR. MINERVINI: Yes.

16 CHAIRMAN HOLTZMAN: -- right?

17 MR. MINERVINI: Yes.

18 MR. HIPOLIT: I will add just one more
19 thing, just backing up the stormwater drainage.

20 So if the synthetic turf portion of the
21 stormwater drainage, they could provide this extra
22 stone, if the Board is interested in having some
23 real grass, too, because I understand that it does
24 provide less heat, and there's some things that it
25 does provide that are a benefit, you could do a mix

1 of the two.

2 So you could have a center of real
3 grass that drains off to a synthetic turf area or in
4 the center it's synthetic turf, and on the outside
5 it's green grass. I know it means somebody has to
6 mow it, but again, we should be a little innovative
7 on it, because you have a nice space back there, so
8 we can get both green space and stormwater storage
9 at the same time.

10 MR. MINERVINI: Happy to do that.
11 Happy to design it.

12 CHAIRMAN HOLTZMAN: One of the other
13 things that I think was not detailed on that, which
14 I think we should also look at, although it is more
15 of a condition for the people actually living in the
16 building is sort of garbage storage, recycling
17 storage and those kinds of things, which I don't
18 think were noted --

19 MR. MINERVINI: Yeah, and I could
20 certainly have a space --

21 CHAIRMAN HOLTZMAN: -- you know, just
22 to make sure that there's the space, that it's
23 designated, and that it's --

24 MR. MINERVINI: -- common space, yes,
25 okay.

1 CHAIRMAN HOLTZMAN: -- right? Because
2 we don't want that stuff either in the yard or in
3 the side street or something like that.

4 MR. MINERVINI: Our thought was that
5 with these three storage spaces, each apartment
6 would put their own garbage and recyclables within
7 that storage area --

8 MR. HIPOLIT: Just call it out.

9 MR. MINERVINI: -- if you want -- call
10 it out, okay.

11 MR. HIPOLIT: Just say, you know, you
12 have garbage recycling, because other than that, it
13 ends up in the street.

14 CHAIRMAN HOLTZMAN: So the grade
15 level --

16 (Counsel confers)

17 MR. MATULE: I'm sorry.

18 CHAIRMAN HOLTZMAN: -- so the grade
19 level of this property has an overly extensive
20 buildout for what we're usually used to seeing on
21 something that is below DFE space, and we got a
22 lot --

23 MR. MINERVINI: In terms of storage
24 partitions.

25 CHAIRMAN HOLTZMAN: -- well, you got

1 storage partitions there that are real walls as
2 opposed to storage petitions that are some kind of
3 chainlink or some kind of, you know, a fabricated
4 system like we have seen in the storage lockers or
5 things of that nature, and the idea is that this
6 space obviously is not supposed to turn into
7 habitable living space ten minutes after they get
8 their certificate of occupancy, and it is also
9 supposed to be a situation where the water has the
10 ability to flow through and not be encumbered by
11 walls and doors and other things like that. So I am
12 not sure where you are going with the buildout
13 there --

14 MR. MATULE: If I might, the applicant
15 did have a subsequent conversation with the Flood
16 Plain Administrator about it, expressed his concerns
17 about using chainlink cages, if you will --

18 CHAIRMAN HOLTZMAN: There are also much
19 nicer systems as well.

20 MR. MATULE: -- so as I understand the
21 resolution is as long as there is sufficient flood
22 vents put in those walls and a deed restriction that
23 says they can't be used for habitable space, then
24 the Flood Plain Administrator would be okay with
25 that.

1 MR. MINERVINI: Yes.

2 CHAIRMAN HOLTZMAN: Great. Okay.

3 MR. MATULE: I think it is really
4 purely esthetically driven that it looks a little
5 less like a warehouse.

6 CHAIRMAN HOLTZMAN: Well, it's also a
7 functional issue as well from a water issue, because
8 if you got walls and then locked closed doors, it
9 becomes much more of a problem for that to flow
10 through.

11 Also, those walls you wouldn't want
12 them to be sheet rock walls, so they have to be, you
13 know, a different type of construction.

14 MR. MINERVINI: Yes. They will all be
15 wet flood proofed.

16 CHAIRMAN HOLTZMAN: Mr. Peene?

17 COMMISSIONER PEENE: Oh, no. Just to
18 piggyback on what you were saying, in Dave's review
19 letter, Mr. Minervini, number 7, regarding the
20 Second Street wall, I think your last question
21 answered my question. But I see that being a
22 discussion point about being complete tonight, the
23 Board meeting, whenever we have it --

24 MR. MINERVINI: Okay.

25 CHAIRMAN HOLTZMAN: I think that the

1 wall looks like a very interesting proposal. I like
2 the idea that you obviously detailed it out, that it
3 continues, you know, the look of the building and
4 obviously provides like real safety and sort of for
5 the yard and also that it kind of completes the
6 donut --

7 MR. MINERVINI: That was --

8 CHAIRMAN HOLTZMAN: -- but I think you
9 really should be prepared to have a fairly in-depth
10 conversation about that and maybe some additional
11 details on --

12 MR. MINERVINI: And we will have a
13 rendering as well that will help describe that a bit
14 better.

15 CHAIRMAN HOLTZMAN: Right.

16 Is it all brick, is it, you know --

17 MR. MINERVINI: Understood.

18 CHAIRMAN HOLTZMAN: Commissioners, any
19 questions, comments?

20 VICE CHAIR MAGALETTA: No,

21 COMMISSIONER MC KENZIE: No.

22 COMMISSIONER PEENE: No.

23 CHAIRMAN HOLTZMAN: Nothing?

24 Professionals, we're pretty good here?

25 MR. HIPOLIT: I mean, my letter is -- I

1 will say significant, but it's all addressable.

2 CHAIRMAN HOLTZMAN: Okay.

3 Mr. Roberts?

4 MR. ROBERTS: Yes.

5 CHAIRMAN HOLTZMAN: Good?

6 MR. ROBERTS: Yes.

7 CHAIRMAN HOLTZMAN: Okay.

8 Everybody want to find this complete,
9 or are there any issues that you want to still hang
10 on?

11 VICE CHAIR MAGALETTA: I am fine.

12 I guess one question I do have is: So
13 there was no stormwater plan, but now there is a
14 stormwater plan, correct --

15 MR. MATULE: Pardon?

16 VICE CHAIR MAGALETTA: -- submitted on
17 this application?

18 A stormwater plan, didn't you submit
19 one?

20 MR. MINERVINI: We don't have it
21 engineered yet. We do show schematically where the
22 location --

23 VICE CHAIR MAGALETTA: There's going to
24 be schematics, yeah.

25 MR. MINERVINI: Yes.

1 VICE CHAIR MAGALETTA: That's all I'm
2 asking.

3 MR. MATULE: And the applicant is
4 representing that at a minimum, it would be twice
5 whatever the North Hudson's minimum standards are.

6 VICE CHAIR MAGALETTA: Okay.

7 MR. MINERVINI: I think we will be able
8 to achieve that using some of the comments made by
9 Andy, and we'll use that as part of our design.
10 That should be very helpful.

11 CHAIRMAN HOLTZMAN: Thank you. Great.
12 Thank you.

13 MR. HIPOLIT: It should be eight times.

14 (Laughter)

15 MR. MINERVINI: I was afraid of that
16 actually.

17 VICE CHAIR MAGALETTA: To hold it over
18 your head.

19 MR. ROBERTS: What have you done for us
20 lately?

21 (Laughter)

22 VICE CHAIR MAGALETTA: The next eight
23 years, we will talk about that.

24 CHAIRMAN HOLTZMAN: So all in favor and
25 we'll deem that complete, yes?

1 (All Board members answered in the
2 affirmative.)

3 CHAIRMAN HOLTZMAN: All right. Ms.
4 Carcone?

5 MS. CARCONE: We will schedule that for
6 one of the March meetings when we're playing with
7 the calendar tomorrow, okay?

8 CHAIRMAN HOLTZMAN: Okay. We will let
9 you kids figure that one out. All right.

10 All right. Frank, we will see you
11 later.

12 MR. MINERVINI: Thank you.

13 (The matter concluded at 7:40 p.m.)

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C E R T I F I C A T E

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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: January 14, 2016
This transcript was prepared in accordance with
NJAC 13:43-5.9.

CITY OF HOBOKEN
Subdivision & Site Plan Review
HOP-15-29

RE: 901-903 Hudson Street : January 13, 2016
Block 238, Lot 1 :
Applicant: Road, LLC : 7:40 p.m.
Minor Subdivision :
----- X

Held At: 94 Washington Street
Hoboken, New Jersey

B E F O R E:

Chairman Gary Holtzman
Vice Chair Frank Magaletta
Commissioner Caleb McKenzie
Commissioner Ryan Peene

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

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

Andrew R. Hipolit, PE, PP, CME
Board Engineer

Patricia Carcone, Board Secretary

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

13 Robert Caulfield

14

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1 MR. MATULE: Mr. Caulfield, come on up.

2 CHAIRMAN HOLTZMAN: Mr. Matule, good
3 evening.

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

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

8 This is an application for minor
9 subdivision approval of the property at 901-903
10 Hudson.

11 Mr. Caulfield is the principal of the
12 applicant, and I asked him to actually bring some
13 photos with him tonight just to pass around to the
14 Board members to give you a sense of the existing
15 site conditions because pretty much everything that
16 is there is there. We are really just trying to
17 create two separate lots, so the two buildings can
18 be standalone, standalone buildings.

19 CHAIRMAN HOLTZMAN: Could you give us a
20 little bit of the back story, which I'm sure the
21 Commissioners will ask for, as to how these two lots
22 got joined at one point since they obviously seem
23 like they are two completely separate pieces of
24 property?

25 MR. MATULE: Sure. I think, if I

1 might, let me just -- I don't know if I we need to
2 mark these.

3 MR. GALVIN: No, not for --

4 MR. MATULE: They're just for
5 discussion purposes.

6 So here is a photo of the original
7 site. There was the big building that was on the
8 corner of 9th and Hudson --

9 CHAIRMAN HOLTZMAN: So that's 901.

10 MR. MATULE: -- and then there was like
11 this -- for lack of a better word, I'll call it a
12 solarium-type room that was attached that was on
13 903, and this, I believe, was a three or four-family
14 dwelling at the time.

15 The applicant went to the Zoning Board
16 and got variances to construct --

17 MR. CAULFIELD: Expand the one-story
18 existing --

19 MR. MATULE: -- a freestanding
20 one-story addition, which this photo now shows --

21 CHAIRMAN HOLTZMAN: Do we need to just
22 make sure we know who that is on the record?

23 MR. MATULE: Yes, sure.

24 CHAIRMAN HOLTZMAN: That would probably
25 be a good thing to do, right?

1 MR. CAULFIELD: Robert Caulfield.

2 MR. GALVIN: Yes. Go ahead. Spell
3 your name, Robert.

4 MR. CAULFIELD: My name is Robert
5 Caulfield, C-a-u-l-f-i-e-l-d. Principal of Road,
6 LLC, and also a resident of 903 Hudson Street.

7 MR. GALVIN: And we can mark these,
8 Bob, even though I'm trying to avoid getting --

9 MR. MATULE: Yes. I mean, this is
10 really just to give the Board -- I asked Mr.
11 Caulfield to bring them really just to give the
12 Board -- you know, looking at it two dimensionally,
13 it is I think a little more difficult to wrap your
14 head around than looking at it when you see what is
15 actually there.

16 MR. GALVIN: What is the left and the
17 right?

18 MR. MATULE: So the house on the left,
19 that remains unchanged. That is this house here,
20 and this is where this solarium was.

21 This has now been built, this big
22 limestone and copper looking building, so that is
23 basically it.

24 And this is just another photo, not as
25 well, but you get a little better sense.

1 My understanding is this is also going
2 to be reduced from a three-family to a two-family,
3 so there will be a total -- this will now be a
4 two-family, and this will be a --

5 MR. CAULFIELD: It is currently zoned
6 four-family --

7 MR. MATULE: -- and it's going to be
8 reduced to three.

9 MR. CAULFIELD: -- reduced to three.

10 MR. GALVIN: So the question was: Were
11 the two properties --

12 MR. MATULE: All right --

13 CHAIRMAN HOLTZMAN: One at a time,
14 guys. We're just getting an answer from him --

15 MR. MATULE: Were the two
16 properties --

17 MR. GALVIN: When were the two
18 properties merged? Was there a deed? I mean, why
19 were they --

20 MR. MATULE: They have never -- they
21 were -- I guess they were merged by virtue of the
22 fact that there was one building, which extended
23 over on to the second lot.

24 CHAIRMAN HOLTZMAN: Mr. Caulfield has
25 something to say apparently.

1 MR. CAULFIELD: Bob, if I may.

2 MR. MATULE: Speak up, yes.

3 MR. GALVIN: Go.

4 MR. CAULFIELD: It was one lot. It was
5 never two lots. It was never 901 and 903. It was
6 always one address --

7 MR. GALVIN: Let me stop you.

8 That is odd for -- it's not odd in
9 other places, but it's kind of odd in Hoboken.

10 MR. CAULFIELD: It was a 55 by a
11 hundred foot lot. Gone to the Board of Adjustment
12 and had the existing three-family, which is what we
13 refer to as 901, and it had the one-story addition,
14 or a 30 foot area, which we refer to as 903.

15 MR. GALVIN: So both lots, are they
16 going to be conforming?

17 MR. MATULE: Let me look at the zoning
18 table.

19 MR. GALVIN: No. One of them is
20 short --

21 MR. MATULE: Well --

22 MR. GALVIN: -- okay. So they need
23 some variances. Okay.

24 MR. MATULE: -- let's see.

25 One lot is going to be 25 by a hundred,

1 which is a conforming lot, and the other lot is
2 going to be 30 by a hundred, which is a conforming
3 lot.

4 MR. ROBERTS: I think we had said that
5 the two-family is required to be 30 feet.

6 I don't have that section in front of
7 me, but because we're splitting them into a
8 two-family and a one-family, correct?

9 CHAIRMAN HOLTZMAN: A three-family. It
10 was zoned for four. It's going to three?

11 MR. CAULFIELD: It's going to three.

12 901 will remain a two-family, and 903
13 will be a one-family, so the total density will be
14 reduced by one.

15 MR. ROBERTS: It was a multi-family of
16 four.

17 COMMISSIONER PEENE: 903 is currently a
18 one-family?

19 MR. CAULFIELD: It's currently zoned
20 a -- the entire property is zoned four-family.
21 There are two condos there, but it will be zoned as
22 a one-family and serve as a one-family.

23 MR. GALVIN: But there are six
24 variances, so it is not that simple.

25 MR. HIPOLIT: No. Correct.

1 MR. GALVIN: Okay? You know, it is
2 like, it's simple, it's just a subdivision, hey,
3 man.

4 (Laughter)

5 MR. CAULFIELD: They are two complete
6 standalone structures. They don't share utilities.
7 They have separate fire walls and a non party wall.

8 MR. GALVIN: That's what we are hoping
9 the Board is going to find. That is the end game.

10 MR. HIPOLIT: What are you going to
11 do -- what are you going to do with the backyards?

12 MR. CAULFIELD: Well, the two
13 properties, one will be 25 by a hundred, and the
14 other will be a 30 by a hundred.

15 That rear driveway area is a -- there's
16 an easement, an underground easement access on that
17 driveway area for utilities servicing 903. There's
18 water and gas and electric up 9th Street.

19 MR. HIPOLIT: What about just in the
20 backyard?

21 So in 903, if I wanted to get to my
22 backyard, and then I wanted to go through the house,
23 can I walk off of 9th and go --

24 MR. CAULFIELD: Sure. That easement,
25 the utility easement, will also be an access

1 easement off of 9th Street and walk down the
2 driveway to the rear yard of 903.

3 MR. HIPOLIT: I mean, you got to show
4 that on the plan that you have an easement.

5 MR. CAULFIELD: I thought I did.

6 CHAIRMAN HOLTZMAN: I think we also --
7 we have also tried to do something, which is to make
8 sure that we have complete files, so that somebody
9 ever picking up our part of the job here at the
10 Planning Board doesn't have to go finding a set of
11 plans for both of these buildings. So as a
12 matter -- gentlemen, you might want to pay attention
13 on this --

14 MR. CAULFIELD: I'm sorry.

15 CHAIRMAN HOLTZMAN: -- so as a matter
16 of building our record for the hearing on this, I
17 would like to have sets of plans for each one of
18 these properties included in our documents, so
19 again, so that should somebody, and I will repeat
20 myself, so that should somebody downstream pick up
21 this file, they don't have to then go hunting in the
22 zoning office or the construction office or the
23 zoning files to find out what the heck we were
24 talking about here. I want to complete the story.

25 MR. HIPOLIT: Well, the other question

1 is, now that I have a little more of the story,
2 there are encroachments into the city right-of-way.

3 Do you have -- did you get approval for
4 that?

5 CHAIRMAN HOLTZMAN: For the sidewalk.

6 MR. HIPOLIT: Yeah. There's a whole
7 bunch of stairs. There's a whole bunch of stuff
8 that encroaches.

9 MR. CAULFIELD: Well, all of Hudson
10 Street along 8th and 9th, that bulkhead, that
11 granite retaining wall, half of that is in the
12 right-of-way.

13 I know I was looking at it today, but I
14 know we applied -- I think we had them from Hoboken.
15 We had them from Hudson County because it is a
16 county road --

17 MR. HIPOLIT: So when I look at your
18 plan and your subdivision plan, because you are
19 subdividing, you have stairs and walls on Hudson.
20 You have some bay window encroachments on 9th. You
21 have walls on 9th and some stairs on 9th. We don't
22 know if you have ever received approval for that.

23 MR. CAULFIELD: Well, those were -- all
24 of that front was preexisting. It's been there
25 forever. I understand that -- I think -- I'm

1 pretty sure we had --

2 MR. HIPOLIT: You --

3 MR. CAULFIELD: -- the franchise from
4 the council for it I think, so we got some approvals
5 back in '08 to track that down. I was able to find
6 the county approval for that encroachment today. I
7 wasn't able to extract --

8 CHAIRMAN HOLTZMAN: But we would still
9 need City Council documentation on that. Is that
10 correct?

11 MR. HIPOLIT: You are in front of us
12 for a subdivision of two properties that are
13 separate, and I think now that you are touching it,
14 and you should tie it all together --

15 CHAIRMAN HOLTZMAN: We have to tie it
16 together --

17 MR. HIPOLIT: -- one way or the
18 other --

19 CHAIRMAN HOLTZMAN: We are not going to
20 leave the story half done on our job.

21 MR. HIPOLIT: And the other thing you
22 should talk about, the utilities that come to this
23 easement in the back, you should show them. I mean,
24 because once you -- I mean, hypothetically once you
25 subdivide the property, if you were to sell them

1 both, and we all disappear, and the owner of 903
2 goes, "Oh, somebody just cut my utilities off" --

3 (Laughter)

4 MR. CAULFIELD: No. I apologize for
5 that, Andy. I thought the back was hatched, and it
6 did identify that whole area as an underground
7 utility access easement, and clearly this plan does
8 not.

9 MR. HIPOLIT: That's okay. It just
10 needs to be --

11 CHAIRMAN HOLTZMAN: So let's -- we have
12 a lot of homework to do on this one, so let's make
13 sure that these guys know what homework we need.

14 Can you kind of recap just quickly for
15 us, Andy, as to what we're looking for here --

16 MR. HIPOLIT: I can, so --

17 CHAIRMAN HOLTZMAN: -- and then Dennis
18 has a list also of the variances.

19 I want to make sure that we are all on
20 the same page here.

21 MR. HIPOLIT: I do have a number out of
22 my letter of January 7th. I think what we are
23 looking for is to take an application where you have
24 one piece and you're separating it into two, and we
25 want to tie all of the pieces together.

1 So access easements across the two
2 properties, utility easements across the two
3 properties, show them.

4 Your encroachments and whatever you
5 have that encroaches onto the streets, either get
6 approval or show us you have approval.

7 I think we need floor plans for the
8 structures.

9 I mean, I have enough -- a bunch of
10 other items in here, which are not a lot, but --

11 CHAIRMAN HOLTZMAN: Dave's review
12 letter lists the variances, correct, Dave?

13 MR. ROBERTS: Yes, and they are based
14 on the Castle Point subdistrict.

15 MR. HIPOLIT: And I think the other
16 item that the Board may want to address is: We are
17 going to create a subdivision line that has a jog in
18 it. So it goes down, jogs a foot, let's say, and it
19 goes down a little further and jogs back a foot.
20 That is kind of odd for Hoboken. You may want to
21 make it straight and have an easement across between
22 the two to allow that jog, because hypothetically,
23 they could subdivide it, not that they would, five
24 years from now and knock all of the buildings down,
25 and they have this odd line now.

1 So I think you have to have some
2 language that says if the buildings are knocked
3 down, the line has to be straightened, or there's an
4 easement allowing a jog in the line until the
5 buildings are knocked down. I think -- I mean, I
6 can't remember when we had a line jog like that --

7 MR. GALVIN: We did a very weird jog
8 line in Point Pleasant Beach for an architect,
9 almost like our Minervini in Point Pleasant Beach,
10 Mr. Amachinko (phonetic), and he had an awesome
11 reason for it because it was a historic building,
12 and if we didn't do this jog, it would have ruined
13 the element of the architectural project, but --

14 CHAIRMAN HOLTZMAN: So what is the
15 awesome reason here?

16 MR. GALVIN: I don't know. I haven't
17 heard it yet.

18 (Laughter)

19 MR. CAULFIELD: If I may, that jog was
20 the existing on the 901 masonry building, and we
21 just followed that. That was there. That is how
22 that came about.

23 CHAIRMAN HOLTZMAN: Okay.

24 Mr. Peene?

25 COMMISSIONER PEENE: And there was

1 testimony in the Zoning Board's resolution as to the
2 historical significance of the area and the
3 buildings.

4 CHAIRMAN HOLTZMAN: Great. Let's make
5 sure we make it part of the testimony in the case.

6 MR. HIPOLIT: Yeah. You can just cover
7 it in your testimony.

8 CHAIRMAN HOLTZMAN: Mr. Magaletta --

9 MR. GALVIN: And I think we should
10 record the map --

11 MR. HIPOLIT: -- there's already a
12 laundry list, so you might want -- I don't know if
13 you want to add to it, but feel free.

14 VICE CHAIR MAGALETTA: I think
15 basically, I mean, Andy has to cover what you need
16 to do.

17 You know, basically, I agree. The idea
18 is that you are there now, and that's great, and you
19 know the history, and everybody else here knows the
20 history. But if 901 sells and 903 sells
21 individually, they have to make sure that going
22 forward, it is all covered and it's set.

23 I know you said you wanted a waiver on
24 the stormwater plan. I think we need to have all of
25 that stuff. We need that also --

1 MR. CAULFIELD: The --

2 VICE CHAIR MAGALETTA: -- the
3 stormwater plan.

4 MR. MATULE: I don't know if one
5 exists.

6 MR. CAULFIELD: It doesn't.

7 This was just an expanded -- when we
8 got the Board of Adjustment approval, we were really
9 just expanding the current footprint --

10 VICE CHAIR MAGALETTA: So did they
11 use -- so did 903 use the same line as 901 to go
12 into the stormwater system?

13 MR. CAULFIELD: The sanitary and the
14 storm combine in the sidewalk in front of the
15 properties, so there is one connection into the
16 sewer along Hudson Street.

17 VICE CHAIR MAGALETTA: Okay.

18 MR. GALVIN: But do they share the
19 pipes? Do both buildings share the pipes?

20 VICE CHAIR MAGALETTA: That's what I'm
21 trying to find out.

22 MR. CAULFIELD: In the sidewalk, they
23 connect. Outside of the property line, they connect
24 on the lateral, not inside of the property.

25 VICE CHAIR MAGALETTA: Is it possible,

1 I mean it was done. I am sure there was a drawing
2 when it was done.

3 Can you give us a drawing?

4 MR. CAULFIELD: Sure. We had a utility
5 plan when we, you know, got our permits and received
6 our CO and went through our inspections, went
7 through the building department.

8 VICE CHAIR MAGALETTA: Okay.

9 CHAIRMAN HOLTZMAN: Anything else?

10 MR. ROBERTS: Mr. Chairman, I am just
11 thinking that this is a pretty unusual zone. This
12 Castle Point set a standard because unlike many of
13 our other R-1 zones, this restricts the use as to
14 one-family and two-family homes, so effectively the
15 subdivision is creating two conforming uses out of a
16 nonconforming use --

17 CHAIRMAN HOLTZMAN: Two what?

18 MR. ROBERTS: -- two conforming uses
19 out of a nonconforming use, so in that respect it is
20 something that we should encourage.

21 There are some nuances with the --
22 there is a difference in width of a lot for a
23 two-family of 30 feet, and a one-family at, I
24 believe it's 20 feet.

25 What I am thinking I should do in my

1 letter to the Board is just spell out all of the
2 Castle Point standards in a table --

3 CHAIRMAN HOLTZMAN: Okay.

4 MR. ROBERTS: -- because the Board is
5 not used to seeing them, and I think it might
6 actually help the application --

7 CHAIRMAN HOLTZMAN: Great.

8 MR. ROBERTS: -- in trying to judge it.

9 There is the -- the variance that we
10 called out, even though there is enough frontage of
11 55 feet to be able to create a 30 foot and a 20 foot
12 lot, that is not the way the units lay out, and I
13 guess that is not the way the walls lay out.

14 So they actually have a two-family on a
15 25 foot lot, right, and a one-family on the 30 foot
16 lot, so they are flipped around, and that is why
17 there is a variance called out for the two-family.

18 MR. HIPOLIT: No. This is a
19 technicality, but we have this jog in this line, so
20 that does change the width of your lot.

21 MR. MATULE: Well, it does except
22 that --

23 MR. HIPOLIT: Is it on the 30 foot lot?

24 MR. MATULE: -- the one-family house
25 is only required to be on a 20 foot wide lot in the

1 zone --

2 MR. HIPOLIT: And that's not on one --

3 MR. MATULE: -- and it is on the
4 nominal 30 foot wide lot.

5 MR. HIPOLIT: Okay.

6 MR. MATULE: The two-family is required
7 to be on the 30 foot wide lot, and that is on the
8 nominal 25 foot wide lot, so we are five feet width
9 short for the two-family house, and we are ten feet
10 over for the one-family house.

11 MR. HIPOLIT: Okay.

12 MR. MATULE: I mean, you know, so --
13 but I guess using the Burberich standards or whether
14 it can accommodate it, it is kind of there.
15 Although I think that when the Zoning Board -- one
16 of the variances the Zoning Board granted was for
17 the expansion of the nonconforming structure, at the
18 end of the day, I think this would make it more
19 conforming.

20 CHAIRMAN HOLTZMAN: Was there also a
21 Historic Preservation review on this one?

22 MR. CAULFIELD: They had approved what
23 is existing.

24 CHAIRMAN HOLTZMAN: Great.

25 Can you make sure that we have got a

1 copy of that in the file as well?

2 MR. MATULE: Sure.

3 MR. CAULFIELD: If I may, one more back
4 story. You know, right now it is four condos, and
5 basically inside of the property of 901 are more or
6 less two three-story condos with two condos in that
7 903 envelope. That was the original intent of the
8 approvals.

9 Since then, by moving into 903, not
10 needing to have that basement or that two-family
11 making it a one-family structure, willing to concede
12 that density to make that a one-family, bringing
13 from four down to three, and really just selling the
14 two condos at 901, so that they are a condo
15 association amongst themselves. Each had 50 percent
16 ownership of that structure, and they are their own
17 property, their own condo association, and they'll
18 own two condos.

19 Where as now, if I don't get the
20 subdivision, it will just be a four-unit condo. I
21 just really was trying to make it cleaner for the
22 corner property and just kind of cleaner for
23 everybody on a going forward basis. That is the
24 underlying reason for the subdivision and not
25 needing that fourth --

1 MR. GALVIN: Are there condo ownerships
2 here?

3 MR. CAULFIELD: They're not sold yet.

4 MR. GALVIN: They're not sold yet.

5 MR. CAULFIELD: Road owns the entire --

6 MR. GALVIN: You can go there, but you
7 didn't go there yet?

8 MR. CAULFIELD: Yes.

9 VICE CHAIR MAGALETTA: They are
10 currently condo now, right?

11 MR. MATULE: No.

12 MR. CAULFIELD: No.

13 VICE CHAIR MAGALETTA: Okay, fine.

14 MR. GALVIN: Because if not, we would
15 need authorization.

16 MR. MATULE: That was the underlying
17 original plan --

18 VICE CHAIR MAGALETTA: That's what I'm
19 trying --

20 MR. CAULFIELD: I have not transferred
21 title for them --

22 VICE CHAIR MAGALETTA: -- that's what
23 I'm trying to find out --

24 MR. CAULFIELD: -- I have them under
25 contract and was hoping to get this done, so we will

1 see about that.

2 VICE CHAIR MAGALETTA: Gotcha.

3 CHAIRMAN HOLTZMAN: Caleb?

4 COMMISSIONER MC KENZIE: Yes.

5 Just if each building has a sewer pipe
6 that is joined at the sidewalk, is there one bill or
7 two bills?

8 MR. CAULFIELD: Well, for sewer you get
9 it off your water bill, and so each structure has
10 its own water meter. 903 has its own water meter
11 along with its own gas meter.

12 901, that condo association, has one
13 meter, just like you have in a normal condo
14 building, and it has a sub meter servicing the other
15 unit. So they base their sewer bill off of your
16 water consumption, so having the one connection at
17 the lateral inside the sidewalk doesn't impact any
18 of the billing statements.

19 CHAIRMAN HOLTZMAN: You pay for inflow,
20 not out.

21 COMMISSIONER MC KENZIE: Sometimes.

22 MR. CAULFIELD: And the reason for
23 keeping the one connection is that on that part of
24 Hudson Street, it's very deep, and there was no
25 reason to open up the street. It had plenty of

1 capacity to receive it because it had the same
2 stormwater prior to what we constructed at 903.

3 CHAIRMAN HOLTZMAN: Okay. So it sounds
4 like you have a pretty good list of things there to
5 get up to speed on.

6 We'll see you next month.

7 MR. MATULE: When is that, February,
8 did you say the 12th, Pat, the work session?

9 MS. CARCONE: The work session is on
10 the 10th.

11 MR. MATULE: February 10th?

12 MS. CARCONE: February 10th, yes.

13 MR. MATULE: Okay. We will get these
14 plans cleaned up and be back on the 10th.

15 CHAIRMAN HOLTZMAN: Great.

16 Thank you, gentleman.

17 MR. CAULFIELD: Thank you.

18 MR. MATULE: Since I did not mark
19 those, can I take those back, and we'll mark them
20 during the hearing or do you want to keep them?

21 MR. GALVIN: Yeah. No. Take them
22 back.

23 (Unmarked exhibits returned to counsel)

24 CHAIRMAN HOLTZMAN: If you had some
25 good visuals for the hearing, that would be helpful

1 for everybody, not just front shots, but side shots
2 on 9th, or if there are some rear shots, just so we
3 can --

4 VICE CHAIR MAGALETTA: Follow Frank's
5 drone --

6 CHAIRMAN HOLTZMAN: -- so you can
7 explain the whole story.

8 MR. MATULE: We can rent the drone.

9 (Laughter)

10 MR. CAULFIELD: I just want to try to
11 get far enough away.

12 CHAIRMAN HOLTZMAN: Yes.

13 MR. CAULFIELD: Thank you.

14 CHAIRMAN HOLTZMAN: Thank you.

15 Motion to close the meeting?

16 VICE CHAIR MAGALETTA: Close, motion.

17 COMMISSIONER MC KENZIE: Second.

18 CHAIRMAN HOLTZMAN: Aye?

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

21 CHAIRMAN HOLTZMAN: Thank you.

22 (The meeting concluded at 8 p.m.)

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C E R T I F I C A T E

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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

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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: January 14, 2016
This transcript was prepared in accordance with
NJAC 13:43-5.9.