

HOBOKEN ZONING BOARD OF ADJUSTMENT
CITY OF HOBOKEN

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SPECIAL MEETING OF THE HOBOKEN : February 24, 2015
ZONING BOARD OF ADJUSTMENT : 7:10 pm
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Held At: Multi Service Center
124 Grand Street
Hoboken, New Jersey

B E F O R E:

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

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

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

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1 CHAIRMAN AIBEL: Good evening,
2 everyone.

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

11 For anybody who is in doubt, we are at
12 a Special Meeting of the Hoboken Zoning Board of
13 Adjustment, Tuesday, February 24th.

14 I would like everybody to join me in
15 saluting the flag.

16 (Pledge of Allegiance recited)

17 CHAIRMAN AIBEL: Thank you, everybody,
18 for coming.

19 We have a full agenda tonight, but let
20 me sort of lay out a few administrative matters that
21 we will take care of first after we do the roll
22 call.

23 Thank you, Pat.

24 MS. CARCONE: Commissioner Aibel?

25 CHAIRMAN AIBEL: Here.

1 MS. CARCONE: Commissioner Greene,
2 absent.

3 CHAIRMAN AIBEL: Yes.

4 MS. CARCONE: Commissioner Cohen?
5 COMMISSIONER COHEN: Here.

6 MS. CARCONE: Commissioner DeFusco?
7 COMMISSIONER DE FUSCO: Here.

8 MS. CARCONE: Commissioner Grana?
9 COMMISSIONER GRANA: Here.

10 MS. CARCONE: Commissioner Marsh is
11 absent.

12 Commissioner Murphy?
13 COMMISSIONER MURPHY: Here.

14 MS. CARCONE: Commissioner Branciforte?
15 COMMISSIONER BRANCIFORTE: Here.

16 MS. CARCONE: Commissioner Fisher?
17 COMMISSIONER FISHER: Here.

18 MS. CARCONE: Commissioner McAuff is
19 absent.

20 And Commissioner DeGrim?
21 COMMISSIONER DE GRIM: Here.

22 CHAIRMAN AIBEL: Great. Thank you,
23 We will start with some waivers. Jeff?
24 MR. GALVIN: Nice and loud, Jeff.
25 MR. MARSDEN: No problem.

1 We have two waivers. The first one is
2 going to be 901 Bloomfield, minor site plan, C and D
3 variances. They're requesting waivers for a
4 stormwater management plan, for the stormwater
5 management drainage map, and for the final
6 stormwater management plan.

7 These are waivers that we regularly
8 approve because they have to submit the documents,
9 but they don't have to submit them to be deemed
10 complete, so I recommend approval and making this
11 application complete.

12 CHAIRMAN AIBEL: Thanks.

13 Do the second one.

14 MR. MARSDEN: The second one is 166
15 6th. It just has C variances, and they are
16 requesting elevation, a variance not to submit the
17 elevation view along the whole block.

18 I recommend denial of that waiver
19 because our planner and I talked, and she feels that
20 they need to submit that for this application.

21 And the stormwater management plan,
22 that waiver I would accept, but because we are not
23 going to approve the elevation view, I recommend
24 that we deny this application for completeness.

25 CHAIRMAN AIBEL: Thank you.

1 I would like to hear a motion or
2 questions.

3 COMMISSIONER COHEN: Motion to adopt
4 the granting of the waiver and the denial of the
5 waiver pursuant to the recommendations of the
6 engineer.

7 CHAIRMAN AIBEL: Can I have a second?

8 COMMISSIONER GRANA: Second the motion.

9 CHAIRMAN AIBEL: All in favor?

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

12 CHAIRMAN AIBEL: Great. Thank you.

13 Now we have a memorialization of the
14 resolution for 720 Clinton Street.

15 MR. GALVIN: Those voting on the motion
16 are Mr. DeFusco, Mr. Grana, Ms. Murphy, Mr. Cohen
17 and Chairman Aibel.

18 Do I have a motion?

19 COMMISSIONER COHEN: Motion to approve.

20 MR. GALVIN: Is there a second?

21 COMMISSIONER DE FUSCO: I'll second it.

22 MR. GALVIN: Thank you.

23 Mr. DeFusco?

24 COMMISSIONER DE FUSCO: Yes.

25 MR. GALVIN: Mr. Grana?

1 COMMISSIONER GRANA: Yes.

2 MR. GALVIN: Ms. Murphy?

3 COMMISSIONER MURPHY: Yes.

4 MR. GALVIN: Mr. Cohen?

5 COMMISSIONER COHEN: Yes.

6 MR. GALVIN: And Chairman Aibel?

7 CHAIRMAN AIBEL: Yes.

8 Okay. We have three matters listed on

9 our agenda. The first is 409 Jefferson Street.

10 That matter is going to be carried without further

11 public notice to March 24th, 2015. So if anybody is

12 here for the 409 Jefferson Street application, we

13 will be hearing it on March 24th.

14 MR. GALVIN: We got an extension from

15 Mr. Matule in the letter acknowledging that we would

16 be carrying the matter, so we need a motion and a

17 second to carry that matter to the 24th.

18 COMMISSIONER GRANA: Motion --

19 COMMISSIONER COHEN: Motion.

20 COMMISSIONER GRANA: -- motion to carry

21 it to the 24th without further public notice.

22 COMMISSIONER COHEN: Second.

23 MR. GALVIN: Second by Mr. Cohen.

24 All in favor?

25 (All Board members answered in the

1 affirmative.)

2 MR. GALVIN: Anyone opposed?

3 That matter is off the agenda.

4 (Continue on next page.)

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HOBOKEN ZONING BOARD OF ADJUSTMENT
CITY OF HOBOKEN

- - - - - X
 RE: 263 7th Street : SPECIAL MEETING
 APPLICANT: Richard Alashaian : February 24, 2015
 Preliminary & Site Plan Application :Tuesday 7:20 p.m.
 C & D Variances :
 - - - - - X

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I N D E X

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3 WITNESS

PAGE

4

5 JOHN NASTASI

15

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7 JILL HARTMANN

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E X H I B I T S

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11 EXHIBIT NO.

DESCRIPTION

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FEMA Elevation Diagram

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Block Diagram

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Facade Depiction

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Rear Yard Depiction

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17 A-5

Diagram

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18 A-6

Diagram

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1 CHAIRMAN AIBEL: Good.

2 So let me start off this way. I am
3 glad everybody is here. I am going to guess that we
4 have a large number of people interested in the
5 Stevens application, but we are going to hear the
6 263 7th Street application first.

7 I think the benefit will be that we
8 will try to be as expeditious, as I know Mr. Burke
9 will certainly be as expeditious as possible, but it
10 will give everybody a chance to see how we in effect
11 conduct our hearings and --

12 THE AUDIENCE: Can you speak louder,
13 so we can hear you?

14 CHAIRMAN AIBEL: I will speak the very
15 loudest I can, but the acoustics are not very good,
16 and we are going to have some problems, so listen in
17 on every word. It is all important.

18 What you will get is a chance to see
19 how we conduct the hearings. We first have the
20 witnesses that are presented by the applicant. The
21 Board then questions. The public then gets a chance
22 to question the witness. That is not the time for
23 comment. Comment time is at the end of the
24 application, so in effect we will do a dry run here
25 on 263 7th Street.

1 Mr. Burke?

2 MR. BURKE: Thank you, Chairman.

3 Thank you, Board.

4 I understand you have a large matter in
5 back of us, so we will try to be as brief as
6 possible and yet thorough.

7 We have two witnesses tonight. John
8 Nastasi is our architect, and Jill Hartmann is our
9 planer.

10 The site in question presently contains
11 a two-family residence and a basement apartment.
12 The building is in very bad shape. Mr. Nastasi will
13 speak to that.

14 The proposal here is to replace the
15 building with a one-family dwelling. The property
16 is in a flood zone. There are seven variances
17 requested. However, three of the variances are
18 simply because the lot is an undersized lot. Mr.
19 Nastasi will speak to that as will the planner.

20 The balance of the four variances are
21 comprised of three Cs and one D. The D is not for
22 height. It's simply because of the number of floors
23 for the dwelling, and again, John will speak to that
24 because it is in a flood zone.

25 The other factor that I ask you to keep

1 in mind is that adjacent to this property is a dry
2 cleaners, and it is an active dry cleaner. It's not
3 a drop-off, so there is an exhaust fan, and one of
4 the features that John had to address was how to
5 minimize that negative impact.

6 So with that being said, I will
7 introduce Mr. Nastasi.

8 MR. GALVIN: Please raise your right
9 hand.

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

13 MR. NASTASI: I do.

14 J O H N N A S T A S I, having been duly sworn,
15 testified as follows:

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

18 THE WITNESS: John Nastasi,
19 N-a-s-t-a-s-i.

20 MR. GALVIN: Mr. Chairman, do we accept
21 Mr. Nastasi's credentials as an architect?

22 CHAIRMAN AIBEL: We do.

23 MR. GALVIN: You may proceed.

24 MR. BURKE: All right.

25 Mr. Nastasi, the plans that you have in

1 front of you are dated 2/14/14 -- 15 -- no, I'm
2 sorry -- yes, 2/12/15, and that is what the Board
3 members should have.

4 So please proceed to describe the
5 property and the features that we spoke of regarding
6 flood and the issue of the building adjacent.

7 THE WITNESS: Okay.

8 The property at 263 7th Street is at
9 the end of a row of brick row houses. We are at the
10 western edge of the row. There is an empty alleyway
11 to our west.

12 My client, Richard Alashaian, who is
13 sitting here, he approached my office and he asked
14 me if I would propose a new building that meets all
15 of the FEMA requirements, but also corrects a
16 structural problem.

17 Because it is at the end of the row of
18 houses, and it's unsupported on the west, it is
19 literally tipping out of plumb about 14 inches, and
20 I suspect that that western masonry wall is
21 continuing to move, so it time to have this building
22 seriously addressed and rebuilt and structurally
23 stabilized.

24 In doing that, we, of course, have to
25 comply with all new codes post Sandy and FEMA, and

1 what I have here is a very simple diagram of the
2 elevations along 7th Street, and that blue line,
3 that pinstripe is the FEMA line.

4 So everything in Hoboken post Sandy has
5 to be built -- the first habitable floor has to be
6 built above that blue line.

7 And if you look at the entire street,
8 everybody's living room is in the flood zone. So
9 anything that gets renovated substantially has to be
10 brought above that. Anything below that has to be
11 evacuated. So Richard Alashaian has a two-family
12 house and an existing basement apartment and then a
13 duplex here.

14 This entire house when it gets rebuilt
15 has to be built above the blue and below the
16 allowable height, so that little dotted plain up
17 there is the allowable height, which is 40 feet
18 above the base flood.

19 So this is my build box for this house.
20 So essentially what we are doing is taking this
21 down, rebuilding it up here and having a fully empty
22 basement, which is what everything is moving towards
23 in Hoboken to comply with FEMA. So nobody is
24 allowed to have any sort of mechanicals, any
25 dwellings, any family rooms, any playrooms below

1 that blue line.

2 CHAIRMAN AIBEL: Is the building going
3 to be demoed?

4 THE WITNESS: Substantially demoed,
5 yes. It is leaning to the west.

6 CHAIRMAN AIBEL: So the entire -- the
7 walls are going to be taken down?

8 THE WITNESS: They have to, and then
9 the floors have to be all realigned. So when you
10 start to have to be moving floors vertically, the
11 west wall is falling apart, the only thing we would
12 potentially keep would be that east wall, and that
13 is a party wall, and that may stay. But for all
14 intents and purposes, this thing is being
15 substantially rebuilt.

16 MR. BURKE: We will mark this as A-1.
17 We will call this the FEMA --

18 THE WITNESS: Elevation diagram.

19 MR. BURKE: -- elevation diagram.

20 (Exhibit A-1 marked.)

21 THE WITNESS: So the second thing to
22 understand the impact of the house on the
23 neighborhood is to look at what we refer to in
24 Hoboken as the donut. And this is the backyard
25 looking south, so here is my client's house

1 existing.

2 This is the backyard of the entire
3 block. You can see that these three houses to our
4 east come to a certain point, and our house is right
5 here. Our proposal simply aligns with the three
6 houses to our east, so by rebuilding this house to
7 today's codes, it has essentially zero impact on the
8 donut and the light and air of this backyard.

9 So we are filling in this spot right
10 here. That is where we are. That low structure is
11 the existing dry cleaners with its vents pumping
12 into the yard.

13 Is that clear?

14 MR. BURKE: Let's mark that A-2.

15 What do you want to call it?

16 THE WITNESS: I would just call it a
17 block diagram.

18 MR. BURKE: Block diagram.

19 (Exhibit A-2 marked)

20 THE WITNESS: So what we are proposing
21 is, and this gets a little bit complicated when we
22 start to follow codes, we are proposing a
23 three-story building within the allowable height of
24 the Hoboken zoning ordinance. However, the Hoboken
25 zoning ordinance counts below the blue line as a

1 story, although FEMA doesn't acknowledge it as a
2 story. So on the books in zoning it is a four-story
3 building, but essentially it is a three-story
4 building with a dormant basement below FEMA.

5 Then one of the variances that we are
6 going for are stories, but the only reason why we
7 are going for that is because we have to count the
8 evacuated floor.

9 What you are looking at --

10 MR. GALVIN: I just want to clarify one
11 thing.

12 That space can be used for storage.

13 THE WITNESS: It can be used for
14 storage, if you specifically request it.

15 MR. GALVIN: Okay.

16 THE WITNESS: This next diagram that I
17 have here is two versions of the front facade. This
18 is the version that complies minimally with the
19 facade ordinance in that it has 25 percent
20 fenestration. It is the minimal amount of
21 fenestration allowed on a facade in the Hoboken
22 facade ordinance.

23 However, because we now have this
24 abundance of masonry that is blank, we have a skewed
25 calculation, and I would suggest that by going from

1 25 percent fenestration to 30 percent fenestration,
2 you get a brick row house that is more in line with
3 the size and scale of Hoboken punch masonry
4 openings.

5 So this would be the facade. This
6 slight adjustment would be the facade that I would
7 propose. It is 30 percent fenestration because we
8 have to count all of that masonry.

9 MR. BURKE: So that would be A-3, and
10 that's a facade depiction?

11 THE WITNESS: Yes.

12 (Exhibit A-3 marked.)

13 CHAIRMAN AIBEL: If anybody in the
14 public is here for this application, feel free to
15 come up and look at the diagrams.

16 THE WITNESS: I will then move to the
17 rear of the property.

18 So what we have here is an aerial view
19 of the existing backyard condition of my client's
20 property. This is the dry cleaners, and those are
21 the existing vents venting the dry cleaners into the
22 backyard space.

23 You can see the three neighbors to the
24 east. The three neighbors come about eight and a
25 half feet from their property line. What we are

1 proposing is to align the back of the property with
2 the neighbor's house, and then align the top of the
3 primary structure within the 40-foot allowable
4 height, so this is the proposed build-out looking
5 from the rear towards the front of the house.

6 MR. BURKE: So that will be A-4, rear
7 yard depiction.

8 THE WITNESS: Yes.

9 (Exhibit A-4 marked.)

10 THE WITNESS: Then for further
11 clarification at eye level in the rear yard, you can
12 see the four contiguous houses on 7th Street, and
13 you can see how the revised or the reconstructed 263
14 7th Street house now aligns with the back of these
15 four houses.

16 This height is aligned. It's a
17 one-story rear addition, and then two stories above.
18 The upper part of the house is at 60 percent lot
19 coverage. The lower part of the structure is
20 greater than 60. There's a variance request, but it
21 is to align with the four houses.

22 MR. BURKE: So that will be A-5 that we
23 are up to.

24 THE WITNESS: Yes.

25 (Exhibit A-5 marked.)

1 THE WITNESS: Then lastly, in order to
2 rebuild this house, we will look at the proposed new
3 layout, and after complying with all of the
4 requirements, what we essentially have is called a
5 dormant basement, which is showing storage, no
6 mechanicals, no services, no bathrooms, no powder
7 rooms, no laundry, just storage.

8 Then we have a three-story house,
9 living, dining and kitchen on one, a group of
10 bedrooms on two with a bathroom, and then very
11 simply on the third floor is a bedroom and a study
12 with a bathroom, so it is a very typical Hoboken row
13 house when we are done.

14 MR. BURKE: What is the approximate
15 living space, John?

16 THE WITNESS: 1800 square feet of
17 living space.

18 MR. BURKE: Any questions?

19 CHAIRMAN AIBEL: Board members?

20 COMMISSIONER COHEN: Yes.

21 Mr. Nastasi, with respect to the
22 bump-out on the first floor, I understand that the
23 way you are building it in the backyard to align
24 with the other adjacent properties, is it currently
25 at that line, or are you building it further back in

1 this renovation than it is, than it currently
2 exists?

3 I am just wondering how it compares to
4 the backyard.

5 THE WITNESS: I think this diagram
6 explains that.

7 This is the current. It is the only
8 house on that street that is not at that line. What
9 we are proposing is to come out at that line for the
10 first story only, and then that would be adjacent to
11 the back of the dry cleaners, and we feel that there
12 is a negative impact on the neighborhood because we
13 are really up against a blank wall of a dry cleaners
14 and two vents.

15 COMMISSIONER COHEN: Okay.

16 And then to talk about the back of the
17 dry cleaners, there are no windows on the back of
18 the dry cleaners?

19 THE WITNESS: There are windows, but it
20 doesn't look like they have been opened for decades.
21 They are taped closed. I don't think the back of
22 the property has been really activated by the dry
23 cleaners, and we can submit this as --

24 MR. GALVIN: We are going to. We're
25 going to make that A-6.

1 MR. BURKE: A-6.

2 (Exhibit A-6 marked.)

3 MR. GALVIN: Anybody else from the
4 Board have questions?

5 COMMISSIONER GRANA: I have a question.

6 Mr. Nastasi, so is this lot a hundred
7 feet in depth? Is that a hundred foot in depth, do
8 you know?

9 THE WITNESS: No. It is not 100 feet
10 in depth.

11 COMMISSIONER GRANA: Do you know --

12 MR. GALVIN: Could you tell us the
13 depth?

14 COMMISSIONER GRANA: Could you tell us
15 the depth from front to back?

16 THE WITNESS: 59.48 feet.

17 COMMISSIONER GRANA: And that is from
18 the street to the rear of the lot?

19 THE WITNESS: Yes.

20 COMMISSIONER GRANA: 59 --

21 CHAIRMAN AIBEL: It's an existing
22 nonconforming lot.

23 COMMISSIONER GRANA: So this is in fact
24 a nonconforming lot.

25 THE WITNESS: And that is one of the

1 variances, which is an existing nonconformity.

2 COMMISSIONER GRANA: Okay.

3 So the principal structure and the
4 secondary structure from the street to the rear of
5 the lot will be something less than 59 feet?

6 THE WITNESS: Yes, correct.

7 We are looking for, on the ground floor
8 79 percent lot coverage, and then on the upper floor
9 is 60 percent, which is what is required in Hoboken.

10 COMMISSIONER GRANA: All at under 59
11 feet in depth?

12 THE WITNESS: Yes.

13 COMMISSIONER GRANA: Thank you.

14 COMMISSIONER DE FUSCO: Mr. Chair?

15 Mr. Nastasi, so how much room is there
16 between 631 Willow, the dry cleaner, and the
17 proposed extension on your building?

18 THE WITNESS: There is an existing
19 space that measures approximately -- it looks like
20 about 12 feet.

21 COMMISSIONER DE FUSCO: So there will
22 be 12 feet between the rear wall of the dry cleaners
23 and the proposed extension?

24 THE WITNESS: That is from the building
25 on the corner to our property, but the dry cleaner

1 juts into the back yard, so from the dry cleaners to
2 our property it looks like it is only about five or
3 six feet.

4 COMMISSIONER DE FUSCO: And that is the
5 five and six feet where you said that there are
6 windows that have been taped up, which appeared to
7 be during hurricane Sandy?

8 THE WITNESS: That's exactly what this
9 space is.

10 COMMISSIONER DE FUSCO: Your
11 architectural reasoning why that space in that back
12 that's triggering the variance for lot coverage is
13 better inhabitable as opposed to green space would
14 be?

15 THE WITNESS: Yes. I think there's two
16 reasons. The first is to align the back of the
17 properties.

18 The second, because it is a relatively
19 dormant facade of the dry cleaners with the vents,
20 that I thought it would be better served as interior
21 space as opposed to outdoor space up against the
22 vents of the dry cleaners.

23 COMMISSIONER DE FUSCO: Also, it may
24 make an intimate outdoor space, but that is another
25 way of looking at it --

1 (Laughter)

2 -- thanks.

3 COMMISSIONER BRANCIFORTE: The deck,
4 your rear deck, I am a little bit worried about
5 privacy issues, especially for the people to the
6 west.

7 That is the east, right?

8 THE WITNESS: That is the west.

9 COMMISSIONER BRANCIFORTE: That's west,
10 okay, so to the east then.

11 Yeah, the three windows there.

12 The deck really kind of looks right
13 into those three windows, and, yeah, I am a little
14 concerned about that.

15 That's really the only question that I
16 have.

17 THE WITNESS: What I would propose is a
18 privacy screen and the space that you are talking
19 about is here, it would be those windows of the
20 neighbor --

21 COMMISSIONER BRANCIFORTE: Right.

22 THE WITNESS: -- so I would propose in
23 doing this, and what we are showing here as a
24 privacy screen, so that there would not be any
25 visual connection between these people and those

1 people.

2 COMMISSIONER BRANCIFORTE: We have to
3 talk about what kind of material you are talking
4 about. I mean, is it going to be a wooden fence, or
5 is it going to be a frosted glass or --

6 THE WITNESS: No. I think in the past
7 when we have had this condition, you and I have had
8 these similar conversations, and it was a Brazilian
9 walnut or an Epay wood fence, that would be an
10 impervious wood that would not corrode.

11 COMMISSIONER BRANCIFORTE: Would it be
12 solid or would there still air passing through it?

13 THE WITNESS: There would be air
14 passing through.

15 COMMISSIONER BRANCIFORTE: All right.

16 COMMISSIONER FISHER: Can you just talk
17 about the windows that are being blocked on the red
18 building?

19 THE WITNESS: Well, I think the --

20 COMMISSIONER FISHER: How many floors
21 are -- what is going to change?

22 THE WITNESS: -- well, remember
23 adjacent to the red building, we are within the
24 allowable building height, because that plain right
25 there --

1 COMMISSIONER FISHER: Dennis, are you
2 going to jump in?

3 MR. GALVIN: Well, I will let him
4 finish first and then we'll figure it out.

5 THE WITNESS: -- so what we are
6 building, this is 60 percent depth, and it is within
7 the allowable building height, so anything that is
8 built here is as of right, so anything adjacent to
9 the neighbor --

10 COMMISSIONER FISHER: Want to jump in?

11 MR. GALVIN: Well, the explanation is
12 40 feet in height is the maximum height, so he is in
13 the height. He needs a D6 variance for number of
14 floors.

15 THE WITNESS: Because the lower level
16 counts as a story.

17 COMMISSIONER FISHER: Right. But isn't
18 it a nonconforming site?

19 CHAIRMAN AIBEL: And you have a
20 nonconforming --

21 COMMISSIONER FISHER: So everything is
22 up for grabs.

23 MR. GALVIN: Oh, okay, as far as
24 anything being as is. Yes, I got you.

25 COMMISSIONER FISHER: Meaning like

1 everything you are asking for because it is a
2 nonconforming site --

3 THE WITNESS: That's why we're --

4 COMMISSIONER FISHER: -- everything is
5 up for grabs, so it's a -- when I say "up for grabs"
6 everything --

7 MR. GALVIN: Yes. What he meant to say
8 if this was a totally conforming site, he would be
9 within the requirement because he is staying below
10 45 feet in height, but I think you are right, too.
11 Yes, I got it.

12 COMMISSIONER FISHER: So with that in
13 mind, if you could just explain what the -- I don't
14 disagree with your points, John. It's this
15 complexity that is a nonconforming site that makes
16 the decision more complex, so could you just at
17 least talk about -- talk about like what the impact
18 is going to be on the red building from before and
19 after?

20 THE WITNESS: All right.

21 So this is that space we are talking
22 about. This is the rear of the red building. This
23 is the property line of my client.

24 COMMISSIONER FISHER: How wide is that
25 between the two? I'm sorry, if you don't mind.

1 THE WITNESS: It looks like it's
2 about -- guessing, it's about ten to 12 feet here.

3 And what I would suggest, if I go to
4 the front elevation, you could see what already
5 exists is a building up to here, and what we are
6 doing is we are adding another story in height in
7 the new proposal, but three of those stories already
8 exist, so we would be adding right here up until
9 underneath what would be the allowable height, so
10 that's this diagram right here.

11 MR. GALVIN: Mr. Nastasi, sometimes the
12 issue comes up with shading.

13 Does the sun -- which way is the sun
14 moving here?

15 THE WITNESS: The sun rises over here,
16 and it swings behind south, and then it sets over
17 here.

18 MR. GALVIN: So at some point there
19 will be direct sunlight into the gap between the two
20 buildings?

21 THE WITNESS: Yes. From midmorning
22 probably to noon when it is directly back in the
23 south, and then as soon as it gets to the afternoon,
24 the sun is on this side of Hoboken, and this is in
25 the shade.

1 COMMISSIONER FISHER: But it is really
2 that top floor on the red building --

3 THE WITNESS: Right. That's it.

4 COMMISSIONER FISHER: -- that currently
5 has a view and sun and light, et cetera, it just
6 goes away, and the sun and light goes down.

7 MR. GALVIN: The argument would be if
8 they had a hundred feet instead of 50 feet in
9 length --

10 COMMISSIONER FISHER: Yeah. This is
11 an --

12 MR. GALVIN: -- they'd be able to do
13 the same --

14 COMMISSIONER FISHER: -- well, without
15 the storage --

16 THE REPORTER: Wait. You can't talk at
17 the same time.

18 MR. GALVIN: Now, say it again.

19 COMMISSIONER FISHER: I said yes,
20 except you are asking for a story variance, but yes.

21 MR. GALVIN: Correct.

22 THE WITNESS: The other thing, too, is
23 that this building is not built at 60 percent, so it
24 really exceeds past 60 percent, so it is the one
25 that is only ten feet from our property line.

1 CHAIRMAN AIBEL: Those are windows on
2 7th Street on the building on the corner of Willow?

3 THE WITNESS: Yes. These are windows
4 on 7th Street.

5 COMMISSIONER BRANCIFORTE: How many
6 square feet is the existing building -- the existing
7 house, how many square feet, do you know?

8 THE WITNESS: I don't know that answer.

9 I think what is happening is that you
10 are taking these three floors, and you are lifting
11 them, and you are adding one room on the first
12 floor, so it is being increased -- it's easier to
13 answer it that way -- it's being increased by
14 approximately 12 by 12, so this is the --

15 COMMISSIONER BRANCIFORTE: 144 square
16 feet, that is it, 12 by 12, 144?

17 THE WITNESS: 144, yes.

18 MR. BURKE: You are losing the space in
19 the basement --

20 THE WITNESS: Right. We are displacing
21 these three to here, but then increasing the
22 footprint only on one floor by 144 square feet.

23 MR. GALVIN: Yes. He said that, Mr.
24 Burke.

25 MR. BURKE: Okay.

1 COMMISSIONER BRANCIFORTE: So that when
2 you said 1800 square feet before, you weren't
3 including the storage area below for the flood
4 plain --

5 MR. GALVIN: Because it is not livable
6 space.

7 COMMISSIONER FISHER: Yeah.

8 CHAIRMAN AIBEL: Board members,
9 anything else?

10 COMMISSIONER GRANA: No.

11 CHAIRMAN AIBEL: Professionals?

12 MR. MARSDEN: Yes.

13 If I may, Mr. Nastasi, are you in
14 possession of my December 15th review letter,
15 revised February 19th?

16 THE WITNESS: Yes, we are.

17 MR. MARSDEN: Do you have any other
18 issues of the items that haven't been addressed yet?

19 THE WITNESS: I do not.

20 MR. MARSDEN: So you will meet those
21 under the condition you are granted --

22 THE WITNESS: Yes, I will.

23 MR. MARSDEN: Thank you.

24 CHAIRMAN AIBEL: Ms. Banyra?

25 MS. BANYRA: My memo had asked if there

1 anything that you could do with the entrance way to
2 better align it. I understand the flood issue, and
3 I understand why you have to move the first floor.
4 But when you look at the existing pattern, and, yes
5 everybody's living room is under water, but is there
6 something that you can do at least in terms of
7 perception that the stairs and doors, you know,
8 somewhat marry up better, because it just looks
9 so -- I know that is the new reality, but is there
10 anything that can happen in terms of it enters the
11 building and then maybe it goes up, so that there is
12 a more uniform look at the street scape there, and
13 then maybe it climbs once in the building?

14 THE WITNESS: I don't think you
15 actually could do that.

16 Unfortunately, I think you said it
17 best. This is the new reality, right?

18 So this elevation directly conforms
19 with the requirements, and you can see how high this
20 first -- this new first floor has to be in Hoboken.
21 The entire street is in the flood zone.

22 Everybody's living room is in the flood
23 zone, so unfortunately, we have to get up to that
24 level.

25 MS. BANYRA: But could the -- you

1 still -- if somebody is entering the building, they
2 are still walking through water hypothetically --
3 let's say hypothetically, you're walking through
4 water. And you get into the front door, so you open
5 your front door and still underwater, and then you
6 step up into your living room behind the screen, so
7 to speak, so that the living room is out, but the
8 street scape is sort of preserved.

9 THE WITNESS: So to create like a
10 flooded lobby like in Venice, where the lobby floods
11 and then you go up?

12 (Laughter)

13 MS. BANYRA: With gondola service.

14 THE WITNESS: Yes. The gondola picks
15 you up, right.

16 So I mean, that is something that I
17 think --

18 MS. BANYRA: We don't know -- I'm
19 sorry.

20 THE WITNESS: -- I think I could take a
21 look at that, but to create this lower lobby --

22 MS. BANYRA: Just the street scape
23 seems so odd, you know, and I know we talked about
24 the flood, and it seems so odd, as they are going up
25 that we asked other architects could you consider

1 looking at entering -- piercing the wall -- we don't
2 care what happens behind the wall, go up, go down,
3 have a landing, be in water, not in water.

4 THE WITNESS: I think if I could comply
5 with FEMA codes --

6 MR. GALVIN: Wet proof the first couple
7 of steps.

8 THE WITNESS: Right. If I could comply
9 with FEMA and have a lobby that floods, I think we
10 would do that. So if you'd say wet flood proof,
11 like a vestibule --

12 MR. GALVIN: Yes. It's something where
13 it's tile or whatever, so the water recedes, and it
14 goes. It doesn't damage anything.

15 MR. GALVIN: Anybody else from the
16 Board have questions?

17 CHAIRMAN AIBEL: Yes. Let's go.

18 MR. GALVIN: I want to get to the
19 public.

20 CHAIRMAN AIBEL: Let's go.

21 Let me open it up to the public,
22 questions for Mr. Nastasi.

23 MR. GALVIN: Name and address.

24 MS. HEALEY: Leah Healey, 806 Park.

25 Hi, Mr. Nastasi.

1 I had a question about the lot
2 coverage. You had said zero impact on the donut
3 referring to the two homes I think they were next
4 to --

5 THE WITNESS: Three?

6 MS. HEALEY: -- three -- do you have
7 any idea how many other homes stick back that far on
8 that street?

9 THE WITNESS: Well, this street is only
10 the two corner lots, the four houses and a low
11 structure, and all -- the three houses all come to
12 that lot, and you have two corner lots and a small
13 garage. So by aligning with the three, then all of
14 the numbered street houses would be completely
15 aligned.

16 MS. HEALEY: So --

17 THE WITNESS: So that is a corner.

18 MS. HEALEY: -- what is here?

19 Is that a structure that is back
20 from -- like has more of a donut behind it?

21 What's this?

22 THE WITNESS: It is a garage right
23 here.

24 THE REPORTER: I'm sorry. Can you
25 speak up?

1 MS. HEALEY: So the back of that garage
2 goes back how far?

3 THE WITNESS: So that's --

4 MR. GALVIN: We can't hear you, and I
5 am sitting this close.

6 COMMISSIONER BRANCIFORTE: Yes.

7 Leah, you have to speak up.

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

9 The back of that garage that reaches
10 into the donut goes back how far, do you know?

11 THE WITNESS: I don't know. It looks
12 like a garage that is 20 by 20 feet. It looks like
13 a one-story typical garage --

14 MS. HEALEY: So there --

15 THE WITNESS: -- it's a nonresidential
16 building.

17 MS. HEALEY: -- there could potentially
18 be a building there built in the future that is not
19 a garage?

20 THE WITNESS: I don't know who owns
21 that, and I don't know if it is part of the corner
22 building.

23 COMMISSIONER FISHER: John, if you look
24 at the survey, and you look at the outline, actually
25 that space looks like it's the back of the buildings

1 on Park.

2 MS. HEALEY: Oh.

3 THE WITNESS: Also this garage is owned
4 by this corner building.

5 COMMISSIONER FISHER: So that space
6 that looks like it is owned by the building next to
7 it --

8 MR. BURKE: You might want to --

9 MS. HEALEY: The other question is:
10 Have you spoken to the owner of the dry cleaning
11 building?

12 THE WITNESS: I have not spoken to the
13 owner of the dry cleaning.

14 MS. HEALEY: So you don't know whether
15 they have any intention of ever using those
16 windows --

17 THE WITNESS: What I submitted --

18 MS. HEALEY: -- even though they are
19 boarded up now?

20 THE WITNESS: -- right -- what I
21 submitted is that there is evidence that these
22 windows are not active windows. They are taped
23 closed. They are shuttered, and the backyard hasn't
24 been touched, and the fence is falling apart.

25 MS. HEALEY: Okay. I have one other

1 question.

2 The front of the existing building, if
3 you show me your new design --

4 THE WITNESS: Existing and proposed.

5 MS. HEALEY: So the existing has a
6 different staircase, is that correct, and you have
7 to do a side staircase because of the height?

8 THE WITNESS: Right. That is what
9 Eileen Banyra was just asking me, that because we
10 have to get above this blue line and these other
11 houses arrive four feet below the blue line, Ms.
12 Banyra was asking me if we could revise this so you
13 can come in under the blue line and get inside of
14 the house, maybe that space floods, and then go up
15 into the house, so you have a lobby that is wet
16 flood proofed or floods.

17 MS. HEALEY: So is it that then that
18 you could potentially eliminate this portion?

19 MR. GALVIN: Yes.

20 MS. HEALEY: The side staircase?

21 MR. GALVIN: Yes. We were already
22 thinking that, and I have a condition to that
23 effect.

24 MS. HEALEY: Okay. Thank you.

25 That's all I have

1 MR. GALVIN: Good point.

2 CHAIRMAN AIBEL: Anybody else have
3 questions for the architect?

4 COMMISSIONER DE FUSCO: Motion to close
5 the public portion.

6 COMMISSIONER GRANA: Second.

7 CHAIRMAN AIBEL: All in favor?

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

10 MR. NASTASI: Thank you.

11 CHAIRMAN AIBEL: Mr. Burke?

12 MR. BURKE: The next witness is Jill
13 Hartmann. She is a planner. This is her first
14 appearance before this Board, so she can state her
15 qualifications.

16 MR. GALVIN: I just want her to tell me
17 three other Boards that she's appeared before
18 recently.

19 Raise your right hand.

20 Do you swear to tell the truth, the
21 whole truth, and nothing but the truth so help you
22 God?

23 MS. HARTMANN: Yes.

24 J I L L H A R T M A N N, having been duly sworn,
25 testified as follows:

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

3 THE WITNESS: Jill Hartmann. It's
4 H-a-r-t-m-a-n-n.

5 MR. GALVIN: Okay. And you're a
6 licensed planner of the State of New Jersey?

7 THE WITNESS: Yes, I am.

8 MR. GALVIN: And if you could offer us
9 three Boards that you recently appeared before.

10 THE WITNESS: I'm the planner in
11 Weehawken. Pequannock, Clifton, and I have been
12 before West New York.

13 MR. GALVIN: All right. That is more
14 than three.

15 Mr. Chairman, do we accept Ms.
16 Hartmann's credentials?

17 CHAIRMAN AIBEL: We do.

18 THE WITNESS: Thank you.

19 MR. BURKE: Thank you.

20 Ms. Hartmann, you have heard the
21 testimony of John Nastasi --

22 THE WITNESS: Yes.

23 MR. BURKE: -- and we're interested in
24 your report, which you prepared and submitted to the
25 Board, and in particular, if you could go through

1 the C variances and the one D variance and weigh the
2 positive against the negative criteria.

3 THE WITNESS: Sure.

4 Do you want me to go through the
5 development phase, or do you want me to just skip
6 on?

7 MR. BURKE: I think you can skip on.

8 THE WITNESS: You're good?

9 CHAIRMAN AIBEL: I think we understand
10 it.

11 THE WITNESS: I know you've had --

12 CHAIRMAN AIBEL: We understand it.

13 THE WITNESS: Okay.

14 You know, so the variances that are
15 required, you need six C variances and one D
16 variance, a D6 variance. Three of the C variances
17 are existing conditions. They are lot area, lot
18 width and lot depth.

19 The lot area is 1,100.38 square feet,
20 where 2000 square feet is required.

21 Lot width is 18.5 feet, where 20 feet
22 is required, and lot depth is 59.48 feet, where 100
23 feet is required.

24 The new variances that we are seeking
25 that are not existing conditions would be the front

1 yard setback, the rear yard setback, and the maximum
2 lot coverage.

3 So for our front yard setback, you are
4 required to have a minimum of five feet, and we have
5 1.25 feet.

6 For the rear yard setback, it's 30
7 percent or 30 feet, whichever is less, so it would
8 be 17.84 feet, and we have 8.6 feet -- I'm sorry --
9 eight feet six inches.

10 And then for the maximum lot coverage,
11 it is required to be 60 percent, and we have 79
12 percent.

13 The D variance is a D6 variance, and
14 that's for height. You are permitted to have three
15 stories and 40 feet above the base flood elevation.
16 We have four stories and 36 feet above the base
17 flood elevation.

18 So briefly just to -- I don't know, do
19 you want to know what we are proposing on each floor
20 or does that --

21 MR. GALVIN: No. We don't want that.
22 That is -- if Mr. Nastasi didn't do it, we don't
23 want to hear it from the planner.

24 (Laughter)

25 THE WITNESS: Okay.

1 COMMISSIONER FISHER: We've heard it.

2 THE WITNESS: So with a D6 height
3 variance, we are required to show that a higher
4 structure would not offend the purposes of the
5 height limitation in the zoning ordinance, and that
6 the site itself can accommodate the problems
7 associated with that deviation.

8 In addition, demonstrate that the
9 variance can be granted without substantial
10 detriment to the public good or the intent of the
11 zoning ordinance or the zone plan.

12 So it is my opinion that the proposed
13 fourth story doesn't offend the purposes of your
14 height limitations of the zoning ordinance.

15 The development of the site respects
16 the height limitation in feet. It requires an
17 additional story, as Mr. Nastasi has spoke to, I
18 think quite extensively to meet the base flood
19 elevations and still develop a single-family
20 residence consistent with the type of development
21 that is in the surrounding neighborhood.

22 And just so you understand, and I know
23 you know your neighborhoods, but as you see from the
24 existing conditions map, you have two, three, and
25 four-story residential buildings in that block from

1 Willow to Park on 7th Street.

2 The site can easily accommodate any
3 problems associated with the proposed four-story
4 building. In fact, what is happening with the
5 four-story building is it's meeting the FEMA and the
6 flood elevation requirements, which is a benefit to
7 the site.

8 The overall neighborhood, again, is a
9 mix of two, three, and four-story buildings with
10 varying heights that are equal to or greater than 40
11 feet.

12 And for those reasons, I believe that
13 it meets those -- that's the positive aspect of the
14 application.

15 In the end, I think that as far as the
16 negative, I don't think that there is any impact on
17 the public good. I don't think that by allowing you
18 to build a four-story building that is in within the
19 height limitations and is consistent with the varied
20 height and stories of the surrounding neighborhood,
21 that it will have any substantial impact, negative
22 impact, on the intent and purpose of the ordinance.

23 MR. GALVIN: Thank you.

24 CHAIRMAN AIBEL: Thank you.

25 Board members?

1 COMMISSIONER DE FUSCO: Mr. Chair, yes.

2 So the pattern of development in
3 Hoboken -- across Hoboken for the first building in
4 from the corner lot --

5 THE WITNESS: Right.

6 COMMISSIONER DE FUSCO: -- the corner
7 lot just like this one that has windows on the rear
8 of that building, is it your opinion that that lot,
9 that that -- I want to say this the right way
10 because it is a very important question -- that the
11 first lot in should be as deep as its neighboring
12 lots, or should it slowly taper in as you get closer
13 to the center of the block?

14 THE WITNESS: I apologize. I don't
15 quite understand what you mean as far --

16 COMMISSIONER DE FUSCO: Yes. It was a
17 very confusing question.

18 (Laughter)

19 As you start from the corner of a
20 block, do you think that the first lot in should be
21 as deep as say, for instance, a lot in the center of
22 the block or should --

23 THE WITNESS: You mean as far as a
24 hundred feet deep?

25 Are you talking about the depth or the

1 structure?

2 COMMISSIONER DE FUSCO: Just coverage.
3 Just like, you know, just from a planning
4 perspective, should the lot coverage be maximized on
5 the first lot in from the corner, or should
6 buildings taper in to allow the -- you know, that
7 corner to kind of ease into the green donut?

8 THE WITNESS: I think that I am
9 really -- I think I know what you mean, but I am not
10 quite sure. But what I will say is that I think
11 that every lot needs to be taken individually.

12 I think what you got in Hoboken and a
13 lot of urban communities is you have the larger
14 buildings, the mixed-use building, the four-story
15 mixed-apartment building or five-story, whatever
16 that is --

17 COMMISSIONER DE FUSCO: Sure.

18 THE WITNESS: -- on the corners of the
19 north-south roads, and then the east-west roads,
20 which are the interior have the smaller, two, three,
21 four-family homes in the two or three stories.

22 COMMISSIONER DE FUSCO: So my
23 question -- let me be more specific.

24 THE WITNESS: I'm sorry.

25 COMMISSIONER DE FUSCO: So if the

1 neighboring three buildings are at the larger lot
2 coverage, you are proposing that this building
3 should be at the same lot coverage?

4 THE WITNESS: Correct.

5 COMMISSIONER DE FUSCO: So I would say
6 that perhaps the building right to your south
7 wouldn't have as much impact on the neighboring
8 buildings as this one, even at the same lot
9 coverage.

10 THE WITNESS: Well, I would say that I
11 would respectfully disagree with that in that what
12 you wind up with is an impact on this lot by the
13 surrounding lot that affects its ability to be
14 enjoyed by the people that purchase it or live there
15 because they got development that reaches further
16 into the backyards, and yet they're -- I don't want
17 to say being penalized -- but they're being impacted
18 by having developments surrounding them when they
19 give that open space.

20 On the other -- and to add to that, I
21 think having that type of those structures around
22 there, I am not so sure from an open space
23 perspective that it's a good space for people to be
24 down in the donut hole and really down now, because
25 they've got -- on the front level, they've got, you

1 know, one and two stories above them all around
2 them.

3 So I think what this plan does is
4 respects and understands your need for 60 percent
5 lot coverage and respects the idea of open space,
6 and attempts to, and I think through design,
7 attempts to provide the open space for the building
8 itself and for the residents itself to have that
9 quiet enjoyment of their backyard and be part of
10 that donut.

11 COMMISSIONER DE FUSCO: So this
12 concavity, if you will, is a negative detriment to
13 the owners of this building because the light and
14 air that would result, if they build at the 60
15 percent lot coverage, would create a detriment to
16 their --

17 THE WITNESS: I believe so, yes.

18 COMMISSIONER DE FUSCO: Okay. Thank
19 you.

20 COMMISSIONER GRANA: I will add on to
21 Commissioner DeFusco's question.

22 This is not a hundred foot depth lot,
23 is it?

24 THE WITNESS: No, it is not. It is
25 basically a 50 percent of what is permitted. It is

1 slightly more narrow, and it is only has 59 feet in
2 depth. It is 18 and a half feet wide instead of 20,
3 and it's got 59 feet depth, where a hundred feet is
4 required, and it's only 1100 square feet.

5 COMMISSIONER GRANA: Okay. That's
6 right.

7 And the buildings directly next to it
8 appear to have similar lot coverage as that which
9 your applicant wishes to enjoy, correct?

10 THE WITNESS: Yes.

11 COMMISSIONER GRANA: Do you think that
12 the smaller lot size and the concavity that Mr.
13 DeFusco described in effect presents a hardship for
14 your applicant?

15 THE WITNESS: I tend not to like to use
16 hardship. I agree that I believe there is a C1
17 hardship related to the site because of the size,
18 but it is a very difficult variance to demonstrate,
19 and you know, I like to try to look at what is a
20 better use and from a zoning perspective a better
21 design for the neighborhood. I think that is a more
22 effective reasoning, but yes, I do believe that it
23 is a hardship on this lot, and in fact, if this lot
24 was a hundred feet deep, I don't think we would be
25 here with that question.

1 COMMISSIONER GRANA: Thank you.

2 CHAIRMAN AIBEL: Any other questions,
3 Board members?

4 COMMISSIONER BRANCIFORTE: Well, I am a
5 little concerned, and I will ask about the loss of
6 light and air to the building on the corner there to
7 the right.

8 If we didn't give you the variance for
9 the third story, you would still be able to build to
10 that height anyway, right?

11 COMMISSIONER FISHER: No. They have to
12 come here for a variance. It's a nonconforming lot.

13 THE WITNESS: We would be able to
14 build, but it would --

15 MR. NASTASI: You could build to that
16 height, but just not with the stories.

17 THE WITNESS: So, yes, I understand
18 what you mean.

19 MR. GALVIN: Listen --

20 COMMISSIONER FISHER: It's a
21 nonconforming lot.

22 MR. GALVIN: -- listen -- listen, one
23 of the things -- to be clear on this, if you have a
24 nonconforming lot, and you were to say, because you
25 are a nonconforming lot, we are not going to let you

1 put any building there --

2 COMMISSIONER FISHER: Oh, I know.

3 MR. GALVIN: -- then it would be -- we
4 would be faced with inverse condemnation. That is
5 why most Boards throughout the state wouldn't be
6 okay with turning an application down, you know, you
7 have to approve something on that nonconforming lot.
8 The question is to what extent do you have to do it.

9 Also, they are making an argument about
10 the fact that the volume of the building is pretty
11 much staying the same. It is coming up in order to
12 comply with the FEMA regulations.

13 COMMISSIONER BRANCIFORTE: Gotcha.

14 I don't have any other questions.

15 Thank you.

16 CHAIRMAN AIBEL: Do you find that there
17 is no impact on the light and air to the building to
18 the west, particularly on the third and fourth
19 stories of that building?

20 THE WITNESS: I think based upon the
21 way the sun comes during the day, and that the fact
22 that the site does in fact get sunlight during the
23 day, no, I think it is a consistent type of
24 development that takes place in urban communities,
25 and the building on the corner is well over 60

1 percent lot coverage, so that they moved their
2 development closer to their property line as well.

3 CHAIRMAN AIBEL: Do you feel that the
4 fourth story, third story is going to have any
5 impact on the street scape, because it is
6 incongruous in some view with the other two-story
7 buildings along the row?

8 THE WITNESS: I think, as you can see
9 from the pictures that I have taken, these are all
10 within that block, that it is a mixture of three and
11 four-story buildings. So, no, I think as buildings
12 themselves begin to redevelop and meet the FEMA
13 requirements, you will have taller buildings.

14 CHAIRMAN AIBEL: So we should predict
15 that we will have four-stories built all along the
16 top of that row?

17 THE WITNESS: I absolutely cannot say
18 you will. I mean, this building itself has to be
19 redeveloped. Other buildings within the block may
20 be much more structurally sound and may not need to
21 be redeveloped, but at some point if flooding
22 continues, they have to be raised, and you know,
23 they will have to be raised above the flood
24 elevation.

25 CHAIRMAN AIBEL: So, Eileen, do you

1 anything?

2 MS. BANYRA: Ms. Hartmann, in light of
3 the fact that this is impinging on the donut, which
4 is open space, so to speak, are there any -- maybe
5 you or the architect or whoever -- any other
6 features going to be offered in terms of a green
7 roof or something with the roof leaders?

8 You are covering more area
9 percentage-wise than what is permissible, and we are
10 talking about a flood plain community with
11 additional building coverage, so is there anything
12 proposed that would help mitigate that?

13 THE WITNESS: Not to my knowledge.

14 MR. NASTASI: It would be more than
15 open for a green roof and rainwater collection for
16 this project.

17 CHAIRMAN AIBEL: Okay.

18 Let me open it up to the public.

19 Anybody have questions for the planner?

20 Please come forward.

21 MS. HEALEY: Leah Healey.

22 Do you agree with the architect that
23 this lot coverage has zero impact on the donut?

24 THE WITNESS: Yes.

25 MS. HEALEY: Why is that?

1 THE WITNESS: The existing right now,
2 it doesn't -- I mean, for the same reasons that our
3 architect has mentioned, if I could find the
4 donut --

5 MR. BURKE: I think it is that one back
6 there.

7 THE WITNESS: -- it is negligible in
8 the change, and I think given the fact that you
9 got -- I'm sorry -- I have my back to you -- given
10 the fact that you have these buildings that surround
11 it, it really does not provide any quality donut
12 open space.

13 MS. HEALEY: Do you know what the donut
14 really is?

15 THE WITNESS: Yes. It is the interior
16 open space that is between the four corners of a
17 block, and in this particular instance, it would be
18 Willow, 7th, Park, and I believe 6th Streets.

19 MS. HEALEY: So your view is that it
20 doesn't have any impact on the adjacent -- on the
21 buildings that are right next door to it, I mean it
22 doesn't have any impact on the entire donut?

23 THE WITNESS: Well, first, the
24 difference between here and this one is about 90
25 square feet, and right now what you have is lots,

1 development of the three houses to the east, that
2 already go out to where we are proposing, so no, I
3 don't believe that there is an impact on it.

4 MS. HEALEY: Do you know whether those
5 adjacent buildings that go out beyond the lot
6 coverage are nonconforming structures?

7 THE WITNESS: I would assume they are
8 because we need 60 percent lot coverage.

9 MS. HEALEY: Do you know whether or not
10 they are legal nonconforming structures?

11 THE WITNESS: I have no idea other than
12 that they are very old.

13 MS. HEALEY: Thank you.

14 CHAIRMAN AIBEL: Anybody else from the
15 public, questions?

16 Seeing none, can I have motion?

17 COMMISSIONER GRANA: Motion to close
18 public portion.

19 COMMISSIONER COHEN: Second.

20 CHAIRMAN AIBEL: All in favor?

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

23 CHAIRMAN AIBEL: Thank you.

24 MR. GALVIN: Open it to the public for
25 comments.

1 CHAIRMAN AIBEL: Now is the time for
2 comments. If anybody has a comment on this
3 application, please come forward.

4 MR. GALVIN: Raise your right hand.
5 Do you swear to tell the truth, the
6 whole truth, and nothing but the truth so help you
7 God?

8 MS. HEALEY: I do.

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

11 MS. HEALEY: Leah Healey, H-e-a-l-e-y,
12 806 Park.

13 MR. GALVIN: You may proceed.

14 MS. HEALEY: I don't agree with the
15 architect or the planner that this has zero impact
16 on the donut. I happen to believe that the donut is
17 more critical now than it has ever been, not only
18 because for light and air, but because of its flood
19 capabilities.

20 This area was under 35 inches of water,
21 similar to my block just north, and if you watched
22 what the donut did for us during the flood, it was
23 an amazing pervious coverage, and we don't have a
24 lot of pervious coverage in Hoboken.

25 My understanding from one of the city

1 speeches this past January, we are at 80 percent lot
2 coverage, so every time we inch or foot or two feet
3 back into the donut, we are not only affecting light
4 and air of the entire donut, but we're also
5 affecting this impervious -- this pervious coverage
6 issue, and I feel very strongly about that.

7 I understand the green roof, and I
8 think it is imperative, especially if you are going
9 to increase the lot coverage on here, and I have not
10 heard a good enough reason why we should increase
11 lot coverage on this building, and I don't know if
12 it could be redesigned to do that. But it is very
13 important to me that we don't lose -- we don't
14 incrementally lose the donut.

15 I understand that this new flood reg is
16 going to bump a lot of these buildings up, and one
17 of the things I hope we can pay attention to is when
18 we bump them up, we have also got a parapet
19 ordinance that they all take advantage of and add
20 another two feet onto these structures.

21 And if you look at the structure in the
22 picture, you can see that that parapet is bumped up
23 above even the adjoining building. That's what it
24 looks like in the picture to me.

25 MR. NASTASI: It actually aligns with

1 the adjoining building.

2 MS. HEALEY: Does it?

3 Okay. I should have asked that
4 question.

5 I wanted to draw your attention to the
6 fact that if you are going to be giving this height,
7 that you ought to be paying attention to how much
8 height you are actually giving.

9 And I think it is very important just
10 to pay attention to those details, because this is
11 going to affect the rest of the block, and on the
12 other side of the block, we didn't hear any
13 testimony about the other side of the block. I
14 don't know whether it is all three-story buildings,
15 so on and so forth, but I think it is important to
16 pay attention to that.

17 So I just would hope that we also
18 recognize that we are popping these buildings up to
19 meet flood regs, and right now, you know, that is a
20 flood reg and this is a zoning decision you are
21 supposed to be making. And one of the things that I
22 think we have to recognize is that this is not
23 totally unusable space.

24 I actually went on the websites for the
25 storage facilities in Hoboken. For 250 square foot

1 of indoor lower level space, you can pay up to \$400
2 a month, so it is not worth nothing.

3 It may be testified that we can't do
4 anything with it, but there is a lot of people in
5 Hoboken that love storage and would love to have
6 storage as part of their home, so I believe there is
7 some benefit there, so I leave you with that.

8 Thank you.

9 CHAIRMAN AIBEL: Thank you.

10 Anybody else wish to comment?

11 Seeing no comments, motion to close.

12 COMMISSIONER COHEN: Motion to close
13 public portion.

14 COMMISSIONER MURPHY: Second.

15 CHAIRMAN AIBEL: All in favor?

16 (All Board members answered in the
17 affirmative.)

18 MR. BURKE: Well, there are two issues
19 that we spoke about. One is the new flood regs, and
20 this building addresses, you are taking a two and a
21 half family building and reducing it to one family,
22 so you are reducing parking on the street and so
23 forth.

24 You are meeting the new FEMA
25 regulations, and you are also addressing something,

1 which we spoke of, both of the experts spoke of,
2 which is that, you know -- and I stood in this
3 backyard. The fan from that dry cleaners is blowing
4 constantly, and that backyard, that little patch of
5 green, is basically unusable. By lifting it up, you
6 are not losing a lot of the hole in the donut.
7 You're losing a little of it, and you are addressing
8 a major nuisance, so the positive criteria I believe
9 we have met.

10 The negative criteria I think is
11 minimal, and I think this is a good project.

12 As it was pointed out, the applicant
13 can go up 40 feet whether he does it in two stories
14 or three, he can go up 40 feet, so, you know,
15 something has to be built there.

16 I think Mr. Nastasi did a great job in
17 presenting what is a very positive project for that
18 lot, and I think the planner covered the positive
19 and negative criteria, and I hope the Board is
20 satisfied with that.

21 Thank you.

22 CHAIRMAN AIBEL: Thanks, Mr. Burke.

23 Let me open it up.

24 Mr. Cohen?

25 COMMISSIONER COHEN: A few things.

1 One: I don't think there is any
2 question that the green roof is going to be a
3 requirement. I think we ought to consider also some
4 sort of retention requirement as well because it is
5 in the flood plain.

6 I also think that the point that was
7 made about the point that storage space is usable,
8 dry storage space is usable, but I don't think
9 anybody would want to rent storage space below the
10 flood plain. I mean, it really is dead space, and
11 it is a hardship to have a property that is below
12 the flood plain.

13 This building is tilting at 14 degrees.
14 It is going to fall down. It will be a nuisance to
15 the neighborhood, and they are going to have to
16 rebuild something there, and they are going to have
17 to rebuild it above the level of the flood plain. I
18 mean, there is no doubt about that.

19 So I don't think there is any question
20 they have to do that.

21 Yes, it is nonconforming lot. Yes,
22 it's an undersized lot, but something should be
23 built there. I don't think we take the position
24 that it is going to be a field.

25 So the question is: What is going to

1 be built above the flood plain.

2 I think the plan is a reasonable one.
3 I think it is a decent plan. I have to say, though,
4 I am a little put off by some of the testimony of
5 the professionals to say that there is no impact on
6 the building next door. I think you should
7 acknowledge that there will be an impact. They are
8 not going to see as much out of their windows when
9 they have another story next to them. That is just
10 a fact.

11 There will be an impact on the donut by
12 building out alongside the neighbors. That's a
13 fact.

14 I think the fact that there is an
15 obnoxious dry cleaning vent that's going into that
16 part of the donut is something that weighs against
17 it. You know, it is not like it is an open green
18 spot, but I think there would have to be a green
19 roof over that extension, as well as over the roof,
20 so at least you are not completely having an
21 impervious surface that you are going to have some
22 benefit.

23 So I mean, I think it is a close call.
24 I think there clearly are negative impacts to this.
25 I think the street scape is going to be different,

1 but I think that the planner's idea of having it
2 match, at least artificially match the other
3 buildings on the block, so that it conforms and has
4 the same straight appearance is a good suggestion,
5 so I am in favor of this application, but I wish
6 that the applicant was a little more honest about
7 the impact of this application.

8 CHAIRMAN AIBEL: Anybody wish to
9 comment?

10 COMMISSIONER GRANA: John?

11 COMMISSIONER BRANCIFORTE: You can go.

12 CHAIRMAN AIBEL: Go on, Antonio.

13 COMMISSIONER BRANCIFORTE: I can't
14 argue too much with what Phil Cohen said. This
15 is -- after the new base flood elevations came out
16 after Sandy, this is exactly the sort of thing that
17 everybody was afraid of, that we are going to be
18 raising the street scape in Hoboken by 14 feet.

19 Well, here it is 12 feet, I suppose, 13
20 plus -- so it is 13 feet, and we are going to be
21 changing the street scape, what we see when we walk
22 down the street.

23 What really bothers me about this
24 project is the fact that it looks like, if we give
25 these variances tonight for the third story, fourth

1 story, we will be giving you -- we will be cutting
2 out the light and air to the neighbors next door,
3 which I just think is completely unfair.

4 The other thing, too, we may be setting
5 a new standard for height on that block, but of
6 course, that is always up for grabs.

7 I suppose we won't be setting a new
8 standard for height, but what bothers me is the
9 facades are at a certain height, and it is very
10 quaint, and I like the facades on that block. I
11 hate to see this thing sticking up. It kind of does
12 look like a thumb sticking up at the end of the
13 block, and that is all I can say right now for it.

14 CHAIRMAN AIBEL: Anybody else?

15 Antonio?

16 COMMISSIONER GRANA: I will quickly
17 comment.

18 I am in support of the application. I
19 do think -- well, first of all, with regard to the D
20 variance, in a conforming lot, the 40 foot would be
21 allowable, and I think we have conditions in Hoboken
22 regarding both height and stories.

23 I agree that the bottom story because
24 of the need to raise BFE is essentially a non usable
25 floor. That is really the issue here. What we are

1 doing is really asking for a three-story building
2 and the 40 foot height limit, and I think that the D
3 variance could be granted on that basis.

4 With respect to the C variances, I
5 somewhat agree with Commissioner Cohen here. I
6 don't think we should not acknowledge that there is
7 an impact. There is an impact.

8 At the same time, this is one of those
9 cases where I think even though the planner doesn't
10 testify that this is a hardship, I think it is a
11 potential hardship to the applicant because in not
12 granting -- by not granting, what we are saying is
13 all of the other structures can consume this
14 nonconforming lot coverage, and in fact, the
15 applicant is reduced to green space in the donut.
16 It is not really green space. It looks like a well.

17 It doesn't benefit the applicant, and I
18 don't see that it benefits the community, and I
19 think that I would actually argue in this case that
20 this is actually a hardship for the applicant, and I
21 would approve it on C1 variance approval.

22 COMMISSIONER DE FUSCO: You know, I'd
23 say I am on the edge here. I really am.

24 I think the D variance is what we are
25 going to be getting with the flood elevation being

1 what it is.

2 I think our planner's suggestion will
3 absolutely align, you know, the rest of the
4 neighbors in this building for the rest of the
5 neighborhood, so I am not as concerned about that
6 because ultimately by right, they will be able to go
7 pretty high up.

8 But what I was concerned about and
9 actually as I am speaking out loud and am more
10 concerned about is the lot coverage. You know, the
11 tough job that we have on Zoning here is to, you
12 know, make a decision on this particular lot. But
13 if we give this coverage to this particular lot, I
14 fear that when every other building comes up in this
15 neighborhood, you know, as they probably will in the
16 future with floods, we are setting a standard here
17 that I don't actually feel comfortable with.

18 Even when the Willow Avenue dry
19 cleaners comes eventually, maybe it's next year, or
20 maybe it's 15 years from now, and they say, well, we
21 don't want to be a dry cleaner any more.

22 We are setting a standard for the
23 neighborhood that I am not comfortable with.

24 I like the application. I think the
25 architect is tremendous. I think it's a vast

1 improvement. If they build as of right, we are
2 probably not going to get the green roof or
3 retention basin, but I think that is made up by
4 getting the green space back in the back, and
5 actually I am not for this application.

6 CHAIRMAN AIBEL: Anybody else wish to
7 comment?

8 COMMISSIONER FISHER: Yeah.

9 I will just -- I'd say I am a little
10 bit on the fence as well. I agree a lot with what
11 everybody said. I think, you know, Commissioner
12 Cohen raised an interesting point, which is, you
13 know, you wonder is there some way to almost create
14 pervious, either through drainage or something, on
15 the lot. Like if we were to agree to the lot
16 coverage, is there a way to just say that back end
17 somehow has to have a pervious floor.

18 I don't even know if it's doable, but
19 something to the point that Leah Healey raised.
20 Like, I think in this area, you do have a concern
21 about having -- the donut to me is more of a utility
22 at this point because I have less concern about the
23 lot coverage given the little -- or the lot coverage
24 given the impact on the donut from an esthetic
25 standpoint because it is an ugly corner, and if you

1 look at all of the pictures, it doesn't seem like
2 it's going to be used by -- doesn't want to be used
3 by this owner.

4 It is adjacent to a terrible dry
5 cleaners that may in the future be upgraded, but the
6 bigger issue is the benefit in a very highly, you
7 know, flooded area, which I think is a great idea.
8 I don't know if it is doable, but you know, if you
9 can somehow just in that back part make it more
10 pervious, maybe there's a way to just make the
11 storage a little smaller.

12 To me, the issue -- I don't know where
13 I come out on it -- is really, you know, putting up
14 a tall building that is going to be there,
15 completely impacts the street scape I think in a
16 negative way.

17 I agree with Commissioner Cohen as
18 well, that for somebody to say it is not going to
19 impact the light in a very dramatic way, light and
20 air, that top floor of that building, you know, I
21 just disagree, and, you know, that is something that
22 we often protect -- we do our best to protect, and I
23 will highlight that no one from that building came
24 tonight, so, you know, we do need to think about it.

25 So I'm still a little bit on the fence.

1 I do think there is a lot of positives about this.

2 It is a falling down structure.

3 I am assuming that if we had asked Mr.
4 Nastasi if there is a way to preserve the structure,
5 by the time he went to all of that trouble, all we
6 have done is make a wall that's going to stay, but
7 we've kept the bottom apartment. We've gone to a
8 lot of trouble to keep, you know, people living in a
9 bottom space that, you know, shouldn't be living in
10 that space in this area, so I think there is, you
11 know, huge, huge positives, and somebody mentioned
12 that at some point there is going to be a new
13 structure on a nonconforming space on this site. So
14 the question is: Should it be this big, you know,
15 this deep, this tall, or should it be something
16 smaller.

17 CHAIRMAN AIBEL: Diane?

18 COMMISSIONER MURPHY: So I am not going
19 to repeat a lot of the things that people have said
20 here, but talking about the donut and the lost space
21 if you build on it, I am reminded of a project that
22 many on this Board okayed in my neighborhood, where
23 what the ground level, since it is just storage,
24 went to the shorter distance and the next floor up
25 went out and then up.

1 I say this as just because then the
2 impervious or the pervious ground would be saved
3 perhaps, and it wouldn't affect the environmental
4 aspect of the donut, although you wouldn't see it
5 from, you know, above or what have you, so it's just
6 something to think about.

7 COMMISSIONER BRANCIFORTE: Well, air
8 would still pass through --

9 COMMISSIONER MURPHY: Air would pass
10 through. You could probably plant it, so, you know,
11 it's just storage space on the first floor, so it's
12 not like you are losing a bathroom or the
13 possibility for a bedroom, something like that.

14 CHAIRMAN AIBEL: And finally, I think
15 that the project asks for too much in a very small
16 nonconforming lot. It asks for a major height
17 variance with a negative impact. It's asking for
18 lot coverage, which I think everybody has now
19 acknowledged may have a negative impact.

20 In candor, those two negative impacts I
21 think come from asking for too much in this small
22 envelope, so I would prefer to see a lower story
23 building with perhaps the full lot cover or the 79
24 percent lot coverage asked for with another story on
25 the back, which would allow a full green roof at the

1 top of the second story. That would be one issue at
2 least removed, and I guess if there were only one, I
3 might be on the fence, but with two, I can't support
4 it.

5 So let me see who wants to make a
6 motion.

7 COMMISSIONER DE FUSCO: I will make a
8 motion to deny 263 7th Street.

9 MR. GALVIN: Is there a second?

10 COMMISSIONER BRANCIFORTE: I will
11 second.

12 Again, a yes vote is for denial.

13 MR. GALVIN: Correct.

14 Roll call.

15 MS. CARCONE: Commissioner Cohen?

16 COMMISSIONER COHEN: No.

17 MS. CARCONE: Commissioner DeFusco?

18 COMMISSIONER DE FUSCO: Yes.

19 MS. CARCONE: Commissioner Grana?

20 COMMISSIONER GRANA: No.

21 MS. CARCONE: Commissioner Murphy?

22 COMMISSIONER MURPHY: No.

23 MS. CARCONE: Commissioner Branciforte?

24 COMMISSIONER BRANCIFORTE: No -- I am
25 sorry -- yes is for denial. Yes.

1 MS. CARCONE: Commissioner Fisher?

2 COMMISSIONER BRANCIFORTE: Commissioner
3 Fisher, you're up.

4 COMMISSIONER FISHER: I heard her.
5 I will say no.

6 MS. CARCONE: Commissioner Aibel?

7 CHAIRMAN AIBEL: Yes.

8 Three yeses, and four nos.

9 MR. GALVIN: That means it is denied.
10 You needed five yeses.

11 CHAIRMAN AIBEL: We are going to take a
12 seven-minute break.

13 At 8:15, everybody will be back here.

14 (Recess at 8:15 pm)

15 (The matter concluded at 8:08 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

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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 11/5/2015.
Dated: 2/26/15
This transcript was prepared in accordance with
NJAC 13:43-5.9.

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HOBOKEN ZONING BOARD OF ADJUSTMENT
CITY OF HOBOKEN

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 RE: Stevens Institute of Technology : SPECIAL MEETING
 Academic Gateway Center :
 APPLICANT: Stevens Institute of :
 Technology :February 24, 2015
 Preliminary & Site Plan Application :Tuesday 8:30 p.m.
 C & D Variances :
 ----- X

Held At: Multi Service Center
 124 Grand Street
 Hoboken, New Jersey

B E F O R E:

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

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

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

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I N D E X

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3 WITNESS

PAGE

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5 RICHARD KING, AIA

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E X H I B I T S

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9 EXHIBIT NO.

DESCRIPTION

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Packet of Exhibits 1 to 16

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1 CHAIRMAN AIBEL: Okay, Board members:

2 Good evening, everyone.

3 Good evening, everyone.

4 It is not easy to hear obviously in the
5 back, so I would encourage everybody to push forward
6 as much as possible. We will all try to speak
7 loudly.

8 Mr. Tuvel, you are up on Stevens
9 Institute of Technology Academic Gateway Center,
10 Block 227 and Block 228 with certain lots.

11 MR. TUVEL: Good evening, Mr.
12 Chairman, Members of the Board.

13 Jason Tuvel from the law firm of
14 Gibbons, PC, attorney for the applicant, Stevens
15 Institute of Technology.

16 I will try to be loud. I know we have
17 a lot of people here, and it is a tight room, so I
18 will do my best. We will use the mike as needed.

19 I will refer to Stevens Institute
20 Technology as "Stevens" throughout the process just
21 to make it a little bit easier.

22 This is an application for preliminary
23 and final major site plan, use and bulk variance
24 approval. The properties in question are Block 227,
25 Lot 1, which I will refer to as the south lot, since

1 we have two lots in question here because we have
2 three. And Block 228, Lot 1, and a portion of Lot
3 16, and I will refer to that as the north lot as we
4 are going through the testimony just for ease of
5 reference, so we don't get confused with the
6 numbers.

7 In terms of the existing conditions on
8 the property, the north lot is a surface parking lot
9 in its current state that is currently used by
10 Stevens. A small portion of Lot 16 that we are
11 developing in connection with this application is
12 just three parking stalls and an alleyway. The rest
13 of the lot is an actual building that's owned by
14 Stevens, and that is not proposed to be modified in
15 any way.

16 The south lot is comprised of a number
17 of buildings, including the Lieb Building, the
18 Buchard Building and the Carnegie Building.

19 The portion of that lot that's in
20 question on this application is the area where the
21 Lieb Building is located, so just for ease of
22 reference for everyone, we have the northeast corner
23 of Hudson and 6th Street, and the southeast corner
24 of Hudson and 6th Street just for everybody's
25 reference.

1 In terms of the zoning for the
2 properties, the north lot is located in the R1 Zone
3 with the exception of a small portion of Lot 16.
4 That is in the R1E Zone. For ease of reference, the
5 R1E Zone is the educational zone, where academic
6 institutions, such as Stevens is permitted.

7 The R1 Zone is a residential zone,
8 where an academic institution is not permitted.

9 The south lot is in the R1E Zone, where
10 the current building is located and a number of the
11 academic buildings are located. On that lot, the
12 south lot, the use is a permitted use as an academic
13 building.

14 So why are we here?

15 Well, Stevens is an institution of
16 higher learning that has been making strides, and I
17 hope I get this right, in a variety of academic
18 disciplines including health care, medicine,
19 sustainable energy, various forms of engineering,
20 science, technology, and I missed a few, but just to
21 give you a sense of what they are doing, they are
22 making great strides in all of these fields.

23 The reason that we are here is that
24 they need to improve their facilities at the campus
25 in order to have laboratories, classroom space that

1 meet modern standards for these types of
2 institutions, so this is to meet their immediate
3 need for classroom space, as well as future need of
4 classroom space, so that they can accomplish the
5 goals that they are striving to do as an
6 institution.

7 The proposal is two academic buildings
8 on the north and southeast corners that are going to
9 be connected across 6th Street. The total of both
10 buildings with the connection included is
11 approximately 91,000 square feet. The architect
12 will obviously go into the exact numbers, but
13 approximately 91,000 square feet.

14 The buildings are going to contain
15 academic space that includes specialized classrooms,
16 laboratories, research facilities, faculty offices
17 and conference space, and other functions associated
18 with an academic institution of higher learning.

19 The building is designed specifically,
20 as our architect will explain, to promote innovative
21 learning techniques that institutions of higher
22 learning, like Stevens, are engaging in in these
23 times.

24 I will just catch my breath here.

25 This application -- I just want to give

1 the Board and the public a little bit of a history
2 here. This application was initially scheduled for
3 a hearing on October 28th of 2014.

4 The reason that it has been four months
5 since we were scheduled to have a hearing is that we
6 received a lot of comments from the Board
7 professionals, as well as from the public in
8 connection with the initial application that was
9 filed and the design of that building.

10 So what we did was we understood there
11 were a lot of comments that we should address before
12 coming to the Board, so we took that time to meet
13 with a various amount of neighbors. We talked with
14 your professionals, and we tried our best to work
15 with the neighborhood to reduce the height and the
16 scale of the building, and we think we have done
17 that. We think we've made strides, and we had
18 numerous meetings with the neighbors to really try
19 to work with them, and of course, you can't meet
20 with every single person obviously, but we think we
21 did our best to really meet with the people who
22 would be impacted as a part of this application.

23 Without mentioning every single change
24 that our professionals will obviously do, I will
25 just try to highlight some of the significant ones

1 that evolved since the initial application was
2 filed. They deal with the reduction in height of
3 the building by about 25 feet. Mr. King will get
4 into more detail on that.

5 The architecture has significantly
6 changed as well, and we think it is a much better
7 fit on Hudson and 6th Street with the surrounding
8 properties.

9 Since then as well, we've conducted a
10 comprehensive parking and traffic analysis that
11 addressed what the building's impact will be, and we
12 think that those impacts will be minimal, and we
13 will go over those obviously in a lot of detail as
14 well.

15 Another clarification that I want to
16 make is that I think there was some misunderstanding
17 from the initial application to where we are now.
18 There is no intent to close 6th Street and make it a
19 pedestrian type of area. It is going to stay the
20 same. The parking will remain there. In fact, we
21 even might pick up a parking stall since we are
22 going to close off one of the curb cuts to the
23 existing parking lot that's there now, so there is
24 no intention to close off that street. If anybody
25 thought that there was, I just wanted to clarify

1 that from the beginning.

2 The relief that we are seeking in
3 connection with this application, the D variances
4 that we need, as I said, the R1 Zone does not permit
5 an academic institution.

6 In addition, we are also utilizing
7 cellar space for classrooms and other things, so we
8 do need the use variance for occupying cellar space
9 on both the north and the south lots.

10 We need D variances for height. We
11 still need them, even though we reduced the size of
12 the building -- the height of the building
13 substantially since the initial application, we
14 still need a variance for the height.

15 In terms of the standard of review on
16 this type of application, this is an inherently
17 beneficial use, unlike a typical use variance
18 application.

19 You have three types of use variance
20 applications in New Jersey under the D standard.
21 You have inherently beneficial, you have hardship,
22 and you have particular suitability.

23 The most common ones, and I'm sure that
24 the Board sees, are the particular suitability type
25 of applications. This is an inherently beneficial

1 use type of application, where the positive criteria
2 is presumptively met, and the negative criteria
3 still comes into play, and the Sica test, which is a
4 case that governs these types of analyses, also
5 comes into play.

6 The testimony will show, and in
7 speaking with your professionals, we understand we
8 have to demonstrate this, that the entire structure
9 is going to be dedicated to academic uses and
10 functions related to the academic uses. They are
11 not renting any of the space out to private entities
12 or anything like that. It is surely going to
13 have -- it's solely going to have academic and
14 academic-related type of functions, and we will go
15 through the floor plans and what is proposed in
16 great detail.

17 In terms of the parking, just to give
18 you a preview of what our traffic engineer is going
19 to talk about, we are going to comply with the
20 parking standard under the ordinance. The goal is
21 to have the parking for this facility being used at
22 Babbio garage, which Stevens is committed to
23 completing. They have a preliminary approval for
24 that, and their goal is to finish that before
25 Gateway opens so the Babbio garage can accommodate

1 the parking associated with Gateway.

2 We even have a backup plan to that, in
3 the event that the Babbio garage is not open at that
4 time, your ordinance permits that in a non
5 residential district, you can rent parking spaces or
6 obtain parking spaces from a user, and we have that
7 as well as a backup plan, so we have really made a
8 lot of arrangements to ensure that the parking is
9 going to be dealt with in connection with this
10 application.

11 One other item you will hear about
12 parking and traffic is the shuttle service that
13 Stevens has been instituting throughout the city to
14 encourage people not to use motor vehicles to come
15 to campus and to use means of public transportation.

16 You will also hear about the bike
17 racking system that they have on campus, but despite
18 all of that, we still plan on complying with the
19 ordinance as it relates to parking.

20 One other thing that I want to talk
21 about in connection with the building itself is that
22 Stevens intends on going for LEED gold certification
23 on this building, and you will hear -- the architect
24 will talk about more of the exact and the specifics
25 with respect to the LEED certification.

1 More housekeeping items that us
2 attorneys like to talk about and planners and
3 engineers: This application was deemed complete in
4 December -- I'm sorry -- this application was deemed
5 complete back in October of 2014, which is why we
6 were scheduled for a hearing.

7 Like I said, we amended the application
8 after meeting with the neighbors and hearing
9 comments from your professionals, and we resubmitted
10 at the end of December of 2014.

11 When we amended the application, not
12 only to the design, we also asked for final approval
13 in connection with the application.

14 In reading the review letters from your
15 Board Engineer and your Board Planner, and I
16 completely understand this, the review letters
17 really deal with the preliminary site plan
18 application that was filed, and that there will be
19 subsequent review letters dealing with final, so we
20 understand that those letters need to be -- need to
21 be generated. So to the extent we need to give
22 reasonable extensions of time for the Board to
23 handle that, we are fine with doing that. I don't
24 anticipate, looking behind me, that we are going to
25 finish in one night anyway, so that should be fine

1 in terms of dealing with any further technical
2 reviews that your professionals need to do in
3 connection with the application.

4 I plan on calling five witnesses as
5 part of this application.

6 The first witness will be Richard King,
7 who has been our project architect.

8 The second witness is John Digiacinto
9 who is our site engineer from Langan Engineering.

10 Charles Olivo from Stonefield
11 Engineering is our traffic engineer.

12 Robert Maffia is from Stevens. He is
13 their vice president of facilities and campus
14 operations, so a witness that will talk to you about
15 how this building is going to function and work over
16 time.

17 Then last, but not least, is our
18 planner, which I always use as the clean-up hitter
19 in connection with these applications, and that is
20 Elizabeth McKenzie. So that's sort of the batting
21 order that I have proposed in connection with this
22 application.

23 I served notice. I believe Mr. Galvin
24 has reviewed that. I provided that to his office.

25 If there are any other questions for me

1 in terms of procedure or maintenance or
2 housekeeping, I would be happy to answer them, or
3 else I will call my first witness, if it's okay with
4 the Board.

5 CHAIRMAN AIBEL: I'd say let's get
6 going.

7 MR. GALVIN: Let's go.

8 MR. TUVEL: Okay. So the first
9 witness that I would like to call is Richard King,
10 who is our project architect, and so what we
11 plan on doing is using the projection on the wall.
12 I think it is easier for the Board and for the
13 public to see our plans. In addition, we do have
14 11-by-17s for the Board as well.

15 One thing in terms of our site
16 engineer, his exhibits, I am sorry about that, will
17 be on boards, so we will try to work with that the
18 best that we can.

19 So should we swear the witness in?

20 CHAIRMAN AIBEL: Yes.

21 MR. GALVIN: Yes.

22 Raise your right hand.

23 Do you swear to tell the truth, the
24 whole truth, and nothing but the truth so help you
25 God?

1 MR. KING: I do.

2 R I C H A R D K I N G, AIA, LEED AP BD+C, Wallace,
3 Roberts & Todd, 1700 Market Street, Philadelphia,
4 Pa., having been duly sworn, testified as follows:

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

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

8 MR. GALVIN: Mr. King, could you give
9 us three Boards you have appeared before recently as
10 an architect?

11 THE WITNESS: I have appeared before --
12 I have not appeared in the State of New Jersey.

13 MR. GALVIN: Are you a licensed New
14 Jersey architect?

15 THE WITNESS: Yes, I am.

16 MR. TUVEL: Yes.

17 Mr. Galvin, do you want me to just go
18 through, because I know he hasn't testified before a
19 Board in New Jersey, I can go through his
20 educational background and his license --

21 MR. GALVIN: Do we want to do that?

22 As long as he is licensed in New
23 Jersey, I think we are okay.

24 MR. TUVEL: Oh, yeah, definitely.

25 THE WITNESS: Yes, I am.

1 MR. GALVIN: Then I think we should
2 proceed.

3 MR. TUVEL: Okay. That's fine.

4 MR. GALVIN: The other thing is: Has
5 this exhibit been previously provided to the Board
6 Secretary?

7 MR. TUVEL: No. So we have smaller
8 exhibits that we can hand out to everybody.

9 MR. GALVIN: So this --

10 COMMISSIONER FISHER: Can I have one?

11 MR. TUVEL: Yes, sure. I was going to
12 distribute them.

13 COMMISSIONER FISHER: I just can't see.

14 MR. GALVIN: Rather than marking them
15 as individual exhibits, are you okay with marking
16 this whole package as A-1?

17 MR. TUVEL: Sure. We can do that, and
18 we can just pull them out as we go.

19 MR. GALVIN: He has labeled as -- is it
20 in order?

21 THE WITNESS: Yes, they are in order.

22 MR. TUVEL: Okay. We tried to be as
23 organized as possible.

24 MR. GALVIN: Can you hear me?

25 THE REPORTER: Yes.

1 MR. GALVIN: Exhibit A-1 has got 16
2 pages. Each one has the word "Exhibit" on it, so it
3 is Exhibit 1 through Exhibit 16, and that is A-1.

4 (Exhibit A-1 marked.)

5 MR. GALVIN: Are you an AIA or an RA?

6 THE WITNESS: I am an AIA and a LEED AP
7 BD+C.

8 (Laughter)

9 MR. GALVIN: Thank you.

10 ABC, you may proceed.

11 (Laughter)

12 MR. TUVEL: Mr. King -- Mr. King, can
13 you describe what you have been retained to do by
14 Stevens in connection with this application?

15 THE WITNESS: Yes.

16 So, again, my name is Richard King. I
17 am an architect with Wallace, Roberts & Todd. I'm a
18 senior associate there, and Wallace, Roberts and
19 Todd was retained by Stevens to develop the design
20 of this project with them.

21 Initially that includes assessing the
22 needs for the project, how do we meet the current
23 and future need for Stevens to meet their academic
24 goals, what are the different programs that are
25 needed for this particular building on this

1 particular site based on their current needs that
2 they see on the current campus now.

3 We were charged with evaluating the
4 site for the project, its capacity and its
5 regulatory requirements.

6 Then we were asked to develop a
7 physical design for the buildings that accommodates
8 the space needed for Stevens and as integrated with
9 the campus and the surrounding neighborhood.

10 MR. TUVEL: Okay.

11 In terms of your preparation, can you
12 just go through the things that you did to prepare
13 for this application?

14 For example, have you visited the
15 property campus and the surrounding area on numerous
16 occasions?

17 THE WITNESS: Yes. We visited the
18 property. We visited the campus. We visited the
19 neighborhood, the city, because this is so
20 integrated into the City of Hoboken, we spent quite
21 a bit of a time not just on campus, but throughout
22 the city.

23 We studied and analyzed the property
24 survey, the shape of the property and other
25 important elements that are on the site now, how we

1 might need to adjust those. We looked at the
2 characteristics of the site and the existing
3 architecture, and then we reviewed city ordinances
4 and the city's master plan as part of that as well.

5 MR. TUVEL: Okay.

6 So let's start with the existing
7 conditions and the surrounding neighborhood.

8 Can you please give the Board the
9 benefit from your perspective of what the important
10 aspects of the existing conditions are?

11 THE WITNESS: Yes.

12 As Jason mentioned, there are three
13 lots for the project that occupy essentially two
14 sites. There is the site, which is just for
15 orientation for folks, this is Hudson Street in
16 Hoboken, and this is 6th Street.

17 MR. TUVEL: So the top of the page
18 is --

19 THE WITNESS: The top is Sinatra
20 Drive.

21 Just for orientation, here are ball
22 fields, and the site for the project is at the
23 intersection of 6th and Hudson.

24 The north site, as Jason mentioned
25 here, which is actually two sites, there was a small

1 site across the north edge, and then the south site
2 includes the site for the existing Lieb Building.

3 There is also a small center path --
4 center plant that is located behind the existing
5 Carnegie Building.

6 Those are the -- this is the existing
7 Carnegie Building.

8 Here, this is the existing Lieb
9 Building, and that is the existing parking lot that
10 is currently on the site.

11 Surrounding that site on the east are
12 all Stevens' properties, so there is brownstones to
13 the north. There are residential -- stoop
14 residential properties to the east.

15 The Burchard Building, which is a
16 laboratory building, also to the east, Stevens Hall
17 to the south, and the Carnegie Building also to the
18 east.

19 Then across the street are a series of
20 brownstones that line Hudson Street that are part of
21 the character of Hudson Street, but there's also a
22 large condominium building here at the corner of the
23 Union Club.

24 MR. TUVEL: All right.

25 And just for the benefit of the record,

1 Mr. King has been pointing to the first page of
2 Exhibit A-1, just so everybody is clear on that.

3 You mentioned that you studied the
4 neighborhood, and not only just the immediate
5 neighborhood, but Hoboken in general, correct?

6 THE WITNESS: Correct.

7 MR. TUVEL: Okay.

8 Can you describe some of the important
9 characteristics that you found that influenced the
10 design of this building?

11 THE WITNESS: I am just going to switch
12 to the second page.

13 MR. TUVEL: The second page of A-1?

14 THE WITNESS: The second page of
15 Exhibit A-1, which shows an aerial view of Hoboken,
16 and then a series of images of the surrounding area.

17 You know, having done a lot work on
18 college campuses, I think it is important to
19 distinguish this project from your typical college
20 campus. This is not a typical college campus. This
21 is a neighborhood, and this project obviously has to
22 be part of that neighborhood. So understanding what
23 fits and what is appropriate for a campus that sits
24 within this kind of turn of the century neighborhood
25 requires quite a bit of thinking and research into

1 what the neighborhood is like.

2 Some of the elements we thought that
3 would be worth mentioning, just from the graphic
4 here that were important to us and inspiring to us
5 as we were thinking about the project, one is the
6 brownstones on Hudson Street. They are obviously a
7 rich form of architecture, turn of the century
8 architect, beautiful cornices, arched windows,
9 lovely gardens up and down Hudson Street that really
10 frame Hudson Street and soften its edges to make it
11 a much more pedestrian-friendly environment.

12 There are buildings also nearby that I
13 think this is the Union Club building, there are
14 certainly things we learned from that in terms of
15 how to make buildings that are taller, but still
16 make them fit in by introducing cornice lines,
17 Manzard roofs.

18 That's also the case obviously with
19 Stevens Hall, which is also right down the block,
20 the Morton Science Building, which is just up 6th
21 Street, about half a block away from the site. And
22 obviously a favorite of mine is the Carnegie
23 Building, which is sort of a fantastic muscular
24 building that you find in Hoboken, which is really
25 wonderful, but also we just put up another building

1 here, an old bank building in Hoboken.

2 One of the things we were looking at is
3 what is the proportion of a bigger building in
4 Hoboken. There are firehouses. There are bank
5 buildings that don't fit into the brownstone
6 language, but are also fit in very well and work
7 well.

8 So how do we develop an architecture
9 that while it is a different type of building than a
10 brownstone, but we still find a way to make it fit
11 in, and so we looked at the proportions and how
12 those proportions are organized on the facades to
13 help us develop a strategy for that, and this
14 building is one of the inspirations for that.

15 MR. TUVEL: Okay.

16 Can you just describe very briefly the
17 current academic building that is on the south lot
18 that is proposed to be removed as part of this
19 application?

20 THE WITNESS: Yes. I am just going to
21 move back so everybody can see it.

22 MR. TUVEL: So go back to page one.

23 THE WITNESS: Going back to page one.

24 The Lieb Building, which is currently
25 on the south site here, is a rectangular building on

1 the site. You can see the side of the building
2 here. The Lieb Building is really an outdated
3 building. It was built as a temporary building. It
4 was built during the First World War, which Stevens
5 has used on and off.

6 In order for us to meet the standards
7 and the requirements for state of the art facilities
8 and the type that need to be built on the site, the
9 building will not really function well.

10 The building is underscaled in terms of
11 its structural capacity. It doesn't meet certain
12 ADA requirements. And by the time we would reoutfit
13 that building, there would essentially be nearly
14 nothing left of that building by the time we got
15 done with turning it into a state of the art.

16 MR. TUVEL: Okay.

17 Going back to, I guess it's on Page 2,
18 your exhibit -- I guess since the air conditioning
19 has come on, if you want to use the mike just to
20 make it a little bit easier.

21 THE WITNESS: I apologize.

22 Does that make it easier?

23 COMMISSIONER COHEN: No.

24 COMMISSIONER GRANA: It is not on.

25 THE WITNESS: It says it is on.

1 Is it on?

2 COMMISSIONER MURPHY: No.

3 THE WITNESS: I will try and be as loud
4 as I can, but I lost it again.

5 (Everyone talking at once.)

6 MR. GALVIN: I think you're going to
7 have to --

8 THE WITNESS: I have to be like this?

9 COMMISSIONER MURPHY: Yeah, there you
10 go.

11 COMMISSIONER BRANCIFORTE: Now you look
12 like Sinatra.

13 MR. GALVIN: Say B52.

14 (Laughter)

15 THE WITNESS: B52.

16 MR. GALVIN: It didn't work.

17 COMMISSIONER BRANCIFORTE: It is the
18 microphone, not him.

19 MR. TUVEL: Just speak as loud as you
20 can, so everybody can hear you.

21 THE WITNESS: Okay. I apologize. I am
22 generally soft spoken, but I'll try and be a loud
23 mouth.

24 MR. TUVEL: All right.

25 Can you please describe, turning back

1 to Page 2, the size and scale of the buildings that
2 surround the subject properties in terms of height?

3 THE WITNESS: Yes.

4 Immediately surrounding the building
5 there are -- I think I am going to jump back because
6 I don't have an image of every single building.

7 MR. TUVEL: Okay. That is fine.

8 THE WITNESS: Again to the north, there
9 are a series of brownstones that are 40 feet tall
10 that are Stevens -- most of those are Stevens owned
11 brownstones, and then the Carnegie Building, which
12 is here on the south site. That building at its
13 high point is 62 feet tall as high as the roof.

14 The Union Club Building across the
15 street is 63 feet tall at its roof, and then the
16 majority of the brownstones along Hudson Street are
17 40 feet tall, and there are some that are an extra
18 story above that.

19 MR. TUVEL: Okay.

20 Can you briefly describe for the Board,
21 and we will get into this more when the planner gets
22 on, but why this specific site was chosen for the
23 academic building?

24 THE WITNESS: When the -- for Stevens
25 campus, it is really kind of split. The south end

1 of the campus that you see here -- as you see here,
2 it is against 6th Street, and this is Hudson
3 Street -- the core of the campus that is the
4 academic core of the campus, what you find up the
5 hill is residential. There is an administration
6 building, a library, so all of the academic programs
7 are really happening within that small area.

8 So the program for the building
9 includes a number of laboratory spaces, classrooms,
10 et cetera, that need to support the existing
11 activities in that area, so they need to be
12 approximate to the existing academic programs.

13 There are labs that are run by faculty
14 that are already housed in the buildings that are in
15 that area, and they need quick access to the
16 campus -- to that area.

17 Students between classes are moving
18 very quickly. They only have about ten minutes to
19 go from one class to the another, so from a
20 practical standpoint, it places the building in the
21 academic core and makes the most sense.

22 MR. TUVEL: Okay.

23 So let's move to the proposal I think,
24 unless the Board has any questions on existing
25 conditions, we can move to the proposal itself.

1 COMMISSIONER GRANA: I have one
2 question.

3 THE WITNESS: Yes.

4 COMMISSIONER GRANA: Just to clarify,
5 the northeast corner, which would be Hudson and 6th,
6 right, there is the lot, I think it's two through
7 eight is where the parking lot is --

8 THE WITNESS: Yes.

9 COMMISSIONER GRANA: -- those
10 brownstones directly to the north, those are the
11 properties of Stevens?

12 THE WITNESS: Correct.

13 COMMISSIONER GRANA: Thank you.

14 UNIDENTIFIED VOICE FROM THE AUDIENCE:
15 Except for one.

16 COMMISSIONER GRANA: Except for one?

17 UNIDENTIFIED VOICE FROM THE AUDIENCE:
18 Yes.

19 MR. TUVEL: Immediately adjacent,
20 immediately adjacent --

21 COMMISSIONER GRANA: Let me ask the
22 question again.

23 MR. TUVEL: -- which one is not owned
24 by Stevens?

25 COMMISSIONER GRANA: Which one is

1 not --

2 UNIDENTIFIED VOICE FROM THE AUDIENCE:

3 The one with the black roof --

4 THE REPORTER: Wait a second.

5 MR. GALVIN: You can't have calling
6 out, and the architect is supposed to know the
7 answer to that.

8 COMMISSIONER GRANA: Let me try it
9 again.

10 The brownstone that is immediately
11 adjacent to what the proposed structure will be is
12 owned by Stevens or not?

13 THE WITNESS: That is correct. It is
14 owned by Stevens.

15 COMMISSIONER GRANA: Thank you.

16 MR. TUVEL: Okay.

17 Mr. King, let's talk about the proposal
18 itself. I briefly spoke about it, but can you just
19 go over the purpose and the goals of the Academic
20 Gateway?

21 THE WITNESS: The vision from Stevens
22 for what the Academic Gateway really is about is to
23 strengthen the academic core and mission of the
24 school, so building on the existing classrooms,
25 adding classroom space, adding laboratory space,

1 smart classroom space, again, more advanced
2 classrooms that are becoming important today for
3 their educational model, office space, and also
4 conference space, which is important for the new
5 collaborative programs they would like to establish.

6 Some of the lab spaces in this building
7 are actually pretty cool and may be worth
8 mentioning.

9 There is a smart energy lab plan for
10 the building. What that lab will do is instead of
11 what you normally see in a lot of energy research,
12 they are not going to monitor health, they are going
13 to measure a district, so that lab will be used to
14 measure energy use in the district and study that
15 relative to climate data, et cetera, so they can be
16 smarter about how we use energy, not just the scale
17 of a simple building, but the scale of a
18 neighborhood --

19 THE REPORTER: Can you keep your voice
20 up a little?

21 COMMISSIONER BRANCIFORTE: Yes. We
22 can't hear you. You have to --

23 THE WITNESS: Sorry. It just went on
24 again.

25 Also, there will be a lab called the

1 Center for Health Care Innovation, which we all know
2 how much we have to improve the delivery of health
3 care in this country. That is a group that's
4 dedicated to developing new ideas for improving the
5 delivery of health care here in the U.S.

6 There is also --

7 MR. TUVEL: Go ahead. No, go ahead.

8 THE WITNESS: -- one of my favorites is
9 a digital learning lab, which is being established,
10 which is experimental laboratory space that is
11 intended to test different methods of delivering
12 digital media and digital forms of content for
13 courses to students, so it's constantly -- the space
14 is being experimented with in terms of how students
15 might engage in digital media.

16 MR. TUVEL: And when I was looking at
17 the floor plans, I saw smart classrooms labeled on
18 all of the -- on a lot of these, and I thought every
19 class was supposed to smart, but what is a smart
20 classroom, just so everybody is aware?

21 THE WITNESS: Certainly all of the
22 students are smart.

23 (Laughter)

24 THE WITNESS: But smart classrooms have
25 evolved quite a bit. About ten years ago, you might

1 see a smart classroom as simply a room that has a
2 projection screen.

3 Today classrooms are much more
4 interactive. They are broadcasting classes between
5 two different universities or maybe broadcasting
6 with a partner, and they are used for communication
7 across -- across town to show their use for very
8 interactive communication between different
9 settings, so they do quite a bit of work for
10 expanding the use and the capacity of the university
11 in terms of offering a diversity of programs for
12 their students.

13 MR. TUVEL: Okay. There is going to be
14 office and faculty space in this building as well,
15 correct?

16 THE WITNESS: That's correct.

17 MR. TUVEL: Okay. Could you just give
18 the Board a brief overview of what that is?

19 MR. GALVIN: I'm sorry. Faculty office
20 space?

21 MR. TUVEL: Yeah, right. Sorry.

22 THE WITNESS: There is faculty office
23 space specific to particular departments that will
24 be housed in the building.

25 There are also particular offices that

1 will be dedicated to particular lab space because
2 each lab has staff that works directly in that lab.

3 MR. TUVEL: Okay. There is also going
4 to be conference space, correct?

5 THE WITNESS: Yes.

6 The conference space is really put in
7 the building as -- conference space may not be the
8 perfect word for it.

9 MR. TUVEL: Okay.

10 THE WITNESS: It is more collaboration
11 space. Students today are doing more and more
12 project-based learning projects. They are working
13 together in groups. They're meeting together, not
14 just during class time or lab time, but at other
15 times to build projects together, and so those
16 spaces become critical to a learning department, but
17 not just where the faculty --

18 MR. TUVEL: We can get into more
19 detail on the LEED certification case. But can you
20 just give the Board -- we can do that later -- but
21 can you just give the Board an overview of some of
22 the green technologies that have been put inside of
23 this building or on the exterior of this building
24 that they can look to in terms of your testimony?

25 THE WITNESS: Again, we are going to

1 talk a little bit more later about the details of
2 it. But as Jason mentioned earlier, the building
3 will be LEED certified. The target will be LEED
4 gold for the project, which is a very high level of
5 LEED certification.

6 In order to achieve that, we are
7 looking at very high level -- very high performance
8 mechanical systems, lighting systems, LED lighting
9 systems, et cetera, in order to achieve a very high
10 level of stormwater management, et cetera, so it is
11 a pretty high level of development for LEED.

12 MR. TUVEL: Let's go to the exterior
13 design of the building and let's describe that.

14 So what sheet are you on of A-1?

15 THE WITNESS: This is Exhibit 4 of the
16 site plan.

17 MR. TUVEL: So for the record, Mr. King
18 is referring to Sheet 4 of Exhibit A-1.

19 MR. GALVIN: Yes. On the bottom of the
20 page, it would say Exhibit 4.

21 THE WITNESS: Exhibit 4, yes.

22 So the building for the project --
23 there are two buildings, one on the north site,
24 which is primarily a rectangular shape.

25 There is a building on the south site,

1 which is primarily L-shaped and wraps the back of
2 the existing Carnegie Building, and there is a
3 bridge between two projects that crosses 6th Street
4 at both the second and the third level.

5 THE REPORTER: Of the what?

6 THE WITNESS: At the second and the
7 third level.

8 THE REPORTER: I'm sorry, but I am
9 really like imagining what you're saying.

10 THE WITNESS: Sorry.

11 MR. TUVEL: So just to be clear,
12 because I just want to make sure you projected
13 enough, could you just describe the south building
14 again for the Board and for the public?

15 THE WITNESS: The south building is a
16 building that wraps -- it's an L-shaped building
17 that wraps around the outside of the Carnegie
18 Building and behind, so the bulk -- trying to push
19 as much of a mass of the building back into the
20 Carnegie Building as possible.

21 MR. TUVEL: Thank you.

22 Please continue.

23 THE WITNESS: So as Jason mentioned, we
24 worked with the neighborhood to reduce the height of
25 the building and to try and mitigate the height as

1 much as possible, so we reduced the -- the original
2 height of the original proposal was a 94 foot
3 structure, and we reduced that height.

4 Now we are -- two buildings have
5 slightly different heights, and that is because the
6 average heights -- the raising was a little bit
7 different, but the south building has a height of
8 66.4 feet -- 66.4 feet, and the north building has a
9 height of 65.08 feet. Again, the difference -- the
10 buildings will be the same height, but the average
11 grade is different, so it's calculated a little bit
12 different --

13 MR. TUVEL: And that just deals with
14 how you measure building height --

15 THE WITNESS: Correct.

16 MR. TUVEL: -- pursuant to the zoning
17 ordinance, correct?

18 THE WITNESS: Correct.

19 MR. TUVEL: Okay.

20 THE WITNESS: So, again, as part of the
21 project, we work to push the scale down, so we
22 reduced the building from 94 to 66 feet essentially,
23 and that was reduced further -- oops, sorry --

24 MR. TUVEL: So for the record, what
25 sheet is that?

1 THE WITNESS: This is sheet labeled
2 Exhibit 5, and these are exterior elevations of the
3 building.

4 The two elevations that we are looking
5 at across the top, this is the elevation of Hudson
6 Street looking east --

7 MR. TUVEL: So that is looking east.

8 THE WITNESS: -- looking east, yes.

9 And the drawing at the bottom is cut
10 through 6th Street, and you are looking north, so
11 this is the north building. You can see this
12 portion of the drawing here is the bridge itself,
13 and this is the existing Union Club Building across
14 the street.

15 MR. TUVEL: Okay.

16 THE WITNESS: So, as we mentioned, the
17 building at 65 feet is a four-story structure. The
18 reason that it is as tall as it is, and it is only
19 four stories is because in an academic building,
20 especially one with laboratories in it, it's not
21 your typical residential building.

22 So a typical residential building does
23 not have, for instance, a lot of duct work,
24 sprinklers and structural steel, and so the height
25 gets quite tall in an academic building in order to

1 accommodate all duct work that's needed, so, you
2 know --

3 MR. TUVEL: And when you say "tall,"
4 just to be clear, and so I am clear as well, you
5 mean from ceiling -- from the floor to the ceiling,
6 correct, of each level?

7 THE WITNESS: From one floor level to
8 the next floor level is 15 feet --

9 MR. TUVEL: Okay.

10 THE WITNESS: -- so -- and that extra
11 height is connected to everything that is really
12 what is above the ceiling, all of the duct work in
13 the ceiling that's needed to support a larger
14 structure.

15 MR. TUVEL: Okay. Can you describe
16 the relationship -- well, let's first talk about the
17 setback of the top floor.

18 Can you describe that to the Board?

19 THE WITNESS: Yes.

20 So if we look at the bottom drawing, it
21 is probably easiest to see that.

22 So, as you said, you can see here the
23 dotted line. That is the original height of the
24 project from when we originally submitted it, so we
25 reduced it quite a bit. But you can also see the

1 top most box is the mechanical equipment, so the
2 mechanical equipment we also spent quite a bit of
3 time pushing that mechanical equipment back, and we
4 will talk a little bit more about that later, but we
5 also pushed back the fourth floor, so that the
6 height, the perceived height from the ground is
7 actually shorter, so the height of the building that
8 you perceive primarily from the street is about 50,
9 so it is an additional 15 feet lower than the 65.

10 MR. TUVEL: In relationship to the
11 Union Club across the street and the Carnegie
12 Building directly next door, can you just describe
13 those heights at the street level as well?

14 THE WITNESS: Well, again, as I
15 mentioned earlier, the height -- the Union Club
16 height is 63 feet. The height to the upper roof of
17 Carnegie is about 62. The height to the cornice
18 here, which is really what you perceive from the
19 street, is 50 feet. So the height of the building
20 here, the lower portion, would be consistent with
21 the height of the Carnegie Building and stop.

22 MR. TUVEL: Okay.

23 And, in your opinion, do the heights --
24 are the heights consistent with the surrounding
25 community and the surrounding neighborhood and

1 across the street?

2 THE WITNESS: Well, I think we've
3 responded very specifically to those heights, yes.

4 So in terms of the buildings like the
5 Union Club and the buildings like Carnegie, that
6 breakdown of scale, where we brought the scale from
7 65 down to 50 works well.

8 We have done additional work next to
9 the brownstones to the north in order to bring that
10 scale down even further. So you see the edge of the
11 building is actually right here on the north edge.
12 But right at the street level, we brought that scale
13 way down to 40 feet, so that it aligns with and
14 continues the scale of those brownstones.

15 So we tried to respond at each edge
16 with the varying heights of the different buildings.
17 So when you come to street level here, you will see
18 that the brownstones heights are matched on the
19 north end.

20 COMMISSIONER COHEN: Excuse me. Can I
21 just ask a question?

22 MR. TUVEL: Sure.

23 COMMISSIONER COHEN: That 40-foot edge
24 that matches on the north end that you were just
25 pointing to --

1 THE WITNESS: Yes.

2 COMMISSIONER COHEN: -- how far set
3 back is the building behind the street scape from
4 that point there?

5 THE WITNESS: That is set back about 12
6 feet.

7 COMMISSIONER COHEN: Okay.

8 THE WITNESS: The setback is not
9 dissimilar from -- dissimilar to the setback here.

10 COMMISSIONER COHEN: It's also 12 feet?

11 THE WITNESS: Yes.

12 COMMISSIONER DE FUSCO: Can I ask a
13 question just to follow up on that?

14 MR. TUVEL: Sure.

15 COMMISSIONER DE FUSCO: On A-1, Exhibit
16 8, the imagery that we see up on the screen now
17 doesn't seem to correspond with the computer
18 generated image.

19 THE WITNESS: I would have -- we have
20 not gotten to Exhibit 8.

21 COMMISSIONER DE FUSCO: Okay. I'm
22 just -- since we are talking about how the buildings
23 connected to one another --

24 THE WITNESS: Okay.

25 COMMISSIONER DE FUSCO: -- okay, but at

1 your leisure, please.

2 THE WITNESS: Okay.

3 MR. TUVEL: Sticking with the setback
4 topic, which was my next topic, so that was going to
5 be my transition.

6 Can you talk about the setback of the
7 building from the street?

8 THE WITNESS: So the building does
9 align with the existing buildings to either side of
10 it, so the face, the larger face of the building
11 aligns with the brownstones to the north, and this
12 face aligns with Carnegie to the south, and that
13 leaves space for the garden and the continuous
14 garden up and down Hudson Street, so that would be
15 maintained as well.

16 So that whole garden strip along Hudson
17 Street would be part of the project as well, so it
18 pushes it back and aligns it with the existing
19 building.

20 MR. TUVEL: Okay.

21 And we do need a setback variance for
22 one of the buildings, and, in your opinion, is it
23 better to have a prevailing setback than to comply
24 with the ordinance in this case?

25 THE WITNESS: Absolutely. I mean, it

1 is an urban neighborhood. Hoboken is all about a
2 street edge and -- and I would say you want to
3 maintain the garden and you want to maintain the
4 edge of the building -- the prevailing edge of the
5 building.

6 MR. TUVEL: Okay.

7 Jumping to the question that was just
8 asked as well, can we go to the exhibits that show
9 the different perspectives of the building --

10 THE WITNESS: Yes.

11 MR. TUVEL: -- because I think that was
12 a good question that we should take a look at.

13 THE WITNESS: So this is a view -- this
14 is -- this is Hudson Street across here, and this is
15 looking down 6th Street --

16 MR. TUVEL: Richard, just mention the
17 number that you are looking at just for the record.

18 THE WITNESS: I apologize.

19 MR. TUVEL: That's okay.

20 THE WITNESS: Exhibit 7.

21 MR. TUVEL: Okay. Thanks.

22 THE WITNESS: And you can see the
23 impact of pushing the fourth -- the fourth floor
24 level is set back. You can see the primary cornice
25 here at 50 feet, so it helps to bring -- it helps to

1 mitigate the scale.

2 This view is looking from the north, so
3 you can see this is looking south towards downtown
4 Hoboken.

5 MR. TUVEL: This is Sheet 8, right?

6 THE WITNESS: Sheet 8.

7 MR. TUVEL: Sorry to be so technical,
8 but just so the court reporter can mark it.

9 THE WITNESS: And then Sheet 9 is
10 looking from the south looking -- heading -- looking
11 north, you can see the Carnegie Building is in the
12 foreground, and the new building is in the middle
13 ground, that you can see the different -- the
14 alignment of the different structures and how it
15 fits into the scale of the neighborhood.

16 MR. TUVEL: Okay.

17 THE WITNESS: Some other things that I
18 think are worth mentioning related to the -- to the
19 character of the architecture for us, as I mentioned
20 earlier, the sense of proportion and scale was very
21 important to us -- hum -- the sense of scale in
22 proportion of these, both in terms of windows and
23 how we scaled the windows up, you will see as you
24 move from the very large scale windows here on the
25 Carnegie Building to the smaller scale windows on

1 the brownstone. We worked to really transition that
2 as a whole facade, so you can really see the whole
3 street has its own facade.

4 Where the very small scale windows here
5 respond to that, and then they become part of a
6 Manzard.

7 And then we introduce a medium scale
8 window to really make that transition, and then a
9 larger scale window, which was really an inspiration
10 for us considering all of the old bank buildings and
11 others that we saw that really looked fantastic.

12 But, again, trying to use different
13 scale pieces to kind of stitch together this whole
14 elevation, so it really feels like it is one new
15 elevation that really mediates between this smaller
16 scale and this larger scale building, and this is
17 making this sort of one that's in between in terms
18 of its scale and presence on the street.

19 MR. TUVEL: Okay. Go ahead.

20 THE WITNESS: The other thing that I
21 wanted to mention also is we actually spent quite a
22 bit of time looking not just at the proportions of
23 the facade, but what about the depth of the facade,
24 as well as to try and push it back and provide some
25 relief and shadow play, so you see there was quite a

1 bit of depth and materials related to brick, et
2 cetera, that we tried to add depth to really make it
3 feel like a turn of the century building. That's
4 part of that same spirit and character in terms of
5 the new building.

6 MR. TUVEL: Sticking on the windows, in
7 your view, will there be any glare that generates
8 from the windows?

9 I just wanted the Board to understand
10 your analysis with respect to that.

11 THE WITNESS: Well, on an urban street
12 like this, glare is probably a minimal issue
13 especially because the buildings are so tall across
14 the street, the low angle sun that you would get
15 would be fairly minimal.

16 It might affect the very top level a
17 little bit, but for the most part when you have
18 those low sun angles with tall buildings across the
19 street, there is some, but it would be minimal.

20 MR. TUVEL: Okay. Thank you.

21 Do you want to talk about some of the
22 colors and materials that you incorporated into the
23 building?

24 THE WITNESS: Yes.

25 So, as I mentioned, the intent for

1 windows would be for those to be bronze windows,
2 which start out as a kind of a brown color, but
3 eventually patina to a soft green, much like a
4 copper. The Morton Building, which is right up the
5 street is a similar product, and you can see it has
6 now a fantastic green patina to it.

7 The brick, we would imagine, is a red
8 brick that would be in the same spirit and character
9 as the existing Carnegie Building to the south. It
10 might not be exactly the same, maybe a hair darker,
11 but it would be in the same spirit.

12 The Manzard would be similar to the
13 slate -- the traditional slate Manzards that you see
14 around the City of Hoboken, which are classic turn
15 of the century -- again, classic turn of the century
16 Manzard roofs.

17 MR. TUVEL: Okay.

18 And we need a variance with respect to
19 the glass, as well as the fenestration.

20 Can you please go over that, those
21 percentages, and describe why you think the variance
22 would be appropriate from an architectural
23 standpoint?

24 THE WITNESS: So --

25 MR. TUVEL: Just mention the sheet

1 that you are looking at.

2 THE WITNESS: Yes, 6.

3 MR. TUVEL: Okay.

4 THE WITNESS: I'm sorry. I am in
5 denial about needing bifocals --

6 MR. TUVEL: That's okay.

7 THE WITNESS: -- that is what happens
8 in your forties, I guess.

9 (Laughter)

10 THE WITNESS: Obviously, there are two
11 calculations for us to look at here. One is raw
12 material and the other is fenestration.

13 In terms of raw materials, they are
14 required to be 75 percent masonry.

15 Because we were looking at making the
16 top level of the building into a slate Mansard
17 that's set back, we thought that it would be more
18 appropriate and actually fit in more if we used a
19 slate-type material up at the top level, and so we
20 aren't able to hit the 75 percent requirement for
21 masonry on the facade, because of that, and so --

22 MR. TUVEL: What percentage are we at,
23 just so the Board is aware?

24 THE WITNESS: I believe it's 67
25 percent.

1 MR. TUVEL: Okay.

2 THE WITNESS: So -- but we felt given
3 how well it would fit into the neighborhood to have
4 a similar kind of Manzard, that was an appropriate
5 response.

6 MR. TUVEL: Okay.

7 THE WITNESS: The second is
8 fenestration. The fenestration levels that we are
9 hitting are 32 percent and 36 percent for the
10 building. And again, the reason is because we tried
11 to make it big enough where we hit 45 percent, but
12 the windows were so large that it felt really out of
13 scale with the rest of the neighborhood, so we
14 really scaled that back. That was also a bit of a
15 philosophical issue for us and also an energy issue
16 for us.

17 The National LEED standard in terms of
18 prescriptive window sizes is a maximum of 40
19 percent, so the current Hoboken code exceeds the
20 maximum for a LEED -- for a LEED sustainable
21 building.

22 So we probably wouldn't do that anyway,
23 if it weren't for that relation, so there is an
24 energy issue that's at stake, but also we think that
25 the sizes are more appropriate for a building that

1 is really going to fit into the neighborhood when
2 you look really closely at it.

3 MR. TUVEL: Okay.

4 So from an architectural standpoint, do
5 you see any detriment to the surrounding area with
6 respect to the variances that we would need?

7 THE WITNESS: What? Could you repeat
8 that?

9 MR. TUVEL: I'm sorry.

10 The window, the glass and the masonry,
11 I'm sorry.

12 THE WITNESS: I don't think so.

13 I mean, from our standpoint and
14 understanding the intent of the code is to develop
15 buildings that are in the spirit of the character of
16 the city, and the choices that we made we feel are
17 related to trying to meet that as well as we could,
18 and that by getting closer to the spirit of the
19 architecture, we found that we couldn't meet the
20 requirements, so actually I think we are doing
21 better than the requirement in terms of fitting the
22 building into the neighborhood in terms of
23 character.

24 MR. TUVEL: Great. Thank you.

25 The roof plans, could you orient the

1 Board to what -- oh, I'm sorry.

2 MR. GALVIN: We have a question.

3 COMMISSIONER GRANA: Just one technical
4 question.

5 MR. TUVEL: Sure.

6 COMMISSIONER GRANA: The variance in
7 masonry from 75 percent to 67 percent, just to
8 clarify a technical question, is not triggered by
9 the windows, but is in fact triggered by the slate
10 on the Manzard roof?

11 THE WITNESS: Correct. That is correct.

12 COMMISSIONER GRANA: Thank you.

13 MR. TUVEL: Okay.

14 Let's orient the Board and the public
15 to the roof plan, so they can see what is up there
16 and what's being proposed.

17 THE WITNESS: Do you want to do the
18 roof plan?

19 MR. TUVEL: Whatever you think flows
20 better with your testimony.

21 THE WITNESS: So as we mentioned, and I
22 think Jason mentioned as well --

23 MR. TUVEL: I'm sorry. What number --

24 THE WITNESS: -- part of the project --

25 MR. TUVEL: -- Richard, just what

1 number?

2 THE WITNESS: 11.

3 MR. GALVIN: Exhibit 11.

4 THE WITNESS: Exhibit 11.

5 Part of the process of working with the
6 neighbors was reducing height and impact of height,
7 so as part of that process we did quite a bit to
8 reduce the amount of mechanical equipment that's on
9 the roof and push it back as far as we could.

10 So on the north roof, the roof
11 equipment has been set back quite far. In both the
12 north and south, we reduced the amount of equipment
13 below the ten percent required to calculate the
14 height for that equipment, so both roofs are at 9.7
15 percent.

16 MR. TUVEL: And that is roof coverage,
17 correct?

18 THE WITNESS: Coverage, yes.

19 MR. TUVEL: Okay.

20 THE WITNESS: We also actually added a
21 basement behind the Carnigee Building here in order
22 to remove some of that equipment and actually put it
23 in the basement, which includes some of the air
24 handling equipment for that building as part of
25 that.

1 The other part of this equipment on the
2 south with the exception of the elevator, which
3 actually is quite short, all of the equipment has
4 been put back behind the Carnegie Building, so -- to
5 further reduce its visual impact. So from the
6 street, the equipment that is on the south building
7 would not be visible.

8 The equipment on the north building
9 would be visible from some extreme angles, but you
10 would really have to look for it frankly to see it.

11 MR. TUVEL: Okay.

12 In terms of the height of the structure
13 of the mechanical equipment, is the goal to comply
14 with the ordinance with respect to the height of the
15 mechanical equipment?

16 THE WITNESS: Yes. All equipment would
17 be underneath the 15 foot, yes.

18 MR. TUVEL: Okay. Let's talk about --

19 THE WITNESS: Go ahead.

20 MR. TUVEL: -- no. I was going to ask
21 you to describe the entrance and exit points to the
22 building, how you get in and out.

23 THE WITNESS: Yes.

24 So this is Exhibit 10. I am getting
25 better.

1 Just again to orient folks, this is
2 Hudson Street. This is 6th Street.

3 One important issue for us in terms of,
4 one, how do you get in and out of the building, was
5 to reduce the impact on the neighborhood on Hudson
6 Street.

7 So we pushed the entrances back as far
8 as we can onto 6th Street, so the entrances marked
9 in green would be the main entrances into the
10 building, which pushes as much of the student
11 population back into the Stevens campus as possible
12 and reduces that impact even further back than the
13 Lieb Building is now, which is currently on the
14 south -- on the south site.

15 Then in terms of service entrances,
16 currently the Lieb Building has a service entrance,
17 which is between the Lieb Building and Carnegie
18 Building. That service entrance would be removed
19 from Hudson Street.

20 MR. TUVEL: Go ahead.

21 THE WITNESS: And then the service
22 entrance would be relocated to the rear of the north
23 building, which would be accessed from the service
24 alley, which is here.

25 The only other entry connected to the

1 building would be emergency exits. There are two
2 emergency exits on Hudson, which would only be used
3 in an emergency because there are stair towers in
4 that location, and there are emergency exits off of
5 the alley --

6 COMMISSIONER COHEN: Can I ask a
7 question?

8 MR. TUVEL: Sure.

9 COMMISSIONER COHEN: So just to
10 understand, currently there is a loading area on
11 Hudson that you are eliminating as part of this
12 design?

13 THE WITNESS: Correct.

14 COMMISSIONER COHEN: And can you just
15 point to where the current loading place is that
16 would get that traffic?

17 MR. TUVEL: Richard, why don't you go
18 to the aerial just to show where that is in the
19 existing condition.

20 THE WITNESS: Sure.

21 So the existing service loading area is
22 in between, about a 15 foot wide space between the
23 existing Lieb Building, and it would be right here.

24 COMMISSIONER COHEN: And the loading
25 area that you are describing would service both

1 buildings, right?

2 THE WITNESS: That's correct.

3 The bridge actually allows us to
4 service both buildings from the north and south.

5 COMMISSIONER COHEN: Thank you.

6 MR. TUVEL: We will get into testimony
7 in case there are any more questions from Stevens
8 when we talk about the number of deliveries and how
9 that occurs, and we will describe that in detail.

10 MR. GALVIN: No problem.

11 Let's go.

12 MR. TUVEL: So let's talk about the
13 bridge that connects the two structures over 6th
14 Street -- well, first, where is it located exactly
15 on 6th Street?

16 THE WITNESS: So the bridge is pushed
17 back from Hudson Street, so it is as far east as we
18 can push it.

19 We moved the major circulation pass
20 through the building as far east as we can in order
21 to accommodate that circulation.

22 What the bridge allows us to do because
23 we have small port sites is it allows us -- one of
24 the things we mentioned earlier in terms of the
25 program is that there are significant collaboration

1 phases that need to happen as part of the program.

2 So, for instance, on a given floor,
3 this is the third floor of the building at the top,
4 there is a laboratory, and it is in the north
5 structure while office spaces are located in the
6 south structure, which would be faculty offices, so
7 what the bridge allows us to do is to make that
8 happen where folks can be here.

9 There isn't enough floor space to get
10 all of the offices immediately next to the labs, so
11 this gets us as close as we can, and it allows that
12 lab to function properly, so that is an important
13 element for us.

14 The other is that it provides space for
15 some of the group projects in collaboration spaces
16 that we talked about. There are small group
17 collaboration spaces on the bridge, which would be
18 for five to eight students. That would be along the
19 east side of the bridge.

20 The main circulation path facing west
21 towards Hudson Street, we pushed those programs
22 further east away from the neighborhood to the west.

23 The other thing that the bridge allows
24 us to do, as we mentioned, we are able to move folks
25 back and forth between the buildings, which helps us

1 to reduce the traffic on 6th Street, so the number
2 of students moving back and forth between the
3 buildings would actually be lower because we have a
4 bridge.

5 The other, as part of the process of
6 looking at the mechanical equipment on the roof, we
7 spent quite a bit of time not just figuring out how
8 to reduce equipment from the standpoint of how big
9 it is and how much it is, but also how much energy
10 we use.

11 So we were able to -- instead of
12 having, for instance, chillers on both buildings to
13 provide an air-conditioner system, we moved it -- we
14 pushed one chiller to the south building and pushed
15 it behind the Carnegie, so it reduces its impact,
16 but it also saves us energy. So the south building
17 really acts as the infrastructure core for the north
18 building, so that allows us to share utilities
19 between the buildings as well, which is very
20 helpful, and provides quite a bit of flexibility.

21 The bridge allows us also since there
22 are issues with --

23 THE REPORTER: I can't hear you.

24 THE WITNESS: -- the bridge allows
25 us -- there are issues over time with utilities

1 between the two buildings that we can fix them
2 without digging up the street, which is often an
3 issue. So those are some of the issues surrounding
4 the bridge and why --

5 MR. TUVEL: So it assists the structure
6 in terms of environmental efficiency and utilities,
7 correct?

8 THE WITNESS: I'm sorry. I didn't hear
9 you.

10 MR. TUVEL: I'm sorry.

11 It assists the two structures with
12 respect to environmental efficiency?

13 THE WITNESS: Correct.

14 MR. TUVEL: As well as utility
15 functionality, correct?

16 THE WITNESS: Correct.

17 It allowed us to make more advances in
18 shrinking the size of the building when we were
19 looking for it, being able to shrink it, so it
20 actually worked to our advantage at that moment to
21 try to shrink that infrastructure from being visible
22 as much as possible.

23 MR. TUVEL: Okay. I am sure the Board
24 and the public will be interested in what are the
25 materials that the bridge is made out of?

1 THE WITNESS: Well, the original design
2 of the bridge was much more solid using some of the
3 bronze metal materials. There is an existing bridge
4 next to the Morton Building, which is part of the
5 original inspiration for that. But in order to
6 reduce the visual impact and make it as transparent
7 as possible, we changed that so it is almost
8 entirely glass at this point in order to increase
9 its transparency and really provide as much of a
10 view of the sky through it as possible. Even the
11 walls of the conference spaces that would be
12 included on the bridge would be glass, so that you
13 can see right through.

14 So, for instance, here the wall between
15 the corridor would also be glass.

16 MR. TUVEL: Okay. And what impacts
17 would the bridge have in terms of visibility from
18 the street?

19 THE WITNESS: From the street for folks
20 walking up and down the street, the impact is
21 minimal. We lose some sky, but hopefully the
22 transparency in the glass helps with that.

23 One of the things that's important to
24 understand a little bit about the topography here is
25 that as you are walking up 6th Street, you are

1 actually walking uphill and that river is really the
2 crest -- River Street is really the crest of the
3 hill. So any views of the Hudson or of the city are
4 really not apparent until you are up close to River
5 Street, so you are really not blocking any views
6 from -- if you're walking as a pedestrian.

7 And the bridge is up quite high. It is
8 about -- it's 15 feet minimum clear underneath it,
9 so that that allows for pedestrian views and street
10 views, so there is not an interruption of the view
11 from street level.

12 MR. TUVEL: Okay.

13 Now, there is going to be conference
14 space within that structure, correct?

15 THE WITNESS: Yes

16 MR. TUVEL: And when I say "structure,"
17 I'm sorry, the bridge.

18 THE WITNESS: Yes.

19 MR. TUVEL: Okay.

20 And when that space is being used for
21 conferencing with, you know, students and faculty,
22 will there be more of an impact on visibility, and
23 if so, is that a significant impact in your opinion?

24 THE WITNESS: I mean, you will see
25 folks -- you will see heads. You will see folks

1 sitting in chairs, and you'll see their heads, but,
2 you know, they are not dancing. It is a pretty
3 minimal effect. It's a pretty passive use compared
4 to other uses that could be there. It is not a
5 student lounge or a cafe, for instance. We tried to
6 find a use that would be appropriately minimally
7 passive for minimal impact.

8 MR. TUVEL: Okay. We will have the
9 site engineer go into a little bit more detail on
10 this, but in terms of clearance in height, can
11 emergency vehicles get under the bridge?

12 THE WITNESS: Yes, they can, and we
13 have checked that -- the civil engineer can check
14 that with the city as well. There is specific
15 equipment requirements to make sure that we were
16 well within the requirements.

17 MR. TUVEL: Okay.

18 Let's go to the floor plans and
19 describe for the Board and the public some of the
20 floor plans and the specifics that are within the
21 building.

22 COMMISSIONER COHEN: Can I just ask one
23 question?

24 MR. TUVEL: I'm sorry, yeah, sure.

25 COMMISSIONER COHEN: What is the

1 clearance between the ground and the --

2 MR. TUVEL: I should have saved that
3 one for the civil engineer --

4 COMMISSIONER COHEN: -- the ground and
5 the height of the passageway?

6 THE WITNESS: 15 feet.

7 COMMISSIONER COHEN: 15 feet.

8 MR. TUVEL: I should have asked it.
9 You are right.

10 THE WITNESS: So this is Exhibit 15.
11 This is a section through the building just to give
12 you a sense of what is on every floor in the
13 project.

14 So, as Jason mentioned, we do have an
15 occupied cellar -- an occupied cellar in the
16 building, which includes mechanical space, some
17 office space. In the south building there are
18 laboratories and mechanical spaces.

19 Those spaces were chosen specifically
20 because there are some particular lab uses that
21 actually do quite well without daylight, so those
22 fit in quite well at the basement level.

23 The ground level, there are --

24 MR. TUVEL: Sticking with the
25 basement. I'm sorry to interrupt you.

1 THE WITNESS: Yes.

2 MR. TUVEL: We do need a variance for
3 occupying the basement space?

4 THE WITNESS: Yes.

5 MR. TUVEL: Okay.

6 Can you talk about whether there are
7 any building code issues, any safety issues with
8 respect to having occupiable cellar space?

9 THE WITNESS: If we were in a
10 residential building, there might be, but given that
11 it's an institutional building, the egress system
12 for the building both ways out are completely
13 contained within the building structure itself, so
14 there are two independent stair towers within the
15 building, two ways out, that are completely
16 independent of any windows that might be needed for
17 the egress.

18 MR. TUVEL: Okay.

19 THE WITNESS: Then, again, as I
20 mentioned, in terms of uses, the functions that we
21 have in the basement, we have specifically chosen
22 because they are the ones that do well in situations
23 where there is no daylight.

24 MR. TUVEL: Okay.

25 THE WITNESS: There are actually folks

1 on Stevens campus who don't want to see the light of
2 day ever in their lab, so it works quite well for
3 them to be in the cellar.

4 (Laughter)

5 MR. TUVEL: Okay. So there is no
6 building code or safety issues with respect to
7 occupying the cellar?

8 THE WITNESS: That is our estimation,
9 yes.

10 MR. TUVEL: Okay. Thank you.

11 Sorry.

12 Please continue.

13 THE WITNESS: The ground level plan
14 includes a large study space with a supporting cafe,
15 as well as smart classrooms.

16 The second floor includes the digital
17 learning labs space, that experimental lab space I
18 mentioned as well, as well as a large smart
19 classroom.

20 The third floor includes a
21 bio-innovation and computer science departments.

22 The fourth floor includes a smart
23 energy lab, as well as more space, let's say office
24 space for computer science, so those are the main
25 programs through the building.

1 MR. TUVEL: There were just two things
2 on the floor plans that just spurred my interest.

3 One was labeled energy command and
4 visiting center. Can you just describe what that
5 is?

6 That just sounded interesting.

7 THE WITNESS: So the energy command and
8 the visiting center is the engineers want to have
9 this cool room where you step off the elevator, and
10 you can see the entire energy group that they are
11 studying in one shot, so you can -- you look at the
12 climate data that they monitoring that will show up
13 on a series of screens, and that will be mapped
14 against energy use, so that would be basically a
15 room with large sets of screens for you to see real
16 time the data that's being collected related to
17 energy and climate.

18 MR. TUVEL: Okay.

19 And in terms of the cafe, will there be
20 any being cooking within the cafe?

21 Could you just describe some of the
22 details with respect to the cafe?

23 THE WITNESS: Yes.

24 So the cafe is within an open study
25 area that's on the ground floor of the building, and

1 it is primarily an open study area. The cafe
2 supports that. It would have coffee, sandwiches.
3 It might have a microwave or a warming oven to heat
4 up a sandwich, but there wouldn't be any fryers or
5 anything requiring any --

6 MR. TUVEL: Okay. So no cooking, or
7 grease traps, nothing like that?

8 THE WITNESS: Correct.

9 MR. TUVEL: Okay.

10 All right. Let's go to the landscaping
11 plan that is proposed.

12 THE WITNESS: This is Exhibit 15.
13 Again, Hudson Street across the bottom, and 6th
14 Street up the center of the drawing.

15 The two streets are treated very
16 differently. They are two very different streets.

17 As we mentioned, the gardens, the
18 wonderful gardens along Hudson Street would be
19 continued for both of these buildings.

20 Currently the existing north part, as
21 we mentioned, is a parking lot, which currently
22 pushes a little bit into this green space. There is
23 a small green space, so that we would be expanding
24 the green space on the north lot.

25 The south lot, if you recall, we were

1 talking earlier, there is currently a service
2 entrance here, so there is an open green space, but
3 it would be expanded once we take out that service
4 entrance, so in both cases those garden spaces are
5 getting a little larger than they were before.
6 Those are intended to be planted with shade trees
7 and low scale plantings.

8 The trees include Hawthorns, as well as
9 serviceberry trees. The existing trees that are
10 street trees along on the north lot would remain in
11 place, the existing trees, and the trees that we
12 have shown in the tree pits here would be
13 serviceberry trees, and those grow to about 15 feet
14 tall.

15 We have to look carefully at that
16 selection, because we might adjust it depending on
17 exactly where the wires are, but they are intended
18 to be a species that would grow up to a point and
19 stop before we get to the wires, so we can really
20 find a way to have shade trees and have wires, which
21 is common all over Hoboken.

22 MR. TUVEL: Okay.

23 THE WITNESS: And then along 6th
24 Street, we are treating 6th Street a little bit
25 differently.

1 There are honey locust trees, which are
2 a nice tree for that urban setting. It is a very
3 open tree. The leaves are very light, so we're not
4 talking about anything heavy like an oak, for
5 instance, or something like that to provide a nice
6 outlay, and then here this is where the bridge is,
7 and then there are pedestrian lights that would
8 match the existing campus standard lights, and that
9 would be on this street.

10 There would be no new street lights
11 along Hudson Street. There is an existing overhead
12 cobra head highway light here that we would keep,
13 which is part of the fabric of Hudson Street. But
14 other than that, the lights would be -- we would
15 only be adding pedestrian lighting on 6th Street.

16 MR. TUVEL: Can you just describe what
17 the maintenance would be for the landscaping to
18 ensure that it was properly maintained?

19 THE WITNESS: Well, we would be using
20 all native plantings. Again, part of our LEED
21 certification would include the use of native
22 plantings and drop colorant plantings, so there
23 would be very low maintenance.

24 MR. TUVEL: Let's discuss the lighting
25 plan that is proposed.

1 THE WITNESS: So this is the
2 photometric. It's really hard to see. It looks
3 like an x-ray of somebody's lungs or something.

4 Again, the north building and the south
5 building, the sources for light you can see -- I
6 will point them out as we go.

7 As I mentioned, there are new
8 pedestrian scale lights. These are not your 25 foot
9 high cobra heads. These are scaled. They are
10 usually 12 to 15 feet high and would be located only
11 on 6th Street.

12 Again, the intent for that is to keep
13 the light levels along the residential Hudson Street
14 consistent with the way they are now and not
15 increase the light levels on Hudson, but increase it
16 where we have the most -- where we have some student
17 activity, you know, from a safety standpoint, and we
18 would add lights there.

19 There are small lights that are
20 required at the egress doors along Hudson Street.
21 Those would be full cut-off fixtures that throw
22 light directly down onto the ground, and aren't
23 intended to shine up, so they have a full hood on
24 them, so they are pretty low level.

25 Then there are a series of lights along

1 the back alley. Again, those are service lights
2 similar to what you would find here on the egress
3 points, so that they keep the light level low and
4 pedestrian scaled within the alley. It's not
5 really -- the alley is not intended for major
6 circulation, but it's more of a service.

7 MR. TUVEL: Okay.

8 In connection with the lighting,
9 classrooms that face Hudson Street or just any room
10 that faces Hudson Street, I know Mr. Maffia will get
11 into further detail on how they operate, but could
12 you just give the Board a brief overview of the
13 lighting as it faces Hudson Street?

14 THE WITNESS: So one of the things I
15 mentioned earlier in terms of circulation is we
16 pushed the circulation for the building -- we pushed
17 the circulation inside of the building to the back.
18 That is important because in buildings of this
19 scale, we need to have emergency lighting on all of
20 the time, which is mostly in the corridors. So that
21 emergency lighting in corridors, which has to be on
22 all of the time would be across the back, so we
23 would reduce the lighting impact to the
24 neighborhood.

25 Within the classrooms, which we pushed

1 the classrooms closer to Hudson --

2 MR. TUVEL: Right.

3 THE WITNESS: -- because they all have
4 occupancy sensors on them, so within eight minutes
5 of everyone leaving the classroom, or all of the
6 students falling asleep, the lights will go off in
7 the classroom, so that very quickly after the
8 building closes at the end of the school day, those
9 lights go out automatically, so if somebody forgets
10 to turn the lights off, the lights still go down.

11 MR. TUVEL: All right. And we will get
12 into more about operations of the building, but it's
13 the intent that classes would end, and people would
14 be out of there by ten p.m., and therefore, the
15 lights would be off on the east side of Hudson
16 Street by hopefully ten p.m., but we will get into
17 more detail on that with other witnesses, but I just
18 wanted to put that in the Board's mind and the
19 public's mind.

20 I guess to get to the final aspect of
21 your testimony before we entertain questions, can
22 you just give a more detailed overview of some of
23 the LEED -- of LEED certified items that Stevens is
24 looking to achieve in connection with this project?

25 THE WITNESS: Yes. So Stevens is

1 possible and appropriate, which have a very high
2 level of energy savings and longevity. We would
3 look at enhanced buildings -- to ensure the system's
4 efficiency, which is a newer requirement within
5 LEED.

6 There is also long-term energy metering
7 that will be happening to make sure that the system
8 that's installed actually continues to work over
9 time. That will also provide a great teaching tool
10 for students in the building, where they can learn
11 about how energy is being used in the building over
12 time and long-term performance.

13 There are obviously recycling programs
14 that are going to be part of the program in terms of
15 construction waste management related to
16 construction and use of high recycled content
17 materials, like a steel frame for the building,
18 which has a very high recyclable content of around
19 70 percent.

20 Within the site design, there are
21 stormwater management strategies that are part of
22 it, including detention, use of reflective materials
23 for paving and roofing to reduce energy loads, water
24 efficiency through low-flow fixtures, et cetera,
25 that will be part of the project.

1 Under categories of indoor
2 environmental quality, there would be mechanical
3 systems with increased ventilation requirements to
4 improve indoor air quality, using low VOC materials
5 for sealants and paints are usually required on this
6 type of project, which we will definitely use.

7 We will look into daylight harvesting
8 in terms of ways for us to push daylight further
9 into the building. We have some narrow floor
10 plates, so that should be something we can achieve.

11 Obviously, there are things within LEED
12 that we would do as part of the project.

13 Jason mentioned, for instance, the
14 shuttle buses that are part of the project. That
15 actually is part of a LEED submission. Proximity to
16 transportation is part of a LEED certification as
17 well. That's not something that's part of the
18 project, but it's part of understanding a whole LEED
19 project in terms of how we would get it certified,
20 so...

21 MR. TUVEL: And there would also be
22 installation of additional bike racks on campus
23 within a certain proximity of the building, correct?

24 THE WITNESS: Yes.

25 So even though we do not have bike

1 racks that would be on this site, we are going to be
2 adding bike racks at an adjacent site that will be
3 part of the LEED submission, that are within the
4 200-yard requirement for the LEED submission, which
5 would be closer to the athletic facility, which is
6 where -- we studied the campus as a whole in terms
7 of bikes, more bike storage in that location, and
8 also because it is covered, and there is a real
9 advantage to providing more covered bike racks.

10 MR. TUVEL: And we'll talk about the
11 number of bike racks and so on and so forth when we
12 get to the operational witness, so the Board is
13 aware of how many we are putting in.

14 I guess that really concludes my direct
15 of Mr. King, so the only thing I will add, and this
16 was in Ms. Banyra's report, and it's more of a legal
17 issue, was the process of the bridge. She asked
18 that I explain that.

19 I did reach out to the city's council
20 regarding the bridge, and that would be a post
21 approval item just like any condition of approval or
22 any other outside agency approval --

23 MR. GALVIN: I have already marked that
24 down as a condition, that you would have to acquire
25 an easement from the governing body for the -- God

1 bless you --

2 MR. TUVEL: Right. I just wanted to
3 address it because --

4 COMMISSIONER BRANCIFORTE: What was
5 that?

6 The easement of the bridge?

7 MR. GALVIN: Because they have to go
8 across the city street and they need an easement --

9 COMMISSIONER BRANCIFORTE: That's fine.
10 I'm crossing that question off the --

11 MR. GALVIN: But it is a fascinating
12 question. Yes.

13 (Laughter)

14 CHAIRMAN AIBEL: Okay. Finished?

15 MR. TUVEL: Yes.

16 CHAIRMAN AIBEL: Let me open it up.
17 Board members, questions?

18 COMMISSIONER GRANA: So I would like to
19 refer back to Exhibit 1, which is actually the front
20 page. I will reference Exhibit 5 that I am going to
21 focus on, Exhibit 1 --

22 THE WITNESS: You're giving my fingers
23 a workout.

24 (Laughter)

25 COMMISSIONER GRANA: Yeah.

1 THE WITNESS: Okay.

2 COMMISSIONER GRANA: So looking down at
3 the aerial, I think it is Block 228, which is that
4 north -- we'll call it where the north building is
5 intended to be constructed --

6 THE WITNESS: Yes.

7 COMMISSIONER GRANA: -- that's right
8 there.

9 THE WITNESS: Yes.

10 COMMISSIONER GRANA: I also asked, you
11 know, I guess, whether the adjacent property was
12 owned by Stevens.

13 Some of those -- there was one property
14 that is not, is that correct?

15 Can you identify that property on
16 there?

17 THE WITNESS: I know it is the sixth
18 one down.

19 COMMISSIONER GRANA: One, two, three,
20 four five, six.

21 The one with the black roof in your
22 picture?

23 THE WITNESS: I believe that is a non
24 Stevens' property.

25 COMMISSIONER GRANA: Okay.

1 So I guess my one question would be:
2 If the structure will be -- of the north building
3 would be 65 feet in height with the Manzard roof,
4 what impact do you think that would be on the
5 backyard of that property from the light and air
6 perspective?

7 THE WITNESS: That is a good question.

8 So because the building is -- is a
9 hundred feet south of it, most of the sunlight that
10 would impact that yard is going to be from, let's
11 say, ten in the morning until about one in the
12 afternoon, and so that sun is fairly high.

13 We have not studied the shadows of
14 whether that yard is in the sun from this building,
15 but it's something we can do, but we have not done
16 it.

17 My intuition is that it would be
18 minimal, but I have not done it.

19 COMMISSIONER GRANA: Do you think that
20 there is currently any existing impact to that same
21 property, private property, from the Carnegie
22 Building across the street, which is already 65 feet
23 in height?

24 THE WITNESS: I believe that there is
25 an existing impact from the existing five to

1 six-story residential properties to the east of it
2 and probably impact the shadows more than this
3 building.

4 The Carnegie Building is too far away
5 and does not impact it in terms of shadow.

6 I think the Burchard Building is also
7 probably too far away, and it would not impact it.

8 I believe the existing residential
9 building right behind it definitely will impact the
10 shadow now.

11 COMMISSIONER GRANA: So there is an
12 impact on the --

13 THE REPORTER: I'm sorry. There's an
14 impact on the what?

15 COMMISSIONER GRANA: -- there is
16 already an impact on the structures on River Terrace
17 on the top --

18 THE WITNESS: Yes.

19 COMMISSIONER GRANA: -- your estimate
20 is I believe the hour -- window of impact --

21 THE WITNESS: Where it might be
22 defective -- and a difference, too, between the
23 extra height above 40 feet is, again, gets fairly
24 small once you are comparing it for the variance.

25 COMMISSIONER GRANA: The 15 feet

1 difference?

2 THE WITNESS: Yes.

3 COMMISSIONER GRANA: Thank you.

4 COMMISSIONER DE FUSCO: Mr. Chair?

5 CHAIRMAN AIBEL: Go ahead.

6 COMMISSIONER DE FUSCO: So for my
7 edification, the buildings directly behind Building
8 A, the northern most building on River Terrace,
9 those are Stevens' owned properties?

10 THE WITNESS: Yes. They are Stevens'
11 owned properties.

12 COMMISSIONER DE FUSCO: The alleyway as
13 you referred to it, separating Building A, as I'm
14 calling it, and these other Stevens' properties, on
15 the plans it seems that you have a sidewalk or --

16 THE WITNESS: Paving.

17 COMMISSIONER DE FUSCO: -- paving.

18 THE WITNESS: It is currently asphalt
19 paving.

20 COMMISSIONER DE FUSCO: Right.

21 I mean, have you given any thought in
22 terms of perhaps making that part of your green
23 infrastructure, something that would be a little
24 more conducive with nature?

25 THE WITNESS: It is possible for --

1 well, the service is important. We felt that in
2 terms of because there was an opportunity to remove
3 the service alley from Hudson Street, that that was
4 a real value, so maintaining that service alley as a
5 service alley seemed a fairly high improvement. It
6 is possible that in terms of the materials that we
7 would choose for the surface of the alley, that we
8 will look at materials that would be more compatible
9 with infiltration.

10 COMMISSIONER DE FUSCO: So talking
11 about infiltration, you listed a number of great
12 LEED areas, and it's certainly very exciting.

13 This area is not in a flood area --

14 THE WITNESS: Correct.

15 COMMISSIONER DE FUSCO: -- quite
16 frankly, one of the highest parts of town. But, you
17 know, when it rains, water goes downhill.

18 So have you considered putting a
19 retention basin in to retain water that comes from
20 this location?

21 THE WITNESS: So there is a --

22 MR. GALVIN: Well, let me just stop you
23 and jump in.

24 He did say as part of the LEED
25 certification, there was a storm management plan.

1 It's probably not best for the architect to go into
2 it. They have an engineer to do it --

3 THE WITNESS: There is a detention
4 plan, and the civil engineer will walk through it --

5 MR. GALVIN: Exactly. That's what I
6 said.

7 THE WITNESS: -- so I don't say
8 something that's not correct --

9 COMMISSIONER DE FUSCO: In your
10 opinion, you mentioned that I guess it's the Lieb
11 Building, a World War II era building --

12 THE WITNESS: World War I.

13 COMMISSIONER DE FUSCO: -- World War I
14 building -- certainly a handsome building for the
15 neighborhood, solid brick, you know, cornice work.
16 In your opinion, there is no architectural value to
17 this existing building?

18 THE WITNESS: I am not sure I
19 understand the question.

20 You mean esthetically or do you mean
21 functionally?

22 COMMISSIONER DE FUSCO: There is not
23 many World War I era brick buildings left in
24 Hoboken, so my question to you as the architect,
25 somebody that enjoys architecture and style as such,

1 is there anything worthwhile, you know, from this
2 era that, you know, could be preserved in that
3 building?

4 THE WITNESS: I think the contribution
5 of the building from that standpoint, although I am
6 not an expert in historic architecture, is minimal.

7 But for functional as viewed from the
8 building, from the standpoint of serving the mission
9 of Stevens in terms of its academic mission and it's
10 research mission, it is compromised, highly
11 compromised, and so the ability for Stevens to
12 maintain that structure and achieve its mission is
13 highly compromised. So in order for us to really
14 achieve the mission on this site, Stevens has a
15 real --

16 THE REPORTER: I can't hear you.

17 THE WITNESS: -- there is really --
18 it's not a possible function for us to do that --

19 MR. TUVEL: Just to add to your
20 question, when we research the issue on that
21 building, it is not in the historic district, nor
22 has that building ever been designated as a historic
23 landmark or anything of that nature, so we did check
24 that before the proposal just to make sure.

25 COMMISSIONER DE FUSCO: There are a

1 number of buildings in Hoboken that may not have
2 been deemed historical, but are of the
3 neighborhood -- so I would just like to point that
4 out, and I was just wondering if you had considered
5 any sort of historic preservation in regard to the
6 Lieb Building.

7 Two more quick points, and I will wrap
8 this up. It is getting late.

9 The two-story bridge: Is there any
10 benefit from a shadow or impact perspective of
11 reducing the two-story bridge to one story, or is
12 that de minimus if it is one or two stories, it's
13 still going to have a similar impact?

14 THE WITNESS: Certainly there is a
15 significant impact for us having a connection on two
16 floors. So, yes, there is a significant impact and
17 reducing that from two floors to one would be --

18 COMMISSIONER DE FUSCO: But as you
19 testified, it is important to have connectivity
20 between the buildings --

21 THE WITNESS: Right.

22 COMMISSIONER DE FUSCO: -- and I will
23 just again point that Exhibit 8 is -- so your
24 Exhibit 8, the computer generated image is not
25 congruous with the architectural plan --

1 THE WITNESS: Can you explain, in what
2 way?

3 COMMISSIONER DE FUSCO: Sure. Can you
4 go to Exhibit 8?

5 THE WITNESS: Sure.

6 COMMISSIONER DE FUSCO: So in your
7 plans, you actually have a door on that northern
8 corner, which isn't represented there, and you also
9 have the top of the building corresponding with the
10 top of the neighboring building.

11 COMMISSIONER DE GRIM: You had a three
12 floor building between the brownstone and --

13 THE WITNESS: I can explain it to you.

14 So let me go to the plan maybe for a
15 moment, and I can explain that.

16 It is just -- it's the angle. I
17 apologize if it's confusing.

18 So in the plan in order to make the
19 transition happen from the lower to the higher, we
20 pushed this section back a little bit, so the 40
21 foot high section is actually back straightly from
22 the face of the adjacent brownstone --

23 COMMISSIONER DE FUSCO: But even in the
24 plans, I mean, you have an additional window in the
25 plans that isn't --

1 THE WITNESS: Yes. Because of the
2 angle, it's not visible --

3 COMMISSIONER DE FUSCO: -- o we're
4 not --

5 THE WITNESS: -- I apologize if it's
6 confusing, but it is because of the angle.

7 COMMISSIONER DE FUSCO: All right.

8 THE WITNESS: So the brown section
9 here, this high section, is pushed back. It's about
10 four to five feet back, so when you are coming down
11 the street, it is a pretty severe angle, so we were
12 trying to get one as far back, so we could see the
13 whole project --

14 COMMISSIONER DE FUSCO: Understood.
15 All right. I just wanted to clear it up for the
16 Baord.

17 MR. TUVEL: It's a good question.

18 COMMISSIONER DE FUSCO: Obviously,
19 it's, you know, the way this building fits in with
20 the neighborhood is essential, so --

21 THE WITNESS: Right. There is the
22 door, that egress door, and then the windows would
23 be here.

24 COMMISSIONER DE FUSCO: Perfect. All
25 right.

1 Thank you for your time.

2 MR. GALVIN: You are going back to the
3 Historical Commission, right?

4 MR. TUVEL: Yeah. We actually -- and
5 thank you for bringing that up. I was going to I
6 think bring that up at the end, but it is
7 appropriate that that question was asked.

8 On March 2nd, we have a hearing before
9 the Historical Commission, and I know this Board
10 referred the application to the HPC, and we plan on
11 presenting -- we actually do have a historical
12 expert that we retained for purposes of that meeting
13 who studied the history of the building, so we
14 really looked into it.

15 COMMISSIONER DE FUSCO: Great.

16 Thank you.

17 COMMISSIONER DE GRIM: Between -- next
18 to the Carnegie Building and the south building, is
19 that just -- what is the composition of what is
20 covering the surface there?

21 THE WITNESS: So, again, that is pushed
22 back. It is about five feet. The thought was that
23 that would be glass. We were trying to get light
24 into it, so that piece would be bronze with the
25 mullions, and the frames would be bronze, and the

1 glass would be glass.

2 COMMISSIONER DE GRIM: Okay.

3 And what is on the back side of these
4 buildings?

5 THE WITNESS: That is a good question.
6 I did not bring those as presentation materials. We
7 did include those. I apologize. We can bring them
8 back, if needed, to the next discussion and walk
9 through them --

10 MR. TUVEL: Yes. The elevations were
11 submitted with the packet, but we didn't do colored
12 elevations because we figured --

13 COMMISSIONER DE GRIM: Right.

14 MR. TUVEL: -- 6th -- Hudson Street
15 would be the most significant between the two --

16 COMMISSIONER DE GRIM: Okay

17 MR. TUVEL: -- but we can, of course,
18 if you want to see that, we can bring it.

19 MR. GALVIN: I have a follow-up
20 question on Mr. DeGrim's question on the glass.

21 Is it transparent or translucent?

22 THE WITNESS: Transparent.

23 MR. GALVIN: Thank you.

24 COMMISSIONER DE GRIM: And are there
25 railings at the door at the bottom?

1 There appear to be, which would be
2 consistent with brownstones.

3 THE WITNESS: Yeah, there would be, but
4 the intent is for them to be as minimal as possible,
5 so that they are not trying to act like they're
6 residences, but there would need to be railings --
7 just for egress, we have to have a railing, but we
8 would try to make it as minimal as possible.

9 COMMISSIONER DE GRIM: Okay. I have no
10 further questions.

11 Thank you.

12 CHAIRMAN AIBEL: Ladies first.

13 Go ahead.

14 COMMISSIONER FISHER: Can you talk a
15 little bit again about -- my apologies -- on why the
16 windows are so big?

17 THE WITNESS: Why the windows are so
18 big?

19 COMMISSIONER FISHER: The question --
20 the reason for that is I know you talked about, you
21 know, ten o'clock, the classrooms closing, the
22 lights going off. But it does -- the question I
23 have is, you know, what is kind of the brightness
24 impact going to be on the neighborhood that doesn't
25 currently exist, and there just seems to be a lot of

1 glass.

2 THE WITNESS: Sure.

3 So we actually felt like the windows --
4 we tried to make the windows as small as we can in
5 certain areas, and really build a transition, as we
6 talked about, from these smaller scale residential
7 windows for the brownstones to the north and the
8 much larger scale windows in the Carnegie Building,
9 these fantastic old giant arches, and really see
10 this building as a transition between those two.

11 So as part of that, it includes really
12 a composition of smaller scaled openings, for
13 instance, here that are closer to there, and they
14 actually wrap up because this -- you know, a Manzard
15 roof is really part of a residential language of
16 architecture, so the dormers are scaled to be
17 similar to that, and then introducing a
18 medium-scaled window here to make that transition,
19 and then a larger scaled window just to recognize
20 that it is a public building.

21 So the intent is actually not to have
22 windows that are as large as possible, but to create
23 a composition that allows that transition to happen
24 across the whole facade.

25 The spaces that are up at the top of

1 the building, obviously are having smaller windows
2 because again trying to get that top a little bit
3 smaller scale, but, again, for us it felt like a
4 good transition between one side and the other.

5 Now, to answer your question about
6 light, so one of the good things about choosing
7 glass for a LEED certified building is that the
8 light transmitting level of those pieces of glass is
9 actually a lot lower than what you would normally
10 find in a piece of glass that you see in almost any
11 building that was built before 1985, so we're
12 actually -- so the benefit of that is that not only
13 does it cut sunlight, but it also cuts light out of
14 the building quite a bit, so we can do quite a bit
15 to reduce that, to reduce that further.

16 Further, when ten o'clock rolls around,
17 as Jason mentioned, folks are not in those spaces
18 any more. There are some folks that might come
19 through for maintenance after that very quickly
20 right at the end of the night, but for the most part
21 those lights go off at ten o'clock, so we're really
22 seeing the end.

23 We located as much of the classroom
24 space across the western side as possible, so that
25 when the building shuts down at ten, that is more in

1 keeping with the schedule of a residential block, so
2 you are really seeing the front of the building that
3 faces Hudson shut down as you approach ten o'clock
4 to reduce the light levels, so we tried to
5 accomplish lower light levels through how we
6 organized the space inside the building to mitigate
7 that, and also developing occupancy sensor programs
8 for the building to reduce when the lights are on,
9 and to mitigate the glass within the context of what
10 we are trying to accomplish with the facade to make
11 it fit in with the neighborhood.

12 MR. TUVEL: And we actually, just to
13 add to your question, we actually need a variance
14 because we reduced the amount of the percentage of
15 glass in the building, so it's not --

16 THE WITNESS: We don't have enough
17 glass --

18 MR. TUVEL: -- it is less than what the
19 code requires, and I think what Richard stated is
20 that for efficiency purposes and light purposes, we
21 actually think that the less glass -- for me to say
22 it -- it's better for this building than more glass
23 to your point.

24 COMMISSIONER FISHER: What is the
25 percentage of glass?

1 THE WITNESS: 45 percent is what is
2 required by code. It's very high.

3 COMMISSIONER FISHER: 45? I thought it
4 was 25.

5 MR. GALVIN: Do you agree with that?

6 MS. BANYRA: That is the number that's
7 in the book. The number in the book has been
8 identified a long time ago. It is the number that's
9 stated, but it's always been kind of understood that
10 it was about 25.

11 MR. GALVIN: Maybe we have to
12 mention --

13 (Laughter)

14 MS. BANYRA: But I wasn't going to
15 correct anybody. It's just, you know --

16 THE WITNESS: Put parentheses there.

17 MS. BANYRA: -- it has been a mistake
18 that's been in there, and it was never corrected,
19 and, you know, so --

20 COMMISSIONER FISHER: Doesn't every
21 zoning table have the 75/25? Doesn't it have 25 --

22 MS. BANYRA: It is different. It's
23 something for glazing. It's in a different section,
24 yes, and it is in the language --

25 COMMISSIONER FISHER: It just seems

1 high, but --

2 MS. BANYRA: -- I was going to point
3 that out to the planner, but it's in the book, so I
4 can tell you folklore says 25, but the book says 45,
5 so...

6 CHAIRMAN AIBEL: Okay. Let's keep
7 going.

8 THE WITNESS: We are at 32 percent and
9 36 percent. The buildings are a little different,
10 so we are above the 25 percent.

11 CHAIRMAN AIBEL: Okay.

12 Mr. Cohen?

13 COMMISSIONER COHEN: Yes.

14 I appreciate that you reduced the
15 height of the buildings and worked with the
16 community to accomplish that.

17 I am wondering whether the height of
18 the bridge was lowered as a result of that effort,
19 or was it always designed to be at that height of 15
20 foot clearance?

21 Was that the original plan or is that a
22 result of the modification?

23 THE WITNESS: The plan was a result of
24 the modification. The bridge was originally up
25 another foot. That is correct.

1 COMMISSIONER COHEN: Okay.

2 And do you know how the height of that
3 bridge compared -- I know that there is a similar
4 bridge that goes over a public street. I think
5 there is only one other that I can think of, which
6 is by the hospital. Do you know what the height of
7 that bridge is?

8 THE WITNESS: I do not know the height
9 of that.

10 COMMISSIONER COHEN: And you said that
11 you spoke with public safety people about the height
12 of the bridge?

13 THE WITNESS: Civil engineers.

14 MR. TUVEL: Well, Langan Engineers and
15 our site engineer spoke with the fire department to
16 make sure that emergency vehicles could clear, you
17 know, and we designed it properly for that, so he
18 can testify to his conversation.

19 COMMISSIONER COHEN: Okay. I'll also
20 want to know about like delivery vehicles --

21 MR. TUVEL: We are going to go through
22 all of that, I promise you.

23 COMMISSIONER COHEN: All right. Okay.

24 Thank you.

25 COMMISSIONER BRANCIFORTE: I have a

1 logistics question.

2 What other experts are you bringing up,
3 a planner, a traffic engineer --

4 MR. TUVEL: Yes, so --

5 COMMISSIONER BRANCIFORTE: -- civil
6 engineer?

7 MR. TUVEL: -- so a good question. So
8 after -- my proposal was after we were finished with
9 the architect, to do a site engineer to go over the
10 site, then a traffic engineer to go over traffic and
11 parking, and then an operational person to go over
12 such issues as how the building is going to
13 function, deliveries and things of that nature, and
14 then the last person would be the planner.

15 COMMISSIONER BRANCIFORTE: Okay.

16 So the person to ask questions of LEED
17 construction would be the architect?

18 MR. TUVEL: Correct.

19 COMMISSIONER BRANCIFORTE: Okay.

20 Is there a gold -- is there a gold --
21 is there a green roof on this building?

22 COMMISSIONER DE FUSCO: Didn't we just
23 say that we were talking to the engineer about that,
24 though, when I was asking --

25 MR. GALVIN: No. We were talking about

1 the stormwater management would be appropriate for
2 the engineer.

3 COMMISSIONER DE FUSCO: Okay,
4 interesting. I'm sorry for interrupting.

5 MR. TUVEL: That's all right.

6 COMMISSIONER BRANCIFORTE: Green roof?

7 THE WITNESS: Currently there's not a
8 green roof planned for the building.

9 COMMISSIONER BRANCIFORTE: Okay.

10 MR. GALVIN: So it wouldn't matter
11 anyway.

12 (Laughter)

13 COMMISSIONER BRANCIFORTE: What is --
14 because you don't have any detail about the roof, is
15 there anything going on the roof, solar panels,
16 anything like that?

17 THE WITNESS: Well, we walked through
18 the mechanical equipment that would be on the roof.
19 That would be the only equipment on the roof.

20 COMMISSIONER BRANCIFORTE: Okay.

21 The electrical lines, the utility lines
22 that exist now --

23 THE WITNESS: Yes.

24 COMMISSIONER BRANCIFORTE: -- are they
25 going underground?

1 THE WITNESS: The utility lines that
2 are currently along Hudson Street would remain.

3 COMMISSIONER BRANCIFORTE: Right.

4 THE WITNESS: The lines that would go
5 along 6th Street would be put underground.

6 COMMISSIONER BRANCIFORTE: Okay.

7 The type of labs that are going in the
8 basement, first of all, is there a basement existing
9 now in the north building or the south building
10 rather?

11 THE WITNESS: No.

12 COMMISSIONER BRANCIFORTE: So you are
13 going to have to dig it out?

14 THE WITNESS: Correct.

15 COMMISSIONER BRANCIFORTE: Is there
16 serpentine rock there?

17 THE WITNESS: Our preliminary
18 geo-technical report suggests that the rock is below
19 the level of where we would be digging.

20 COMMISSIONER BRANCIFORTE: Okay. So
21 you won't have to disturb the rock?

22 THE WITNESS: That is our understanding
23 from the report.

24 COMMISSIONER BRANCIFORTE: Utilities
25 are underground.

1 Landscaped lighting along Hudson
2 Street, is there landscaped lighting along the
3 building in that garden?

4 THE WITNESS: I can walk through that
5 again, if you'd like.

6 COMMISSIONER BRANCIFORTE: Yes.

7 MR. GALVIN: I don't know. That was a
8 yes or no, right?

9 (Laughter)

10 COMMISSIONER BRANCIFORTE: I'm the last
11 person to talk tonight anyway --

12 THE WITNESS: So in the terms of
13 lighting along Hudson Street, the intent, as I
14 mentioned, is to keep the light along Hudson Street
15 consistent with the way it is now, which is a low
16 scale, more of a residential feel.

17 There is an existing lovely cobra
18 headlight at the corner that would remain. That is
19 currently the only light that is there.

20 We would be adding pedestrian scale
21 lighting along 6th Street, which would be consistent
22 with the campus lighting. Those are -- again, we
23 are putting in not very tall road scale lights, but
24 low scale, pedestrian scale lights, which have lower
25 light levels that are more consistency -- you get a

1 much more consistent feeling of lighting when you
2 walk down the street.

3 And then there are small scale lights
4 at each of the egress points from the building,
5 which are required for code, and those would be full
6 cut-off fixtures, which just throw light onto the
7 ground, so we can minimize the impact of light on
8 the residential street.

9 COMMISSIONER BRANCIFORTE: I wanted to
10 ask you about the labs that are going in the
11 basement.

12 THE WITNESS: Yes.

13 COMMISSIONER BRANCIFORTE: I am
14 concerned about chemicals or toxic chemicals or some
15 kind of dangerous materials that might be used in
16 those labs.

17 THE WITNESS: Okay. The labs that are
18 planned for the basement do not include hoods, so
19 the chemicals -- hoods meaning that is equipment
20 that you would have. It is a large box with a fan
21 in it, and you would usually work in a hood area
22 like that if you had toxic chemicals. There will
23 not be any hoods in the basement level labs of the
24 building.

25 COMMISSIONER BRANCIFORTE: Do you know

1 what kind of studies and experiments are going to be
2 going on in these labs? Are they set aside for
3 mechanical stuff --

4 THE WITNESS: They can vary quite a
5 bit. It's more of an incubator lab, so these are
6 small scale. These are small scale labs that are
7 modular. So that if you had a group of folks that
8 are working as a team, and there are two or three
9 people, and then all of a sudden, they grow their
10 team to ten, they can expand. But what can be in
11 those labs will vary a bit, but it will not include
12 anything with chemicals that would require hoods.

13 So it could be anything from somebody
14 developing a new smart phone prototype to a circuit
15 cord, to looking at structural qualities and --

16 COMMISSIONER BRANCIFORTE: Materials.

17 THE WITNESS: -- it could vary quite a
18 bit.

19 CHAIRMAN AIBEL: So you don't need any
20 special sort of fire suppression in that basement
21 besides the typical sprinkler heads?

22 THE WITNESS: I believe that's true,
23 yes.

24 COMMISSIONER BRANCIFORTE: Okay.

25 The only other question I have for you

1 right now is we talked about the bike racks and
2 stuff, and you will come back with a plan later to
3 show us where they are?

4 THE WITNESS: Yup.

5 MR. TUVEL: Our -- sorry to
6 interrupt -- the operational person from Stevens,
7 the facilities manager, will walk you through where
8 those bike racks are proposed to be on campus, so
9 they are in good close proximity for the LEED
10 certification to the building.

11 COMMISSIONER BRANCIFORTE: Well, let me
12 put this out now for your operational guy later.

13 MR. TUVEL: Sure.

14 COMMISSIONER BRANCIFORTE: There's
15 supposedly talk about adding some sort of bike share
16 program to Hoboken, and I think it would be
17 important just to add the sheer number students from
18 Stevens to the bike share program.

19 So if you guys could work something
20 out, where you are putting space aside for a bike
21 share kiosk, it would be great.

22 MR. TUVEL: Yes. I believe that's the
23 intent.

24 COMMISSIONER BRANCIFORTE: Okay, great.
25 I have nothing else. Thanks.

1 CHAIRMAN AIBEL: Are we ready to open
2 it up?

3 COMMISSIONER MURPHY: I have one
4 question.

5 CHAIRMAN AIBEL: Go ahead.

6 COMMISSIONER MURPHY: I'm just curious
7 why you guys aren't going for like a platinum LEED
8 being the institution that you are.

9 THE WITNESS: We will probably look at
10 what it takes to get to platinum, and if all of the
11 things that we have that are particular goals can be
12 met and we can hit platinum, and I think that we
13 might do that, but to get to platinum we are not
14 sure yet that we can get there, to be honest,
15 because it takes a very particular kind of building
16 program to get to platinum, and I am not sure that
17 the labs are going to get us there.

18 CHAIRMAN AIBEL: Go ahead.

19 COMMISSIONER BRANCIFORTE: Usually when
20 somebody comes to us with a green proposal like
21 this, a LEED proposal, they will give us basically a
22 schedule of points to show us exactly what they are
23 going to do.

24 Could you arrange that for us?

25 Could you put that together for us?

1 THE WITNESS: Yes.

2 COMMISSIONER BRANCIFORTE: Thanks.

3 COMMISSIONER FISHER: I have two quick
4 follow-up questions.

5 One is you mentioned that the use of
6 the west side of the building has put on any
7 classrooms -- it looks like about 50 percent are
8 cafe or computer labs.

9 Are those computer labs meant to be 24
10 hours or are they meant to close at ten?

11 THE WITNESS: So lab spaces operate --
12 would operate the same schedule as the rest of the
13 building, so the computer lab space is
14 essentially -- it's not a computer lab like you can
15 go in there and just use a computer. It's not a
16 room for computers.

17 COMMISSIONER FISHER: Right.

18 THE WITNESS: It is a laboratory with a
19 computer science department --

20 COMMISSIONER FISHER: Got it. Got it.
21 Okay.

22 THE WITNESS: -- so they would be
23 conducting specific experiments and doing specific
24 work in there, which is research. So those would be
25 operating on the same schedule as the rest of the

1 building and close at ten.

2 COMMISSIONER FISHER: And then the
3 other question I have, how long -- generally how
4 long is it going to take to build this, and in the
5 back of the envelope estimate, do you have to close
6 Hudson Street to do it?

7 THE WITNESS: We do not have to close
8 Hudson Street. We can come back with the logistics
9 on the construction --

10 COMMISSIONER FISHER: Yeah. I mean,
11 whoever the right person is to ask that --

12 THE WITNESS: -- I don't have -- I
13 can't declare the exact time frame for the
14 construction.

15 COMMISSIONER FISHER: Okay.

16 MR. TUVEL: Yes. Again, not deferring
17 every -- all of questions to Mr. Maffia --

18 COMMISSIONER FISHER: That's all right.
19 We can ask him at the time --

20 MR. TUVEL: -- but he would be
21 overseeing that process and will have the schedule,
22 so he can answer those questions.

23 COMMISSIONER FISHER: Great. Thanks.

24 CHAIRMAN AIBEL: Is everybody all
25 right?

1 I would like to open it up to the
2 public, and I assume Mr. King will be available to
3 us if we need further questions?

4 MR. TUVEL: Whatever you want.

5 CHAIRMAN AIBEL: That's what I assumed.

6 So let me open it up to the public,
7 questions for Mr. King.

8 Please come forward. State your name
9 and address for the record.

10 MS. FAUCHER: My name is Amy Faucher.
11 I live at 606 Hudson Street.

12 I guess my one big question is the
13 walkways.

14 THE REPORTER: Can you just spell your
15 last name for me?

16 MS. FAUCHER: F, as in Frank,
17 a-u-c-h-e-r.

18 MR. GALVIN: And give us your street
19 address?

20 COMMISSIONER COHEN: 606 Hudson.

21 MS. FAUCHER: 606 Hudson Street.

22 MR. GALVIN: If you said it, I
23 apologize. Sorry.

24 MS. FAUCHER: The two-story walkway
25 that is going to go across, the lighting for that,

1 is that going to be on 24 hours?

2 MR. TUVEL: That's a good question, and
3 I'm sorry I didn't ask that.

4 THE WITNESS: It's a good question.

5 So the conference space would not be on
6 24 hours. The conference space has occupancy
7 sensors, and the lights that are on the bridge
8 itself, there would -- all of the lights on the
9 bridge would not be on.

10 We need to keep a little bit of light
11 on the bridge, because it is part of the emergency
12 egress, but those lights would be recessed light, so
13 they would be just throwing light down on the
14 ground. So if you look up, you might see like a
15 pinhole of light on the ceiling, but you're not
16 going to see like --

17 MS. FAUCHER: Not --

18 THE WITNESS: -- things when you look
19 up at it.

20 MS. FAUCHER: -- not like the lights
21 that you can see now under the scaffolding?

22 (Laughter)

23 THE WITNESS: No. They would not be
24 those. Those are more like an industrial light, so
25 the intention is for us to recess those, so that we

1 can reduce the light that you see from outside.

2 MS. FAUCHER: All right. This is
3 probably not a question for you. It's probably more
4 a question for the civil engineer, so --

5 MR. GALVIN: Then you should wait for
6 that. You would do us a favor if you did that.

7 MS. FAUCHER: Okay. I will wait for
8 that.

9 MR. GALVIN: I appreciate it.

10 As you can see, I'm even doing that to
11 the Board membership to wait for certain questions.
12 I'm sorry.

13 MS. FAUCHER: Yeah, that's fine.

14 What is on the roof setback, like
15 before the Manzard roof, what is that roof part
16 before, like is there anything there or --

17 THE WITNESS: No. It's just a roof, so
18 it just steps back.

19 MR. GALVIN: Is it going to be tar or
20 are we going to paint that white?

21 THE WITNESS: I would assume it would
22 be a white roof, yes, so that it's reflective.

23 MS. FAUCHER: And there is no chance
24 that anybody can go out on that roof if the windows
25 were open or --

1 MR. GALVIN: I am going to put a
2 condition that the roof is not to be used.

3 MS. FAUCHER: Okay.

4 THE WITNESS: It is not the intent for
5 folks to be able to get out on that particular
6 roof --

7 MS. FAUCHER: Okay. Just making sure.

8 THE WITNESS: -- unless somebody needs
9 to fix it.

10 MR. GALVIN: Yes. Unless the
11 mechanicals have to be repaired. We understand
12 that.

13 MS. FAUCHER: Thank you.

14 MR. TUVEL: Yes.

15 CHAIRMAN AIBEL: Okay. Anyone else?
16 Please come forward.

17 MS. HEALEY: Leah Healey, 806 Park.

18 Hi.

19 Do you have the interior drawing of the
20 bridge?

21 THE WITNESS: I do not have an interior
22 drawing of the bridge.

23 MS. HEALEY: Would you be able to tell
24 us the distinction between the uses on one floor of
25 the bridge and the next floor of the bridge?

1 THE WITNESS: The uses are the same. I
2 do have a plan of the bridge --

3 MS. HEALEY: I thought I saw something.

4 MR. TUVEL: There was a floor plan
5 submitted, so we can show it to you.

6 THE WITNESS: So both floors of the
7 bridge are the same --

8 MR. TUVEL: Richard, Richard, I'm
9 sorry.

10 What am I going to ask you?

11 THE WITNESS: Exhibit 12, the top
12 drawing.

13 COMMISSIONER MURPHY: I can't see it at
14 all from here.

15 THE WITNESS: It is the third floor
16 plan, and there is a corridor that is on the western
17 face of the bridge, and on the eastern side are
18 three small conferences spaces.

19 MS. HEALEY: And on the next floor up?

20 THE WITNESS: It's the same, the exact
21 same layout.

22 MS. HEALEY: Okay. So could you
23 explain, you had given us a few reasons why the
24 bridge was a good idea.

25 THE REPORTER: I'm sorry, Ms. Healey.

1 Can you speak up?

2 MS. HEALEY: You had given us a few
3 reasons why the bridge was a good idea. One of them
4 was share utilities.

5 Can you tell me -- you described the
6 utilities over on this building, how does the shared
7 utility --

8 THE REPORTER: I can't hear you.

9 THE WITNESS: Sure.

10 So the primary system that we have, the
11 mechanical system is broken into two parts.

12 The chiller for both buildings would
13 sit on the south side, and the reason we put it on
14 the south was because the more we put on the south
15 the better, because we can hide behind the Carnegie
16 Building, which was a real advantage.

17 And the chiller is the biggest thing up
18 there, so by putting the chiller on the south end,
19 we can reduce the total visual impact of the
20 mechanicals, so the chilled water that connects to
21 all of the different things that blow the air, like
22 we are hearing here, have to be located in each of
23 the specific buildings, so the chilled water could
24 connect across the bridge to the air handlers that
25 will be located on the roof and in the basement.

1 MS. HEALEY: So where is the thing to
2 take you across?

3 Where does that physically look like?

4 THE WITNESS: There would be two --
5 well, so that's not the only thing that goes across.
6 It would also be electrical conduit,
7 telecommunications wiring, sprinkler piping, lots of
8 different -- electrical conduit, and just major
9 infrastructure telecommunication lines, et cetera
10 They would be located on both levels of the bridge.

11 It is not clear to me yet whether the
12 pipes for the chiller systems would be two -- they
13 would probably be about that big.

14 Whether they are on that level or that
15 level, I do not know.

16 MS. HEALEY: So they are somewhere
17 potentially on the roof?

18 THE WITNESS: They're within the
19 ceiling level.

20 MS. HEALEY: And so that is shared
21 utilities?

22 THE WITNESS: Correct.

23 MS. HEALEY: Then you talked about
24 student circulation, so they avoid having to walk
25 down the street and go across and then back up?

1 THE WITNESS: Yes. In order to --
2 well, we thought that it was certainly value in
3 terms of mitigating use for having a lot of
4 institutional use that is on a residential street,
5 that getting as much of that off the street as we
6 could would be valued, so having the bridge helps
7 with that.

8 The other part of it is both faculty
9 and students because we have offices in both
10 buildings would be using office space, et cetera.
11 So, for instance, folks that are in this office are
12 running to this lab, so in order for them to move
13 effectively between their laboratory and their
14 office, this allows that to happen without them
15 having to come all the way downstairs and go across,
16 so it facilitates that use.

17 THE REPORTER: Can you even hear him?

18 MR. GALVIN: It's hard to hear, I'm
19 sorry.

20 THE WITNESS: The other is that there's
21 collaborative --

22 MR. TUVEL: Richard, Richard, sorry.
23 Just speak up a little.

24 THE AUDIENCE: Please.

25 MR. TUVEL: I know it's hard.

1 THE WITNESS: It's hard to hear because
2 it's different conversations.

3 MR. GALVIN: No, no. But we are the
4 main deal here.

5 (Laughter)

6 THE WITNESS: You're absolutely right.
7 So there is a technical issue with
8 folks who are running by the space in one building,
9 but their office is in another.

10 But the other part of it is that there
11 are students in laboratory spaces that are working
12 with faculty that are moving back and forth as well,
13 so facilitating that collaborative learning
14 environment, which is critical for this building, is
15 something that was priority, and something that the
16 bridge allows.

17 MR. GALVIN: Okay.

18 MS. HEALEY: And I think you talked
19 about these spaces are what in collaboration --

20 THE WITNESS: So they are essentially
21 conference rooms, but they work as team
22 collaboration spaces, so the students are working on
23 projects, which is becoming more and more part of
24 prior education in this country, project based
25 learning, so they need places outside of the lab,

1 outside of the -- to do that work and these provide
2 the opportunity to do that.

3 MS. HEALEY: But that doesn't have
4 anything to do with going between two buildings?

5 THE WITNESS: No, it does not.

6 THE REPORTER: Ms. Healey, I can't hear
7 you again.

8 MS. HEALEY: Does that have anything to
9 do with going between two buildings?

10 THE WITNESS: No, it does not.

11 MS. HEALEY: So I guess my last
12 question for you is: Is there anything that
13 prevents you from providing shared utilities and
14 student circulation, which are really the things to
15 go back and forth from having that bridge
16 underground?

17 THE WITNESS: Hum, it is impractical to
18 put it underground, and there are existing utilities
19 underground that would prevent that.

20 MS. HEALEY: So you examined the
21 existing utilities?

22 THE WITNESS: We looked at the existing
23 utilities, and they would prevent --

24 MS. HEALEY: Did anybody ask you to
25 look underground, or did you just do it?

1 THE WITNESS: It is part of the survey
2 process that we go through and identifying the
3 different --

4 MS. HEALEY: So, but you weren't asked
5 by the applicant to consider crossing below ground
6 or above ground in your --

7 THE WITNESS: Hum, they did not ask us
8 for that, but we did -- we did look at whether or
9 not that was feasible, and it is not feasible
10 because of the existing utilities --

11 THE REPORTER: I'm sorry, but I can't
12 hear you.

13 It's not feasible?

14 THE WITNESS: It's not feasible because
15 there are existing utilities --

16 MR. GALVIN: But he said he did look at
17 it.

18 THE REPORTER: Right.

19 MR. GALVIN: I'm sorry.

20 MS. HEALEY: So you looked at it not
21 only for the utilities and circulation, but also for
22 collaboration space?

23 THE WITNESS: We would not put
24 collaboration space on it.

25 MS. HEALEY: And so, in your view,

1 though, the benefit of having two floors of this to
2 do this outweighs any detriment to the neighborhood
3 versus one floor?

4 THE WITNESS: I don't know the
5 answer --

6 MS. HEALEY: You can't put it
7 underground?

8 THE WITNESS: Well, that is a different
9 question.

10 Let's try to do one question at a time.

11 MS. HEALEY: Yeah.

12 THE WITNESS: The question of do we --
13 is the bridge important to the project, yes, it is
14 important to the project.

15 We feel that we have tried to reduce
16 the bridge and find ways to mitigate the impact of
17 that within the context of what we were trying to
18 accomplish.

19 The question of whether or not we could
20 do it on one floor instead of two is a question we
21 would have to study.

22 MS. HEALEY: Thank you.

23 CHAIRMAN AIBEL: Thank you.

24 Anyone else wish to ask the architect
25 questions?

1 Come forward, state your name and
2 address for the record.

3 MR. SOBEL: Scott Sobel, 600 Hudson
4 Street, Apartment 3A.

5 MR. GALVIN: Spell your last name.

6 MR. SOBEL: S-o-b-e-l.

7 MR. GALVIN: All right. Go ahead.

8 Ask your questions.

9 MR. SOBEL: You did an excellent job of
10 describing the residential character of Hudson
11 Street, and then you described that this was going
12 to move the core of the academic campus from east of
13 River Terrace on to Hudson Street?

14 THE WITNESS: I did not say that.

15 MR. SOBEL: Well, it is going to extend
16 that. This is going to be part of the core of the
17 academic campus now?

18 Yes?

19 How is that not going to negatively
20 impact the residential character of Hudson Street?

21 MR. TUVEL: I would say, Mr. Galvin,
22 that if we are going to talk about the use variance
23 criteria, which I think that question goes to, that
24 might be a question for the planner.

25 MR. GALVIN: No. I think --

1 MR. SOBEL: This was already brought
2 up.

3 MR. GALVIN: -- he brought it up --

4 MR. TUVEL: Okay. That's fine.

5 MR. GALVIN: -- you know, he is testing
6 him as to --

7 MR. TUVEL: That's fine.

8 MR. GALVIN: -- you know, unfortunately
9 what happens is we make statements as we are going
10 along, and they become assailable.

11 MR. TUVEL: As an architect -- no, no,
12 no, that's fine.

13 MR. SOBEL: And the site selection --

14 MR. TUVEL: I don't think he said that
15 either --

16 MR. SOBEL: -- he did talk about the
17 site selection --

18 MR. TUVEL: He talked about the site
19 selection --

20 MR. GALVIN: He was talking about --
21 listen. I have already said -- I have already
22 overruled the objection, so you might want to
23 restate your question, so Mr. King can answer it.

24 MR. SOBEL: How is extending the core
25 of the academic campus on to Hudson Street not going

1 to negatively impact the residential character of
2 Hudson Street?

3 THE WITNESS: That is a very different
4 question than you asked before.

5 From a use standpoint, I think it is
6 important to understand that when we first proposed
7 the project, we actually looked at opening the
8 building up on to Hudson Street. It was a terrace.
9 We were trying to create a little bit of an outdoor
10 space, and through some of the early conversations
11 with the neighborhood, it became pretty clear that
12 that was too much Stevens on Hudson Street in terms
13 of activity for uses.

14 We pushed that back into the building
15 and removed that terrace.

16 Further, the entrance -- while the
17 buildings come out to Hudson Street, the activity,
18 which is really the impact here, the activity of the
19 campus had been pushed back as far as it is now, it
20 is further back than the Lieb Building entrance is
21 right now --

22 MR. GALVIN: I think that is consistent
23 with what he said.

24 MR. SOBEL: The institutional building
25 is still very much on Hudson Street. It will not

1 have the residential appearance. It will
2 dramatically increase foot traffic --

3 MR. GALVIN: Time out, time out.

4 We ask questions at this point. You
5 will be able to come back later on, probably not for
6 a month or two, but we are going to eventually
7 listen to what you have to think about the project
8 and if you like it or you don't like it.

9 THE WITNESS: So if I could --

10 MR. GALVIN: But stop -- no --

11 THE WITNESS: -- I didn't finish
12 answering the question --

13 MR. GALVIN: Really?

14 (Laughter)

15 I usually think that is a bad idea.

16 THE WITNESS: All right. I will stop.

17 MR. GALVIN: Unless if you have another
18 question, you can ask it.

19 MR. SOBEL: No.

20 Thank you.

21 MR. GALVIN: You're welcome. Thank
22 you.

23 CHAIRMAN AIBEL: Please come forward.

24 MS. GROSS: Am I allowed to come up?

25 MR. GALVIN: Yes, please. That's the

1 way it works.

2 MS. GROSS: My name is Barbara Gross.
3 I live at 600 Hudson Street.

4 I have a question about garbage
5 collection.

6 I don't know if Stevens has private
7 carting or if it uses the city garbage trucks, but
8 the trucks come late, late, late at night, and I
9 wonder if the garbage trucks are going to come up
10 6th Street, or if they will come another way to get
11 to that service alley.

12 MR. TUVEL: We'll answer. I promise
13 you, the operational witness will answer that
14 question, and the intent is not for the garbage
15 pickup to occur late at night, and it's going to
16 occur during normal hours.

17 MS. GROSS: And is it private carting
18 or city carting?

19 MR. TUVEL: No. Stevens does it
20 themselves --

21 MS. GROSS: Okay. Then I have a
22 question about --

23 MR. TUVEL: -- but we will talk about
24 that. I promise you.

25 MS. GROSS: -- okay.

1 I have a question about the picture
2 that you show of what this is going to look like,
3 this is very dead looking, there is not a car in
4 sight --

5 (Laughter)

6 -- and I want to know if the parking
7 that now exists on 6th Street and on Hudson around
8 those lots will exist after this is built --

9 THE WITNESS: Yes --

10 MS. GROSS: -- with union neighbors --

11 THE WITNESS: -- I don't -- that is a
12 city issue --

13 MR. TUVEL: So the parking -- our
14 traffic engineer will address parking as part of the
15 application.

16 MS. GROSS: So it's premature.

17 MR. TUVEL: No, that's okay. That's
18 fine. That's fine.

19 MR. GALVIN: It is all right.

20 MR. TUVEL: It is the intent that this
21 project will not disrupt the parking along 6th or
22 Hudson Street.

23 MS. GROSS: That's it.

24 CHAIRMAN AIBEL: Please come forward.

25 MS. SOBEL: Alba Sobel, S-o-b-e-l, 600

1 Hudson Street.

2 MR. GALVIN: Okay.

3 MS. SOBEL: What will be the capacity
4 of the north building in terms of number of people?

5 THE WITNESS: I believe that the
6 maximum number of people you might see in that
7 building is probably 150.

8 MS. SOBEL: 150.

9 And you mentioned that the classrooms
10 are pushed towards the front.

11 THE WITNESS: That's correct.

12 MS. SOBEL: So in the front windows up
13 to 150 people moving around, they will be visible
14 from the residence across the street, is that
15 correct?

16 THE WITNESS: It is unlikely that there
17 will be 150 people in all classrooms at the same
18 time, but there will be people in the classrooms
19 that will be visible from across the street.

20 MS. SOBEL: What is the distance from
21 the windows of the Union Club to the windows of the
22 north building?

23 THE WITNESS: I don't know the answer
24 to that.

25 MS. SOBEL: Can you guess?

1 Do you know the width of the street?

2 THE WITNESS: The width --I do not want
3 to guess --

4 MS. SOBEL: Okay. You mentioned that
5 the building will be lit up until ten p.m. It will
6 open and lit until ten p.m.

7 THE WITNESS: I did not say that.

8 I said that there will be -- where
9 there are classes in the building, there will be
10 lights on in those classrooms.

11 Once the classroom is no longer in use,
12 there are occupancy sensors on all of the lights.
13 Those lights will go off within five to eight
14 minutes of folks exiting the classroom, or if all
15 students in the classroom fall asleep, and then --
16 so the lights will not consistently be on in all
17 of -- on the west side of the building.

18 MS. SOBEL: As long as there isn't a
19 class there, so you are expecting there not to be
20 continual classes during the day?

21 THE WITNESS: I expect you will not
22 continually have classes in each room all of the
23 time.

24 MS. SOBEL: Okay. But from the people
25 across the street, they will see lights on up to ten

1 p.m. at least in some of those windows with people
2 moving around?

3 THE WITNESS: That is correct.

4 CHAIRMAN AIBEL: Thank you.

5 Please come forward.

6 MS. SMITH: Patty Smith, S-m-i-t-h, 716
7 Hudson Street.

8 You had -- a question had come up about
9 the shadows cast on the one residential.

10 There is a lot of open area now and a
11 lot of sunlight gets to that first half of the 600
12 block.

13 Has there been a shadow cast study done
14 for how that impacts the residential side of the
15 street, the westbound facing east, and if so, could
16 you share how many stories for the level the second
17 story, how many floors might be casting a shadow in
18 the morning from the height of these additional
19 buildings?

20 THE WITNESS: So we did do a shadow
21 study. The shadow study we compared a 40-story
22 compliant building on the north site, which would be
23 allowed to built by right, compared to the height of
24 the building that we're proposing, and there is
25 impact on shadow between those two studies.

1 If you think about how shadows are cast
2 on buildings, they move, right?

3 So because there is a one floor
4 difference between the two buildings, there would be
5 a shadow moving, and if you compared them and say
6 the shadow seven o'clock is here, if it's the four
7 stories, a shadow at seven o'clock is here, if it's
8 three stories, like 40 feet.

9 So those shadows move together, and so
10 that difference is minimal. It is a story's worth
11 of shadow, so there is a difference, but it is
12 minimal.

13 MS. SMITH: But you are saying you used
14 a 40-story building, which on the north side is now
15 a parking lot, so there is -- am I not
16 understanding?

17 THE WITNESS: Well, because --

18 MS. SMITH: There's a parking lot
19 today, so there's no building casting a shadow.

20 THE WITNESS: The reason we did that
21 was to honestly assess the impact of the zoning
22 variance that we applied for, which is the
23 difference between a 40-foot tall building and the
24 building that's proposed.

25 MR. GALVIN: Which is what you, under

1 the zoning ordinance, they don't have to have a
2 parking lot. They can put up a 40-foot tall
3 building.

4 MS. SMITH: Okay. On that existing
5 parking lot?

6 MR. GALVIN: Yes.

7 MS. SMITH: Okay. So we really don't
8 know what the impact will be.

9 Can you tell us how many floors across
10 the street will be, like where that extra 15, where
11 does that hit on the building across --

12 THE WITNESS: Well, again, it moves.
13 It moves, so --

14 MS. SMITH: -- in the worst case
15 scenario.

16 THE WITNESS: -- so it is -- we looked
17 at it on four days of the year. We looked at it on
18 two solstices -- is it solstices --

19 A VOICE: Yes.

20 THE WITNESS: -- the two solstices and
21 the equinox -- my Latin teacher is going to kill
22 me -- to study the difference between them.

23 So, as I said, the shadows follow each
24 other, if you were to compare the two, and the delta
25 varied between 30 and 40 minutes, so there is about

1 a 30-minute or 40-minute lag depending on the time
2 of the year between the shadow of 40-story zoning
3 compliance height, and that is going to vary by time
4 of year. So because, for instance, sometimes of the
5 year there is no impact at all because the shadow is
6 as such an angle, that it throws it all the way down
7 the street, where at other times there is an impact.
8 But the worst conditions that we found were that it
9 was between 30 and 40 for that extra shadow to pass.

10 MS. SMITH: And there is excavation
11 that will be going on as part of this project, I
12 would assume.

13 There is going to be some sort of
14 excavation in the north side of that?

15 THE WITNESS: Yes, right, correct.

16 MR. GALVIN: Thank you.

17 CHAIRMAN AIBEL: Please come forward.

18 MS. DE MASI: Hi.

19 I'm Ellen DeMasi. I live at 905 Hudson
20 Street.

21 In your description of this being a
22 LEED project, you mentioned that part of your LEED
23 plan is to continue shuttle buses.

24 How many students don't live on this
25 campus, why are they not living on this campus, and

1 what are we doing to house them on the campus, so
2 that the residents are not being disturbed by buses
3 in the neighborhood?

4 MR. GALVIN: I think that that is a
5 good question for the operations officer when we get
6 him. Okay?

7 THE WITNESS: That's a good question.

8 MR. GALVIN: This young man here with
9 the tie was first.

10 MR. FLETT: My name is Michael Flett.
11 That's F-l-e-t-t.

12 My address is 900 Castle Point Terrace.

13 I am on the steering committee of the
14 Hudson Street Alliance, which has about 300
15 residents in the neighborhood that signed a
16 petition, and we have developed a good working
17 relationship with Stevens, and I would like to thank
18 the administration and their professionals, and they
19 have met with us over the past few months about five
20 times.

21 But one -- Richard, one topic that has
22 been important to us is height. I think that was --
23 your first proposal was a 93 foot building. When
24 anybody saw that, that is what really got the
25 petitions going and got our meetings going. And

1 right now through these meetings, and you have been
2 receptive to the neighborhood, it's now to 67 feet,
3 I believe, give or take, but it is still 67 percent
4 taller than what is permitted under current zoning.

5 We appreciate that you cite the height
6 of the Union Club, which is on the corner of 6th and
7 Hudson right across the street as to -- as a
8 comparable for the height, the variance, but what I
9 would like to ask is, if the Board approves this --
10 these buildings heights, will Stevens commit to no
11 further variances of height, especially on Hudson
12 Street right next to these buildings?

13 I think what is referred to as
14 Ravenswood, which are the seven or eight brownstones
15 right next to that, so I would just like to ask.

16 MR. GALVIN: Well, what is your answer?

17 THE WITNESS: I can't answer that
18 question.

19 MR. TUVEL: I can have -- I mean, it
20 is my understanding, but I could have Mr. Maffia
21 answer it, again, the person who is in charge of the
22 facilities for entire school. But it is my
23 understanding that those brownstones that you
24 referred to as the Ravenswood buildings are intended
25 to comply with the ordinance as to those buildings

1 for the long-term.

2 MR. GALVIN: The other thing, too, is
3 the Board has got to consider each variance on its
4 own basis. There is no such thing in zoning, and
5 people argue this all of the time, but there is no
6 such thing as precedent.

7 So giving them this height, if we were
8 to do that, that wouldn't set them up for the next
9 building. You know, it just doesn't. They would
10 have to come back before the Board for a variance.

11 And even if they said they would never
12 request another variance, I am pretty sure that ten
13 years from now, a Court would say that they could
14 still come and make the request for a variance to
15 us, even if they promised that now. It would
16 probably end up being an unenforceable promise.

17 MR. FLETT: That is what I expected you
18 to say.

19 (Laughter)

20 MR. GALVIN: Well, if I spoke somewhere
21 else at the New Jersey Planning Officials, would you
22 prefer to hear it there?

23 MR. FLETT: Right. No. I just needed
24 to put the question out because that was the major
25 point with the residents.

1 Now, another aspect in the plan is the
2 skywalk, and that has been an issue with the Hudson
3 Street Alliance.

4 MR. GALVIN: Could you try to ask him
5 questions?

6 CHAIRMAN AIBEL: Get a question going.
7 (Laughter)

8 MR. FLETT: So in terms of the skywalk,
9 it's part of the building, and what we are talking
10 about what you are showing is height.

11 So it's a lever, I guess I would like
12 to say, is the skywalk really has a lot to do with
13 how high the building is. So if you look at this
14 and how these plans have evolved, it started higher
15 and now it has gone to 67 feet, and a lot of that is
16 from our understanding --

17 MR. GALVIN: Well, let me stop you.

18 They are asking if the skywalk is
19 driving what is happening here at the building.

20 THE WITNESS: The skywalk driving the
21 height of the building --

22 MR. GALVIN: The height of the
23 building, the project, is it such an essential
24 element that, you know --

25 THE WITNESS: The skywalk is not

1 driving the height of the building.

2 MR. GALVIN: If we said, if the Board
3 were not inclined to grant the skywalk, and we were
4 inclined to grant the buildings, what would that do
5 to this project.

6 THE WITNESS: I don't know if I should
7 answer the question --

8 MR. TUVEL: I guess that would have to
9 be a question for the client.

10 MR. GALVIN: Okay. So it is not
11 essential to you as the architect to have the
12 skywalk?

13 MR. TUVEL: Well, no, I think --

14 THE WITNESS: Well, no, I am not
15 answering. I don't have an answer for that
16 question.

17 (Laughter)

18 MR. GALVIN: Okay. I just wanted to
19 clear it up. That's all.

20 MR. TUVFEL: The functionality issues
21 that we have mentioned, the collaboration of studies
22 between faculty and students and also how it is an
23 energy saving type of mechanism that we are able to
24 use, as Richard mentioned, is an important aspect of
25 this --

1 MR. GALVIN: Do you have another
2 question?

3 MR. FLETT: Yeah, just one more.

4 So in the plans going towards the
5 variances, so you have the height variance, and then
6 you also have the D variance for the north building,
7 which I'm kind of asking you, but asking you at the
8 same time, is you mentioned inherently beneficial --

9 MR. GALVIN: Oh, time out.

10 There is going to be a planner for
11 that. The argument is that because you are an
12 institution like a college, schools are generally
13 considered to be an inherently beneficial use.

14 We are early in the proceeding. What
15 Mr. Tuvel has said is that it would change the
16 nature of this building, if was going to be used by
17 businesses, like for commerce or like collaboration
18 with institutions. If something is going to be a
19 private business, they might not get the protection
20 of an inherently beneficial use.

21 So their first statement is that this
22 is going to be strictly educational, academic
23 classroom labs, so that was an important statement
24 to get on the record. But the issue as to whether
25 or not the Board is going to consider this an

1 inherently beneficial use, or the standards, what
2 the Board has to do is apply the Sica balancing
3 test, even though you are an inherently beneficial
4 use, you don't get an automatic approval. But it
5 does consider to satisfy the positive criteria, so
6 it is easier to get a variance, much, much easier to
7 get a variance when you're an inherently beneficial
8 use. But we are nowhere near to those proofs yet.
9 At this point we are just having the project
10 described to us.

11 MR. FLETT: Okay. Good.

12 Along those lines with the skywalk, is
13 it inherently beneficial -- I understand if you're a
14 university, there is no question Stevens is an
15 inherently beneficial use for their research.
16 However, the skywalk, which in your design you
17 stated that it's needed to collaborate between
18 people in both buildings --

19 MR. TUVFEL: Utilities and energy
20 efficiency --

21 MR. FLETT: -- and utilities -- so in
22 terms of -- is it part of the value engineering, the
23 skywalk, or is it part of the beneficial use?

24 MR. TUVEL: I think the planner --

25 MR. GALVIN: I think it is a planning

1 question. I think it's beyond the architect.

2 They told him to design a building. He
3 has designed a building, and they want the skywalk.
4 They had some real thoughts on it.

5 The other thing, too, if you're going
6 to start digging into the zoning, they are giving
7 you suggestions -- they're actually putting forth
8 what are called special reasons to justify the
9 skywalk when they are talking about energy and how
10 it collaborates. That is part of a case that we
11 have not heard yet, so you are getting ahead of us,
12 and if you don't like the project, you may not be
13 wanting us to get ahead this way, okay?

14 (Laughter)

15 MR. FLETT: Okay. Thank you.

16 CHAIRMAN AIBEL: Good.

17 Please come forward.

18 Yes?

19 MS. ONDREJKA: My name is Mary, and my
20 last name is O-n-d-r-e-j-k-a.

21 I live at 159 9th Street.

22 First of all, I have to say you have
23 done an excellent job. I have seen a lot of crap
24 come before this Board for Stevens --

25 (Laughter)

1 MR. GALVIN: By the way, that is a
2 technical term.

3 (Laughter)

4 MS. ONDREJKA: -- I am talking about
5 for 28 years, I have seen a lot of bad stuff, and I
6 have to say you did a very good job.

7 I don't live across the street. My
8 concern about the sky bridge would be -- I actually
9 would have preferred it not to be glass, but like
10 the other one on the campus, but the glass, will
11 that cause glare from the sun?

12 THE WITNESS: That is a good question.

13 MS. ONDREJKA: Because the sun rises in
14 the east and sets in the west, so I would not want
15 glare on me, so that is why I was picky about, you
16 know, there are glass windows all over in Manhattan,
17 and you got them glaring at certain times of the
18 day, and not everybody is in your house at a certain
19 time of the day either, so I was wondering about
20 that. That's the first question I've asked.

21 THE WITNESS: Well, I think the issue
22 of glare on the bridge would mostly be related to
23 the traffic, because if there is glare on the
24 bridge, because it's so far set back, any glare that
25 might happen might be related to folks that are even

1 walking or driving on 6th Street.

2 So I think the issue really for us
3 would be that angle and the study preliminarily --

4 MS. ONDREJKA: Yeah, because it's going
5 up.

6 THE WITNESS: -- right. And because it
7 is going up, it is a little less of an issue.

8 We have not studied it, and until our
9 senses -- and there is some glare, but --

10 MS. ONDREJKA: I think you should take
11 that into consideration because that would bother
12 me.

13 THE WITNESS: Okay.

14 MS. ONDREJKA: Also, what was -- the
15 bridge seems to be your biggest contention here.

16 I am assuming that this cannot survive
17 without the bridge, but let me explain.

18 You are going to dig underground anyway
19 for the cellars or the basement in the north and
20 south buildings, and you say that you can't use an
21 underground tunnel because the biggest thing is you
22 are going to lose the collaboration space.

23 My question is: Do you need the bridge
24 for this to survive, this whole project to survive?

25 MR. TUVEL: I think that was asked

1 before, and I think that is more of a question for
2 the facilities person to answer, and I am not trying
3 to defer the question or not answer it --

4 MS. ONDREJKA: That's fine. That's
5 fine

6 MR. TUVEL: -- but I just think that
7 you should save it for that person.

8 CHAIRMAN AIBEL: We agree.

9 THE WITNESS: I would clarify from the
10 standpoint of putting a connection underground, and
11 the reason --

12 MS. ONDREJKA: There is already stuff
13 underground. I know that.

14 THE WITNESS: -- but there is no --
15 there is currently only public utilities that are
16 currently happening under the street. There is
17 nothing happening under the street connecting the
18 two buildings.

19 MS. ONDREJKA: But you just said
20 earlier to Leah that you couldn't put it under the
21 street --

22 THE WITNESS: Because there are
23 existing utilities in the street that are in the
24 way.

25 MS. ONDREJKA: That are in the way.

1 Well, you know, they are cutting up our
2 streets all of the time. I would think --

3 MR. GALVIN: No, no.

4 MS. ONDREJKA: -- I'm just asking, just
5 asking.

6 I'm just saying it's not an impos --
7 it's an impossibility then?

8 THE WITNESS: It's pretty close to an
9 impossibility, yes.

10 MS. ONDREJKA: You are saying it's
11 pretty close to an impossibility?

12 THE WITNESS: Yes.

13 MS. ONDREJKA: Okay. But otherwise, I
14 actually think it is a very well done job and those
15 Ravenwood, they are owned by Stevens, so anyone
16 can't really complain about that --

17 CHAIRMAN AIBEL: You will have a chance
18 to comment at the end.

19 MS. ONDREJKA: Thank you.

20 CHAIRMAN AIBEL: Thanks.

21 Come on forward.

22 MR. GALVIN: Usually twosies aren't
23 allowed, but go ahead, and now you know the rule.
24 Go ahead.

25 CHAIRMAN AIBEL: But you forgot

1 something.

2 MR. GALVIN: Go ahead.

3 MR. SOBEL: May I respond to the --

4 MR. GALVIN: No response.

5 MR. SOBEL: -- to the Alliance --

6 THE REPORTER: Can you state your name?

7 MR. SOBEL: -- because they were

8 allowed -- Scott Sobel -- they were allowed to make

9 a speech rather than asking a question.

10 CHAIRMAN AIBEL: You will have a chance

11 to make a speech.

12 Do you have a question for the

13 architect?

14 You will have a chance to come back and

15 make a speech, promise.

16 MR. GALVIN: Sorry about that. I am

17 trying to be fair to everybody. I'm doing the best

18 I can.

19 CHAIRMAN AIBEL: Please come forward.

20 MR. LEE: My name is Derek Lee, L-e-e.

21 I live at the Union Club across the

22 street.

23 My question is: You used the Union

24 Club as a reference point for the height of two

25 buildings --

1 THE WITNESS: Yes.

2 MR. LEE: -- but 6th Street actually
3 slopes upward. So when you get to the top of the
4 proposed building and the top of the Union Club,
5 what is actually the true height difference when you
6 take into account the gradient of the street?

7 THE WITNESS: I don't have that number
8 off the top of my head. I will be happy to put them
9 on the screen and look at it --

10 MR. LEE: Can I take a look at that,
11 please?

12 THE WITNESS: I would say it's probably
13 about -- in terms of the height, comparing this
14 height to that height, it is probably seven or eight
15 feet difference in terms of what you perceive as
16 you're walking along.

17 MR. LEE: So then from the front of the
18 Union Club, the height of the building from that
19 perspective is really probably more like 70 or a
20 little bit more than 70 feet from the perspective of
21 the front of the --

22 THE WITNESS: No. This building -- the
23 height of this building that I gave is measured
24 because of its average grade, so in order to be
25 consistent, the average grade of this building is 60

1 feet.

2 The average grade of this building is
3 between 66 and 67, so those are just dimensions that
4 are -- that we have to give based on the way --

5 MR. LEE: Yeah. I am just talking
6 about from the perspective of someone in the Union
7 Club or -- and in front of the Union Club, the
8 height is relatively higher than that average grade.

9 THE WITNESS: It is seven to eight feet
10 higher than the Union Club when you compare the two.

11 MR. LEE: Thank you.

12 CHAIRMAN AIBEL: Thank you.

13 MR. GALVIN: Name and address.

14 MR. SNYDER: Richard Snyder,
15 S-n-y-d-e-r, 551 Observfer Highway.

16 I have two questions.

17 One was you were describing entrances
18 to the building, and on the Hudson Street side,
19 there are no entrances, just two exits. Is that
20 correct?

21 THE WITNESS: That's correct. As I
22 mentioned, we pushed them back --

23 MR. SNYDER: So the main entrances are
24 off the main street --

25 THE WITNESS: That's right.

1 MR. SNYDER: -- so there's really no
2 kind of -- you were describing that kind of terrace
3 effect --

4 THE WITNESS: Correct.

5 MR. TUVEL: Just to be clear, I want
6 to ask you a question.

7 It is an emergency exit on Hudson
8 Street --

9 THE WITNESS: Correct.

10 MR. TUVEL: -- not even a regular --

11 THE WITNESS: Correct.

12 MR. SNYDER: So it's not even -- there
13 is no entrance I guess is what I'm saying --

14 MR. TUVEL: Yes. It's going to be
15 used --

16 MR. SNYDER: -- there's no like
17 activity or anything?

18 THE WITNESS: Correct.

19 MR. SNYDER: Okay.

20 And the second question, a
21 clarification.

22 Last year I went to your open house and
23 there was a pedestrian closet on 6th Street --

24 THE WITNESS: That was eliminated.

25 MR. SNYDER: -- and was there a

1 rationale for that? Was there a rationale for
2 eliminating the pedestrian closet?

3 THE WITNESS: There were concerns that
4 were raised by the community related to the loss of
5 on street parking --

6 MR. SNYDER: So it was working with the
7 community --

8 THE WITNESS: -- and that it is a
9 public street that they believe should continue to
10 be a public street.

11 MR. SNYDER: All right.

12 MR. PALMER: Nate Palmer, 907 Hudson
13 Street.

14 THE REPORTER: Can you spell it?

15 MR. PALMER: Nate, N-a-t-e, Palmer.

16 THE REPORTER: P-a-l-m-e-r?

17 MR. PALMER: Correct.

18 What are the actual dimensions of the
19 sky bridge?

20 THE WITNESS: Well, it's the width of
21 the span between the buildings. The width of it in
22 the other direction is about 22 feet.

23 MR. PALMER: So it's -- and the
24 materials, I understand that you have chosen glass
25 to try to be as transparent as possible, so it is

1 not blocking people's views and sunlight, and I
2 think that is appreciated, although, as somebody
3 mentioned, the glare from the glass is the other
4 detriment, so it's kind of a careful balance between
5 the two.

6 As far as the interior of what is in
7 there, are there going to be -- is it all glass
8 walls, so you can see all the way through it, or is
9 it going to be dry wall, or are there going to be
10 conference rooms with smart boards on it, or is
11 there going to be tons of furniture as far as what
12 are people going to actually see inside of this sky
13 building?

14 THE WITNESS: That is a good question.

15 So as I mentioned earlier, there will
16 be walls between conference spaces, so they would be
17 perpendicular to this direction, and they would just
18 be for the depth of the conference room.

19 All of the walls that would be parallel
20 to the bridge with all the glass walls, so that you
21 see through them, but conference spaces would have
22 low tables and chairs, and that would be the extent
23 of the furniture that would be in there, so they
24 would be fairly low.

25 MR. PALMER: And I know that there is

1 going to have to be lighting since it's a walkway
2 through that's going to have to be on 24 hours. Is
3 there anywhere else in the building, like, you know,
4 those windows on the -- just south of the south
5 building from where they're on -- 24-hour lights or
6 any other areas where they are going to be 24-hour
7 lights on?

8 THE WITNESS: There might be a low
9 level light there, but we would push it back as far
10 as we could.

11 We do need something in that hallway,
12 but that hallway is very deep, probably about as
13 long as this room, so we can keep those light
14 fixtures back pretty far from the --

15 MR. PALMER: And then when you did the
16 calculation on the percentage of glass and
17 everything, is it including the sky bridge? Is it
18 like, you know, basically a hundred percent or --

19 THE WITNESS: I'm sorry. What?

20 MR. PALMER: You know when you were
21 talking about what percentage of glass to masonry
22 the buildings are?

23 Is the sky bridge included in that
24 calculation?

25 THE WITNESS: No, it's not.

1 MR. PALMER: Thanks.

2 CHAIRMAN AIBEL: Anybody else?

3 COMMISSIONER COHEN: Motion to close
4 the public portion for this witness.

5 CHAIRMAN AIBEL: Everybody got tired.

6 Motion to close, second?

7 COMMISSIONER GRANA: Second.

8 CHAIRMAN AIBEL: All in favor?

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

11 CHAIRMAN AIBEL: Well, who is your next
12 witness?

13 MR. TUVEL: Our next witness will be --

14 (Laughter)

15 CHAIRMAN AIBEL: We are going to take a
16 break right now. I think it is almost eleven.

17 MR. TUVEL: That's fair.

18 CHAIRMAN AIBEL: I think we are all
19 expired, so, Pat, do we have any proposals for the
20 next hearing?

21 MR. GALVIN: April 14th.

22 MS. CARCONE: April 14th.

23 COMMISSIONER AIBEL: Mr. Tuvell, do you
24 want to see if your --

25 MR. TUVEL: I will check with all of

1 my team members.

2 COMMISSIONER BRANCIFORTE: So you'll
3 start with your planner next time, right?

4 MR. TUVEL: No. The planner will be
5 last.

6 CHAIRMAN AIBEL: Can everybody just
7 give us one moment to make a record here?

8 MR. TUVEL: Just one question, and I am
9 assuming the answer is no, but I will ask anyway.

10 Is there an earlier date than April
11 14th, or is that the earliest?

12 MR. GALVIN: No.

13 (Laughter)

14 MR. TUVEL: Okay. That's what I
15 figured.

16 MR. GALVIN: That is what they pay me
17 to do.

18 (Counsel confers)

19 CHAIRMAN AIBEL: So we are adjourning,
20 Mr. Tuvel.

21 Mr. Tuvel?

22 MR. TUVEL: We are fine with that
23 date.

24 MR. GALVIN: Okay. Now we need a
25 motion to carry this.

1 COMMISSIONER MURPHY: Motion to carry
2 this until April 14th, with no further notice.

3 COMMISSIONER BRANCIFORTE: Second.

4 MR. TUVEL: I just have one question
5 before you carry it.

6 Is it going to be in this room again?
7 Is it going to be here?

8 CHAIRMAN AIBEL: Pat?

9 MS. CARCONE: Yes. I will reserve this
10 room.

11 MR. GALVIN: Yes. We need this size.
12 We're not going to --

13 MR. TUVEL: April 14th in this room at
14 seven.

15 CHAIRMAN AIBEL: Yes, without further
16 notice, and you are waiving any time --

17 MR. GALVIN: No, no, no, no, no.

18 Just articulate it. You're going to
19 send me a letter waiving the time in which the Board
20 has to act --

21 MR. TUVEL: Yes.

22 MR. GALVIN: -- to at least that date.

23 MR. TUVEL: Of course.

24 MR. GALVIN: Okay.

25 CHAIRMAN AIBEL: Motion to close the

1 meeting.

2 MR. GALVIN: No, no, no. Do an all in
3 favor.

4 CHAIRMAN AIBEL: All in favor?

5 (All Board members answered in the
6 affirmative.)

7 MR. GALVIN: Anyone opposed?

8 MR. TUVEL: Thank you.

9 MR. GALVIN: No problem.

10 MR. GALVIN: Motion to close the
11 meeting.

12 CHAIRMAN AIBEL: Motion to close the
13 meeting?

14 COMMISSIONER MURPHY: Motion to close
15 the meeting.

16 CHAIRMAN AIBEL: Motion to close.

17 COMMISSIONER MURPHY: Motion to close
18 the meeting.

19 CHAIRMAN AIBEL: Second?

20 COMMISSIONER FISHER: Second.

21 CHAIRMAN AIBEL: All in favor?

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

24 (The meeting concluded at 10:55 p.m.)

25

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

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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 11/5/2015.
Dated: 2/25/15
This transcript was prepared in accordance with
NJAC 13:43-5.9.

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