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HOBOKEN ZONING BOARD OF ADJUSTMENT
CITY OF HOBOKEN

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SPECIAL MEETING OF THE HOBOKEN : Tuesday 7 p.m.
ZONING BOARD OF ADJUSTMENT : August 5, 2020
----- X

MEETING CONDUCTED VIA ZOOM

B E F O R E:

- Vice Chair John Branciforte (Acting Chair)
- Commissioner Ann Graham
- Commissioner Antonio Grana
- Commissioner Owen McAnuff
- Commissioner Diane Fitzmyer Murphy
- Commissioner Dan Weaver
- Commissioner Steven Firestone
- Commissioner Carol Marsh
- Commissioner Steven Smolyn

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

BANISCH ASSOCIATES, INC.
BY: Frank Banisch, PP

BOSWELL ENGINEERING
BY: John Yakimik, PE

Patricia Carcone, Board Secretary

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

1 A P P E A R A N C E S:
 2 DAVISON, EASTMAN, MUNOZ,
 3 LEDERMAN & PAONE, PA
 4 Monmouth Executive Center
 5 100 Willow Brook Road
 6 Freehold, New Jersey 07728
 7 (732) 462-7170
 8 BY: DENNIS M. GALVIN, ESQUIRE
 9 Attorney for the Board.

1 VICE CHAIR BRANCIFORTE: Okay. If
 2 you're ready, Pat, could you do me the favor of
 3 reading the Open Public Meetings Act?
 4 MS. CARCONE: Okay. All right.
 5 VICE CHAIR BRANCIFORTE: Thanks.
 6 MS. CARCONE: All right. We are going
 7 to take it slow here tonight because there are a lot
 8 of people. There's 32 participants on this call, so
 9 if anyone is not speaking or presenting, please mute
 10 yourself, so we don't get any feedback.
 11 All right. Let me -- I would like to
 12 advise all of those present that notice of this
 13 meeting has been provided to the public in
 14 accordance with the provisions of the Open Public
 15 Meetings Act, and that notice was published in The
 16 Jersey Journal and city's website. Copies were also
 17 provided in The Star-Ledger, The Record, and also
 18 placed on the bulletin board in the lobby of City
 19 Hall.
 20 This meeting is a judicial proceeding.
 21 Any questions or comments must be limited to the
 22 issues of what this Board may legally consider in
 23 reaching a decision and the decorum appropriate to a
 24 judicial proceeding must be maintained at all times.
 25 VICE CHAIR BRANCIFORTE: Thanks, Pat.

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1 Can you call the roll?
 2 MS. CARCONE: Yes. Let me just switch
 3 back over to Zoom.
 4 All right. Commissioner Aibel, absent.
 5 Commissioner Branciforte?
 6 VICE CHAIR BRANCIFORTE: Here.
 7 MS. CARCONE: Commissioner Graham?
 8 COMMISSIONER GRAHAM: Here.
 9 MS. CARCONE: Commissioner Grana?
 10 COMMISSIONER GRANA: Here.
 11 MS. CARCONE: Commissioner McAnuff?
 12 COMMISSIONER MC ANUFF: Here.
 13 MS. CARCONE: Commissioner Murphy?
 14 COMMISSIONER MURPHY: Here.
 15 MS. CARCONE: Commissioner Weaver?
 16 COMMISSIONER WEAVER: Here.
 17 MS. CARCONE: Commissioner Firestone?
 18 COMMISSIONER FIRESTONE: Here.
 19 MS. CARCONE: Commissioner Maganuco,
 20 absent.
 21 Commissioner Marsh?
 22 COMMISSIONER MARSH: Here.
 23 MS. CARCONE: Commissioner Smolyn?
 24 COMMISSIONER SMOLYN: Here.
 25 MS. CARCONE: Okay. We have a quorum.

6

1 VICE CHAIR BRANCIFORTE: Thank you,
2 Pat.
3 Guys, what is first tonight, and do we
4 have any resolutions or anything?
5 (Loud feedback)
6 MS. CARCONE: Hold on. We are getting
7 feedback from somebody.
8 COMMISSIONER MURPHY: You might have to
9 remind people, Pat.
10 MR. GALVIN: Yeah. Everyone on the
11 iPhones, the iPhones got to be on mute.
12 VICE CHAIR BRANCFORTE: Yeah.
13 Everybody should check their audio to make sure you
14 are on mute. Right now the only people talking
15 should be Board members and the Board Professionals.
16 MS. CARCONE: Also videos should also
17 be turned off, if you are not a Board member.
18 VICE CHAIR BRANCIFORTE: No. You can
19 leave the video on. That's fine. Just make sure
20 that you mute your audio.
21 Thanks.
22 MS. CARCONE: Okay.
23 MR. GALVIN: No. I think Pat is right.
24 Actually it makes t easier for us to know who is an
25 active participant, okay?

7

1 VICE CHAIR BRANCIFORTE: Yeah, that is
2 fine then.
3 MS. CARCONE: So who is Carla?
4 MR. NASTASI: Carla is from my office.
5 MS. CARCONE: Oh, okay. Okay. Thank
6 you, John.
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1 HOBOKEN ZONING BOARD OF ADJUSTMENT
2 CITY OF HOBOKEN
3 HOZ-20-8
4 ----- X
5 RE: 1417-1429 Adams Street : Special Meeting
6 Block: 121, Lots 7, 13 & 18 : August 5, 2020
7 Zone: I-1 : 7:10 pm
8 Applicant: AR Adams Investor, LLC :
9 Preliminary & Final Site Plan Approval:
10 ----- X
11
12 MEETING CONDUCTED VIA ZOOM
13
14 B E F O R E:
15 Vice Chair John Branciforte (Acting Chair)
16 Commissioner Ann Graham
17 Commissioner Antonio Grana
18 Commissioner Owen McAnuff
19 Commissioner Diane Fitzmyer Murphy
20 Commissioner Dan Weaver
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13 Secaucus, New Jersey 07084
14 BY: PHILIP W. LAMPARELLO, ESQ.
15 Attorneys for the Applicant.
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I N D E X

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1 MS. CARCONE: So, yes. We are going to
2 start with 1417 Adams tonight.
3 MR. GALVIN: You are on mute, big guy.
4 MR. LAMPARELLO: I'm going to do it,
5 Dennis.
6 Can you hear me?
7 MR. GALVIN: Now I can hear you, yeah.
8 MR. LAMPARELLO: Okay. Great, great,
9 great.
10 VICE CHAIR BRANCIFORTE: Would you
11 introduce yourself to the Board?
12 MR. LAMPARELLO: Yeah.
13 So my name is Phil Lamparello of
14 Chasan, Lamparello, Mallon & Cappuzzo. We are here
15 on behalf of the applicant, AR Adams Investor, LLC.
16 We are here today on a remand from a
17 February 25th, 2020 judgment of Judge Militello of
18 the Superior Court of New Jersey, directing this
19 Board to conduct a preliminary and final site plan
20 hearing.
21 This judgment that was entered
22 specifically noted that variances related to this
23 application have been granted.
24 This application involves a six-story
25 mixed-use building on the northwest corner of Adams

1 and 15 Street. The project consists of
2 approximately 57 residential units, and 13,152
3 square feet of commercial and retail space.
4 The project also contains a small
5 parcel that extends from Adams Street to Grand
6 Street. The project contains a lot of green
7 elements including a green roof, electronic car
8 charging, bicycle storage, appliances, high
9 efficiency appliances and the like. There is also
10 66 on site parking spaces.
11 So we are here to examine the site plan
12 approval, but it is worth noting that overall the
13 dimensions of the project and the project itself
14 have not changed and are the exact same that were
15 presented to this Board originally and approved by
16 the Court. We haven't deviated at all from that.
17 You know, for that reason this
18 application is coming to the Board as a variance
19 free site plan approval, which is probably different
20 from most applications as far as it typically hears.
21 So in that respect, we are really looking at it akin
22 to a conforming application before a Planning Board.
23 As such, these traditional site plan
24 standards of review apply. The Board's authority in
25 reviewing an application for a site plan approval is

1 limited to determining whether the application
2 conforms with the applicable provisions of the site
3 plan ordinances.
4 Sorry. And as such, excuse me -- so
5 stated otherwise, the Board's role in these kind of
6 applications is generally circumscribed. Courts
7 have noted that denials of conforming site plan
8 applications are generally considered drastic
9 actions when pertinent ordinance standards are met.
10 So tonight we have here the applicant
11 Dan Coccoziello of AR Adams; my partner Reggie
12 Jenkins, as well as our two professionals, Andrew
13 Villari of Stonefield Engineering, who is our site
14 plan and traffic engineer, as well as Frank
15 Minervini of Minervini Vandermark, who is our
16 architect.
17 We reviewed and discussed internally
18 the July 30th, 2020 letter of Chris Nash of Boswell
19 Engineering, and by and large we think the majority
20 of the comments are either what we classify as kind
21 of observational comments or things, standard
22 conditions, requirements to follow particular
23 agencies and the like, and we don't believe we are
24 going to have any problems addressing the comments
25 that are made in the report.

1 We are going to begin this evening with
 2 the testimony of Mr. Villari, who is going to
 3 address the majority of the comments raised by Mr.
 4 Nash in his report, and if necessary, provide formal
 5 written responses to particular comments at the
 6 conclusion of the hearing.

7 And then we are going to continue with
 8 Mr. Minervini who is going to be able to answer any
 9 particular questions the Board might have.

10 So with that, Andrew, you are on here.
 11 Andrew, why don't you state your current position?

12 MR. GALVIN: Let me stop you.

13 Andrew, raise your right hand.

14 Do you swear or affirm the testimony
 15 you are about to give in this matter is the truth,
 16 the whole truth, and nothing but the truth?

17 THE WITNESS: I do.

18 A N D R E W V I L L A R I, having been duly sworn,
 19 testified as follows:

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

22 THE WITNESS: Sure.

23 My name is Andrew Villari, spelled V,
 24 as in Victor, i-l-l-a-r-i.

25 MR. GALVIN: Now, you have appeared

1 THE WITNESS: Sure.

2 If I had the opportunity, I would like
 3 to share my screen.

4 What I will introduce now is an exhibit
 5 entitled, it's Labeled A-1, prepared by Minervini
 6 Vandermark, dated March 21st, 2017. What it shows
 7 is the site surroundings. Mr. Lamparello mentioned
 8 it's at the northwest corner of the block. That is
 9 Adams and 15th Street.

10 I would say that it is at the southeast
 11 corner of the intersection of Adams and 15th.
 12 Either way we are talking about the same property.

13 The site, as you can see, is generally
 14 an industrial building with some broken concrete
 15 that makes up the parking lot for some industrial
 16 uses at the property corner.

17 The sidewalk that surrounds the
 18 property is much in disrepair at this point.
 19 There's no real full height curb at this location.
 20 It doesn't make for a great pedestrian environment,
 21 and the site right now is entirely impervious
 22 surfaces. The site does slope from east to west.
 23 The low point is at the intersection of Adams and
 24 15th.

25 What I want to do now is reference the

1 before a Board before as an engineer, is that
 2 correct?

3 THE WITNESS: I have not been in front
 4 of this Zoning Board. However, I have provided
 5 professional --

6 MR. GALVIN: No, no. Slow down, slow
 7 down.

8 Provide me three Boards you have
 9 appeared before recently. Do not, you know, not
 10 including Hoboken.

11 THE WITNESS: Sure.

12 City of Bayonne, that is Hudson County.

13 Previously in front of other Boards in Bergen
 14 County, Hillsdale, Essex County and the neighboring
 15 county is also the Township of Maplewood.

16 MR. GALVIN: All right.

17 Mr. Branciforte, do we accept his
 18 credentials as an engineer?

19 VICE CHAIR BRANCIFORTE: Yes, sir, we
 20 do. Thank you.

21 MR. GALVIN: All right. Let's go,
 22 guys. Let's move it.

23 MR. LAMPARELLO: All right. So, Mr.
 24 Villari, why don't you go ahead and take it from
 25 here?

1 site plan. This has been provided to the Board.
 2 It's part of the Minervini Vandermark submission.
 3 This is Sheet Z-3. It is dated March 28th, 2020.

4 Working from the property, the street
 5 line in towards the property, first what I would
 6 like to explain is some of the off site improvements
 7 that we are looking to do.

8 The applicant is looking to replace all
 9 of the sidewalk and curbing along all three site
 10 frontages. There is frontage on Adams Street. This
 11 is 15th, and then there is a flag lot that sticks
 12 out to Grand Street as well. We are looking to
 13 improve all of the sidewalk, bring it up to ADA
 14 code.

15 There is landscaping that is proposed
 16 in the right-of-way. You can see where my pointer
 17 is that there is landscaped beds that are along the
 18 western building facade.

19 We are also providing ten street trees,
 20 and they are spaced out along all three site
 21 frontages as well.

22 The parking area, and actually I should
 23 pause here for a second because Mr. Lamparello did
 24 mention that we were in receipt of the July 30th,
 25 2020 review letter from Boswell, and I am happy to

1 inform the Board that the comments requiring changes
2 to the plans could all be addressed, and the
3 applicant will comply with the regulations -- or the
4 recommendations of the Board's professionals with
5 the exception of maybe one comment, which I can get
6 to in just a moment.

7 There were a number of comments
8 relating to the parking lot and the operations of
9 said parking area. Those are specifically comments
10 Number 7 through 20. So if you will allow me a few
11 minutes, I just want to provide the Board some more
12 background, but as Mr. Lamparello mentioned, this is
13 a conforming site plan application.

14 The parking area is -- or actually I
15 should take a step back and explain that. The first
16 floor of the area, of the building would provide
17 both a commercial retail area and also the remainder
18 would be dedicated to parking. We are providing 66
19 parking spaces all together. We have 57 residential
20 units above and also just over 13,000 square feet of
21 commercial.

22 Who would use this parking lot area --
23 is the residents of the parking area -- sorry -- the
24 residents of the building would use the parking, and
25 potentially employees of the commercial spaces.

1 There are no members of the public coming to the
2 retail areas that would use this space. It would
3 all be people that are familiar with the parking
4 lot. They would have assigned parking spaces. The
5 parking spaces are not free. If you have a unit in
6 the building, you would have to pay an additional
7 fee for the spaces, and they would be assigned.

8 So there was a comment in the Boswell
9 letter about the dead end parking areas at the end
10 of the page, in the event that somebody
11 inadvertently turns down this lot or turns down this
12 drive aisle and sees that there is no available
13 parking, what do they do when they get to the end of
14 the drive aisle.

15 Keeping in mind what the intended
16 operation of the area is, is that the people that
17 are parking here know where their parking stall is.
18 There wouldn't be any confusion for somebody not
19 knowing where they are going.

20 We are providing mechanical parking on
21 the southerly part of the property. These would be
22 the common system that you see throughout the city.
23 It's the lifting, sliding system where you would
24 deposit your vehicle, and the system sorts it and
25 organizes where the vehicle should go.

1 There is an interface where you can
2 retrieve your vehicle very easily. There is also
3 some tandem parking. There is a comment in the
4 letter about how about the tandem parking operates.

5 We envisioned one of two options. We
6 have residents with the same residential unit with
7 more than one vehicle, they could rent a tandem
8 space.

9 The other option is for employees of
10 the commercial spaces. They would also be able to
11 rent the parking stalls in tandem.

12 There are, as I mentioned, there are
13 landscaped beds along the westerly facade of the
14 building. When you are exiting the parking garage,
15 in my professional opinion, the space that the
16 landscaped bed provides, it creates a buffer where a
17 pedestrian will be walking along Adams Street, not
18 directly adjacent to the building facade, but five
19 feet or so into the pedestrian travel way.

20 So when you are exiting the property,
21 there is going to be available sight lines for a
22 motorist to judge a pedestrian on the sidewalk and
23 then go on to judging whether or not there is
24 oncoming traffic on Adams.

25 Really quickly on to the stormwater, to

1 meet the North Hudson Sewerage Authority stormwater
2 requirements, the project is proposing a 12 foot
3 wide by 85 long by 3 foot deep concrete structure.
4 That would be located in the north drive aisle
5 underneath the pavement to comply with necessary
6 quantity reductions.

7 Our office has submitted to the North
8 Hudson Sewerage Authority. We have also submitted
9 to the soil conservation district in Hudson County
10 for approvals on the project. At this time we have
11 received a county exemption letter. We are still
12 waiting to hear back as it relates to the other
13 agencies, and those were also identified in the
14 Boswell review letter as well.

15 The site will also be meeting and
16 surpassing NJDEP -- oh, I lost my light -- I am
17 going to put that down here, sorry about that.

18 I was mentioning that we will be
19 meeting and surpassing NJ DEP rate reductions for
20 the two, ten-year and a hundred-year storm events.
21 The system will provide over 80 percent reductions
22 for these storms -- for the two and ten-year storm,
23 and 35 percent reduction for a hundred-year storm,
24 where as the NJ DEP requirements are 50 percent, 25
25 percent and 20 percent respectively.

1 An operations and maintenance manual
2 will be completed to ensure the proposed systems are
3 maintained in perpetuity.

4 We have prepared a traffic assessment
5 letter report that supplements the previously
6 conducted traffic impact study for the original
7 project. Our report is dated April 29th, 2020.

8 Residential uses -- and residential
9 uses in this part of Hoboken are known to be the
10 lowest of traffic generators. The increase in
11 traffic as a result of the residential would be
12 minimal.

13 The amount -- or the intended use for
14 the retail spaces are neighborhood retail, retail
15 uses, so we are not anticipating a major traffic
16 generator for the retail uses. This is meant to be
17 an amenity to the community, so it is likely not
18 vehicle based. It's likely pedestrian based, so
19 that is how we get to our conclusion that the
20 project would not result in a significant adverse
21 impact on traffic operating conditions in the area.

22 I did mention this already, but we have
23 received the July 30th, 2020 letter from Boswell.
24 From an engineering standpoint, we take no
25 exceptions to the comments received. I can touch on

1 Professionals -- Board Professionals'
2 recommendations.

3 There are a number of landscaping
4 comments, No. 26 and 30, we will also comply with
5 those.

6 There are some roadway improvement
7 comments. Those are Nos. 24, 27, and 28. We will
8 comply with those as well.

9 I want to point out Number 29 here,
10 where the comment calls for any other off-tract
11 improvements basically at the discretion of the
12 Board. What we are proposing to do is install new
13 sidewalk and curb along all side frontages. We're
14 providing landscaping, and we are providing street
15 trees.

16 If there is anything in addition to
17 that, what I can say is that we may be okay with
18 having that conversation, but I do feel that we are
19 providing a lot of off site improvements, so I can't
20 say right now that we will provide more, not knowing
21 exactly what those are.

22 Number 31 references garbage. We have
23 run some preliminary numbers, but we will provide
24 the Board written submittal of some garbage
25 analysis.

1 anything in detail, but to speed things up here, I
2 will group together some of the similar comments to
3 get through the letter quickly.

4 We do also have our architect here to
5 answer any questions or address anything further.

6 Very quickly, Comments 7 through 20 I
7 mentioned earlier, all are relating to circulation.
8 We discussed that.

9 Number 12 specifically in specific
10 talks about a generator be provided for mechanical
11 parking.

12 Yes, the applicant is willing to do
13 that.

14 We can comply with any handicapped
15 parking needs that the application provides. That
16 is Comment No. 13.

17 We will also consider adding more
18 electric charging spaces to the lot on an as-needed
19 basis. The applicant is providing three at the
20 time, and if there is a need for more, they are
21 willing to go up from there.

22 The stormwater comments are generally
23 comments No. 19 through 22. Also comments No. 38
24 through 41, those I can very easily address and say
25 that we will comply with all of the Board's

1 Number 42 addresses an environmental
2 Phase 1 that was prepared by a firm by the name of
3 WCD, and it called for some remediation plans for
4 the identified facilities that meets all NJ DEP
5 requirements. There were some underground tanks
6 previously on the property. Those have been
7 removed. They did comply with NJ DEP regulations,
8 and any further environmental remediation the
9 applicant is willing to comply with any NJ DEP
10 regulations there as well.

11 There was a -- the final comment I will
12 address, and anything I have skimmed over so far is
13 likely a general comment that we can either address
14 as being noted or something that we will comply with
15 or something that's in the purview of our architect.

16 Number 43 represents -- relates to
17 submissions to outside agencies. I did mention that
18 we submitted to North Hudson Sewerage Authority.
19 That was on April 30th, 2020. We will submit to all
20 other outside agencies that are listed in the
21 Boswell letter.

22 So with that, I would turn it back over
23 to Mr. Lamparello for any further questions before
24 anything further.

25 MR. LAMPARELLO: I don't have any

Andrew Villari 26

1 further questions for you right now.

2 Are there any questions from the Board

3 or the engineer?

4 VICE CHAIR BRANCIFOTE: I have one

5 quick question. John Branciforte here.

6 Do you have a trash compactor in this

7 building?

8 THE WITNESS: That I would defer to our

9 architect. I do not believe we do.

10 VICE CHAIR BRANCIFORTE: Thank you.

11 Pat, can we go down alphabetically

12 along the questions from the Board?

13 MS. CARCONE: Okay. Commissioner

14 Graham, do you have any questions? Ann Graham?

15 VICE CHAIR BRANCIFOTE: Oh, Ann, sorry.

16 COMMISSIONER GRAHAM: I am here.

17 One question I was concerned about not

18 engineering, no, I don't have any questions for

19 that.

20 MR. GALVIN: Then you should hold it

21 then and wait for the next witness.

22 COMMISSIONER GRAHAM: I will wait. I

23 will wait.

24 MR. GALVIN: Thank you.

25 MS. CARCONE: Commissioner Grana?

Andrew Villari 27

1 COMMISSIONER GRANA: Mr. Villari, you

2 can answer this or any other witness can answer

3 this.

4 Has the Flood Plain Administrator seen,

5 reviewed and commented on this plan?

6 THE WITNESS: Yes. We have made

7 submission to the Flood Plain Administrator.

8 So to answer your question, yes, they

9 have taken a look at it. I will have to get back to

10 you on an approval thereof.

11 COMMISSIONER GRANA: Thank you.

12 MS. CARCONE: Commissioner McAnuff?

13 COMMISSIONER MC ANUFF: Nothing

14 regarding the engineering.

15 MS. CARCONE: Commissioner Murphy?

16 COMMISSIONER MURPHY: Nothing at this

17 point.

18 MS. CARCONE: Commissioner Weaver?

19 COMMISSIONER WEAVER: Yes I do.

20 Mr. Villari, I have a couple questions.

21 You mentioned that the retail is community based

22 retail, and therefore, no parking is required.

23 THE WITNESS: No, no. I didn't

24 mention -- I didn't mean to say that there was no

25 parking that is required.

Andrew Villari 28

1 There is parking that is required. We

2 are -- I guess on paper, there was a parking

3 variance associated with this application. Mr.

4 Lamparello can explain this more.

5 It is my understanding that that

6 parking variance has been approved. It's been

7 granted by the higher court.

8 So to answer your question, there is

9 commercial. There is a commercial requirement for

10 parking, but that variance is I believe baked into a

11 prior approval.

12 COMMISSIONER WEAVER: Mr. Lamparello,

13 can you address that, please?

14 MR. LAMPARELLO: Yes.

15 So that was in the initial application

16 before this Board. One of the variances that were

17 sought was a parking variance. That was part of the

18 appeal that preceded, and it is our position that

19 that was approved by the court in their statement

20 with respect to all variances being granted, C and D

21 variances.

22 COMMISSIONER WEAVER: And what was

23 your testimony at the time to the court about the

24 status of that retail?

25 MR. LAMPARELLO: I am not following

Andrew Villari 29

1 your question.

2 COMMISSIONER WEAVER: What did you tell

3 the court that that retail was?

4 MR. LAMPARELLO: As far as -- there

5 wasn't any direct questions with respect to the

6 retail.

7 COMMISSIONER WEAVER: How did you

8 present it to the court?

9 MR. LAMPARELLO: The court examined

10 all -- the court examined the application as a

11 whole.

12 There were three things that were

13 submitted to the court with respect to the variances

14 that were applied for, and they reviewed -- they

15 received the entire application package, as well as

16 all exhibits that were presented to the Board and

17 performed an analysis and granted all variances.

18 COMMISSIONER WEAVER: Other than what

19 was written in the plans that was presented to the

20 court, you as their attorney made no assurances as

21 to what type of retail it was?

22 MR. LAMPARELLO: That was not raised as

23 an issue.

24 COMMISSIONER WEAVER: So it is a yes or

25 no question.

Andrew Villari 30

1 MR. LAMPARELLO: What is the question
2 then?
3 COMMISSIONER WEAVER: Did you make any
4 promises as to what type of retail that would be, or
5 indications of what type of retail that would be?
6 MR. LAMPARELLO: No. There was not
7 any -- the court reviewed -- there was not any
8 promises with respect to a particular type of
9 retail. It was retail as a whole.
10 COMMISSIONER WEAVER: Thank you.
11 I'm going back to Mr. Villari now.
12 Mr. Villari, on the site plan, it shows
13 that there is a water line. What is the water line
14 and why is it underneath the roof and also the
15 trees?
16 THE WITNESS: I will pull up the plan,
17 just so I can look at the same thing you are looking
18 at.
19 What document are you looking at,
20 Stonefield plan --
21 COMMISSIONER WEAVER: The one that you
22 had up, sir.
23 I have the ground floor plan that shows
24 the parking.
25 THE WITNESS: Well, it may be helpful

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1 if I pull up the utility plan.
2 COMMISSIONER MURPHY: Well, Z-3 is what
3 we were looking at.
4 COMMISSIONER WEAVER: Why don't you
5 pull up Z-3?
6 THE WITNESS: This is Z-3.
7 COMMISSIONER WEAVER: Yeah. On the
8 left-hand side there is something called water line.
9 What is that, and why if it is a water supply line,
10 that means it's for water -- I don't understand,
11 hum, you are tallying all these trees, but yet
12 you're putting directly over what looks like a
13 utility. Can you comment to that, please?
14 THE WITNESS: Sure.
15 What I want to reference, and I know
16 this is the MVMK plan for the site plan. I want to
17 pull up plans prepared by my office just to double
18 check something. Just I am referencing the utility
19 plan that has been provided to the Board.
20 COMMISSIONER WEAVER: So it appears to
21 be identical.
22 THE WITNESS: It does. I can confirm
23 that after looking at both now.
24 What I can mention, or what I can state
25 is that prior to going into construction, we will

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1 take a second look at everything and make sure that
2 there is no water lines running through the root
3 balls of the trees, and we can move the trees as
4 necessary.
5 COMMISSIONER WEAVER: So which way are
6 you going to move the trees, back towards the
7 building?
8 THE WITNESS: Yes.
9 COMMISSIONER WEAVER: Is there a
10 canopy? What species of tree is it?
11 THE WITNESS: The species of tree --
12 just give me one second. I want to flip to our plan
13 that shows that.
14 MR. GALVIN: Mr. Lamparello, has this
15 plan been given to the Shade Tree Commission to take
16 a look at?
17 MR. LAMPARELLO: No. I don't think --
18 we have not yet applied for Shade Tree Commission
19 approval, but we will do so as a condition of this
20 application.
21 MR. GALVIN: Make that a condition.
22 THE WITNESS: That's correct. That has
23 also been raised in the Boswell letter, so --
24 MR. GALVIN: Well, I think Dan is
25 raising a good issue, though. You have to have the

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1 water main there, you may not be able to move the
2 trees towards the building, and then we are going to
3 not keep the street trees. That's not good.
4 THE WITNESS: I think what we would do
5 here is come up with some creative solution that
6 maintains an esthetic street scape, but also keeps
7 in mind what utilities are out there.
8 We can play with it with the Board's
9 professionals as well to make sure that we come up
10 with a creative solution that works for all partes
11 here.
12 COMMISSIONER WEAVER: Well, I think
13 your creative solution means there is no trees.
14 Mr. Villari did you stamp this drawing?
15 THE WITNESS: I did not. This is
16 stamped by my colleague, Charles Olvivo, another
17 professional --
18 COMMISSIONER WEAVER: Did you draw this
19 drawing?
20 THE WITNESS: I did not.
21 COMMISSIONER WEAVER: Why would
22 somebody from your office put a tree directly over a
23 municipal utility?
24 THE WITNESS: That I do not have an
25 answer to at this time.

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1 COMMISSIONER WEAVER: Hum, will you be
2 providing SOE drawings to the city to review?
3 THE WITNESS: Yes.
4 MR. GALVIN: Hey, guys, what is an SOE
5 drawing?
6 COMMISSIONER WEAVER: Supprtive
7 Excavation.
8 MR. GALVIN: Okay.
9 COMMISSIONER WEAVER: Hum, and the
10 environmental remediation that took place, was that
11 to meet NJ DEP requirements, was that NJ DEP
12 requirements for the status that satisfied an
13 industrial use or a residential use?
14 THE WITNESS: Industrial -- you are
15 asking did the Phase I remediation that was set
16 forth by the other firm, WCD, was it for --
17 COMMISSIONER WEAVER: Was it for the
18 remediation that was performed, which you testified
19 had been performed, was that to meet a standard for
20 industrial use or for residential use?
21 THE WITNESS: Well, it was tanks that
22 were in the ground for an industrial use that was
23 previously here, so I would defer to the prior
24 engineer, WCD, that prepared that drawing or
25 prepared those reports. It likely related to the

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1 industrial facility that was previously there.
2 COMMISSIONER WEAVER: Are you proposing
3 a residential use?
4 THE WITNESS: That is correct, mixed
5 use.
6 MR. GALVIN: Well, it is a residential
7 use. It is going to have to meet DEP --
8 MR. LAMPARELLO: We will comply with
9 residential standards, residential DEP standards.
10 And what was done only I believe was
11 just tank removal. There still is full remediation
12 that would have to take place of the property
13 itself.
14 COMMISSIONER WEAVER: And will that
15 remediation have any impact on the adjacent
16 foundations?
17 THE WITNESS: It is not my
18 understanding that it would have any impact on the
19 adjacent foundations.
20 MR. LAMPARELLO: Yeah, I don't think it
21 will.
22 COMMISSIONER WEAVER: But yet, you
23 don't even know, Mr. Villari, you don't know whether
24 this was remediated to an industrial standard or to
25 a residential standard.

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1 THE WITNESS: So the tanks that were
2 there previously were industrial tanks. Future use
3 is residential, so I defer to the expertise of the
4 environmental firm that prepared that Phase I.
5 COMMISSIONER WEAVER: I know, but I
6 think you are testifying to something that you don't
7 have any knowledge about. Like, you are saying
8 that, no, we won't -- the remediation won't have any
9 impact on the adjacent foundations, but yet you
10 don't even know what that remediation is, or do you?
11 THE WITNESS: Well, prior to
12 construction what I can tell you is that we will
13 meet all requirements and regulations that we need
14 to build what we are proposing to build, so I think
15 that we are not proposing something that would
16 impact foundations of adjacent uses. That just
17 doesn't happen throughout the industry.
18 You wouldn't be a responsible
19 developer, if that was the case, so my testimony is
20 that the construction of the building is done in the
21 proper manner.
22 COMMISSIONERE WEAVER: It will not
23 impact the foundations of adjacent buildings?
24 THE WITNESS: No.
25 COMMISSIONERE WEAVER: Also you

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1 mentioned various -- that there were various off
2 site improvements. What are those?
3 THE WITNESS: It is a new sidewalk
4 and -- new concrete sidewalk and curb along all site
5 frontages, landscaping also in the right-of-way
6 subject to review and approval from the City
7 Council.
8 COMMISSIONER WEAVER: I think you also
9 testified to the safety of the parking entrance and
10 exit?
11 THE WITNESS: Correct.
12 COMMISSIONER WEAVER: Can you go
13 through that again, please?
14 THE WITNESS: Sure.
15 So my prior testimony was that the
16 landscaping that we are providing along the building
17 creates a buffer where pedestrians are not
18 allowed -- are not able to walk directly adjacent to
19 the building facade. They wouldn't be able to walk
20 directly in front of a door opening.
21 What we are also proposing is a system
22 of exterior signage and lighting. There would be a
23 light on the outside of the building indicating that
24 there is motorists -- a vehicle exiting the
25 driveway.

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1 There is also a light in the pavement
2 that is facing up looking at pedestrians, so that
3 they are also aware that there is an active travel
4 lane in front of them.
5 COMMISSIONER WEAVER: Can you get to
6 Z-3 again, please?
7 What is the height of those planters
8 that are against the building?
9 THE WITNESS: They are 36 inches high.
10 COMMISSIONER WEAVER: Hum, so is -- so
11 you can see -- you will see anything that is 36
12 inches or taller, right?
13 THE WITNESS: Yes.
14 And the planters are also, it is just a
15 fence that you can also see through for anything
16 that is less than 36 inches, but pedestrians on the
17 sidewalk, you will be able to see that over the
18 planters.
19 COMMISSIONER WEAVER: Pedestrians that
20 are over 36 inches, so toddlers are fair game?
21 THE WITNESS: How do you mean fair
22 game?
23 COMMISSIONER WEAVER: To be hit by a
24 car?
25 THE WITNESS: That is not what I was

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1 saying.
2 COMMISSIONER WEAVER: Well, you said
3 anything over 36 inches can be seen. So anything
4 below 36 inches you can't see, so therefore, it is
5 unsafe for anything less than 36 inches tall.
6 THE WITNESS: But what the environment
7 that we are creating here is not unusual for any
8 other driveway that crosses a pedestrian walkway.
9 It is very common throughout the city.
10 COMMISSIONER WEAVER: No further
11 questions, please.
12 COMMISSIONER GRAHAM: Can I just follow
13 up on one thing Dan asked?
14 I don't understand about people
15 wouldn't be walking next to the building. That is
16 not clear to me.
17 THE WITNESS: If there was no landscape
18 planting there, you could walk in theory closer to
19 the building than if there was a landscape -- if
20 there was no landscape buffer.
21 So the facade of the building, there is
22 going to be three feet of landscaping, and then a
23 pedestrian will be walking on the outside of that.
24 They may be five feet off the front of the building.
25 If there was no buffer there, you could

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1 be walking three feet off the building, two feet off
2 the building, closer, and you would have less
3 available sight lines for vehicles exiting the
4 driveway.
5 COMMISSIONER GRAHAM: Okay.
6 MR. LAMPARELLO: And just to follow up
7 on one comment that was heard with respect to the
8 environmental foundation, that the applicant has
9 engaged an LSRP. They will obtain an RAO letter and
10 that all of these remediation efforts, whatever is
11 necessary, has been or will be complied with respect
12 to all applicable DEP standards for a residential,
13 and with respect to excavation and foundation, that
14 is within the purview of the building department,
15 and we will work with them to comply with all
16 requests of the building department to ensure that
17 that is performed adequately.
18 VICE CHAIR BRANCIFORTE: Very well.
19 Who is next, Pat?
20 MS. CARCONE: Commissioner Firestone.
21 COMMISSIONER FIRESTONE: No questions
22 for the engineer. Thank you.
23 MS. CARCONE: Commissioner Marsh?
24 COMMISSIONER MARSH: I don't have any
25 questions right now.

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1 MS. CARCONE: Commission Smolyn?
2 COMMISSIONER SMOLYN: When a person
3 pulls their car out, what direction are they turning
4 on to Adams, Mr. Villari?
5 THE WITNESS: Adams is a northbound
6 roadway.
7 COMMISSIONER SMOLYN: They are turning
8 right?
9 THE WITNESS: Turning right. Excuse
10 me, turning right.
11 COMMISSIONER SMOLYN: So the signage
12 will not necessarily read as is indicated on Z-3,
13 that no right turn is permitted at the garage door?
14 THE WITNESS: That is correct. That
15 was a comment also raised in the Boswell letter,
16 something that will definitely be addressed on their
17 revised submission.
18 COMMISSIONER SMOLYN: Okay. Thank you.
19 MS. CARCONE: John?
20 COMMISSIONER GRAHAM: You don't turn
21 right to go north.
22 VICE CHAIR BRANCIFORTE: I am sorry?
23 COMMISSIONER GRAHAM: Right?
24 THE WITNESS: Yeah. The drawing that I
25 was referencing, north is to the right-hand side of

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1 the page, so you would exit the driveway and turn
2 right to go north.
3 COMMISSIONER GRAHAM: Okay.
4 VICE CHAIR BRANCIFORTE: Okay. I am
5 going to hold my questions for the architect for
6 now.
7 Thanks, Pat.
8 MS. CARCONE: Okay. That is everybody.
9 VICE CHAIR BRANCIFORTE: Philip, who is
10 next?
11 MR. GALVIN: The public have to
12 comment.
13 VICE CHAIR BRANCIFORTE: You're right.
14 I'm sorry.
15 THE REPORTER: Dennis, what did you
16 say?
17 Dennis, I couldn't hear what you said.
18 MR. GALVIN: That is okay, because I
19 was on mute for a second.
20 We need to see if there is anybody from
21 the public who has a question for this witness.
22 VICE CHAIR BRANCIFORTE: You're right,
23 Dennis.
24 Is there is anyone out in Zoom Land
25 that would like to comment -- sorry, not comment,

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1 but question the applicant's engineer on the
2 testimony we just heard, or have any questions in
3 general for the engineer, make yourself known now.
4 Take yourself off mute and speak up, please.
5 MR. GALVIN: All right. And, Mr.
6 Chairman, I have one or two quick questions for Mr.
7 Villari.
8 VICE CHAIR BRANCIFORTE: Of course, go
9 right ahead.
10 MR. GALVIN: All right. What is to
11 the -- to the driveway to the garage, is there going
12 to be any kind of system, noise system, lighting
13 system that alerts people that people are coming in
14 and out?
15 THE WITNESS: There will be a lighting
16 system, yes.
17 MR. GALVIN: Okay. I am trying to
18 think. I want to make sure we are not overlooking
19 things.
20 Is there going to be an electric car
21 charging station in the parking garage?
22 THE WITNESS: There will be three.
23 MR. GALVIN: Three. All right.
24 Then I guess the other questions will
25 go to the architect.

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1 All right. Thank you.
2 VICE CHAIR BRANCIFORTE: Go right
3 ahead.
4 COMMISSIONER MURPHY: Hum --
5 MR. GALVIN: Did you want to say
6 something?
7 COMMISSIONER MURPHY: It just dawned on
8 me when you were talking about the charging
9 stations, do you have any kind of bike storage?
10 THE WITNESS: Yes, we do. It is
11 located along -- inside the parking area near the
12 north drive aisle.
13 COMMISSIONER MURPHY: Okay. Thank you.
14 VICE CHAIR BRANCIFORTE: Philip, on
15 the -- I'm sorry, Andrew.
16 On the plans I only see two car
17 chargers, and the bicycle storage doesn't seem that
18 big.
19 Do you think it might be possible to
20 put some sort of bike racks above the cars like
21 attached to the walls, so people could always hang
22 their bikes in parking spaces?
23 It just doesn't seem like you have a
24 lot of bicycle storage.
25 THE WITNESS: Well, I would defer the

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1 question regarding bicycle storage to our architect,
2 but regarding the electric car charging, they are
3 all on the northern part of the parking garage.
4 There are two in line on the northern end of the
5 parking area, and then the third is actually looking
6 in front of a tandem space that is furthest --
7 further east. I can share my screen as well.
8 VICE CHAIR BRANCIFORTE: Okay. I see
9 now. I didn't know it was in a tandem space.
10 You know, it would be nice to see a few
11 more in there, but, hum...
12 THE WITNESS: What I can say about
13 that, this developer, they operate a number of
14 buildings in Hoboken, and what they have done and
15 they will continue to do here is monitor that
16 industry and see what the demand is, and if there is
17 more, I can confirm that they are willing to make
18 that call.
19 VICE CHAIR BRANCIFORTE: Do you think it
20 might be a good idea to create wire in the garage,
21 so when they have to go in to add the chargers
22 later, they don't have to move all the cars and get
23 around them and they just plug right into the wiring
24 that would be there already?
25 THE WITNESS: You are saying prewire

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1 additional car charging stations?
 2 VICE CHAIR BRANCIFORTE: Yeah. Just
 3 set up the electrical wiring, so when the time does
 4 come to expand the number of car chargers, you can
 5 just, you know, nail it to the wall and tap right
 6 into it, rather than have to do all of the --
 7 MR. GALVIN: Frank Minervini will know
 8 what we are talking about, and it will go faster.
 9 VICE CHAIR BRANCIFORTE: All right.
 10 Good idea.
 11 Okay. So if there are no other
 12 questions for the engineer, and there's no questions
 13 from the public, I will ask for a motion to close
 14 the public questions for the engineer.
 15 MR. LAMPARELLO: I would like a couple
 16 follow-up questions on this --
 17 VICE CHAIR BRANCIFORTE: Go right
 18 ahead.
 19 MR. LAMPARELLO: Thank you very much.
 20 COMMISSIONER WEAVER: Sorry, did we
 21 close the public?
 22 MR. GALVIN: Yes, close the public.
 23 COMMISSIONER MURPHY: Motion to close.
 24 COMMISSIONER WEAVER: Second.
 25 VICE CHAIR BRANCIFORTE: All in favor?

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1 (All Board members answered in the
 2 affirmative)
 3 VICE CHAIR BRANCIFORTE: Very well.
 4 Go right ahead, Philip.
 5 MR. LAMPARELLO: Yes. Thank you.
 6 Mr. Villari, there was some discussion
 7 by some of the Board members with respect to exiting
 8 the parking garage, the shrubs that were located
 9 directly outside and the inference that it would
 10 create some kind of safety risk.
 11 Is it your professional opinion that
 12 having the shrubbery there would result in a safer
 13 environment to both adults and toddlers alike than
 14 having no shrubbery at all when you were exiting
 15 vehicles and for pedestrians?
 16 THE WITNESS: I do because it provides
 17 a buffer where pedestrians aren't as near to the
 18 entrance of the driveway as it would be if there was
 19 no landscaping there, so, yes.
 20 MR. LAMPARELLO: Okay.
 21 And so then therefore, just for
 22 clarity, if there was no buffer all like in many
 23 other residential driveways that would create a
 24 higher risk for adults and children alike who were
 25 walking adjacent to buildings?

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1 THE WITNESS: Yes, I agree with that.
 2 MR. LAMPARELLO: Okay. And the
 3 architect can speak on this also, but I am aware
 4 that the applicant with respect to comments on
 5 bicycle storage would be willing to increase the
 6 amount of bicycle storage whether it's above cars or
 7 other areas to support the demand of residents in
 8 the building and the like, and I am also aware and
 9 can comment to the fact that with respect to the
 10 charging stations similar to the other buildings
 11 that they own locally in the area, specifically the
 12 Harlow building, they add charging stations on
 13 demand based upon requests from owners who are
 14 parking there and that there's --
 15 MR. GALVIN: Well, he already made --
 16 that statement has already been made, so you are
 17 being repetitive.
 18 MR. LAMPARELLO: All right. There was
 19 a lot of discussion --
 20 (Mr. Lamparello and Mr. Galvin speaking
 21 at the same time)
 22 MR. LAMPARELLO: So we are ready to
 23 move to Frank now.
 24 MR. GALVIN: Yes.
 25 MR. LAMPARELLO: Frank, are you on?

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1 MR. MINERVINI: I am.
 2 MR. GALVIN: Frank, raise your right
 3 hand.
 4 Do you swear or affirm the testimony
 5 you are about to give in this matter is the truth,
 6 the whole truth, and nothing but the truth?
 7 MR. MINERVINI: I do.
 8 F R A N K M I N E R V I N I, having been duly
 9 sworn, testified as follows:
 10 MR. GALVIN: State your full name for
 11 the record and spell your last name.
 12 THE WITNESS: Frank Minervini,
 13 M-i-n-e-r-v-i-n-i.
 14 MR. GALVIN: Mr. Chairman, do we accept
 15 Mr. Minervini's credentials?
 16 VICE CHAIR BRANCIFORTE: Yeah, I guess
 17 (Laughter)
 18 MR. GALVIN: There you go.
 19 THE WITNESS: I knew that wouldn't be
 20 easy.
 21 MR. GALVIN: It was a warm welcome.
 22 THE WITNESS: Thank you, John.
 23 So I guess I am here to answer
 24 questions. Is that how we like to handle this?
 25 MR. LAMPARELLO: Yeah. Why don't --

1 have you reviewed -- I take it you have reviewed the
 2 July 30th, 2020 letter of Boswell Engineering?
 3 THE WITNESS: I have.
 4 MR. LAMPARELLO: Okay. And why don't
 5 you give a couple of quick comments with respect to,
 6 I know there were some questions that you would were
 7 going to address with respect to the generator usage
 8 in particular, like what the generator, I think it
 9 was Comment 33, would be providing and some of the
 10 screening for the HVAC system.
 11 THE WITNESS: Yes.
 12 So the generator -- roof mounted
 13 generator will provide during times of outages
 14 electricity for all of our fire and light safety
 15 systems, as well as the elevator and mechanical car
 16 parking system.
 17 So that is what the generator will be
 18 designed for, and that is what our construction
 19 drawings, if and when we get there, will show.
 20 That is I would say pretty typical for
 21 what we would do in Hoboken. It is something that
 22 this Board, as the Planning Board, has often asked
 23 for, and has been constructed successfully.
 24 MR. LAMPARELLO: Okay.
 25 And with respect to screening for some

1 of the HVAC equipment, can you provide some
 2 testimony with respect to that?
 3 THE WITNESS: Yeah. Our drawing set
 4 shows a screen system, an attenuation -- a sound
 5 attenuation system for the generator, rooftop
 6 mounted generator. That same system will apply to
 7 the condensing units.
 8 I should have had that on the drawings
 9 initially, but I can certainly revise the drawings
 10 that show that, but the detail is there on the
 11 drawings.
 12 MR. LAMPARELLO: I don't have any
 13 further questions for Mr. Minervini, so if any of
 14 the Board members have questions, I would proceed
 15 with that.
 16 THE WITNESS: Pat, can I share my
 17 screen?
 18 MS. CARCONE: Yes, you can.
 19 THE WITNESS: Okay. Or when it's
 20 needed.
 21 VICE CHAIR BRANCIFORTE: Who would like
 22 to start with the questions, if you could just go
 23 down the line again?
 24 MS. CARCONE: You're going to start,
 25 John?

1 VICE CHAIR BRANCIFORTE: You can go,
 2 Pat.
 3 MS. CARCONE: Commissioner Graham, any
 4 questions for --
 5 COMMISSIONER GRAHAM: No, I don't have
 6 any questions for the architect.
 7 MS. CARCONE: Commissioner Grana?
 8 COMMISSIONER GRANA: No questions.
 9 MS. CARCONE: Commissioner McAnuff?
 10 COMMISSIONER MC ANUFF: No. Everything
 11 has been answered at this point.
 12 Thank you.
 13 MS. CARCONE: Commissioner Murphy?
 14 COMMISSIONER MURPHY: Yeah. I have a
 15 question. I am not sure if it is for Frank or the
 16 gentleman before him, but so the sidewalk on Adams
 17 seems to be wider than the sidewalk on 15th Street.
 18 THE WITNESS: That is correct.
 19 COMMISSIONER MURPHY: Also the doors
 20 to the commercial look like they open out, and then
 21 there is trees also to be planted on that.
 22 And, you know, I have to just say that
 23 15th Street is supposed to be the main road in this
 24 area. I don't -- I think that everyone keeps
 25 referring to the Harlow building, and if you ask

1 me, the sidewalk on Willow is too narrow. You know,
 2 they don't provide any parking for bicycles, so
 3 people park their bikes on the trees.
 4 If you are walking by, and someone is
 5 like walking with you, you kind of have to pop
 6 behind the tree and let somebody pass. There is not
 7 enough room.
 8 And the same would be said for the
 9 street, which I know you guys didn't have anything
 10 to do with, but 14th between Hudson and the river on
 11 the north side of the street, that building is too
 12 close to the main road. There is not enough room
 13 for people to pass, and if you have a dog, forget
 14 it.
 15 So I'm kind of concerned that that
 16 is -- it is so narrow, and that is supposed to be
 17 the front of the building, and we want to have trees
 18 on there. So, you know, I don't know if anything
 19 could be done about it now, but I am surprised.
 20 THE WITNESS: Well, I understand the
 21 question as it relates to this project.
 22 I will tell you that, yes, Adams Street
 23 has a wider sidewalk because that is what exists.
 24 From our property line to the curb is 16 feet, and
 25 as it exists on 15th Street, it's 12 feet, and,

1 again, that is as it exists.
2 We show incorrectly the doors from the
3 commercial space swinging out, and in order for them
4 to actually swing out, they would have to be
5 recessed a couple of feet, so given the size of the
6 space they will have to swing out. But what we will
7 do, and as part of a revised drawing set, if you can
8 see my cursor, we will set these doors back a couple
9 feet, so they are only permitted to go past the
10 property line if the sidewalk is 12 inches, so that
11 will I think alleviate some of the concerns that you
12 just raised.

13 The sidewalk is the sidewalk and it is
14 12 feet, which is not narrow. It just looks narrow
15 in this drawing because relative to Adams Street,
16 which is 16 and very wide.

17 COMMISSIONER MURPHY: Okay,
18 So it's wider than -- I mean, how --
19 would you put it more narrow than Washington Street
20 five blocks?

21 THE WITNESS: Washington Street is 16
22 feet -- sorry -- Washington Street is 16 feet as
23 well as I recall.

24 COMMISSIONER MURPHY: Okay.
25 So can you think of a street that is

1 12, so I just have an idea?

2 THE WITNESS: Hum, nothing is coming to
3 my mind. But if we, and I know you have and most
4 have walked down 15th Street along the side of the
5 Biergarten let's say, that is the size of the
6 sidewalk. It is as it exists, and in terms of the
7 Biergarten's use, and I say this anecdotally, I'm
8 living not very far, it's comfortable.

9 COMMISSIONER MURPHY: Right, but it is
10 also not heavily trafficked at this point, because
11 the area is not really developed yet.

12 I mean, the goal hopefully will be that
13 that it will be a lot more developed, and things
14 will be a lot different, so --

15 THE WITNESS: Sure.

16 I still think 12 feet is a comfortable
17 size.

18 COMMISSIONER MURPHY: Okay.

19 THE WITNESS: But that is what exists.
20 It is not something we can control.

21 COMMISSIONER MURPHY: Okay. All right.
22 That is it for now. Thank you.

23 THE WITNESS: Thank you.

24 MS. CARCONE: Commissioner Weaver, any
25 questions?

1 COMMISSIONERE WEAVER: Hey, Pat, can I
2 share my screen?

3 MS. CARCONE: Yes.

4 MS. CARCONE: Oh, Frank is going to
5 have to unshare his.

6 COMMISSIONER WEAVER: So share screen.

7 Hum, back to the toddlers, Mr.

8 Minervini, is it your position that -- I have
9 superimposed two cars. Actually this car in
10 particular, I have superimposed in this location as
11 it is pulling out, and I sort have made the bumper
12 even with, you know, as close as you might get or a
13 pedestrian might get to the building because they
14 have the plantings out here, which I do like
15 frankly. I'm not against them.

16 But in either case, this car exiting or
17 this car exiting, is it your testimony that you
18 think this is a safe design, and that, you know, if
19 somebody was walking against these landscaped areas,
20 that the driver would be able to see them, and they
21 would have enough time to stop?

22 THE WITNESS: I do think that we can
23 control the height of the landscaped areas.

24 However, understanding your point, I think we could
25 very easily chamfer that corner, so instead of

1 having that 90-degree angle, we could perhaps have
2 it 45 degrees, which I think will help alleviate the
3 issue that you are referring to.

4 COMMISSIONER WEAVER: Or maybe even if
5 you pull them back, so the driver actually has time
6 to see -- I mean, it is really all about reaction
7 time, right?

8 THE WITNESS: Right.

9 COMMISSIONER WEAVER: And I would like
10 to think that my reaction time is way more than
11 anybody else's.

12 (Laughter)

13 You know, I am up there with
14 Schumacher, but, you know, when somebody -- because
15 I pull out of Little Man Parking over by Starbucks
16 on -- off of Hudson, and I got to say, you know, I
17 am constantly looking in that mirror, you know. We
18 actually have a mirror which is put up over here, so
19 that as you are approaching, you can actually look,
20 you know, into that mirror to see if anyone is
21 coming out, because by the time you get out, you
22 can't see anybody, right?

23 I mean, you cross the threshold, the
24 outlook of the building. Your bumper has already
25 hit someone if they are out there, and they do have

1 plantings, right? So you are not walking right up
2 against the face of the building, but I just, you
3 know, we have two curb cuts. It's not even one curb
4 cut. We have two curb cuts, you know, and we're
5 selling those to families. We are saying that, you
6 know, the developer is a responsible developer and
7 yet, you know, it just doesn't seem that safe to me.

8 THE WITNESS: I get that, too. I would
9 say that --

10 MR. GALVIN: Let me jump in, Frank.

11 THE WITNESS: Sure.

12 MR. GALVIN: Yeah. I think what Frank
13 has said is that he is going to modify the plantings
14 there to make it more visible, and that your
15 concerns got some validity.

16 Is that correct?

17 THE WITNESS: Yeah. And I would say to
18 Dan that we could also reduce that 36 inches to 24
19 inches. It would still allow us planting that would
20 be -- that would last, but it would -- although I
21 really think the answer here, Dan, is to chamfer the
22 corner and perhaps limit the height of the
23 plantings. I don't think that that 36 inches, as I
24 really think about it, 36 inches rather than 24
25 makes any difference. Perhaps I think that 36

1 inches is a safer condition. It gives the car
2 coming out a bit more time to see who is on your
3 left or on your right. I want to reiterate again,
4 though --

5 COMMISSIONER WEAVER: You're talking
6 about height, right? We're talking about height?

7 THE WITNESS: Right, correct.

8 Well, two different things. I'm
9 talking about first the depth of the planting bed,
10 as well as the height of the landscaping within that
11 planting bed.

12 Also, keep in mind that this is one of
13 the projects, and it was one of the early ones that
14 we agreed to do it, the in-slab LED lighting system,
15 so it would be very difficult, even during the
16 daytime I think for someone to miss it.

17 COMMISSIONER WEAVER: I'm not talking
18 about, with all due respect, Mr. Minervini, I am not
19 talking about, you know, people like you and I who
20 are cognizant and understand what these things mean.

21 I'm talking about little kids who have
22 gotten away from their parents, who are running like
23 a bat out of hell, and you can't stop them, and you
24 know, I don't want it to be my kid. I don't want it
25 to be your kid who is out of control, who is, you

1 know, 30 inches tall and is running out in front of
2 a car.

3 THE WITNESS: Well, I don't think that
4 what you are actually describing is the reality of
5 this condition.

6 I think this condition, the depth of
7 the planter helps with the worst possible case that
8 you are referring to. That 36 inches apart has
9 three feet to come out before anyone would not see
10 it, so it has got three feet coming out slowly as
11 anyone would be required to do, but I absolutely get
12 the point that we should limit the amount of
13 landscaping in terms of height, and we could
14 absolutely look back and perhaps specify different
15 plantings, maybe some small grasses to keep it low,
16 which I think will alleviate the worst case scenario
17 that you're referring to.

18 But, again, this is a condition that is
19 everywhere in Hoboken, any city, you have a
20 condition where often a building is at the property
21 line at the start of the sidewalk. So now, knowing
22 we have that condition, how do we make it as safe as
23 possible.

24 I think what we have done with some
25 additions as you and I are discussing here will make

1 it as safe as possible and not then have to worry
2 about a 30-inch child running down the street.

3 COMMISSIONER WEAVER: Chairman, I am
4 finished.

5 VICE CHAIR BRANCIFORTE: Thanks, Dan.
6 Who is next, Pat?

7 MS. CARCONE: Commissioner Firestone.
8 (Audio interference)

9 I'm sorry, I didn't hear what you said.

10 COMMISSIONER FIRESTONE: No.

11 MS. CARCONE: Okay.

12 Commissioner Marsh?

13 COMMISSIONER MARSH: Not at this time.

14 MS. CARCONE: Commissioner Smolyn?

15 COMMISSIONER SMOLYN: Just a quick
16 question on the ground floor, Mr. Minervini.

17 THE WITNESS: Yes.

18 Should I share again?

19 COMMISSIONER SMOLYN: If you could,
20 that would be helpful.

21 THE WITNESS: Yes.

22 COMMISSIONER SMOLYN: I think we had
23 this discussion before on another project, but in
24 the northwest retail or residential entry space
25 there, you have a stair tower discharging into that

1 space.

2 Do you anticipate more than 49 people

3 egressing down that stair and out through that

4 lobby?

5 THE WITNESS: We are required to serve

6 half of the overall occupancy of the building, and I

7 would say the occupancy of this building given its

8 size would be more than that, yes.

9 COMMISSIONER SMOLYN: Do you have an

10 assembly occupancy A-2 or A-3 on Level 2?

11 THE WITNESS: It won't be assembly, not

12 as designed now. It is commercial business.

13 COMMISSIONER SMOLYN: Okay.

14 Will the doors in that space that we

15 started on though swing in the direction of the

16 egress?

17 THE WITNESS: Yes. As I mentioned,

18 there is a mistake on these doors here, if you can

19 see my cursor, and it would certainly be picked up

20 by the construction office, since this is a

21 construction item. But understanding what your

22 point is, this would have to swing out as well as

23 this one here, which would have to be recessed a

24 bit. But, yes, they have to swing in the direction

25 of travel.

1 COMMISSIONER SMOLYN: So the double

2 doors out to the lobby are going to be out swinging,

3 and recessed a distance from the face of the

4 building?

5 THE WITNESS: Correct. They are

6 permitted to extend 12 inches past the property

7 line, so if these doors are 36 inches and two feet

8 would be internal, and 12 inches would be past the

9 property line.

10 COMMISSIONER SMOLYN: And is anyone

11 discharging on to the street to the east from here?

12 THE WITNESS: Anyone discharging --

13 not -- you don't mean this particular project, east

14 of us?

15 I am not sure when you say east, which

16 is the Biergarten, is what you are referring to or

17 is that our property to the east?

18 COMMISSIONER SMOLYN: No. You have

19 your flag lot there that continues through on Grand.

20 THE WITNESS: Yes.

21 So I am sorry. I can go up to the

22 floor plans above, and you will see that there is no

23 combining of the egress. So what goes out to Grand

24 Street is just from the building on Grand Street.

25 Now, we do have the option, we have

1 these doors here that connect in, but the egress is

2 sized, so that we are not relying on one building or

3 the other.

4 COMMISSIONER SMOLYN: Will that be less

5 than 49 people on that terrace at any time?

6 THE WITNESS: So the terrace will have

7 one egress here.

8 That is a very good point. We can

9 easily add another egress or just use the one that I

10 mentioned.

11 COMMISSIONER SMOLYN: Thank you.

12 THE WITNESS: Sure.

13 VICE CHAIR BRANCIFORTE: Thanks, Steve.

14 Who is next?

15 MS. CARCONE: Just you, John.

16 VICE CHAIR BRANCIFORTE: Oh, just me.

17 Frank, the canopy that wraps around

18 this building, how high is it off the sidewalk and

19 how far out over the sidewalk does it stick?

20 THE WITNESS: I will get to the

21 elevations, which will answer that. Here we go.

22 You are talking about this right here,

23 John, correct?

24 VICE CHAIR BRANCIFORTE: Yeah.

25 THE WITNESS: It is 21 feet, and I

1 believe it comes out 6 feet.

2 VICE CHAIR BRANCIFORTE: Okay.

3 You don't need any permission from the

4 city, do you?

5 THE WITNESS: Yes. I'm sorry. I

6 didn't mean to cut you off.

7 We need City Council approval for

8 anything that goes past our property line, other

9 than cornices.

10 So for this, we would need City Council

11 approval, as well as the planting beds. It was part

12 of the consent that there is no actual formal vote

13 typically.

14 VICE CHAIR BRANCIFORTE: Yeah. I kind

15 of have a question about going back to those trees

16 and that water line.

17 Any idea what you can do -- do we know

18 how old that water line is?

19 Is it going to have to be replaced,

20 because we are replacing so many water lines around

21 town now anyway?

22 THE WITNESS: Yeah. Let me comment on

23 that only because I used these drawings not in this

24 particular project, but I will tell you that the

25 location of this water line is based off of the

1 property survey. The property survey is based on
2 the Sanborn map, and these have all almost been
3 notoriously inaccurate.

4 So although it's drawn here, it is
5 likely that it is not here. It is more likely that
6 it is not in the sidewalk. It is within the street.
7 That has been the condition that I have experienced,
8 so I am not overly concerned that the water line
9 will interfere with the root balls of the trees
10 because almost always, especially in this part of
11 town, the water line is back here somewhere.

12 So what we have done is showed it
13 schematically based on the property survey.

14 VICE CHAIR BRANCIFORTE: All right.
15 Yeah.

16 I think we had asked you to speak
17 maybe -- actually, you know what, I think I am okay
18 for now, Frank. I don't think I have any other --
19 oh, I know the question about -- there is no trash
20 compactor. I don't see a trash compactor here,
21 right?

22 THE WITNESS: It isn't there. We will
23 provide trash compacting, and we left the space for
24 a trash compactor. So the answer is yes, there will
25 be a compactor.

1 VICE CHAIR BRANCIFORTE: Okay. I
2 brought this up in the past.

3 Whenever there is a power outage, we
4 had it here at Maxwell Place for more than a day,
5 the first thing people do is run to their
6 refrigerators and freezers and start throwing all of
7 their perishables down the trash chute.

8 And if the compactor isn't hooked up to
9 an emergency power system, like your generator, all
10 the garbage will just back up into the chute, and
11 then you have pounds and pounds of rotting meat
12 stuck in your chute for days until the power comes
13 back on. So will you hook up the trash compactor to
14 the emergency power generator?

15 THE WITNESS: I don't think the
16 developer would have any issue doing that, no.

17 VICE CHAIR BRANCIFORTE: Okay.

18 Is there -- in the original drawings,
19 there was space set aside for I guess it was the Big
20 Brothers, Big Sisters. Are we still talking about
21 setting aside any space like that?

22 THE WITNESS: Yes. Nothing has changed
23 from the original application.

24 VICE CHAIR BRANCIFORTE: Okay. I think
25 I am fine. Of course, I think you mentioned it

1 before, rewiring, did you address that?

2 THE WITNESS: No. Phil Laparello, the
3 attorney, did, but I know this part of it as well
4 that we are showing three, but as the need arises,
5 there would be additional stations added.

6 VICE CHAIR BRANCIFORTE: Do you think
7 it's a better idea just to prewire the garage now
8 rather than later after it is built?

9 THE WITNESS: We will provide the
10 electricity required, the amperage required now. To
11 run the lines is really insignificant.

12 VICE CHAIR BRANCIFORTE: Insignificant
13 for you to do, or insignificant to be done after
14 it's occupied?

15 THE WITNESS: To be done after, yeah.
16 It is insignificant to be done after.

17 VICE CHAIR BRANCIFORTE: Should you
18 just do it now then? I mean --

19 THE WITNESS: It is certainly something
20 I could talk to the applicant about. I don't think
21 it would be an issue, but they are listening as
22 well, so I don't think there would be an issue.

23 VICE CHAIR BRANCIFORTE: Okay. I don't
24 have any more questions.

25 Does anybody else from the Board have

1 questions?

2 COMMISSIONER GRANA: I do, John.

3 VICE CHAIR BRANCIFORTE: Okay. I'm
4 sorry, Antonio, go ahead.

5 COMMISSIONER GRANA: That is okay. I
6 am just circling back.

7 So this is for Mr. Minervini.

8 Frank, so that is a very interesting
9 comment about the condition or actually the
10 potential condition of where the actual water line
11 may exist based on the level of inaccuracy that can
12 develop, you know, from essentially with the maps.

13 I would say that the underlying comment
14 from the Commissioners is something in this that
15 helps, even though the variances have been approved,
16 it seems that the trees actually will indeed be
17 planted and that there will be some remediation in
18 case there is a conflict.

19 Is there anything that you could
20 testify to that, that would maybe, you know,
21 alleviate some of the Board's concerns?

22 THE WITNESS: Yeah. I will testify
23 that these trees will be planted as shown. There
24 may be some minor adjustment required, but the
25 number of trees shown is part of our site plan

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1 application, and we have to plant them.

2 COMMISSIONER GRANA: Thank you.

3 THE WITNESS: I think that should give

4 the Board some level of comfort.

5 COMMISSIONER GRANA: Thank you.

6 VICE CHAIR BRANCIFORTE: Thanks,

7 Antonio.

8 Is there anyone else that would like to

9 ask a question?

10 If not, I will open it up to the public

11 for questions of the architect.

12 COMMISSIONER MURPHY: One more

13 question.

14 VICE CHAIR BRANCIFORTE: Oh, go ahead.

15 COMMISSIONER MURPHY: Since there is

16 commercial space here, is there any plans for a

17 sidewalk bike rack, I mean, even one of those

18 U-shaped things or anything like that so that people

19 don't lock their bike to the tree?

20 THE WITNESS: There is no plans at this

21 time. It is something we can certainly look at.

22 But I am glad you brought that back up, because I

23 wanted to and I neglected to point out something for

24 Commissioner Branciforte.

25 If you go back to our drawing set, we

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1 have got a -- John, here we go.

2 There is a detail here showing that

3 although it doesn't look very much in terms of the

4 number of bicycles in plan, it is tiered, so we have

5 got two levels of parking.

6 I am not suggesting that the spaces at

7 the nose of each car is something good, but it is

8 more parking than is actually perceived by looking

9 at the plan -- sorry -- more bicycle parking than

10 perceived by the plan.

11 So if you look at this bicycle storage

12 rack detail that I got right here, yeah.

13 So that's the -- the answer to the

14 first question is it hasn't been contemplated, but

15 we would need -- City Council would probably tell us

16 if they want that. It's certainly something we can

17 look at, and it's not --

18 COMMISSIONER MURPHY: I mean, I think

19 in this day and age it's like imperative. I mean, I

20 ride my bike a lot. They get used all over town,

21 you know, and they don't have to be the big fancy --

22 the big ones. People like ones that are just easier

23 to kind of like make sure that the bike is actually

24 secured, the one where you roll your tire in, and

25 you're blocking the sidewalk is actually not

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1 necessarily how you can really secure your bike,

2 but --

3 THE WITNESS: No. Understood, and the

4 applicant has already let me know that they are

5 willing to provide bicycle parking on the sidewalk.

6 COMMISSIONER MURPHY: Thank you.

7 VICE CHAIR BRANCIFORTE: Okay.

8 Would that other bicycle storage rack

9 that you showed that's up on the screen now, I can

10 tell you this from my experience here in the big

11 building, if you just have a few kids and a few

12 small bicycles, those small bikes pop up like weeds

13 all over the building, so you are definitely going

14 to need more storage for bikes inside.

15 And, yes, I agree with Diane, you're

16 are going to need -- there's no way around it. You

17 are going to need bike parking on the street, so

18 bike racks on the street, so --

19 THE WITNESS: Understood. We are happy

20 to do it.

21 VICE CHAIR BRANCIFORTE: Okay.

22 Any other questions from the Board

23 before I open it up to the public?

24 COMMISSIONER WEAVER: I do.

25 VICE CHAIR BRANCIFORTE: Go ahead, Dan.

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1 COMMISSIONER WEAVER: Just another one.

2 I won't -- I promise not to talk about toddlers any

3 more.

4 (Laughter)

5 Given what we are currently going

6 through, and why we are all on a Zoom call right

7 now, and the proliferation of outdoor sidewalks for

8 cafes, is there anything that would preclude that

9 retail space from being a cafe?

10 And if so -- or and if not, so it could

11 be a cafe, but if not, would you have any -- would

12 you have any problem -- is there any technical

13 problem with providing hot and cold water hose bibs

14 on the outside of the building because I know that a

15 lot of -- one of the challenges that a lot of these

16 pop up cafes have is that there is no location for

17 patrons to wash their hands.

18 So a lot of times they still have to go

19 inside to wash their hands, or even worse, they

20 don't wash their hands. Is there any -- could you

21 make a provision for hot and cold hose bibs on the

22 outside of the building in one location adjacent to

23 the retail?

24 THE WITNESS: Well, we are prohibited

25 from having any restaurant use. We can have a cafe,

1 if it is a retail cafe, which means no cooking is
 2 done on site. So I don't think a cafe is something
 3 that is envisioned. However, if there were to be
 4 one, I would be very surprised if City Council would
 5 allow us to have a water spigot on the property --
 6 on city property that would serve as you are
 7 suggesting.

8 Having said that, I don't think the
 9 applicant would have any issue as part of this
 10 approval stating that if a cafe were to be
 11 constructed and approved and occupy the space, a
 12 cold water line could probably be -- however, a hot
 13 water line I don't think is something that is
 14 reasonable given the circumstances.

15 COMMISSIONERE WEAVER: So you don't
 16 have any hose bibs at all on the facade of the
 17 building? There's no way to wash down the sidewalk?

18 THE WITNESS: No. It would have to
 19 come from within the building --

20 (The witness and Commissioner Weaver
 21 speaking at the same time)

22 THE WITNESS: -- which is not my --

23 MR. GALVIN: One at a time, guys.

24 VICE CHAIR BRANCIFORTE: One at a time,
 25 please.

1 COMMISSIONER WEAVER: To be fair, one
 2 of the first things I did when I moved into my house
 3 was have the plumber put a hose bib on the front of
 4 my house.

5 THE WITNESS: And do you have a front
 6 yard setback?

7 COMMISSIONER WEAVER: Huh...

8 (Laughter)

9 THE WITNESS: I know where you live,
 10 Dan.

11 COMMISSIONER WEAVER: I live at 1141
 12 Garden Street, which is just south of the corner of
 13 12th and Garden.

14 THE WITNESS: Yeah, sure.

15 No. I am pushing back a little bit, but
 16 the reality is we would be happy to provide water
 17 spigots.

18 COMMISSIONER WEAVER: And we have
 19 required --

20 THE REPORTER: Wait a second. I think
 21 there's too many people talking,
 22 How many people are talking at once?

23 VICE CHAIR BRANCIFORTE: One at a time,
 24 please.
 25 I'm sorry, Phyllis.

1 One at a time, please, for Phyllis'
 2 sake.

3 Go ahead, Dan.

4 COMMISSIONER WEAVER: We had previous
 5 applications where we actually agreed with the
 6 applicant -- the applicant has agreed with our
 7 request to put a hose bib, a hydrant, you know, a
 8 cold water hydrant even on the outside of the
 9 building, so I don't understand why you would have a
 10 problem with this.

11 VICE CHAIR BRANCIFORTE: Can I jump in
 12 there?

13 COMMISSIONERE WEAVER: Yeah, sure.

14 VICE CHAIR BRANCIFORTE: If you'd go to
 15 Z-3, please, Frank.

16 THE WITNESS: Yeah, and we don't have a
 17 problem, Dan. If I suggested that, I apologize. We
 18 will absolutely provide spigots in certain normal
 19 landscaped areas.

20 VICE CHAIR BRANCIFORTE: Yeah. That is
 21 what you were going to say about the landscaped
 22 areas.

23 A VOICE: Sorry, that's Z-4.

24 VICE CHAIR BRANCIFORTE: Provide frost
 25 proof hose bib for maintenance of landscaping?

1 THE WITNESS: There you go. It's there
 2 already.

3 Thank you, John.

4 VICE CHAIR BRANCIFORTE: How do I know
 5 this building better than you, Frank?

6 COMMISSIONER WEAVER: Do you have any
 7 on the north facade?

8 THE WITNESS: There is no planting
 9 there. It's certainly --

10 COMMISSIONER WEAVER: Are those trees
 11 new?

12 THE WITNESS: They will be new, yes.

13 COMMISSIONER WEAVER: Then you will
 14 need a hose bib.

15 THE WITNESS: Happy to provide it.

16 COMMISSIONERE WEAVER: Thank you.
 17 No further questions.

18 VICE CHAIR BRANCIFORTE: One other
 19 question. The generator that's on the top, on the
 20 roof, are you going to have to test that once a
 21 month?

22 THE WITNESS: I think that is the
 23 standard.

24 VICE CHAIR BRANCIFORTE: Dennis,
 25 usually you have a plan for that, right, when it

1 could be tested, what days and what hours?
 2 Dennis Galvin?
 3 I think Dennis usually has -- we
 4 usually put restrictions on when they can be tested,
 5 and what hours to be tested?
 6 MR. GALVIN: I'm so sorry. I couldn't
 7 find my unmute button.
 8 I have five or six conditions already.
 9 One of them is the generator is to be test Monday
 10 through Friday noon to three.
 11 VICE CHAIR BRANCIFORTE: Great.
 12 Is there on the roof, is there a green
 13 roof? I can't get to that plan.
 14 THE WITNESS: Yes. I will open it up
 15 for discussion.
 16 So this is all green roof.
 17 VICE CHAIR BRANCIFORTE: What sheet is
 18 50 percent of the roof?
 19 THE WITNESS: This is -- pardon me --
 20 Z-15.
 21 VICE CHAIR BRANCIFORTE: Okay. Go
 22 ahead.
 23 I'm sorry. Could you explain, just
 24 point out the -- oh, I see.
 25 THE WITNESS: Here's our calculations

1 as well.
 2 VICE CHAIR BRANCIFORTE: Those are like
 3 those cabanas on the roof deck, probably cabanas?
 4 THE WITNESS: There are private roof
 5 decks, but there are no private cabanas shown at
 6 this level.
 7 VICE CHAIR BRANCIFORTE: Sometimes they
 8 call them cabanas.
 9 Do they have water, so people can
 10 garden up there?
 11 THE WITNESS: Yes, they will.
 12 VICE CHAIR BRANCIFORTE: Okay.
 13 THE WITNESS: Even if not shown, I can
 14 certainly add it to the drawing, so it is obvious.
 15 VICE CHAIR BRANCIFORTE: Yeah, so that
 16 is fine.
 17 Is there any limit on gas grills up
 18 there or anything?
 19 THE WITNESS: My understanding is that
 20 the -- I am not sure if this is actually within the
 21 IPC or our construction code, but I think -- I am
 22 sure that the Hoboken building department as well as
 23 the fire department does not allow gas grills.
 24 VICE CHAIR BRANCIFORTE: I am good.
 25 Any other questions for Frank before we

1 open it up to the public?
 2 Going once, twice, three times.
 3 All right. Anybody in the public would
 4 like to ask the architect questions about his
 5 testifying?
 6 Please speak up, introduce yourselves.
 7 Okay. Not hearing anyone step forward,
 8 can I have a motion to close the public for
 9 questions for Frank Minervini?
 10 COMMISSIONER GRANA: Motion to close
 11 public.
 12 VICE CHAIR BRANCIFORTE: Second?
 13 COMMISSIONER GRAHAM: Second.
 14 VICE CHAIR BRANCIFORTE: All in favor?
 15 (All Board members answered in the
 16 affirmative)
 17 THE WITNESS: Thanks, everyone.
 18 VICE CHAIR BRANCIFORTE: Thanks.
 19 Philip, who is next?
 20 MR. LAMPARELLO: That is all of our
 21 professional testimony.
 22 VICE CHAIR BRANCIFORTE: Is it?
 23 Okay. Dennis, we should have a
 24 discussion or should we allow the -- do you have any
 25 closing statements, Phil?

1 MR. GALVIN: Let me ask this. Is there
 2 anyone from the public that wants to comment?
 3 I don't think so.
 4 Okay. Phil, let me talk before you do,
 5 a couple of things.
 6 MR. LAMPARELLO: Sure.
 7 MR. GALVIN: One, I want to go down this
 8 condition list. Hold on. Let's make sure you don't
 9 have any major objection to this stuff.
 10 The applicant shall comply with the DEP
 11 residential standards.
 12 The applicant shall comply with the
 13 engineer's letter as explained at the time of the
 14 hearing.
 15 The street trees are to be planted in
 16 consultation with the Shade Tree Commission.
 17 The generator is only to be exercised
 18 Monday through Friday noon to three.
 19 Landscaping in the right-of-way is to
 20 be adjusted in order to improve sight lines.
 21 A bicycle rack is to be added to the
 22 sidewalk, and the green roof plan is to be
 23 maintained for the life of the building and filed as
 24 a deed restriction against the building.
 25 Those are my conditions that I have

1 identified.

2 MR. LAMPARELLO: Yes. I think those

3 sound fine. The only thing I would ask for is with

4 respect to the bicycle rack on the street, I am not

5 sure if city approval is needed for that, so --

6 MR. GALVIN: If approved.

7 MR. LAMPARELLO: -- if approved by the

8 city.

9 MR. GALVIN: Yes. Because even your

10 plantings, they're in the right-of-way. You need to

11 get --

12 MR. LAMPARELLO: Approval.

13 MR. GALVIN: -- yes, and they don't

14 really -- not talking about this case, but just in

15 general, they don't like when we allow anything in

16 the right-of-way, so it is up to them to give you

17 the okey-dokey.

18 Otherwise, that is where we are at. I

19 think we are ready.

20 COMMISSIONER FIRESTONE: Dennis,

21 Dennis, I just had a question on the Shade Tree. I

22 thought I remembered from the earlier testimony,

23 that they would have to get approval from the Shade

24 Tree Commissioner, and I think in your resolution

25 language you mentioned they have to do it in

1 consultation.

2 MR. GALVIN: I will change it to

3 approval.

4 COMMISSIONER FIRESTONE: Thank you.

5 MR. GALVIN: I think, Phil, the Board

6 has been concerned about this. It's an unusual

7 proceeding. I have told many of the Board members

8 personally, and I have sent a memo to the Board

9 explaining that, you know, our hands are really tied

10 here. So, you know, I think we are prepared to do

11 what the judge told us to do, which is to approve

12 your site plan, so let's finish it.

13 VICE CHAIR BRANCIFORTE: Does Phil want

14 to speak first in a closing statement?

15 MR. GALVIN: Yeah -- not that he can't,

16 but --

17 VICE CHAIR BRANCIFORTE: Or are you

18 good?

19 MR. LAMPARELLO: No. I don't have

20 anything to add. We can call a vote.

21 VICE CHAIR BRANCIFORTE: We will have a

22 discussion first.

23 Okay. Let's open it up for discussion.

24 Does anyone want to start?

25 COMMISSIONER GRAHAM: I don't see any

1 reason to ask any questions at this time.

2 COMMISSIONER GRANA: I have nothing to

3 add to the discussion, John.

4 MR. GALVIN: Normally I push the Board

5 to comment. In this case I don't really see any

6 need to comment. It won't matter.

7 VICE CHAIR BRANCIFORTE: Okay. But I

8 do want to give every Board member a chance to speak

9 their mind, so I feel like I have not sleighted

10 anybody that might have something to say, Dennis.

11 Does anyone have anything before we ask

12 for a motion?

13 COMMISSIONER WEAVER: Who is going to

14 be reviewing the safety modifications for toddlers?

15 MR. GALVIN: Our engineer will. Chris

16 will look at that.

17 COMMISSIONER WEAVER: Thank you, Mr.

18 Nash.

19 VICE CHAIR BRANCIFORTE: Dan, that's

20 something I have been concerned about for a long

21 time, the warnings lights and stuff, so I am on the

22 page with you on that one.

23 Anyone else have any comments, or

24 should we just -- if not, I am going to ask for a

25 motion.

1 Can I have a motion either way?

2 COMMISSIONER GRANA: Motion to approve

3 site plan.

4 VICE CHAIR BRANCIFORTE: Do I have a

5 second?

6 COMMISSIONER MC ANUFF: Second.

7 COMMISSIONER WEAVER: Don't leave out

8 the conditions.

9 VICE CHAIR BRANCIFORTE: With the

10 conditions, right.

11 Pat, please call the vote.

12 MS. CARCONE: Sure.

13 Commissioner Graham?

14 COMMISSIONER GRAHAM: Yes.

15 MS. CARCONE: Commissioner Grana?

16 COMMISSIONER GRANA: Yes.

17 MS. CARCONE: Commissioner McAnuff?

18 COMMISSIONER MC ANUFF: Yes.

19 MS. CARCONE: Commissioner Murphy?

20 COMMISSIONER MURPHY: Yes.

21 MS. CARCONE: Commissioner Weaver?

22 COMMISSIONER WEAVER: Yes.

23 MS. CARCONE: Commissioner Firestone?

24 COMMISSIONER FIRESTONE: Yes.

25 MS. CARCONE: Chairman Branciforte?

1 VICE CHAIR BRANCIFORTE: Yes.
2 All right. Thank you. Good luck with
3 the building.
4 And why don't we take a ten-minute
5 break, if that's appropriate?
6 MR. GALVIN: Yes.
7 VICE CHAIR BRANCIFORTE: Okay. Great.
8 8:36.
9 MR. LAMPARELLO: Thank you, everyone
10 very much.
11 MR. GALVIN: Nice to see you, Reggie.
12 REGGIE: Likewise, Chair.
13 (Recess taken)
14 (The matter concluded)

1 C E R T I F I C A T E
2
3 I, PHYLLIS T. LEWIS, a Certified Court
4 Reporter, Certified Realtime Court Reporter, and
5 Notary Public of the State of New Jersey, do hereby
6 certify that the foregoing is a true and accurate
7 transcript of the proceedings as taken
8 stenographically by and before me at the time, place
9 and date hereinbefore set forth.
10
11 I DO FURTHER CERTIFY that I am neither
12 a relative nor employee nor attorney nor counsel to
13 any of the parties to this action, and that I am
14 neither a relative nor employee of such attorney or
15 counsel, and that I am not financially interested in
16 the action.
17
18 s/Phyllis T. Lewis, CCR, CRCR
19 -----
20 PHYLLIS T. LEWIS, C.C.R. XI01333 C.R.C.R. 30XR15300
21 Notary Public of the State of New Jersey
22 My commission expires 11/5/2020.
23 This transcript was prepared in accordance with
24 NJAC 13:43-5.9.
25

1 HOBOKEN ZONING BOARD OF ADJUSTMENT
2 CITY OF HOBOKEN
3 HOZ-20-10
4 ----- X
5 RE: 628 Grand Street : Special Meeting
6 Block: 78, Lot 21 : August 5, 2020
7 Zone: R-1 : 8:30 pm
8 Applicant: 628 Grand Street, LLC :
9 Variances :
10 ----- X
11

12 MEETING CONDUCTED VIA ZOOM

- 13 B E F O R E:
14 Vice Chair John Branciforte (Acting Chair)
15 Commissioner Ann Graham
16 Commissioner Antonio Grana
17 Commissioner Owen McAnuff
18 Commissioner Diane Fitzmyer Murphy
19 Commissioner Dan Weaver
20 Commissioner Steven Firestone
21 Commissioner Carol Marsh
22 Commissioner Steven Smolyn

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

24 BOSWELL ENGINEERING
25 BY: John Yakimik, PE

Patricia Carcone, Board Secretary

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16
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20
21
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24
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I N D E X

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2		
3	WITNESS	PAGE
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6	Keenan Hughes	153
7		

E X H I B I T S

10			
11	EXHIBIT NO.	DESCRIPTION	PAGE
12			
13	A-1	Google Earth Aerial	97
14	A-2	PDF with 15 images	98
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1 certification recently, so I thought that the Board
2 would be interested to know that because the Board
3 played a big role in that project.
4 And Beth McGrath, who is the Chief of
5 Staff, is the president, is on as well, and she
6 wanted the Board to know that Stevens did get that
7 LEED certification. So I know it is a little bit of
8 a commercial, but I thought the Board would want to
9 know that.
10 But thank you very much, Dennis, for
11 letting me put it out there.
12 MR. GALVIN: Yeah. It's okay. It's
13 all good.
14 COMMISSIONER GRANA: That is great
15 news. Congratulations.
16 A VOICE: Yes, thank you.
17 MS. CARCONE: Jason?
18 MR. TUVEL: Yes.
19 MS. CARCONE: Did they provide any
20 paperwork on that?
21 MR. TUVEL: I don't think it was a
22 condition because we were saying we would strive for
23 it, but I can -- if the Board would like some sort
24 of letter or something, I can ask Stevens if that is
25 something they can provide.

1 VICE CHAIR BRANCIFORTE: Okay. So what
2 is up next on our agenda?
3 MR. GALVIN: Before we get started, Mr.
4 Tuvel has an update for us on Stevens.
5 VICE CHAIR BRANCIFORTE: All you,
6 Jason.
7 MR. TUVEL: All right. Thank you, Mr.
8 Chairman, Members of the Board.
9 Jason Tuvel.
10 Before we begin the next application, I
11 got a call today from Stevens Institute of
12 Technology, and I know that many of the Board
13 members are still serving, participating in the
14 Stevens Academic Gateway project, which believe it
15 or not, is coming up on six years when we started
16 that application before the Board in 2014.
17 MR. GALVIN: You were just getting out
18 of college then.
19 (Laughter)
20 MR. TUVEL: That's right. My kids were
21 like little. Now they are like pretty grown.
22 But I just -- as many of you know, the
23 project has been built, but I just wanted to also
24 report, because we did testify to this during the
25 meeting that Stevens did receive its LEAD gold

1 MS. CARCONE: Just I would add it to
2 the file, put it in the record, you know.
3 MR. TUVEL: That's fine. Yeah. I can
4 talk to Stevens about that. That is no problem.
5 MS. CARCONE: Okay.
6 MR. TUVEL: All right. Thanks,
7 everybody, for letting me do that.
8 VICE CHAIR BRANCIFORTE: Thanks. That
9 is all right, Jason.
10 What do we have next on the agenda,
11 kids?
12 MS. CARCONE: 628 Grand Street.
13 VICE CHAIR BRANCIFORTE: Who is
14 representing 628 Grand Street?
15 MS. CARCONE: Mr. Tuvel.
16 VICE CHAIR BRANCIFORTE: Mr. Tuvel, the
17 floor is yours.
18 MR. TUVEL: All right. Thank you.
19 Chairman, Members of the Board, for the
20 record, Jason Tuvel, attorney for the applicant.
21 This is a project at 628 Grand Street,
22 Block 78, Lot 21.
23 The property is located in the R-2
24 zone. The project is for a two-family residential
25 building at the property, and unlike most projects

1 that I work on, the applicant is doing several
 2 things here that I think are worth noting.
 3 The first is the applicant will be
 4 reducing the lot coverage on this project from 100
 5 percent to a compliant 60 percent to create a
 6 two-unit residential building with two parking
 7 spaces and a garage. I think that is important, and
 8 by doing that, they are also increasing the rear
 9 yard setback from zero, because it is a hundred
 10 percent lot coverage, to 40 feet.

11 I think those are two things worth
 12 noting that Mr. Nastasi will talk about during his
 13 testimony.

14 So the project is to restore the facade
 15 of the existing structure to maintain its integrity
 16 and to add stories above it, so we will have a
 17 two-story -- I'm sorry -- we will have a two-unit
 18 residential building in the R-2 Zone, and the reason
 19 that we are here, we don't need site plan approval
 20 because it is a two-unit building, but we are
 21 seeking a height variance to be 43 feet 11 inches
 22 above DFE versus the 40 feet above DFE. We also
 23 have a minimum floor-to-floor height variance where
 24 10 feet is required, as the Board knows, we are 9
 25 feet 7 inches.

1 I know we also need a variance for the
 2 lower roof deck, which Mr. Nastasi will explain and
 3 how that is integrated into restoring the existing
 4 facade.

5 And then as usual, I think on every
 6 project we have, we have that fenestration variance,
 7 which Mr. Nastasi will also talk about, so --

8 MR. GALVIN: Time out for a second.

9 Let me be clear. There is no D
 10 variances in this --

11 MR. TUVEL: Yeah. I was just going to
 12 get that. There is no site planning approval and no
 13 D variance. So this is really old school zoning
 14 board, just C variances associated with this
 15 project.

16 MR. GALVIN: All right.

17 MR. TUVEL: So I have two witnesses
 18 that I plan on calling, although I have other
 19 members of the project team, if necessary.

20 And the first witness I would like to
 21 call is our architect, John Nastasi.

22 So, Mr. Chairman, with your permission,
 23 we can get him sworn in and get going.

24 MR. GALVIN: Mr. Nastasi, raise your
 25 right hand.

1 Do you swear or affirm the testimony
 2 you are about to give in this matter is the truth,
 3 the whole truth, and nothing but the truth?

4 MR. NASTASI: I do.

5 J O H N N A S T A S I, Architect, having been duly
 6 sworn, testified as follows:

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

9 THE WITNESS: John Nastasi,
 10 N-a-s-t-a-s-i.

11 MR. GALVIN: Chairman Branciforte, do
 12 we accept Mr. Nastasi's credentials?

13 VICE CHAIR BRANCIFORTE: Yeah.
 14 (Laughter)

15 COMMISSIONER GRANA: We're bringing an
 16 endorsement --

17 (Laughter)

18 MR. TUVEL: So, John, why don't we get
 19 the Board oriented to the existing conditions up on
 20 the property.

21 So, Pat, I guess John will share his
 22 screen now, if that's okay.

23 THE WITNESS: So we can start. I have
 24 two exhibits. I have a Google Earth image, which I
 25 will be moving around on, and then I have a PDF

1 presentation.

2 So, Jason, we would have to -- we will
 3 start with the Google Earth and then --

4 MR. TUVEL: Counsel, Dennis, we will
 5 mark this as A-1, the Google Earth aerial?

6 MR. GALVIN: Yes, consider it marked.
 7 (Exhibit A-1 marked)

8 THE WITNESS: I will be panning around
 9 in it, but it is essentially the Google Earth image
 10 of the street where our client's site is at.

11 So we are at 628 Grand Street, which is
 12 this two-story industrial building. It is 100
 13 percent lot coverage, and it sits on the Grand
 14 Street block between 6th and 7th.

15 It directly looks at the back of the
 16 supermarket, which is the Acme. I think I still
 17 call it the A&P, but this is our project here, and
 18 it is straddled in between two four-and-a-half-story
 19 residential buildings, and then just to the north of
 20 us is a corner five-story residential building.

21 This block is in the R-2. We have a
 22 public parking garage. We have the -- I guess it's
 23 the Willy McBride's complex to our south, and if we
 24 look at the hole in the donut or the backyard, as
 25 Jason mentioned, we are looking to remove this

1 section of our client's building and return the open
2 space of the backyard to this block. This corner
3 condo project maintains its backyard. Our neighbor
4 to the north maintains her backyard, and I think we
5 would contribute to that as well.

6 If I now -- I think I have to, in order
7 to switch documents, I am going to unshare and then
8 reshare. So the second document is a PDF
9 presentation of 15 images.

10 MR. TUVEL: So, Dennis, can we mark
11 this as A-2 consisting of 15 slides?

12 MR. GALVIN: Yes.

13 MR. TUVEL: Okay.
14 (Exhibit A-2 marked)

15 THE WITNESS: And the rest of my
16 presentation will be from this document.

17 So I will start with a rendering of our
18 project looking north on Grand Street.

19 We are proposing a two-family building,
20 and I think the most important part of our project
21 is that we want to maintain this two-story
22 industrial building, which sits on Grand Street.

23 I know from my experience in the past
24 30 years in town, I watched dozens of these
25 two-story industrial buildings get torn down in the

1 back of town on Grand, Jefferson, Madison, Monroe,
2 and they were all beautiful old industrial buildings
3 and with the growth and gentrification of Hoboken,
4 essentially all of them or almost all of them were
5 torn down for new buildings, and I think in this
6 opportunity at 628, I think we can comfortably fit a
7 two-family building, a two-family dwelling here
8 while keeping the facade and actually keeping the
9 main structure of this industrial building.

10 So if I move to Page 2, this is the
11 existing condition, and a couple things to notice
12 that I'm --

13 MR. TUVEL: John, it didn't move for
14 some reason, at least I don't see it.

15 THE WITNESS: Really?

16 MR. TUVEL: Does anyone else see Page
17 2?

18 MS. CARCONE: No.

19 MR. TUVEL: Try it again, John.

20 There you go. Now we got it.

21 THE WITNESS: Okay. So essentially I
22 can't use full screen mode, so I will just use -- I
23 won't go to full screen, which is fine.

24 Okay. So on Page 2, we are looking at
25 the existing condition. It is a masonry building in

1 not bad condition. There is some nice details,
2 which are typical in these turn of the century or
3 1920s buildings from Hoboken. There is nice brick
4 details, big carriage house, door openings and nice
5 little cornice work. So we want to maintain and
6 restore this and then sit the other floors
7 delicately on top of this structure.

8 The second thing to notice is this
9 light blue dotted line that is going horizontally
10 through this photograph. That's the design flood
11 elevation. So our project is in the R-2, but it is
12 also in the flood district, so that we have to
13 comply with FEMA ordinances, which tells us that you
14 probably are all aware, that there can be no
15 residential below this blue line, and so that our
16 residential has to start here. But when you deal
17 with existing buildings, we actually are starting
18 the residential up here, above the entry level of
19 this building.

20 So this blue line, it has a big impact
21 on how we calculate building height, and in Hoboken
22 in the FEMA zone, you calculate building height from
23 this blue line.

24 Page 3, can you see that?

25 COMMISSIONER GRAHAM: Yes.

1 THE WITNESS: Okay. Good.

2 All right. So now this is the same
3 site looking slightly south where you can see our
4 project in perspective adjacent to these two --
5 these two four-and-a-half-story buildings on either
6 side of us, and it is in this empty space that we
7 want new fill in with the residential floors, and
8 then again in perspective, you can see the FEMA line
9 cutting through the site.

10 Page 4 is an aerial image showing the
11 100 percent lot coverage on the block, and you can
12 see from this diagram that by removing this chunk,
13 you open up a pretty intact hole in the donut on
14 this block, so it would be hard to make a decision
15 to not take that building away because it really
16 juts out into an otherwise very nice set of
17 backyards.

18 Page 5 shows (audio break up) of our
19 lot, but 628, Block 78, Lot 21, and you see how our
20 building juts out distinctly amongst its neighbors.
21 This is the Willy McBride site, and this is the open
22 parking lot, but this is pretty much a set of
23 residential backyards.

24 Okay. Moving on.

25 So I have an existing and a proposed

1 diagram. So this is the existing, the existing
 2 building as it sits on the lot, which is Page 6, and
 3 Page 7 shows the transformation. So by removing the
 4 tail of the building, the back 40 feet, we create 40
 5 feet of backyard, and then we are proposing a
 6 four-story residential building over parking, over
 7 the existing curb cut and the existing garage doors,
 8 and then you can see the dark blue front facade. We
 9 are restoring this front facade, so that we can keep
 10 the character, the architectural character of that
 11 existing facade and the historic structure while
 12 delicately adding a residential building on top of
 13 that.

14 The way we detail a residential facade
 15 sitting adjacent to a historic facade is done very
 16 delicately, and it is actually what triggers the
 17 variance for that front terrace, so we are not
 18 cantilevering a front balcony onto Grand Street,
 19 which I think the ordinance is written to not want
 20 those conditions. Where it said actually carving
 21 into the building and recessing a balcony, so that
 22 the front facade can stand free of the new
 23 architecture, which I will show you.

24 This diagram on Sheet 8 tells the story
 25 of the project of the variances. Here is the

1 existing garage level of the building in
 2 relationship to the FEMA line. We are keeping this
 3 structure intact. We are keeping the existing
 4 building intact, and then we are sitting these new
 5 stories on top,

6 And if you look over at this part, if I
 7 could zoom in here, here we go, you can see here in
 8 the diagram, that the existing front facade is here,
 9 and we are recessing a terrace ten feet in, and then
 10 bringing the new building back out. But the new
 11 building is recessed three feet off the front of the
 12 property, and what this does is it leaves this
 13 building alone. We have a sunken and recessed very
 14 modest terrace, and then the new facade comes up
 15 here. So it is sort of a delicate handling of the
 16 new against the old, which gives us I think a
 17 beautiful balance between the historic and the
 18 modern.

19 The other thing we are doing on this
 20 site is we are adding -- we are adding the requisite
 21 stormwater detention. The project in its current --
 22 the site in its current state is a hundred percent
 23 impervious, and we are able to design a backyard
 24 that is 50 percent pervious, and we are also
 25 including full stormwater detention. So from an

1 environmental standpoint, the site is getting much
 2 more positive when it comes to collecting rainwater
 3 and adding pervious -- pervious surfaces.

4 Then the last thing I would say with
 5 this diagram, and then I will move on, is that we
 6 are asking for a C variance for building height, and
 7 the reason why we are asking for that C variance is
 8 because here are our four residential floors, and
 9 you are allowed 40 feet in Hoboken for the
 10 residential building, but you really start counting
 11 building height at the blue line.

12 So we have 40 feet plus that extra
 13 dimension of three and a half feet plus or minus, so
 14 it is this extra dimension that triggers the C
 15 variance in height. But the amount of height we are
 16 asking for, which is three feet and change, none of
 17 it goes to the residential portion of the building.
 18 It actually is just in the existing garage height.
 19 So we essentially have our compliant residential
 20 building sitting above the existing garage and above
 21 the DFE line.

22 MR. TUVEL: And, John, none of the
 23 floor-to-ceiling heights are excessive, but in fact
 24 they are under the 10 feet by, you know, a slight
 25 margin, correct?

1 THE WITNESS: Right. Because we are
 2 working with the existing structure and the existing
 3 building and in doing the math with building heights
 4 we have -- instead of 10 feet, we have 9 feet 7
 5 floor-to-floor height, so we are just under the 10
 6 foot requirement, and that keeps us at the modest
 7 request for building height, which is the 43-11.

8 MR. TUVEL: Okay.

9 THE WITNESS: Now, the floor plans, I
 10 will run through those.

11 The ground floor, as long as I can
 12 remember, it has been a contractor shop. I think in
 13 the 30 plus years that I have been in town, it has
 14 been a general contractor shop.

15 We are cutting off the back 40 feet of
 16 that where we are putting a backyard, the plantings,
 17 the pervious patio and the stormwater detention
 18 system, and then we are creating the residential
 19 lobby, the ADA access elevator, and then we are
 20 leaving the remainder of the shop open. It is a 16
 21 foot wide space by 60 feet deep for two residential
 22 cars, one for each of the two units, and this is
 23 essentially a very large residential garage for two
 24 cars.

25 So two cars can independently pull in

1 independent of each other, and then there is plenty
2 of room at the front and the rear of each car to
3 maneuver and just back our way out of the driveway,
4 and it is important to note, and I know I have gone
5 on record in the past projects, we have been putting
6 these driveway lights in our residential buildings
7 for years, in addition to the lights above the
8 garage door for added safety, and only two cars will
9 be pulling in and out of this garage.

10 MR. TUVEL: And, John, you reviewed the
11 Flood Plain Administrator's letter?

12 THE WITNESS: I have.

13 MR. TUVEL: Okay. And, you know, just
14 because you talked about the backyard, Flood Plain
15 Administrator Holtzman requested some of the paving
16 in rear yard be reduced, and the applicant is okay
17 with doing that?

18 THE WITNESS: 100 percent.

19 MR. TUVEL: And also the applicant will
20 comply with the flood plain letter, dated 4/20/20
21 or dated June 14th, 2020?

22 THE WITNESS: Yes.

23 MR. TUVEL: Thank you.

24 THE WITNESS: Okay.

25 Moving upstairs, we have two duplexes,

1 so it is a two-family building. Each apartment is a
2 duplex. On the second floor, which is the first
3 residential floor, we have three bedrooms, two
4 bathrooms, and then the building gets interesting on
5 the third floor, because this is the recessed
6 terrace, and this is the existing front cornice of
7 the historic building.

8 So we have a planter behind the
9 cornice. We have a 10 foot recessed terrace, so
10 that this facade is 10 feet from the cornice, and
11 then these people who live on this floor are
12 protected behind the parapet of the cornice. So at
13 no point is this the type of balcony where you are
14 hanging off, hanging over, projecting over the
15 street. You are actually recessed and protected
16 behind the cornice of the building.

17 And then moving up above to the upper
18 duplex, the upper duplex is set back three feet from
19 the street, from the front facade, and when I show
20 you the renderings, you will understand. I wanted
21 to keep the front facade of the new building back
22 away from the historic to give that front facade
23 room to breathe and so we don't sort of impinge upon
24 the historic character of the facade.

25 Then on the roof, there is a private

1 roof terrace for the upper duplex. We have one
2 stair, elevator. We have the private terrace which
3 meets the ordinance of the City of Hoboken 30
4 percent of the roof area.

5 We have green seedum trays that equal
6 30 percent, and then we have our mechanical area
7 with our acoustic sound barrier around the four
8 sides of the mechanical equipment. We also have our
9 requisite walkway on the southern side of the roof.

10 So the result of all of that technical
11 mumbo-jumbo is that I can take a historic facade
12 like this and instead of slapping a new facade on
13 top of here and trying to mesh something from the
14 21st century with something from the early 1900s,
15 what I am proposing is a building that allows us to
16 restore the front facade, new windows, repointing,
17 clean the brick, fix all of the brick detailing in
18 the cornice, new lighting, new garage lighting, new
19 driveway lighting, new carriage house door, so we
20 get a beautifully restored two-story carriage house,
21 and then we have a front garden, a recess, and then
22 the top two stories pop up, but you can see they are
23 set back three feet from the two neighboring
24 buildings, so you get this really nice soft space
25 here sort of delicately sitting adjacent to the

1 carriage house.

2 And then from the south looking north,
3 you can see the relationship of the new to the old.
4 The cornice is left intact. I think the plantings
5 soften the architecture of the cornice, and the last
6 thing I would say is what I feel would then
7 compliment this beautiful masonry structure,
8 especially when it is restored, is an addition that
9 is sort of light and airy, so it is lightweight.

10 There is lots of glass. It is a
11 combination of diffused acid etched glass and then
12 operable clear glass, but you have a nice
13 counterpoint for juxtaposition between the new and
14 the old, and I actually think it helps sort of
15 organize and modulate the street because the street
16 is a little bit eclectic in that there are different
17 style buildings, and I thought that the lightness of
18 this piece would help sort of lightly kind of lock
19 everything together.

20 MR. TUVEL: And, John, sorry, can you
21 also speak to the masonry fenestration variance that
22 is typical?

23 THE WITNESS: Yes.

24 Believe it or not, we don't need --
25 when I did the final calculation, we don't need a

John Nastasi 110

1 masonry facade variance, but I can show you. I have
2 a presentation given to the Planning Board for a
3 project that we were recently approved on, and I
4 have a diagram here that I think it would help for
5 the Zoning Board to see.
6 About 20 years ago, Elizabeth Vandor,
7 who was the town planner, wrote the facade ordinance
8 and asked my input. And I remember giving her the
9 math of a Hoboken facade, and what I told Elizabeth
10 Vandor back then was that the windows on a Hoboken
11 facade are typically a minimum of 25 percent
12 fenestration, which means the rest of the facade,
13 which is 75 percent, of that 75 percent, 75 percent
14 of that is typically brick or brownstone and then
15 the other 25 percent of that is non masonry, such as
16 water lines, lintels, fills, cornices, projections,
17 so this was the model for the Hoboken facade.
18 Somehow, when we as a city wrote our
19 facade ordinance, the 25 was made in a typo, and the
20 way it's written now is the glass has to be 45
21 percent.
22 This is the same building at 45
23 percent, which is a nice building. It's sort of
24 like a wharf building or like a bowhouse building,
25 but it's not the Hoboken building. So as a result,

John Nastasi 111

1 both the Planning Board and the Zoning Board in the
2 20 years since this facade ordinance was written, I
3 think it granted like 650,000 facade ordinances
4 because no buildings in Hoboken meet this ordinance
5 because of the type.
6 As a matter of fact, just for
7 comparison at the Planning Board, we recently got
8 this building approved for renovation. It is an
9 existing facade that is a hundred years old. We
10 needed a facade variance because we didn't meet the
11 Hoboken facade ordinance even though it is a
12 prototypical Hoboken facade.
13 So I just want to say that in the math,
14 we, believe it or not, in this project we don't need
15 a facade variance, but there is a typo in the facade
16 variance and somebody hopefully will step up and
17 correct that typo to eliminate that chronic need for
18 facade variances.
19 MR. GALVIN: Included in our annual
20 report, but no one -- it is going on to deaf ears.
21 THE WITNESS: Well, I will also tell
22 you, Mr. Galvin, that it took me ten years to
23 correct the Historic Board because they said in the
24 application, they were asking for "lentils" and not
25 "lintels," and I had to explain to the Board over

John Nastasi 112

1 and over again, that there is a typo in the things
2 that project above windows are not "lentils," they
3 are "lintels," but that was actually ultimately
4 corrected.
5 MR. GALVIN: Those lentils are good in
6 soup.
7 (Laughter)
8 THE WITNESS: Yes. They're very good
9 in soup.
10 Okay, but I will go back. So that sums
11 up my presentation.
12 VICE CHAIR BRANCIFORTE: Thanks.
13 One question, Jason, looking at the
14 last few minutes, is it part of the packet that was
15 online, because I can't find it in the packet. We
16 need to enter it --
17 MR. TUVEL: Commissioner Branciforte,
18 if we can mark that as Exhibit A-2.
19 VICE CHAIR BRANCIFORTE: Okay
20 THE WITNESS: Google Earth was A-1.
21 MR. TUVEL: Yeah, the Goggle Earth was
22 A-1, and then the second presentation (audio broke
23 up).
24 VICE CHAIR BRANCIFORTE: Thanks.
25 MR. TUVEL: Sure.

John Nastasi 113

1 VICE CHAIR BRANCIFORTE: So let's go
2 right down the list. The first question is from?
3 I think we lost Pat.
4 Why don't we just jump right into it?
5 MS. CARCONE: No, I am here, John.
6 Do you want to go down the list?
7 Commissioner Graham?
8 (Audio interference - other voices
9 speaking)
10 THE REPORTER: Who is talking?
11 COMMISSIONER GRAHAM: Okay. I think I
12 will hold any questions. I might ask questions of
13 the planner.
14 (Audio interference)
15 THE REPORTER: I don't know, but
16 there's kind of audio interference that's not even
17 on our call.
18 VICE CHAIR BRANCIFORTE: Can everybody
19 go on to mute, if you are not ready to speak?
20 Thanks, Ann.
21 COMMISSIONER GRAHAM: No, let me ask
22 one question. I don't -- maybe you can explain in
23 more layman terms, John, I don't understand why we
24 need to increase the -- I am looking for that part
25 of it. Just one second.

John Nastasi 114

1 There is something you say in here
2 about increasing the height to accommodate the
3 setback and the terrace. I am not sure I understand
4 all of that. Could you explain it?
5 THE WITNESS: I can clarify it.
6 COMMISSIONER GRAHAM: Okay.
7 THE WITNESS: In Hoboken, we are
8 allowed 40 feet over the design flood elevation.
9 The blue line here on Sheet 8 is a 9 foot elevation,
10 but because we are using -- because the blue line
11 splits this existing ground floor in half, we are
12 starting the residential building here.
13 So our 40 feet is from here to the
14 roof, but it is starting a couple feet above the
15 blue line, so we are asking for a variance for that
16 dimension.
17 COMMISSIONER GRAHAM: Okay.
18 THE WITNESS: That is what triggered
19 the height. It is not the terrace. It's the design
20 flood elevation actually.
21 COMMISSIONER GRAHAM: Okay. I wanted
22 to ask a question about the terrace.
23 Is the terrace there because of the
24 architecture detail of the old building, and that is
25 why it sort of leaves that old building?

John Nastasi 115

1 THE WITNESS: Yes. It allows me to not
2 clog up this detail and to sort of push back and
3 create this negative space up here, which you can
4 sit up there and not be seen from the street and it
5 just makes a soft detail on the cornice of the
6 original building.
7 COMMISSIONER GRAHAM: Okay. That is
8 all I have for now.
9 Thank you.
10 THE WITNESS: Thank you.
11 VICE CHAIR BRANCIFORTE: Thanks, Ann.
12 I think Antonio is next.
13 COMMISSIONER GRANA: Thanks, John.
14 And, John, Mr. Nastasi, I am just going
15 to ask this for the benefit of the record, and I
16 think I am clear, and we're just going to make it
17 even clearer.
18 The additional height is -- and just
19 stay right here on this page really -- oh, go
20 back -- go back one -- no. Where you were -- it is
21 the front -- it is the rendering showing you looking
22 up or north from south to north, right there.
23 So what we are talking about here is
24 your height is -- needs to go up because of your
25 inability to actually start the residential floors

John Nastasi 116

1 comparable to what you would see, for example, in
2 the building just to the south.
3 I don't know if that is above DFE, but
4 it would be close.
5 THE WITNESS: Correct.
6 COMMISSIONER GRANA: So in order to
7 save that first level of the historic structure, the
8 only way to do it is to lift the entire building up,
9 so that your first residential floor starts maybe a
10 little bit higher up here, and that is where you get
11 your three feet. Is that correct?
12 THE WITNESS: Correct.
13 COMMISSIONER GRANA: Okay.
14 Then I don't know if that is helpful or
15 not, but it is helpful to me.
16 And then secondly, would you argue that
17 the masonry facade variance is also triggered by the
18 fact that you are going to have a modern structure,
19 and you may have testified about it on the top.
20 But I believe, and I certainly heard
21 your testimony multiple times in these kinds of
22 applications, okay, that that would be a desired
23 architectural outcome to keep a modern facade
24 distinct and separate from an older facade. You
25 testified to that -- would we be triggering the

John Nastasi 117

1 masonry variance here?
2 THE WITNESS: Yes, and I would say
3 distinct and separate, but extremely complimentary
4 of the historic facade,
5 But I will say as a technicality for
6 this -- we are in excess of the 45 percent
7 allowable -- required glass, even though the 45
8 percent is a typo, but technically we don't need a
9 masonry facade variance here because we have the
10 glass up above, but that's neither here nor there.
11 But your response is correct. It's a
12 desired effect to have something modern and
13 lightweight to off set and compliment the masonry
14 brick facade of the original building.
15 COMMISSIONER GRANA: Thank you, John.
16 THE WITNESS: Thank you.
17 MS. CARCONE: Commissioner Mc Anuff?
18 COMMISSIONER MC ANUFF: No questions of
19 the architect. It was thoroughly explained.
20 MS. CARCONE: Commissioner Murphy?
21 COMMISSIONER MURPHY: I just have a
22 question.
23 John, what's the reasoning for ten feet
24 for a floor, and you are asking for a variance for
25 9-7?

John Nastasi 118

1 THE WITNESS: Okay. Well, 10 feet is

2 in the ordinance, so it is a required height floor

3 to floor, but because I am dealing with the existing

4 structure --

5 COMMISSIONER MURPHY: No. I understand

6 why it is that you are, you know, asking for that

7 variance.

8 I am asking, you know so much about the

9 facade when things were written, why is it that the

10 town is requiring 10 feet, do you know?

11 THE WITNESS: Floor-to-floor heights?

12 COMMISSIONER MURPHY: Yeah.

13 THE WITNESS: Yeah. Because I think

14 Commissioner Doyle has said to me on the record that

15 he wrote that part of the ordinance, and I think it

16 is so that you get a comfortable ceiling height that

17 is more than just 8 feet. So with a 10 foot floor

18 to floor, you are getting probably a 9 foot ceiling

19 or maybe 8 foot 6 or 8 foot 7 or 8 foot 8, but you

20 are not going to get like a very kind of like

21 practical 8 foot ceiling, and I think what the Board

22 was looking for was something more than an 8 foot

23 ceiling.

24 COMMISSIONER MURPHY: So if you have a

25 9-7, what is the reality of what the inside is like?

John Nastasi 119

1 THE WITNESS: It's probably 8 feet 10.

2 COMMISSIONER MURPHY: Okay.

3 THE WITNESS: We could have gotten

4 more, but the math didn't work out because of the

5 existing building.

6 COMMISSIONER MURPHY: Okay.

7 VICE CHAIR BRANCIFORTE: Let me point

8 out to you that Councilman Doyle is also six foot

9 four, so that he probably bumps his head a lot in

10 these smaller buildings.

11 COMMISSIONER MURPHY: All right. But

12 that is the glory of the old homes. They have high

13 ceilings, so, but, you know, I understand.

14 That is it for now.

15 Thank you.

16 THE WITNESS: I have explained to

17 Councilman Doyle that I have the perfect proportions

18 of a human being. I am five foot ten and 200

19 pounds, and he obviously is too tall to base

20 anything on.

21 (Laughter)

22 VICE CHAIR BRANCIFORTE: Dan?

23 COMMISSIONER WEAVER: Yeah.

24 So, Diane -- I'm sorry, Ms. Murphy,

25 referred to the question of the ceiling height, the

John Nastasi 120

1 interior ceiling height. And I believe it was Mr.

2 Grana who eloquently explained, you know, the

3 problem with meeting the flood -- the minimum flood

4 elevation and what that would do to the historic

5 facade.

6 The only other question I have is if we

7 could go back to one of the renderings that you

8 showed of the facade.

9 Yeah.

10 And can you -- probably you can't bring

11 them up side by side, but could you talk about the

12 elevation that was included in our packet, how that

13 relates to this rendering or it doesn't?

14 THE WITNESS: Can you see this

15 rendering, this white page now?

16 COMMISSIONER WEAVER: All I see is the

17 cover sheet A-000.

18 THE WITNESS: So this is the set of

19 drawings that was submitted to the city, and there

20 is that rendering on the cover.

21 The only thing I think is different is

22 that I colored this side wall differently in the new

23 rendering. I colored it darker so --

24 COMMISSIONER WEAVER: Can you look

25 at -- can you show Sheet A-200?

John Nastasi 121

1 THE WITNESS: Yes. Hold on a second.

2 Okay.

3 COMMISSIONER WEAVER: Oh, this is not

4 what is in my packet.

5 COMMISSIONER MC ANUFF: It is not in my

6 packet as well.

7 VICE CHAIR BRANCIFORTE: What is the

8 date on your plans, John Nastasi?

9 THE WITNESS: Give me one second. I am

10 going to zoom in here.

11 COMMISSIONER WEAVER: Yeah. I like

12 what is in your packet better than what's in my

13 packet frankly but --

14 COMMISSIONER MC ANUFF: I would agree.

15 COMMISSIONER WEAVER: -- but I don't

16 think we are voting yet.

17 THE WITNESS: Zoning submission, I have

18 a date of May 15th, 2020, and that is issue number

19 2, and --

20 VICE CHAIR BRANCIFORTE: What we have

21 is May 15th, 2020.

22 COMMISSIONER WEAVER: Yeah.

23 THE WITNESS: My original drawings are

24 dated May 15th.

25 Do you have the second release?

John Nastasi 122

1 COMMISSIONER WEAVER: I have the second
2 release, zoning submission, May 15th, 2020, only I
3 am showing more like a donut of ribbed channel
4 glass.
5 THE WITNESS: That was an earlier
6 submission, and it has been undated since then.
7 COMMISSIONER WEAVER: Thankfully, yes.
8 MR. TUVEL: John, can you just explain
9 then the difference with the Commissioners?
10 THE WITNESS: Yeah.
11 The earlier version showed a glass
12 plank, which is sort of an industrial glass product,
13 but we switched to a more residential curtain wall.
14 I don't dislike the glass plank, but I think this is
15 a much softer, elegant solution.
16 COMMISSIONER MC ANUFF: If I may, can
17 you tell us on your elevation what is the parapet
18 height, on the front parapet height?
19 THE WITNESS: The roof parapet or the
20 historic parapet?
21 COMMISSIONER MC ANUFF: The roof
22 parapet. I have it on mine as 61 five and
23 three-quarters.
24 What is the one on yours?
25 THE WITNESS: No. The roof parapet,

John Nastasi 123

1 which is set back, is 42 inches above the roof.
2 COMMISSIONER MC ANUFF: The elevation
3 on -- the written elevation on the left-hand side of
4 the drawing, the dimension.
5 THE WITNESS: Okay. Let's look at that
6 right here, so --
7 COMMISSIONER MC ANUFF: Because -- the
8 reason why I'm asking is the roof on this elevation
9 looks much lower or somewhat lower than what I have
10 in my packet.
11 THE WITNESS: Okay.
12 So the top of our roof is elevation 56
13 feet 10, but that is the elevation, but it is 43
14 feet 10 in FEMA height, so --
15 COMMISSIONER WEAVER: No. So -- I'm
16 sorry. Let me just -- the entire facade went up to
17 the guardrail height basically, right, at the
18 previous version that we all have in our packages,
19 the channel glass.
20 In your new version, it actually stops
21 at the -- the facade stops at the roof level, and
22 you have an open guardrail, sort of which goes up to
23 the guardrail height.
24 THE WITNESS: Correct.
25 COMMISSIONERE WEAVER: Right. So, yes,

John Nastasi 124

1 you are correct, Mr. McAnuff. It is -- I hate to be
2 the go-between, but you are correct --
3 COMMISSIONER MC ANUFF: No. I can't --
4 I can't really see the screen that well.
5 COMMISSIONER WEAVER: -- it's lower in
6 the current proposal from the applicant --
7 (Commissioners Weaver and McAnuff
8 speaking at the same time)
9 COMMISSIONER MC ANUFF: Right --
10 COMMISSIONERE WAVER: -- than was
11 originally provided to the Board --
12 COMMISSIONER MC ANUFF: What we are
13 looking at now I'll say is more esthetically
14 pleasing than what's in my packet.
15 THE WITNESS: I agree with you 100
16 percent.
17 COMMISSIONER WEAVER: Thank you.
18 I have no further questions.
19 VICE CHAIR BRANCIFORTE: Thanks, Dan.
20 Next up is?
21 MS. CARCONE: Commissioner Firestone.
22 COMMISSIONER FIRESTONE: Yes.
23 Mr. Nastasi, I just wanted to ask about
24 the -- forgive my language -- more specific term,
25 the frosted glass I guess on the upper floors, and

John Nastasi 125

1 then have you used that in other locations in
2 Hoboken?
3 THE WITNESS: We have. We have used
4 acid etched glass and opaque glass in other
5 locations in town.
6 COMMISSIONER FIRESTONE: Okay. I am
7 just wondering, like I don't see on any of the
8 renderings any sort of visibility of the elevator
9 bulkhead from the street views.
10 Is that what you would be suggesting
11 with these plans?
12 THE WITNESS: Yes. This is a 100
13 percent accurate model and rendering, and if I go to
14 the roof plan, it is important to note that here is
15 the front facade. The elevator bulkhead is way
16 here, which is in the middle of the building, so it
17 is probably 30 feet back from the front facade.
18 COMMISSIONER FIRESTONE: Okay.
19 On one of the earlier slides, it looked
20 like it was further to the front, but I was just
21 looking at it quickly. Okay.
22 THE WITNESS: Thank you.
23 COMMISSIONER FIRESTONE: Thank you.
24 VICE CHAIR BRANCIFORTE: Thanks, Mr.
25 Firestone.

John Nastasi 126

1 Carol Marsh, any questions, Carol?

2 COMMISSIONER MARSH: I'm sorry. I

3 muted myself. No, actually everybody has asked

4 them.

5 VICE CHAIR BRANCIFORTE: Steve?

6 COMMISSIONER SMOLYN: Hi, John.

7 I was really excited to see some

8 channel glass coming to Hoboken, but I think I

9 understand why you moved beyond it.

10 I think overall the presentation

11 graphics in your packet are super clear. The

12 diagrams were very helpful and quickly understanding

13 what this kind of surgical operation you are

14 performing on this existing historic structure is, I

15 am going to start at the bottom and work my way up.

16 Is there a proposed kind of treatment

17 to the existing masonry facade?

18 THE WITNESS: The only thing I am

19 proposing is a complete cleaning, pointing

20 restoring, but -- and then, of course, new garage

21 doors and the windows.

22 If I can go back here, there is a lot

23 of oxidation on here, so I think when we clean this,

24 it will get unyellow, so I think it is pretty yellow

25 right now, but it is dirty.

John Nastasi 127

1 COMMISSIONER SMOLYN: The brick itself

2 is not going to be tinted or painted or anything?

3 THE WITNESS: No. But once we clean

4 it, once we clean it, my objective is to get it less

5 yellow, and that I would be more than happy to clean

6 it and present it to either the Historic Board or

7 this Board a sample, but my goal is to get it less

8 yellow and more kind of taupe like this.

9 COMMISSIONER SMOLYN: The window

10 replacement for the existing structure and the door,

11 the existing structure will be what type of glass?

12 THE WITNESS: It will be a solid wood

13 window with a clad exterior, and then a regular

14 transparent glass on the windows, and then acid

15 etched glass on the residential door.

16 COMMISSIONER SMOLYN: And it's low iron

17 with no reflective coatings?

18 THE WITNESS: Yes, correct.

19 COMMISSIONER SMOLYN: Okay. Moving up

20 to the level three terrace there, are there plans

21 included for how that drains?

22 THE WITNESS: (Audio breaks up)

23 COMMISSIONER SMOLYN: Are there plans

24 or details included for how that terrace would shed

25 water?

John Nastasi 128

1 THE WITNESS: I think it will when I do

2 the construction drawings, I'm hoping, yes.

3 COMMISSIONER SMOLYN: Okay. And it

4 comes back into the building and into the stormwater

5 retention tank or similar?

6 THE WITNESS: Yes.

7 COMMISSIONER SMOLYN: Okay. Up above

8 talking about the bulk, I think a three foot setback

9 is nice. A five foot setback or thereabouts I think

10 would be much better to give the existing structure

11 some more breathing room.

12 Are you applying for any type of

13 setback variances as part of this application?

14 THE WITNESS: No.

15 MR. TUVEL: The variances for the lower

16 roof deck being in the front yard basically, the

17 requirement is that the lower roof decks be in the

18 rear, so we need a variance for the fact that the

19 lower roof deck is in the front, so there is a

20 variance for I will just say its location, but not

21 necessarily a set back number.

22 THE WITNESS: Then I think to further

23 clarify your question, we looked at this a number of

24 ways. A 10 foot recess here I think was understood

25 at the right dimension, and then I had this back

John Nastasi 129

1 further, but it didn't have enough diggity pushback

2 at five feet, and at three feet it is close enough

3 to the front where it is not trying to be an anemic

4 facade that's pushed way back. It's a little bit

5 more -- it's a little bit more kind of dialog with

6 the historic facade.

7 COMMISSIONER SMOLYN: Okay. I

8 understand that.

9 Is none of the proposed terrace that is

10 occupiable open to the sky above?

11 THE WITNESS: No, it is. If I look at

12 the section, I will go back to the section.

13 You are talking about the lower

14 terrace, correct?

15 COMMISSIONER SMOLYN: The lower

16 terrace.

17 THE WITNESS: Yeah. You can see here

18 the last three feet is open to the sky.

19 COMMISSIONER SMOLYN: It's not occupied

20 by planting, keeping people back from the edge?

21 THE WITNESS: Well, it is to some

22 extent, but I think if you are on this terrace, you

23 are kind of getting -- you're still getting a look

24 out at the sky.

25 COMMISSIONER SMOLYN: The planting will

John Nastasi 130

1 act as some type of barrier to keep people from not
2 hanging over the edge?
3 THE WITNESS: Exactly, yeah. It is to
4 buffer the people with the, you know, cup of coffee
5 or the glass of wine. You are back from the edge of
6 that cornice.
7 COMMISSIONER SMOLYN: Okay.
8 And if you have the east elevation, if
9 you could pull that up for a moment?
10 THE WITNESS: East elevation, okay.
11 Here we are. Okay. Can you see that?
12 COMMISSIONER SMOLYN: Yeah.
13 The curtain wall facade that is called
14 out there and shaded kind of light gray is to be
15 entirely acid etched glass?
16 THE WITNESS: Yes. It's a translucent
17 glass.
18 COMMISSIONER SMOLYN: It is like real
19 acid etch? It's not like a fake or anything, we're
20 talking real high quality low iron acid etched
21 glass?
22 THE WITNESS: Yes.
23 (Commssioner Smolyn and the witness
24 speaking at the same time)
25 THE REPORTER: What did you say, John?

John Nastasi 131

1 THE WITNESS: It's my intent to use
2 acid etched glass.
3 COMMISSIONER SMOLYN: And the spandrel
4 panels between the vision glass, is that also some
5 type of back painted glass?
6 THE WITNESS: Yes, correct.
7 COMMISSIONER SMOLYN: And it's all
8 lower iron?
9 THE WITNESS: Yes.
10 COMMISSIONER SMOLYN: And all the glass
11 types across the entire facade will kind of match
12 one another at least appear in kind?
13 THE WITNESS: Yes.
14 COMMISSIONER SMOLYN: Okay. Thank you.
15 THE WITNESS: Sounds like you have done
16 plenty of curtain wall in your experience.
17 COMMISSIONER SMOLYN: A little bit,
18 yes.
19 MR. TUVEL: John, one thing I forgot to
20 ask you. I'm sorry, Commissioner Branciforte,
21 before we finish, I just want to get one thing on
22 the record.
23 John, the density calculation here is
24 660, correct? So we are proposing two units where
25 four are permitted, correct?

John Nastasi 132

1 THE WITNESS: Correct.
2 VICE CHAIR BRANCIFORTE: I want to
3 address the garage.
4 Obviously the cars don't have enough
5 room to turn inside the garage, is that right?
6 THE WITNESS: Correct.
7 VICE CHAIR BRANCIFORTE: The question I
8 have really is for your planner, and I will wait
9 until we hear from your planner.
10 Okay. Any other questions from the
11 Board for Mr. Nastasi?
12 I will open it up to the public.
13 Anyone out there in the public who
14 would like to ask the architect some questions about
15 his testimony, please unmute and speak up.
16 MR. SCHWARTZ: I would like to ask a
17 question.
18 VICE CHAIR BRANCIFORTE: Sure.
19 Is that Mr. Schwartz?
20 MR. SCHWARTZ: You got it.
21 VICE CHAIR BRANCIFORTE: Sure. Could
22 you give me your name, spell it and your address for
23 the record?
24 MR. SCHWARTZ: You got it.
25 It's David Schwartz, S-c-h-w-a-r-t-z,

John Nastasi 133

1 and I am at 626 Grand Street.
2 VICE CHAIR BRANCIFORTE: Great.
3 Do you have questions for Mr. Nastasi?
4 Go right ahead.
5 MR. SCHWARTZ: I do.
6 So the first is on the facade.
7 Do you know what color the brick is
8 supposed to be?
9 THE WITNESS: I can -- here, we can
10 look at this.
11 Well, here is the brick, and then what
12 I testified was that, you know, from it not being
13 not clean for so many years, it is yellower than it
14 is supposed to be. It has oxidized, and my sense is
15 that that the right color will be less yellow and a
16 little bit lighter, so maybe creamier.
17 MR. SCHWARTZ: Okay. I appreciate
18 that.
19 I have just a couple more questions and
20 then I guess I'll do comments, if we do public
21 comments.
22 THE WITNESS: And you are in this
23 building, correct?
24 MR. SCHWARTZ: Yeah. I am in the
25 building next door, so I have been looking at this,

1 whatever, for five years.

2 The other question -- so you talked
3 about with the garage, some safety -- are you going
4 to have like a light out there, so people come out,
5 because the cars can only back out --

6 THE WITNESS: Correct.

7 MR. SCHWARTZ: -- yeah, so for -- there
8 is a lot of foot traffic on Grand Street like a ton
9 because of Willy McBride's, and I don't know if
10 Willy's will open up again, but there is a ton of
11 foot traffic. A lot of people walk their dogs, so
12 how would you notify pedestrians that a car is
13 coming out?

14 THE WITNESS: I think it is an awesome
15 question.

16 There are two things that we typically
17 do, and if you look at this drawing, there is these
18 sort of runway lights. You see these six runway
19 lights in the concrete?

20 MR. SCHWARTZ: Yes.

21 THE WITNESS: They go in the sidewalk,
22 and when the garage door opens, those things go on
23 and they flash, so that if you're -- I always say if
24 you are a kid on a Big Wheel, and you see those
25 lights flashing, it gets your attention immediately.

1 The second thing that happens is on the
2 facade, there is the yellow spinning alarm light.
3 So as soon as that garage door is activated, there
4 are two different ways of visually notifying any
5 pedestrian that the garage is open, and then there
6 will be some activity.

7 MR. SCHWARTZ: I appreciate that.

8 The other question because I think I
9 got a little confused because of the packet that was
10 submitted.

11 So is this building height shorter than
12 what is in the packet?

13 THE WITNESS: Yes.

14 MR. SCHWARTZ: It is shorter?

15 THE WITNESS: It is. It's about three
16 and a half feet shorter.

17 MR. SCHWARTZ: Oh, okay, good. Yeah,
18 because in the packet that was submitted, it was way
19 higher than the other buildings, and it was going to
20 look really bad.

21 THE WITNESS: I agree with you. That
22 is one of the reasons why I made it, and I agree
23 with you.

24 MR. SCHWARTZ: Thank you.

25 And then the fire escape, how are

1 people going to get out of this building because you
2 are basically land locked between two buildings?

3 THE WITNESS: Well, it is a two-family
4 house. A two-family house requires one means of
5 egress, so we have a brand new fire stair that we
6 are building that is fire rated, and for handicapped
7 we will have a passenger elevator, so if you are in
8 a wheelchair.

9 MR. SCHWARTZ: So does that fire escape
10 lead out to the street then?

11 THE WITNESS: The fire stair leads out
12 to a rated vestibule and out onto the street,
13 correct.

14 MR. TUVEL: John, could you get that
15 for Mr. Schwartz, maybe just show us where the door
16 is on the elevation? It would be easier to see.

17 THE WITNESS: Right. So it's right --
18 that fire stair comes down and lets you out right
19 here.

20 MR. SCHWARTZ: Oh, okay, okay, all
21 right. I appreciate that.

22 Then the last question, which is
23 actually a question that Mr. Smolyn had asked about
24 the terrace, so, you know, we don't, you know, and I
25 have listened. Now this is like my third meeting

1 with the Zoning Board, and I think that the Zoning
2 Board has a lot of really great advice as to
3 Hoboken.

4 What is going to prevent somebody from
5 basically standing at the edge with, let's just say
6 that they are gentrified with bottles of wine, but
7 it could be, you know, because in my building now
8 the fourth floor is rented by recent college
9 graduates, you know, beer and kegs.

10 So like there doesn't seem to be any
11 buffer from the parapet to the apartment, so is
12 there a way to distance people from going to the
13 edge?

14 THE WITNESS: Yes. I think that is a
15 good question.

16 And you can see the plantings here --

17 MR. SCHWARTZ: But I think it looks
18 great, but, you know, unfortunately, people are
19 stupid, so -- and I know and from listening to other
20 meetings, that the reason that they have this
21 ordinance with no terraces in the front is because
22 it looks real unsightly when you have people kind of
23 gathering in front in any capacity.

24 THE WITNESS: And as a neighbor, I
25 could imagine, you know, the last thing you need are

1 12 college kids hanging over a balcony and with
 2 plastic cups drinking beer. I get it.
 3 So what I am saying is that this
 4 terrace is recessed, and here is your parapet, and
 5 then here is the planter.
 6 So, look, if I am standing here with a
 7 bottle of Miller Light, I am two and a half feet
 8 from the face of the --
 9 (Audio interference - extraneous voices
 10 speaking)
 11 VICE CHAIR BRANCIFORTE: Hold on.
 12 Can you please put your speaker on mute
 13 out there?
 14 Thank you.
 15 Go ahead, John. Sorry.
 16 THE WITNESS: It's okay.
 17 So if I am standing out on the balcony
 18 with the planter and the cornice, I am two and a
 19 half feet away from the facade, so --
 20 MR. SCHWARTZ: Yeah. That is not --
 21 that is really nothing, you know, and I think that
 22 with some of the ordinances for like roof decks,
 23 that wouldn't comply with the roof deck ordinance.
 24 THE WITNESS: Well, I do think that
 25 this is a -- this is more of a subtracted room here

1 and less of a cantilevered balcony. I don't -- and
 2 also with your solid wall and your bay window, I
 3 don't see anybody on this terrace impacting visually
 4 anyone living in this building.
 5 For all of the reasons you are
 6 concerned with as an architect in town, I am
 7 concerned with those same things. I feel like I
 8 made a space that will seriously inhibit those kind
 9 of things from happening.
 10 MR. SCHWARTZ: Okay. Well, those are
 11 my only questions.
 12 Will there be time later for comments,
 13 or do you want me to do those now?
 14 VICE CHAIR BRANCIFORTE: No, Mr.
 15 Schwartz. Later on after we hear all of the
 16 testimony. It may not be until 10 o'clock at least,
 17 but you will have a chance to make comments.
 18 MR. SCHWARTZ: Okay. Perfect.
 19 Thank you very much, guys.
 20 VICE CHAIR BRANCIFORTE: Thank you.
 21 Anyone else out there in the public who
 22 would like to speak?
 23 MR. PRANSES: Terry Pranses raised his
 24 hand.
 25 VICE CHAIR BRANCIFORTE: Terry, yes.

1 Can you introduce yourself, spell your name and give
 2 us -- oh, Terry, there you are.
 3 Could you please spell your name and
 4 give us your address for the record?
 5 MR. PRANSES: Hi.
 6 First name Terry, T-e-r-r-y, last name
 7 P-r-a-n-s-e-s.
 8 730 Park Avenue.
 9 VICE CHAIR BRANCIFORTE: Do you have
 10 questions for John?
 11 MR. PRANSES: Yes.
 12 The first, and I think it has been
 13 answered, but I have to just say it was quite a bit
 14 of discussion about the color of the masonry,
 15 because I now understand it. Many of the
 16 depictions -- I will just cut to the chase on this
 17 one.
 18 Many of the depictions seemed to cast
 19 it in a very gray shade, which is nowhere near what
 20 it is. So I am gathering that what you are really
 21 doing is you are going back to yellow or lighter
 22 than yellow, but whatever it really is. That's
 23 correct?
 24 THE WITNESS: Correct, sir.
 25 MR. PRANSES: All right. Thank you.

1 The next question is minor, but there
 2 was some interest in this top piece in the middle,
 3 and it is rounded in currently, and it is all
 4 flattened out here and that little decorative item
 5 seems to have been lost. Is that intentional or
 6 not?
 7 THE WITNESS: No. I think -- and my
 8 intent is, and I know it is not in this rendering
 9 right there, but my intent is to restore as much as
 10 possible all of these beautiful details.
 11 MR. PRANSES: So, again, it's a
 12 discussion I have amongst people.
 13 So the third thing is explain the brick
 14 work portion of the upper floor. So the coloring of
 15 the brick, why that brick, how it compares in
 16 contrast to the brick below, and why it is all over
 17 on the right side?
 18 THE WITNESS: Hum, I am sorry.
 19 Can you rephrase that question?
 20 MR. PRANSES: If we had a head-on shot
 21 of the add on to the building, is there brick to the
 22 right between it and the next is --
 23 THE WITNESS: Right here? Are you
 24 talking about this area?
 25 MR. PRANSES: Well, as you are looking

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1 at it from behind Acme, straight across.

2 VICE CHAIR BRANCIFORTE: Straight

3 aisle --

4 MR. PRANSES: Will the window fill the

5 entire facade?

6 THE WITNESS: Yes. This is all glass,

7 and then in here is dark stucco, and then this is

8 the original brick.

9 MR. PRANSES: All right.

10 So up on top is -- so this is a regular

11 brick? It is a red brick. It is also the yellow

12 shade. It is something else?

13 THE WITNESS: The upper part, I'm

14 sorry, but I will go back to these renderings again.

15 The upper part, and you might not

16 understand what I am saying, but this is all glass,

17 sir.

18 MR. PRANSES: Right.

19 THE WITNESS: Okay.

20 MR. PRANSES: Oh, so there is no brick

21 on the right-hand side as one faces it directly

22 across the street?

23 THE WITNESS: Correct, correct,

24 correct.

25 This glass goes right up against the

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1 side wall of this building.

2 MR. PRANSES: And can you go back to

3 the prior schematic?

4 THE WITNESS: This drawing?

5 MR. PRANSES: Thank you.

6 THE WITNESS: Okay.

7 MR. PRANSES: So one doesn't see -- you

8 mentioned that fire escape and actually pedestrian

9 entrance. Directly above that entrance, this is not

10 brick work, between it and the next residence,

11 right?

12 THE WITNESS: Right. This is the door,

13 the residential door. The one thing to note that it

14 is not a fire escape the way we understand what fire

15 escapes are. It is an interior fire stair.

16 So the stair is inside the building and

17 it is rated, so --

18 MR. PRANSES: Right, right. I am not

19 working on the ground floor. I am working on the

20 top two floors.

21 THE WITNESS: Yeah. The stairs are

22 here, and that is a fire stair inside, not outside.

23 It is not a fire escape. It's a fire --

24 MR. PRANSES: Right. No. I'm sorry.

25 I was only -- Mr. Nastasi, I was only using that as

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1 a reference point.

2 So if you go to the top two floors, and

3 you look at the building straight on, you see all

4 glass, or you see glass and brick to the right side?

5 THE WITNESS: Right here, okay, now I

6 understand what your question is.

7 MR. PRANSES: On the exterior, yes.

8 THE WITNESS: We will have glass that

9 comes out on in front of that, but behind it is

10 concrete, so you won't see brick.

11 MR. PRANSES: All right.

12 So the picture we saw before, that

13 brick that is kind of in the structural element is

14 not visible because it is all behind glass?

15 THE WITNESS: Correct.

16 MR. PRANSES: Thanks for the

17 clarification.

18 THE WITNESS: Thank you.

19 VICE CHAIR BRANCIFORTE: Thanks, Terry.

20 Any other questions from anyone else in

21 the public?

22 MS. MARKLE: Yes, I have some

23 VICE CHAIR BRANCIFORTE: Yes. Please

24 just give us your name, spell it and your address,

25 please.

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1 MS. MARKLE: Rosemary Markle,

2 M-a-r-k-l-e. I am the owner, and I live next door

3 at 630 Grand Street.

4 VICE CHAIR BRANCIFORTE: Go right

5 ahead. Ask your question, yes.

6 MS. MARKLE: Okay.

7 I don't know if it this is for Mr.

8 Nastasi, but I am concerned about when the work

9 starts and my property. How is that building going

10 to be taken apart, and you know, what kind of

11 ramifications and vibrations will I be feeling when

12 this is going on?

13 THE WITNESS: I think, Rosemary, I

14 think -- I think those questions are for me --

15 MS. MARKLE: Okay.

16 THE WITNESS: -- because I have to -- I

17 have to file these drawings, you know, with the

18 construction office with the building inspector, and

19 there is very strict building codes that I have to

20 follow, which are a whole different set of rules

21 from the Zoning Board, and they are very strict.

22 And then a major part of building codes

23 are for the protection of adjacent properties,

24 especially in Hoboken, where everybody -- you know,

25 everybody is attached to the next neighbor.

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1 So at all times, the general contractor
2 has to protect the neighboring properties, and
3 including sweeping at the end of the every day, and
4 if there is any damage to any part of the
5 neighboring properties, the general contractor is
6 required by the building code to bring it to a like
7 new condition.

8 You know, we can talk about this at
9 length when we get to the construction drawing
10 phase, but there is different things we can do like,
11 for instance, so we can have our surveyor put
12 measuring devices on your building to watch for
13 motion or vibration, and there is also just good
14 manners and good skills of contractors.

15 What we typically do is have the site
16 super introduce himself to the neighbors and share
17 their cell phone numbers, so that there is an open
18 dialogue throughout the course of construction. I
19 always find that is the best thing, you know, just
20 talk to the neighbors, give them your cell phone
21 number, and if anything comes up whether it is on a
22 Saturday or a Sunday, just call us, and then we deal
23 with it, and that happens, and that is how we deal
24 with it.

25 MS. MARKLE: All right.

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1 Another question. The yard, the
2 backyard, will that be even with my property or is
3 it going to be elevated?

4 THE WITNESS: It should be even because
5 we have to -- we will be even with this first floor
6 with your property.

7 MS. MARKLE: Okay.

8 Secondly, I appreciate the fact that
9 you are going to leave the garage there, although I
10 wish you would have kept more garage, so more cars
11 could park there, but whatever.

12 And as far as the color of the brick,
13 when I was a kid, it was more of a whitish color, so
14 when you clean it, it should be in that tone
15 hopefully.

16 THE WITNESS: That is what I think,
17 too. I think it is going to get really kind of
18 taupy like. I think it is going to be beautiful.

19 MS. MARKLE: Are you going to be able
20 to say that, because, you know, I can see it clearly
21 from my building, and it has a lot of cracks in it.

22 THE WITNESS: Yeah, it does, but I
23 think a good facade restoration crew can really --
24 it is actually in pretty good shape, and that could
25 be those are cracks, but I think once it's repointed

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1 and reset, I think we can really bring it back to a
2 good condition.

3 MS. MARKLE: Okay. And then just a few
4 more things.

5 For lack of a better term, this balcony
6 here in the middle, I have a tenant whose bedroom is
7 right there. That could be a bit of a problem for
8 someone living there, and I cannot move the bedrooms
9 because you will be blocking my other two windows,
10 so -- and the back of the house is the kitchen.

11 THE WITNESS: Got it.

12 MS. MARKLE: So how are we going to
13 help that situation?

14 THE WITNESS: Well, the other thing,
15 too, is, you know, like anything in town, there are
16 ordinances about behavior and noise, so if there
17 is -- and I can't, you know, I created as
18 unobtrusive a terrace as you could do behind a
19 facade like this, but in the worst condition where
20 some jerk is making too much noise, there is a noise
21 ordinance, and you call the police, and there is,
22 you know, with an enforcement, you solve those
23 issues. So I don't like to pass the buck, but there
24 is a noise ordinance, and there is really good
25 enforcement in town, so I don't see that being a

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1 problem.

2 MS. MARKLE: From your lips to God's
3 ears.

4 That is going to be that rooftop. My
5 biggest fear, and you cannot control who owns that
6 property or who rents that property. They are up
7 there smoking and just decide to fling the cigarette
8 butt. My building is completely wood, you know, and
9 there is no way anybody is going to give me an
10 answer that is going to make me happy with that
11 rooftop. It is just, you know, is there a kitchen
12 up there or is it just --

13 THE WITNESS: It is just a terrace.

14 MS. MARKLE: But you can understand
15 where I'm coming from.

16 THE WITNESS: Of course.

17 MS. MARKLE: You can't have smoking
18 parties or --

19 THE WITNESS: You are in a wooden frame
20 building. I understand.

21 MS. MARKLE: Yea, complete wood.

22 And does that take over the whole roof
23 or --

24 THE WITNESS: No. The terrace is only
25 30 percent of the roof.

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1 COMMISSIONER WEAVER: May I ask which
2 property is the speaker's?
3 MS. MARKLE: To the right.
4 COMMISSIONER WEAVER: To the north?
5 MS. MARKLE: Yes, exactly. The old
6 house on the block.
7 VICE CHAIR BRANCIFORTE: Can I jump in
8 for one quick second, John?
9 THE WITNESS: Sure.
10 VICE CHAIR BRANCIFORTE: Between the
11 roof deck and the neighbor's building, is there like
12 a -- what do you call that -- stairwell?
13 THE WITNESS: Yes. Between the terrace
14 and the neighbor's building, there is the core of
15 the building. So you have the concrete fire stair
16 and elevator, so there is sort of a noncombustible
17 concrete element protecting the neighbor and the
18 terrace, separating the two.
19 MR. TUVEL: That is really the only
20 area, that Commissioner Branciforte indicated, the
21 area where people can relax up there is just beyond
22 that. The rest of it is the green roof and
23 mechanicals, right?
24 THE WITNESS: Correct.
25 MS. MARKLE: Okay. I'm still not happy

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1 with it, but what am I going to do, right?
2 I think that is it for my questions.
3 The rest is going to be glass, and we
4 will be seeking on how to protect my old wood frame
5 property?
6 THE WITNESS: Yes, we will.
7 VICE CHAIR BRANCIFORTE: I understand.
8 So no more questions for the architect
9 then?
10 MS. MARKLE: No, that should be it. I
11 just want to state I just wish the front of the
12 building looked a little differently up on top.
13 That is just a matter of opinion.
14 VICE CHAIR BRANCIFORTE: I understand.
15 When we are done with all of the
16 testimony tonight, you will have an opportunity for
17 comments, if you want to hang around.
18 MS. MARKLE: All right. Thank you.
19 VICE CHAIR BRANCIFORTE: Is there
20 anyone else in the public that would like to ask
21 questions of the architect?
22 COMMISSIONER MC ANUFF: Motion to close
23 public portion.
24 COMMISSIONER WEAVER: Second.
25 VICE CHAIR BRANCIFORTE: Okay, great.

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1 All in favor?
2 (All Board members answered in the
3 affirmative)
4 VICE CHAIR BRANCIFORTE: Very well.
5 Okay. Well, before we go any further,
6 you have, Jason, you have a planner that you are
7 going to present?
8 MR. TUVEL: Yes.
9 VICE CHAIR BRANCIFORTE: It is quarter
10 of 10 I think.
11 MR. TUVEL: Yes.
12 VICE CHAIR BRANCIFORTE: Do you think
13 we will be able to wrap this up before 10:30?
14 MR. TUVEL: I think so. Obviously it
15 just depends on how many questions we have, but I
16 think we can give it a shot.
17 VICE CHAIR BRANCIFORTE: Okay. So why
18 don't you bring your planner up then.
19 MR. TUVEL: Sure. So thank you, Mr.
20 Chairman.
21 So my planner is Keenan Hughes.
22 So, Mr. Galvin, if you could swear him
23 in.
24 MR. GALVIN: Mr. Hughes, raise your
25 right hand.

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1 Do you swear or affirm the testimony
2 you are about to give in this matter is the truth,
3 the whole truth, and nothing but the truth?
4 MR. HUGHES: Yes, I do.
5 K E E N A N H U G H E S, Planner, having been duly
6 sworn, testified as follows:
7 MR. GALVIN: State your full name for
8 the record and spell your last name.
9 THE WITNESS: My name is Keenan Hughes,
10 H-u-g-h-e-s.
11 MR. GALVIN: Mr. Chairman, Mr. Hughes
12 has been qualified by our Board previously. Do we
13 accept him?
14 VICE CHAIR BRANCIFORTE: Yes. Thank
15 you.
16 MR. GALVIN: Take it away, Keenan.
17 MR. TUVEL: So, Keenan, just before you
18 get going, you visited the site and the surrounding
19 area?
20 THE WITNESS: Yes, I have.
21 MR. TUVEL: And you reviewed all of the
22 plans and reports associated with the project?
23 THE WITNESS: Yes.
24 MR. TUVEL: All right.
25 And you reviewed the master plan as

1 well as the ordinance for the City of Hoboken in
 2 preparation of this application?
 3 THE WITNESS: I have.
 4 MR. TUVEL: So can you please give your
 5 planning opinion of the variances associated with
 6 the application?
 7 THE WITNESS: Certainly.
 8 Thank you, and good evening.
 9 I thought Mr. Nastasi gave an excellent
 10 overview of the project, and I think released all of
 11 the variance relief that we're seeking from an
 12 architectural standpoint.
 13 THE REPORTER: I'm sorry. Is there
 14 some way for you to talk a little clearer? It's
 15 just like -- it's not your fault. It's just like
 16 some kind of --
 17 VICE CHAIR BRANCIFORTE: Feedback.
 18 THE REPORTER: -- feedback.
 19 MR. NASTASI: Phyllis, he's from
 20 Wisconsin. We have to deal with his Wisconsin
 21 accent. That's the problem.
 22 (Laughter)
 23 THE WITNESS: That's all right. I will
 24 try again.
 25 So this existing property is 2500

1 square feet. As you are aware, it is improved with
 2 a two-story masonry building with 100 percent lot
 3 coverage.
 4 The area itself, this property is
 5 located in the R-2 zone. It is predominantly
 6 residential, but it is also -- there are a mix of
 7 uses in this area between the Acme supermarket
 8 across the street and several other commercial slash
 9 retail uses sprinkled throughout the neighborhood.
 10 But the general form of building or
 11 building type in the area is a three to five-story
 12 building mass which consists in what we are
 13 contemplating (audio breaks up).
 14 From a compliance standpoint, the
 15 variances that we are seeking, again, this is
 16 located in the R-2. Each of these are C bulk
 17 variances.
 18 So with respect to building height,
 19 there are two aspects to the relief that we are
 20 seeking. One is for exceeding the maximum allowable
 21 height of 40 feet above DFE. We are proposing a
 22 building that is 40 feet deep and 11 inches above
 23 the design flood elevation.
 24 Then also, as was pointed out earlier
 25 in the presentation, there is a minimum

1 floor-to-floor height requirement of 10 feet, and
 2 here the floor to floor on the residential levels is
 3 9 feet 7 inches.
 4 And what is really driving that
 5 variance, and this was pointed out, and I'm actually
 6 very glad that Commissioner Grana asked the question
 7 that he did, because the height variances here are
 8 driven by the use of the building. So It is really
 9 that gap in between the DFE, the design flood
 10 elevation, and where the existing second floor of
 11 the building begins that would dictate the relief we
 12 need from height. I think the Board understands
 13 that at this point in the presentation.
 14 And then the proposed floor to floor is
 15 less than required in an effort to adhere to the 40
 16 foot height limitation. But as you heard from Mr.
 17 Nastasi, that is still providing a comfortable and
 18 marketable residential space for each of the
 19 proposed units.
 20 In addition, with respect to the lower
 21 roof deck, there is also two aspects to the relief
 22 that we are seeking for this. Lower roof decks per
 23 the ordinance must be located in the rear or side
 24 yards and also set back at least three feet from the
 25 adjoining property lines.

1 So here we are proposing a deck that is
 2 located within the front yard area of the lot, and
 3 also there is a zero foot setback to the two
 4 adjoining neighbors to the north and south.
 5 But as you can see from the
 6 architectural presentation, the upper story setback
 7 that is proposed here is really integral to the
 8 overall composition of the building with the
 9 contemporary addition being added to this existing
 10 historic masonry facade, and it is really critical
 11 to creating a presence on the street that doesn't
 12 overwhelm the base of the building or create an
 13 overly imposing presence among the street wall.
 14 So that setback actually then creates
 15 the logical opportunity for a terrace at the third
 16 floor, and certainly in my experience, we have these
 17 upper story setbacks that are either required or
 18 provided in buildings. That always provides an
 19 excellent opportunity for some outdoor usable
 20 habitable space for the residential units.
 21 But it is worth just reiterating that
 22 that space is really completely enclosed within the
 23 building envelope as opposed to something that is
 24 cantilevered off the front or even the rear facade
 25 of the building, and I think the proposed terrace

1 here also elevates the esthetic quality of the
2 development while also sustaining access to light,
3 air and open space for the residents of that
4 particular unit.

5 So as I indicated, these are C
6 variances. Each of them can be justified on a C-2
7 basis, in that the proposed deviation will further
8 the purposes of the Municipal Land Use Law and
9 promote the general welfare and specifically under
10 the positive criteria, proposed deviations will
11 provide several benefits to the community, which
12 substantially outweigh the detriments.

13 So I wanted to start by repeating or
14 tying together the benefits that I think have been
15 previously described by Mr. Nastasi and as perhaps
16 even pointed out by some of the Board members.

17 But number one is the elimination of
18 the 100 percent coverage condition, and this is tied
19 to advancing the hole in the donut concept in the
20 rear yard.

21 The application will also bring the
22 rear yard into compliance with the impervious
23 coverage requirement for the rear yard area.

24 Looking at the front of the building,
25 obviously we have the preservation and reuse of the

1 worth pointing out that the density that is not only
2 compliant, and but it's lower than actually what is
3 permitted for this particular property.

4 And then just sort of from an esthetic
5 visual standpoint, Purposes I and J would be
6 advanced, which directly reference the promotion
7 of a desirable visual environment and also the
8 conservation of historic sites and districts.

9 So I think here we have a very
10 sensitive contemporary architectural intervention
11 that is going to resolve in the reuse and the
12 preservation of this historic existing masonry
13 facade and really preserve part of the fabric of
14 this particular neighborhood, so that is it for the
15 positive criteria.

16 And then just at the negative criteria,
17 and the first aspect of that is whether there is any
18 substantial detriment to the public good, and
19 related to the variances that we are seeking. So
20 for building height, the location of the deck area,
21 I would just note with respect to the height
22 variance, I don't find that there is any substantial
23 visual impacts to the neighborhood.

24 In my view, this is really a minimal
25 deviation of just under four feet, and the design of

1 existing historic facade, and there is certainly an
2 emphasis in Hoboken's master plan documentation on
3 preserving the architectural heritage, particularly
4 in light of some of the tear-down activity that has
5 happened over the past couple of decades, and this
6 will certainly serve to enhance the Grand Street
7 scape.

8 Also, the flood proofing of the lowest
9 story and the addition of stormwater management on
10 the site will both protect from flooding and also
11 pass certain environmental benefits in terms of
12 stormwater management.

13 So for all of those reasons, I find
14 that there are several purposes of the Municipal
15 Land Use Law that will be advanced. Certainly
16 Purpose A in reference to promoting the general
17 welfare and (audio breaks up) and existing
18 nonconforming conditions on the site.

19 (B), which references safety from
20 flood, obviously that is tied to flood proofing of
21 the lowest story elevating residential use out of
22 the flood plain.

23 (G), which is to provide sufficient
24 space in appropriate location for residential use to
25 serve the needs of the citizens. And I think also

1 the upper story addition has a light and unobtrusive
2 presence on top of the existing masonry face, and it
3 is worth reminding the Board that this setback
4 that's actually proposed here is not something
5 that's required by code.

6 By ordinance, you could actually build
7 40 feet and right flush up against the existing
8 (Audio breaks up) wall. So zero foot setback along
9 that front property line.

10 And then you heard from Mr. Nastasi for
11 architectural and esthetic reasons, I agree that it
12 is a better planning alternative to actually step
13 back those upper stories to respect the base of the
14 existing building.

15 Also the height is actually consistent
16 with other building in the area, particularly the
17 existing building located at northeasterly -- excuse
18 me -- the southwesterly corner of Grand Street and
19 7th.

20 So overall, I think the design here as
21 it relates to the proposed height deviation is not
22 one that will impact the character of the
23 neighborhood, and certainly any impacts of a few
24 extra feet in building height are substantially
25 outweighed by the benefits that will be advanced by

1 this project, which I already listed, but namely,
 2 removal of the 100 percent lot coverage condition
 3 and the preservation of the existing facade.
 4 As for the terrace and potential impact
 5 concerns related to its location and its setback
 6 from the adjoining properties, I don't find that its
 7 location here is going to have a substantially
 8 adverse impact. It is not located adjacent to any
 9 windows on adjacent properties in terms of the side
 10 property lines.
 11 It is essentially screened from view at
 12 the street level. I think from the public realm,
 13 you have a hard time even noticing that it is there,
 14 because it is really removed and enclosed street --
 15 enclosed terrace when viewed from the public ground.
 16 It is tucked behind the masonry facade, and it is
 17 really integral to setting back the new addition to
 18 the building.
 19 So from my perspective, it is a much
 20 better zoning alternative from a visual and esthetic
 21 perspective than having the building certainly flush
 22 with the front facade, or perhaps even having a
 23 terrace space even on the rear of the building which
 24 would, you know, have its own impacts in terms of
 25 the hole in the donut open space (audio breaks up)

1 activity on adjoining properties.
 2 MR. TUVEL: On the building height, you
 3 are saying that having this is a better planning
 4 alternative by having the building step back at 43
 5 feet 11 versus being right up against the street at
 6 40?
 7 THE WITNESS: That's correct.
 8 Then finally just in reference to the
 9 second prong of the negative criteria, there is no
 10 substantial impairment of the zone plan. I think
 11 the real meat here really in the context of the
 12 overall project, which is an excellent example of
 13 adaptive reuse and a contemporary addition to an
 14 existing historic facade is quite minimal in terms
 15 of the context of the overall project.
 16 Eliminating the existing 100 percent
 17 lot coverage condition and furthering the hole in
 18 the donut concept, which I learned over the years
 19 working in Hoboken is really one of the paramount
 20 planning objectives of the city when you look at the
 21 planning and zoning activities in the City of
 22 Hoboken.
 23 It is consistent with the master plan
 24 emphasis on preserving architectural heritage, and
 25 it is worth noting that the 2018 master plan places

1 the property within the R-3 District, which
 2 recommends a height of 40 feet above DFE, not to
 3 exceed five stories. So I think if you look at the
 4 overall building here, it is consistent with what
 5 was contemplated in the 2018 master plan land use
 6 element for this area, despite the minimal deviation
 7 we are requesting for building height.
 8 Preserving the residential character of
 9 the neighborhood, and it is my opinion that if the
 10 ordinance actually required an upper story stepback,
 11 I do believe the city might contemplate having a
 12 terrace space allowed within the front yard areas
 13 throughout the city, as it is customary.
 14 So just referring again to the C-2
 15 criteria, I think tying it all together, it's very
 16 clear that there's purposes of the Municipal Land
 17 Use Law that are being advanced by this application,
 18 and that there are numerous benefits to the
 19 community at large, not just to this particular
 20 applicant, but really it's solving some problems,
 21 and I think from a visual and esthetic standpoint
 22 really tremendously upgrading the street scape in
 23 this area, and these benefits substantially outweigh
 24 the detriments. As demonstrated in the negative
 25 criteria, there's no substantial adverse impacts

1 here from the building height or the terrace
 2 location, so -- and the negative criteria is also
 3 satisfied.
 4 So to the extent the Board is inclined
 5 to look favorably on this application, I certainly
 6 feel that the criteria under the C-2 standards are
 7 addressed for each of the requested variances.
 8 MR. TUVEL: Keenan, just a couple
 9 questions before we get to the Board, just some
 10 follow-ups.
 11 In terms of just permitted use, the
 12 residential is permitted, and the accessory garage
 13 is also permitted, correct?
 14 THE WITNESS: That's correct.
 15 MR. TUVEL: Okay.
 16 And then in terms of lot coverage, you
 17 indicated we comply there, right?
 18 THE WITNESS: That is right.
 19 MR. TUVEL: And eliminating the
 20 preexisting condition, non conforming condition of a
 21 hundred percent lot coverage?
 22 THE WITNESS: Correct, that would be
 23 eliminated.
 24 MR. TUVEL: And all of the setbacks are
 25 conforming, is that correct?

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1 THE WITNESS: Yes.
 2 MR. TUVEL: All right.
 3 Then as I asked John, but the
 4 residential density here, what would be permitted
 5 under the ordinance?
 6 THE WITNESS: I believe four units
 7 would be permitted, where as we are proposing two
 8 units.
 9 MR. TUVEL: Okay.
 10 And we also comply, it's worth noting,
 11 too, we do comply with all the roof appurtenances
 12 and roof deck requirements regarding coverage and
 13 the setback of the appurtenances?
 14 THE WITNESS: Correct. All of the
 15 rooftop improvements are in compliance the
 16 ordinances.
 17 MR. TUVEL: Okay.
 18 And you do believe that the stormwater
 19 management systems that are being added to the
 20 property are a significant benefit from what is
 21 there today?
 22 THE WITNESS: That is absolutely one
 23 of the benefits to the community under the C-2
 24 standard, yes.
 25 MR. TUVEL: Great. Thank you very

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1 much.
 2 Mr. Chairman, we are happy to answer
 3 questions from the Board and the public.
 4 VICE CHAIR BRANCIFORTE: Thanks.
 5 Any Board members want to -- where
 6 should we start?
 7 With Ann Graham, Dr. Graham.
 8 (Laughter)
 9 COMMISSIONER GRAHAM: I am always
 10 first, right, except when you are not Chair.
 11 So I would just like the planner to
 12 expand a little bit on how this property supports
 13 the diversity that you talk about in this proposed
 14 new R-3 residential area.
 15 What types of diversity are you
 16 referring to and how does that promote the municipal
 17 planning policies that you talked about? Could you
 18 expand upon that?
 19 Thank you.
 20 THE WITNESS: And I suppose you are
 21 referencing --
 22 COMMISSIONER GRAHAM: The last
 23 paragraph of your report.
 24 THE WITNESS: The last paragraph of my
 25 report. Okay.

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1 The last paragraph of my report, I'm
 2 trying to -- can you just read the sentence, if you
 3 don't mind?
 4 COMMISSIONER GRAHAM: It says the land
 5 use element of the master plan recommended rezoning
 6 the subject property into a new R-3 residential
 7 diversification -- diversification district --
 8 THE REPORTER: Ann, can you read a
 9 little slower?
 10 COMMISSIONER GRAHAM: Sorry, Phyllis.
 11 The land use element of the master plan
 12 recommended rezoning the subject property into a
 13 new -- I assume it wasn't referring just to this
 14 specific property, but the area -- into a new R-3
 15 residential diversification district. One of the
 16 main purposes of the new R-3 District is to support
 17 diverse mix of housing stock.
 18 I'm just curious about if you can
 19 elaborate on how this would add to a diverse mix of
 20 housing stock and how that is in keeping with
 21 Hoboken's planning policies?
 22 THE WITNESS: Yes. I think the new R-3
 23 zone, the idea was you would have a variety of
 24 different housing types available to you. Here we
 25 have two larger, you know, family oriented units,

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1 you know --
 2 COMMISSIONER GRAHAM: Talking about
 3 specifically architecturally speaking or are you
 4 referring in other aspects as well?
 5 THE WITNESS: Well, I think, you know,
 6 I think it's referencing both, which is recognizing
 7 the eclectic diverse esthetic character of the area,
 8 but specifically from sort of a residential housing
 9 standpoint, I think there is an intent in the master
 10 plan to promote a diversity of housing types within
 11 the R-3.
 12 This project is obviously an example of
 13 larger family-oriented units, but I think what the
 14 master plan intends is to allow, you know, to have
 15 higher density in residential concepts here, where
 16 you might have a building with more than
 17 one-bedroom, you know, smaller, more units on a
 18 particular site, but in this case particularly
 19 related to the reuse of the existing facade that
 20 really lends itself well to larger duplex units.
 21 COMMISSIONER GRAHAM: How many bedrooms
 22 are in each of these units?
 23 I don't think I understood that.
 24 MR. TUVEL: Commissioner Graham, would
 25 you mind if Mr. Nastasi answered that question

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1 just --

2 COMMISSIONER GRAHAM: Of course not.

3 That's fine.

4 MR. NASTASI: Commissioner Graham, they

5 are three-bedroom units.

6 COMMISSIONER GRAHAM: Okay. Okay.

7 That is all I have.

8 Thank you.

9 VICE CHAIR BRANCIFORTE: Thank you,

10 Ann.

11 Next up is Commissioner Grana.

12 Antonio?

13 COMMISSIONER GRANA: Thank you, John.

14 John, at this time I have no questions

15 for the planner.

16 Thank you for the detailed report.

17 VICE CHAIR BRANCIFORTE: Thanks.

18 Owen?

19 COMMISSIONER MC ANUFF: No questions for

20 me as well. It was a very detailed explanation.

21 VICE CHAIR BRANCIFORTE: Diane?

22 Diane Murphy, is she still on, or did

23 she leave?

24 COMMISSIONER WEAVER: They gave her the

25 night -- she was having technical issues.

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1 COMMISSIONER MC ANUFF: It doesn't

2 appear that she's on any more.

3 COMMISSIONER GRAHAM: Yeah.

4 VICE CHAIR BRANCIFORTE: Dan Weaver is

5 next.

6 COMMISSIONER WEAVER: Oh, I should have

7 spoken up.

8 Mr. Hughes, thank you. That was a very

9 thorough presentation. I have no questions.

10 Thank you.

11 VICE CHAIR BRANCIFORTE: Okay.

12 Great -- not great, but thank you.

13 Mr. Firestone?

14 COMMISSIONER FIRESTONE: No questions.

15 VICE CHAIR BRANCIFORTE:

16 COMMISSIONER MARSH: Carol Marsh.

17 COMMISSIONER MARSH: No questions.

18 VICE CHAIR BRANCIFORTE: Okay.

19 And Steve?

20 COMMISSIONER SMOLYN: Just one quick

21 one.

22 Mr. Hughes, do you believe any

23 additional strategies here you can give to mitigate

24 the kind of detriment of cars backing out on to

25 Grand Street, given the existing kind of garage

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1 arrangement?

2 THE WITNESS: I do not.

3 I think what Mr. Nastasi's office is

4 proposing in terms of safety measures, which has

5 been demonstrated on other project in the city are

6 sufficient, and I think it is also worth keeping in

7 mind that it's just going to be two units, two

8 parking spaces, so the level of activity will be

9 relatively minimal in terms of the in and out

10 activity generated by this use.

11 COMMISSIONER SMOLYN: Thank you.

12 MR. TUVEL: Commissioner Branciforte,

13 can I just ask Keenan a follow-up to what

14 Commissioner Smolyn asked?

15 VICE CHAIR BRANCIFORTE: Sure. Go

16 right ahead, Jason.

17 MR. TUVEL: Also as of right, one could

18 just keep the garage because accessory garages are

19 permitted in the zone, but by adding the feature

20 Commissioner Smolyn asked about and that Mr. Nastasi

21 testified to, does that go to the betterment or the

22 improvements to the area?

23 THE WITNESS: Yes, I think it does.

24 That is right.

25 And also I would just further point out

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1 that, you know, you have the condition where you are

2 reusing the existing building. Most of that first

3 story space is unutilized in terms of habitable

4 space just because of the site flood elevation.

5 I think it is an opportunity to

6 accommodate just two off-street parking spaces in a

7 safe manner completely enclosed, and I think with

8 the safety measures that Mr. Nastasi's office is

9 proposing, I think it is certainly an appropriate

10 condition for the site.

11 VICE CHAIR BRANCIFORTE: Great. Does

12 that --

13 COMMISSIONER MC ANUFF: If I could just

14 interject something while we're talking about the

15 garage and backing out.

16 I have a situation in my building where

17 people are -- two of the residents are backing out

18 onto the street.

19 If I may suggest, one of the things I

20 think helps is actually putting a speed bump inside

21 the garage door a few feet, so as you are backing

22 out, you hit the speed bump first and then slow down

23 a bit before exiting the garage.

24 I don't know if Mr. Nastasi would be

25 okay with that or not, but just a suggestion I have

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1 that is working in my building.
 2 MR. NASTASI: This is Mr. Nastasi.
 3 This is John.
 4 I think that's a great idea, and we
 5 would certainly implement that. I have actually
 6 never seen that, but it actually sounds like a very
 7 good idea.
 8 VICE CHAIR BRANCIFORTE: Okay.
 9 Here is the grub, guys. In the past,
 10 in the past when buildings go on from commercial to
 11 residential, they don't necessarily get to keep
 12 their driveway out of right.
 13 This is a discussion we had in the past
 14 going way back to the previous two planners, and I
 15 don't know how that is going to affect this
 16 driveway.
 17 I wish Mr. Banisch was here tonight. I
 18 think that is a question we need to ask and research
 19 a bit more.
 20 Any comments from your planner on that?
 21 Mr. Hughes?
 22 THE WITNESS: Well, I think -- you
 23 know, first, I would be happy to establish, you
 24 know, what is the existing use. You know, I know it
 25 has been mixed use in the past, residential on the

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1 upper stories, you know.
 2 To be honest, I am just not aware of,
 3 you know, that history that you're referring to and
 4 the specific provisions relative to conversion of,
 5 you know, residential (audio breaks up) with the
 6 curb cuts.
 7 What I do know is that parking is
 8 permitted within the R-2, or at least there's no
 9 prohibition on it, because it's R-1.
 10 Well, Jason, I don't know if you could
 11 shed any light from a legal standpoint on that
 12 particular issue.
 13 MR. TUVEL: Yeah.
 14 So I guess one point I would make on
 15 that is so we have done projects. I was actually
 16 before the Planning Board on a separate matter in
 17 the R-1, if you are proposing a curb cut, you need
 18 to get a variance because curb cuts are expressly
 19 for parking -- no, not curb cuts, sorry -- parking
 20 is prohibited in the R-1, where as in Part 2 and I
 21 believe in the R-3, they are permitted.
 22 The accessory garage is actually a
 23 permitted accessory use in the zone, so assuming
 24 what you just hear -- it meets -- it doesn't deviate
 25 from any dimensional requirements regarding the

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1 positioning of the garage or the curb cut, I believe
 2 that you can, Commissioner Branciforte, put a curb
 3 cut there because it is a garage with a permitted
 4 accessory use.
 5 Yeah, just double checking the R-2
 6 regulations, Mr. Chairman, where it expressly states
 7 that accessory uses shall be as follows and garages
 8 is one of them. So -- and that's unlike the R-1
 9 Zone, where it's prohibited, so I do believe it is
 10 acceptable.
 11 VICE CHAIR BRANCIFORTE: Okay. I
 12 wish -- I was trying to find some old transcripts,
 13 but it is just impossible. I would have to go
 14 through a hundred transcripts to find the one or two
 15 cases where that came up.
 16 MR. GALVIN: I am going to agree with
 17 Jason. It is the R-1 zone. This is not the R-1
 18 zone.
 19 VICE CHAIR BRANCIFORTE: Okay. That is
 20 fine then.
 21 I don't have any more questions.
 22 MS. CARCONE: Joan, Diane Murphy is
 23 still on the meeting. I just wanted to get that on
 24 the record, and she doesn't have any questions.
 25 VICE CHAIR BRANCIFORTE: Okay. Thanks.

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1 COMMISSIONER MURPHY: Yeah. I am good
 2 for now.
 3 VICE CHAIR BRANCIFORTE: Okay. Thanks.
 4 Are there any more questions for the
 5 planner before I open it up to the public?
 6 COMMISSIONER MC ANUFF: No, not from
 7 me.
 8 VICE CHAIR BRANCIFORTE: Why don't I
 9 open it up to the public then.
 10 Anybody out there that would like to
 11 ask the planner a question, this is a good time --
 12 this is the time to do it.
 13 Speak up, anyone.
 14 Okay.
 15 COMMISSIONER MC ANUFF: Motion to close
 16 public portion.
 17 COMMISSIONER FIRESTONE: Second.
 18 VICE CHAIR BRANCIFORTE: All in favor?
 19 (All Board members answered in the
 20 affirmative)
 21 VICE CHAIR BRANCIFORTE: Great.
 22 We will open it to public comments at
 23 this point, Dennis?
 24 MR. GALVIN: Yes, sounds good.
 25 VICE CHAIR BRANCIFORTE: Anybody in the

1 public, I know, Mr. Schwartz, you said you wanted to
2 come back and maybe make a comment. This is the
3 time to do it --

4 MR. SCHWARTZ: Yes.

5 VICE CHAIR BRANCIFORTE: -- on the
6 project in general, and go right ahead.

7 MR. GALVIN: Everyone has to go under
8 oath now.

9 Mr. Schwartz, raise your right hand,
10 even though I can't see you.

11 All right. Do you swear or affirm --

12 MR. SCHWARTZ: I'll put the video on.
13 That's why I was I like why aren't there --

14 MR. GALVIN: Do you swear or affirm the
15 testimony you are about to give in this matter is
16 the truth, the whole truth, and nothing but the
17 truth?

18 MR. SCHWARTZ: Yes.

19 MR. GALVIN: State your full name and
20 spell your last name.

21 MR. SCHWARTZ: David Schwartz,
22 S-c-h-w-a-r-t-z.

23 MR. GALVIN: You may proceed. Tell us
24 how you feel.

25 MR. SCHWARTZ: Thank you, sir.

1 So the first comment is I appreciate
2 that the Board is concerned about the garage safety.
3 I thought that was a really good suggestion with the
4 speed bump inside.

5 I also will say just as a neighbor, the
6 lights in the concrete or the macadam, plus the
7 light on the side of the building will be a big
8 help, so I don't feel worried about it. So just to
9 give you the neighbor is okay with it, it sounds
10 okay.

11 I do hope that the Board does institute
12 on the terrace just like three feet from the
13 building on all sides just to limit that terrace to
14 whatever it is left, just so that there is three
15 feet just like it would be up on the roof, just
16 because it just seems too close to the street as
17 well as to the other buildings and that might
18 address Rose's concern as well on the other side.

19 In terms of the height, I am going
20 back. I'm still a little confused because the
21 original variance was asking for 43-11, but the
22 architect said that this new rendering was shorter
23 than that. So what is the actual height of the
24 building now?

25 MR. TUVEL: Commissioner Branciforte,

1 can John answer Mr. Schwartz' question, because that
2 might be helpful if that's okay.

3 VICE CHAIR BRANCIFORTE: Go right
4 ahead, Mr. Nastasi.

5 MR. NASTATI: I'm here.

6 So the height of the building is still
7 43 feet 11. However, in the initial submission, I
8 had a solid parapet, which made the building 42
9 inches -- three and a half feet taller, but I have
10 taken that parapet off.

11 The roof is the same height, so it is
12 still 43-11. You just don't have this big solid
13 parapet on top of that.

14 So from the street the building is
15 three and a half feet lower than the initial
16 submission.

17 MR. SCHWARTZ: So it is more visual?

18 MR. NASTASI: Correct.

19 MR. SCHWARTZ: So it just doesn't feel
20 like it's so much higher?

21 MR. NASTASI: Correct, and you are not
22 seeing a three and a half foot parapet. That goes
23 away, so visually it's three and a half feet lower,
24 yes.

25 MR. SCHWARTZ: Okay. I appreciate that

1 because I was very concerned with the original
2 packet. It just looked like it was going to really
3 be out of place with the neighborhood really.

4 And then the last comment is I really
5 do hope that obviously there is a lot of care and
6 concern about trying to restore the facade. I
7 really do hope that you are able to do that. All I
8 know is from the back of the building, which is not
9 the same type of brick. The rest of the building,
10 which is good, that you guys are going to a 60
11 percent is in disrepair. The building to the back
12 should be completely -- I am actually surprised it
13 is not -- you are allowed to even go in there. It
14 is totally falling apart, the entire garage in the
15 back, so I wish you guys a lot of luck. I am glad
16 that it's finally done. It has taken a long time,
17 so good luck with it.

18 MR. TUVEL: Thank you.

19 VICE CHAIR BRANCIFORTE: Thanks, Mr.
20 Schwartz.

21 Anybody else in the public would like
22 to -- yes, Ms. Lavarro?

23 MS. LAVARRO: Yes. Noreen Lavarro.

24 MR. GALVIN: Raise your right hand,
25 please.

1 Do you swear or affirm the testimony
2 you are about to give in this matter is the truth,
3 the whole truth, and nothing but the truth?

4 MS. LAVARRO: Yes, sir.

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

7 MS. LAVARRO: Noreen Lavarro,
8 L-a-v-a-r-r-o.

9 MR. GALVIN: And your street address?

10 MS. LAVARRO: 630 Grand Street.

11 MR. GALVIN: You may proceed.

12 MS. LAVARRO: So I am the apartment
13 that is going to be right next to the balcony, and I
14 lived here for 18 years. So I have had Willy
15 McBride's here the whole time, and very often it
16 feels like the bar is in your house, so that is just
17 something that we deal with, and that is fine.

18 But I guess I am concerned about the
19 balcony being so close, and I don't want to be the
20 kind of neighbor that is calling the police on my
21 neighbor all of the time, so I guess I am concerned
22 about that.

23 And because I am also from the Hoboken
24 of Fire, my childhood was full of buildings on fire
25 in this town. I am concerned also about the

1 rooftop, and I was wondering if there, you know, if
2 there would be some kind of provision where people
3 are not allowed to smoke on the rooftop. I am sure
4 that should have gone in the question section, but
5 those are my concerns.

6 My concerns are for the safety of our
7 building and also just for the peace in terms of
8 having a balcony like six inches away from my
9 bedroom window.

10 VICE CHAIR BRANCIFORTE: Right.

11 MR. GALVIN: Jason, any comment on
12 that?

13 MR. TUVEL: Yeah.

14 I was reaching out to Mr. Nastasi with
15 both Mr. Schwartz and Ms. Lavarro, I just want to
16 make sure I get it correct, okay.

17 When Ms. Lavarro were speaking, what we
18 could do, and it would also eliminate a variance as
19 well, is we can offer three feet on each side of the
20 terrace with plantings as well, and that would
21 eliminate the three foot requirement for the roof
22 deck buffer that Keenan mentioned. We'd still need
23 the variance for it being in the front, but we would
24 eliminate the setback of the roof deck by adding,
25 you know, a three foot planter buffer.

1 John, just correct me if I am not
2 stating it correctly.

3 But we would add that on both sides, so
4 it would protect Ms. Lavarro's building as well as
5 Mr. Schwartz' building, so it would create a larger
6 buffer there, so --

7 MR. NASTASI: We could have a three
8 foot buffer on the north and south ends of those
9 terraces.

10 So, Ms. Lavarro, nobody could be within
11 three feet of your wall, because we would put a
12 planter there, and that would help.

13 MR. LAVARRO: Okay. Thank you.

14 MR. TUVEL: Yes, so, Dennis, that would
15 be -- given both of those comments, we would propose
16 that if the Board found it acceptable.

17 MS. LAVARRO: And is there something
18 where folks would not be allowed to smoke on the
19 roof?

20 MR. TUVEL: I mean, I am sure -- I'm
21 sure that wouldn't bother the client. So I can ask
22 them while we are talking, but I don't think that
23 would bother anybody.

24 I mean, if there is an ordinance in
25 Hoboken against that, well, obviously we'd have to

1 abide by that.

2 MR. LAVARRO: Are they allowed to
3 have -- will they have a barbecue on the roof?

4 MR. TUVEL: No. Mr. Nastasi testified
5 to that earlier. There would be no cooking
6 permitted on the roof --

7 MS. LAVARRO: Okay. Thank you.

8 MR. TUVEL: -- and the portion by your
9 building as I think one of the Commissioners pointed
10 out is buffered by the -- for the building, so it
11 is not right up against your building.

12 MS. LAVARRO: Okay. Thank you.

13 VICE CHAIR BRANCIFORTE: Thanks.

14 Anybody else in the public would like
15 to make comments?

16 MR. PRANSES: Terry Pranses.

17 VICE CHAIR BRANCIFORTE: Terry, let's
18 let -- have Rose goes first, if that's all right.

19 MR. PRANSES: All right. Excellent.

20 VICE CHAIR BRANCIFORTE: Hey, there's
21 Rose.

22 MR. GALVIN: Do you swear or affirm the
23 testimony you are about to give in this matter is
24 the truth, the whole truth, and nothing but the
25 truth?

1 MS. MARKLE: I do.
 2 MR. GALVIN: State your full name for
 3 the record and spell your last name,
 4 MS. MARKLE: Rosemarie Markle,
 5 M-a-r-k-l-e.
 6 MS. GALVIN: Go ahead.
 7 MS. MARKLE: I just want to say I'm all
 8 for the garage. There is no parking anywhere, and I
 9 know everybody is concerned about the backing up,
 10 but you know what?
 11 Let them back into the garage, and then
 12 they can just drive out, if that's the case.
 13 You know, we changed it on Washington
 14 Street. People back out of the spots, so I am happy
 15 about the garage. I hope you pass that part, and I
 16 am really grateful that they are keeping the facade.
 17 It is not exactly the prettiest, but you know what,
 18 to me, I have been here by whole life. It's been a
 19 part of the neighborhood, so I really appreciate
 20 that fact that you are going to spruce up those
 21 bricks and leave them, and now for the bad part, the
 22 top half. That is all I have to say.
 23 Thank you.
 24 MR. GALVIN: You know, come on. Mr.
 25 Nastasi puts his whole artistic self into these

1 things.
 2 MS. MARKLE: It is a matter of taste.
 3 Just stick with the bottom half, that is all.
 4 VICE CHAIR BRANCIFORTE: Okay, Rose.
 5 Do you want to add anything else, Rose?
 6 MS. MARKLE: No, that's it. I am done.
 7 VICE CHAIR BRANCIFORTE: Thanks for
 8 your comments.
 9 Terry?
 10 MR. PRANSES: Hi. Thank you.
 11 The first -- a number of positives that
 12 I did hear. There was, of course, this working with
 13 the existing structure in general, and of course,
 14 what I would call the full facade. I don't think we
 15 have to argue. It is not an elegant or fancy
 16 facade, but it is an important industrial facade.
 17 So thank you for doing that and cleaning the bricks.
 18 It will be all that much better.
 19 I think the reduction in lot coverage
 20 is an important objective across town, both for
 21 flooding reasons, but also for esthetic reasons. A
 22 lot of our green space is in the interior, not in
 23 the front of our buildings, and it would be great to
 24 extend it into this block.
 25 Questions or issues that still remain

1 have to do with the safety ones. It sounds like you
 2 are working on it.
 3 I do wonder about the adequacy of that
 4 buffer on the third floor deck as much as I wonder
 5 about the one on the top floor, more on the third
 6 floor.
 7 I think it is great that there is an
 8 outdoor space there, and I think it is fine for the
 9 street, but there may be related safety issues.
 10 To the point that Rose made and I still
 11 frankly don't totally understand the all glass top
 12 of the top two floors, as least as it feels from the
 13 street. Feel a bit like A-1 or multiple TV screens,
 14 and I gather there are multiple panels and the
 15 etching will reduce some of that, but it does feel
 16 discordant with other fenestration in town
 17 generally, but specifically on that block in the
 18 immediate buildings.
 19 So I do wonder to the point or the
 20 question raised earlier, is the three feet setback
 21 or stepback adequate to allow that to exist in the
 22 proposed form without overly damaging the esthetics,
 23 and I have that concern both in day and night.
 24 And as lovely as that lighting sort of
 25 looks, it is also kind of weird because there won't

1 be that kind of lighting off the top two floors of
 2 any of the adjacent buildings.
 3 Thank you.
 4 VICE CHAIR BRANCIFORTE: Thanks, Terry.
 5 Is there anyone else in the public that
 6 would like to make a comment at this time?
 7 If not, I am going to ask for motion to
 8 close.
 9 COMMISSIONER MC ANUFF: So motioned.
 10 COMMISSIONER GRAHAM: Second.
 11 VICE CHAIR BRANCIFORTE: Thanks.
 12 All in favor?
 13 (All Board members answered in the
 14 affirmative)
 15 VICE CHAIR BRANCIFORTE: Great.
 16 Jason, do you want to make your
 17 closing?
 18 MR. TUVEL: Yeah. Thank you, Mr.
 19 Chairman. I will be very brief.
 20 I just wanted to say I think there are
 21 a lot of positives from this application that the
 22 Board and the public have heard during testimony,
 23 namely, preservation of the existing facade or
 24 reusing it to incorporate the addition.
 25 The reduction in the impervious

1 coverage -- building coverage rather to be in
 2 compliance 60 percent, which allows us to add
 3 stormwater management to the property.
 4 The other items that are there as well
 5 are the (audio breaks up) to the garage and the curb
 6 cut that we talked about, and the only other thing I
 7 would add is the two conditions that I had would
 8 have been Dennis' standard conditions are the speed
 9 bump in the garage that was asked for, and we stated
 10 we would do, as well as offering the roof deck,
 11 which would eliminate that variance by adding the
 12 three feet on both sides.

13 So I think based on that, I think we
 14 have met our burden. We don't have a site plan
 15 here, so I usually say site plan approval, but I
 16 think we have met the burden for the C variance
 17 relief that we put forth under the C-2 criteria, and
 18 that we would ask that the Board approve the
 19 application as presented with the stipulations and
 20 representations made by the applicant, as well as
 21 the conditions that I enumerated, but obviously
 22 unless the Board has others, those would be
 23 incorporated as well.

24 So thank you very much. We are happy
 25 to answer any other questions.

1 VICE CHAIR BRANCIFORTE: Thanks.
 2 Dennis, can you read us the conditions
 3 you have?

4 MR. GALVIN: Yes. I think I agree with
 5 the two that Jason told you.

6 I have an additional one: That the
 7 green roof plan is to be maintained for the life of
 8 the building, and I would also say what I heard
 9 tonight is that there is not supposed to be any
 10 smoking or cooking on the roof, and that would be
 11 part of the deed restriction, and that is to be
 12 recorded prior to the issuance of a building permit.

13 I had a note about an engineering
 14 letter, but there is no engineering letter here,
 15 right?

16 COMMISSIONER GRAHAM: Right.

17 MR. GALVIN: So there are three
 18 conditions, plus my regular conditions.

19 COMMISSIONER GRAHAM: The buffer, the
 20 green buffer around that front roof terrace.

21 MR. TUVEL: Yeah, I mentioned that. I
 22 am sorry --

23 MR. GALVIN: But that is going to be a
 24 revised -- that plan has to be revised to show that,
 25 and, you know, and we are going to record it.

1 COMMISSIONER GRAHAM: Okay.

2 MR. GALVIN: All right.

3 VICE CHAIR BRANCIFORTE: So, Dennis,
 4 what happens during construction if this facade, the
 5 contractor backs a truck up into it and it
 6 collapses?

7 MR. GALVIN: I think it's a fundamental
 8 problem with all Zoning Board cases. The evidence
 9 was the testimony was that the front of this facade
 10 is going to be maintained. And if they can't do
 11 that, then they are not consistent with the
 12 testimony before the Board, and they have to return
 13 to us and either we are going to make them recreate
 14 it or we're going to come up with another solution,
 15 so hopefully they don't loose this front facade
 16 because it is an interesting project.

17 VICE CHAIR BRANCIFORTE: Do you agree
 18 with that, Mr. Tuvel?

19 MR. TUVEL: Yes.

20 I mean, look, Mr. Hughes put on proofs
 21 as did -- based on John's testimony, and part of Mr.
 22 Hughes' positive criteria dealt with that, so I
 23 think Dennis is a hundred percent correct.

24 VICE CHAIR BRANCIFORTE: But do we need
 25 to make that a condition or --

1 MR. GALVIN: No. You know, every one
 2 of my resolutions has that the applicant is bound by
 3 the conversations we had at the hearing, so I don't
 4 think this is one that we have to go the extra mile
 5 on this.

6 VICE CHAIR BRANCIFORTE: Okay.

7 COMMISSIONER MARSH: Wait. I have a
 8 question.

9 VICE CHAIR BRANCIFORTE: Go ahead,
 10 Carol.

11 COMMISSIONER MARSH: Dennis, you said
 12 that condition you were going to say that the roof
 13 needed to be maintained, the green roof needed to be
 14 maintained in perpetuity?

15 MR. GALVIN: For the life of the
 16 building, yes.

17 COMMISSIONER MARSH: Does that include
 18 the terrace because --

19 MR. GALVIN: I am going to include the
 20 terrace. I will include the terrace, the green roof
 21 and the terrace. I'll include both, Carol. That's
 22 a great suggestion. I didn't mean to overlook it.
 23 It is in my notes, but I didn't say it.

24 COMMISSIONER MARSH: Thank you.

25 VICE CHAIR BRANCIFORTE: Anybody else?

1 Should we move right on to the
 2 discussion then?
 3 Ann, I am not going to start with you.
 4 COMMISSIONER GRAHAM: Well, go ahead
 5 and start with me, because I already know what I am
 6 going to say. It's okay.
 7 No. I like the building. I think the
 8 contrast between the old and the new is really nice.
 9 It is quite visually arresting. I walk by there a
 10 lot, and I think it is a great addition to the
 11 neighborhood.
 12 I am very conscious, though, what the
 13 neighbors say about the noise, the potential for
 14 fire, and I am glad we have those conditions there,
 15 and I hope that buffer makes a difference, and I
 16 will vote to approve the project.
 17 VICE CHAIR BRANCIFORTE: Great.
 18 Thank you, Ann.
 19 Antonio?
 20 COMMISSIONER GRANA: Thanks, John.
 21 I agree with Ann on this, and I think
 22 there is are couple of things here. You know, one
 23 in terms of supporting the project, I think, you
 24 know, two and three great things are happening,
 25 which is one, I have seen too many of these facades

1 get lost to a structure that really inherently don't
 2 involve kind of preserving what they are, and so I
 3 think this does that, and I think that's a great
 4 addition.
 5 I think we are taking a non conforming
 6 lot coverage and moving it back into a conforming
 7 lot coverage, which expands the donut.
 8 I think on top of that, the applicant
 9 is, you know, improving the water conditions not
 10 only through returning a poor surface to the
 11 backyard, but also putting the added development of
 12 the water retention system. I think those are all
 13 great things.
 14 I do hear the concerns about -- I guess
 15 the two concerns I would have, which is really on
 16 the front balcony.
 17 In this particular case I think that
 18 the way it has been designed is central to the C-2
 19 argument meaning it is central to the design of
 20 having a separation of the old and the new that
 21 called for that space, so in this case I support it.
 22 My other than concern would be with the
 23 parking. I think the applicant has taken steps to
 24 mitigate that, and a great suggestion from
 25 Commissioner McAnuff, and I am glad the applicant

1 agrees to apply the speed bump.
 2 The applicant has heard the concerns of
 3 the community and they modified their application,
 4 and I will support it.
 5 VICE CHAIR BRANCIFORTE: Thanks,
 6 Antonio.
 7 Owen?
 8 COMMISSIONER MC ANUFF: I know it is
 9 kind of late. I will say I agree with Commissioners
 10 Graham and Grana. I don't really have much to add,
 11 other than I am also in support of the project.
 12 Very nicely done.
 13 VICE CHAIR BRANCIFORTE: Diane Murphy,
 14 are you still with us?
 15 COMMISSIONER MURPHY: I am.
 16 So I am in support of the project as
 17 well, and I would echo most of what everybody has
 18 said so for.
 19 I will just go on the record saying
 20 that I am usually not a fan of front terraces, but
 21 this one is very, you know, on top of a historical
 22 structure and back behind it, and I appreciate John
 23 working with the neighbor to alleviate her concerns,
 24 and I am beyond thrilled that they are bringing this
 25 building back into conforming size and helping to

1 preserve the donut and create more of a donut, so
 2 you know, I would support this application.
 3 Thank you.
 4 VICE CHAIR BRANCIFORTE: Thanks.
 5 Dan Weaver?
 6 COMMISSIONER WEAVER: Other than this
 7 is I think one of the most sensitive interventions
 8 and adaptive reuses, I mean, we are basically
 9 doubling the height of the building as it exists
 10 today, and I think it's just with the setback to
 11 basically the reveal between the two masses, I just
 12 think it is -- I would be in favor of this project.
 13 VICE CHAIR BRANCIFORTE: Thanks.
 14 Steve Firestone?
 15 COMMISSIONER FIRESTONE: I am in favor
 16 of this project as well.
 17 VICE CHAIR BRANCIFORTE: That is it?
 18 COMMISSIONER FIRESTONE: That is it
 19 tonight.
 20 VICE CHAIR BRANCIFORTE: Carol Marsh?
 21 COMMISSIONER MARSH: Nada. I have
 22 nothing.
 23 VICE CHAIR BRANCIFORTE: Okay.
 24 Steven?
 25 COMMISSIONER SMOLYN: Yes. There is a

1 tremendous amount of (audio breaks up) that's here,
2 not to be redundant with anyone else.

3 I think the neighbors' testimony at
4 least from two of the neighbors that we heard
5 regarding -- I think it was described as the jarring
6 nature of the new addition, personally I actually
7 think it is positive. I think that it is a
8 thoughtful juxtaposition, the new when compared to
9 kind of a rudimentary historic structure.

10 I think it is very sensitive in that
11 regard, and I would just challenge Mr. Nastasi to
12 continue this project through with very good
13 detailing and engage a qualified lighting consultant
14 to really bring depth to the upper facade at night,
15 and I think that will only kind of extrapolate the
16 contrast that is going to make this such a
17 successful project across the street from a very
18 boring building, the Acme.

19 VICE CHAIR BRANCIFORTE: Anything else?

20 MR. GALVIN: We are going to be getting
21 letters from Acme.

22 (Laughter)

23 COMMISSIONER MC ANUFF: If I could just
24 ask a question of Dennis.

25 Commissioner Smolyn had made some

1 recommendations as far as the glazing earlier. Does
2 any of that have to go into the conditions as far as
3 the low iron glass or acid etching or anything like
4 that?

5 MR. GALVIN: I think it is part of the
6 record, and it is shown on the plan.

7 COMMISSIONER MC ANUFF: Okay.

8 MR. GALVIN: I can add a condition that
9 the building is to be constructed as described to
10 the Board at the time of the hearing.

11 COMMISSIONER MC ANUFF: I would feel
12 comfortable with that.

13 MR. GALVIN: Okay.

14 COMMISSIONER MC ANUFF: Commissioner
15 Smolyn, anything?

16 COMMISSIONER SMOLYN: Yeah. I think
17 that would be perfect, Dennis.

18 VICE CHAIR BRANCIFORTE: Okay. I will
19 throw my two cents in and then I'll ask for a
20 motion.

21 The only thing I am really worried
22 about, and I am going to not go on too much about it
23 is the amount of glass up top, and I am a little
24 afraid of light pollution coming out, but -- on to
25 the street. Hopefully you will be able to work

1 something out around that, John.

2 The other thing is that Rose, our
3 neighbor -- the neighbor, Rose, and also Mr. Schultz
4 I think -- Mr. Schwartz brought it up is the noise
5 from the terrace and the roof deck, and I have
6 always tried to address that roof deck problem. I
7 always wanted to address it. I am always worried
8 that like Mr. Schwartz has a couple of 20-somethings
9 with running keggers all of the time. Thank God, he
10 doesn't have a roof deck, but I will just leave it
11 at that.

12 I call for a motion at this point.

13 COMMISSIONER MC ANUFF: Motion to
14 approve with conditions.

15 VICE CHAIR BRANCIFORTE: Second?

16 COMMISSIONER GRANA: I will second
17 Owen's motion.

18 Okay. Owen put the motion forward, and
19 Antonio seconded it.

20 Can I have a roll call?

21 MS. CARCONE: Sure.

22 Commissioner Graham?

23 COMMISSIONER GRAHAM: Yes.

24 MS. CARCONE: Commissioner Grana?

25 COMMISSIONER GRANA: Yes.

1 MS. CARCONE: Commissioner McAnuff?

2 COMMISSIONER MC ANUFF: Yes.

3 MS. CARCONE: Commissioner Murphy?

4 COMMISSIONER MURPHY: Yes.

5 MS. CARCONE: Commissioner Weaver?

6 COMMISSIONER WEAVER: Yes.

7 MS. CARCONE: Commissioner Firestone?

8 COMMISSIONER FIRESTONE: Yes.

9 MS. CARCONE: Chairman Branciforte?

10 VICE CHAIR BRANCIFORTE: Yes.

11 MS. CARCONE: Okay. Approved.

12 MR. TUVEL: Thank you, everybody

13 Everybody, stay safe and healthy and we

14 will see everybody soon. Take care.

15 MR. GALVIN: Thank you.

16 VICE CHAIR BRANCIFORTE: Good luck.

17 Pat, when is our next meeting?

18 MS. CARCONE: The 18th, and it will

19 just be one meeting.

20 COMMISSIONER MURPHY: No meeting the
21 following week?

22 MS. CARCONE: I know we had a lot of
23 meetings. We just had a lot of projects creep up on
24 us, but I think we are getting all caught up now.

25 COMMISSIONER FIRESTONE: Motion to

1 adjourn.
 2 COMMISSIONER MC ANUFF: Second.
 3 COMMISSIONER MURPHY: Kind of feeling
 4 like it was the olden days.
 5 VICE CHAIR BRANCIFORTE: All in favor?
 6 COMMISSIONER GRANA: Motion to adjourn
 7 and seconded.
 8 (All Board members answered in the
 9 affirmative)
 10 (Meeting concluded at 10:40 p.m.)
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C E R T I F I C A T E

1
 2
 3 I, PHYLLIS T. LEWIS, a Certified Court
 4 Reporter, Certified Realtime Court Reporter, and
 5 Notary Public of the State of New Jersey, do hereby
 6 certify that the foregoing is a true and accurate
 7 transcript of the proceedings as taken
 8 stenographically by and before me at the time, place
 9 and date hereinbefore set forth.
 10

11 I DO FURTHER CERTIFY that I am neither
 12 a relative nor employee nor attorney nor counsel to
 13 any of the parties to this action, and that I am
 14 neither a relative nor employee of such attorney or
 15 counsel, and that I am not financially interested in
 16 the action.
 17

18 s/Phyllis T. Lewis, CCR, CRCR
 19 -----
 20 PHYLLIS T. LEWIS, C.C.R. XI01333 C.R.C.R. 30XR15300
 Notary Public of the State of New Jersey
 21 My commission expires 11/5/2020.
 This transcript was prepared in accordance with
 22 NJAC 13:43-5.9.
 23
 24
 25

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