

HOBOKEN ZONING BOARD OF ADJUSTMENT
CITY OF HOBOKEN

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SPECIAL MEETING OF THE HOBOKEN : May 24, 2016
ZONING BOARD OF ADJUSTMENT : 7 pm
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Held At: 94 Washington Street
Hoboken, New Jersey

B E F O R E:

- Acting Chairman John Branciforte
- Commissioner Philip Cohen
- Commissioner Antonio Grana
- Commissioner Owen McAnuff
- Commissioner Diane Fitzmyer Murphy
- Commissioner Dan Weaver
- Commissioner Edward McBride
- Commissioner Cory Johnson
- Commissioner Frank DeGrim

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

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

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1 ACTING CHAIRMAN BRANCIFORTE: Good
2 evening, everyone.

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

11 Please stand to salute the flag.

12 (Pledge of Allegiance recited)

13 ACTING CHAIRMAN BRANCIFORTE: Pat, can
14 you call the roll, please?

15 MS. CARCONE: Commissioner Aibel is
16 absent.

17 Commissioner Branciforte?

18 ACTING CHAIRMAN BRANCIFORTE: Here.

19 MS. CARCONE: Commissioner Cohen?

20 COMMISSIONER COHEN: Here.

21 MS. CARCONE: Commissioner Grana?

22 COMMISSIONER GRANA: Here.

23 MS. CARCONE: Commissioner Marsh is
24 absent.

25 Commissioner Murphy?

1 COMMISSIONER MURPHY: Here.

2 MS. CARCONE: Commissioner McAnuff?

3 COMMISSIONER MC ANUFF: Here.

4 MS. CARCONE: Commissioner Weaver is
5 absent.

6 Commissioner McBride?

7 COMMISSIONER MC BRIDE: Here.

8 MS. CARCONE: Commissioner Johnson?

9 COMMISSIOENR JOHNSON: Here.

10 MS. CARCONE: Commissioner DeGrim?

11 COMMISSIONER DE GRIM: Here.

12 (Commissioner Weaver present)

13 MR. GALVIN: And Mr. Weaver is here.

14 MS. CARCONE: Oh, Mr. Weaver just
15 walked in.

16 Mr. Weaver?

17 COMMISSIONER WEAVER: Yes.

18 MS. CARCONE: Yes.

19 MR. GALVIN: Yes.

20 (Laughter)

21 ACTING CHAIRMAN BRANCIFORTE: So the
22 first thing on the agenda will be Stevens, I
23 suppose?

24 MR. GALVIN: The resolutions.

25 MS. CARCONE: Resolution for 70 Monroe.

1 Voting are Commissioner Branciforte,
2 Commissioer Cohen, Commissioner Murphy and
3 Commissioner McBride. This is the extension
4 application.

5 COMMISSIONER COHEN: Motion to approve.

6 MR. GALVIN: Amended preliminary and
7 final Phase I.

8 MS. CARCONE: No. We're doing 70
9 Monroe.

10 MR. GALVIN: I'm sorry. Go ahead,
11 sorry,

12 (Laughter)

13 COMMISSIONER COHEN: Motion to approve.

14 MS. CARCONE: All right. So we have a
15 motion from Mr. Cohen.

16 We need a second.

17 COMMISSIONER MURPHY: Second.

18 MS. CARCONE: Commissioner Cohen?

19 COMMISSIONER COHEN: Yes.

20 MS. CARCONE: Commissioner Murphy?

21 COMMISSIONER MURPHY: Yes.

22 MS. CARCONE: Commissioner McBride?

23 COMMISSIONER MC BRIDE: Yes.

24 MS. CARCONE: And Commissioner
25 Branciforte?

1 ACTING CHAIRMAN BRANCIFORTE: Yes.

2 MS. CARCONE: And the second resolution
3 is for Dennis.

4 MR. GALVIN: Amended preliminary and
5 final for Phase 1 for the Babbio Garage.

6 MS. CARCONE: Eligible to vote are
7 Commissioner Branciforte, Commissioner Cohen,
8 Commissioner Murphy and Commissioner McBride.

9 MR. GALVIN: You are good, right?

10 MR. TUVEL: Yes, it's fine.

11 ACTING CHAIRMAN BRANCIFORTE: Is there
12 any discussion here?

13 MR. GALVIN: No.

14 ACTING CHAIRMAN BRANCIFORTE: Everyone
15 is okay with the resolution as it was written?

16 COMMISSIONER COHEN: I had a few edits,
17 which I understand have been incorporated.

18 ACTING CHAIRMAN BRANCIFORTE: Can I
19 have a motion?

20 COMMISSIONER COHEN: Motion to approve.

21 COMMISSIONER MC BRIDE: Second.

22 ACTING CHAIRMAN BRANCIFORTE: Call the
23 roll, please.

24 MS. CARCONE: Commissioner Cohen?

25 COMMISSIONER COHEN: Yes.

1 MS. CARCONE: Commissioner Murphy?
2 COMMISSIONER MURPHY: Yes.
3 MS. CARCONE: Commissioner McBride?
4 COMMISSIONER MC BRIDE: Yes.
5 MS. CARCONE: And Commissioner
6 Branciforte?
7 ACTING CHAIRMAN BRANCIFORTE: Yes.
8 MS. CARCONE: Okay.
9 MR. GALVIN: You have to go to a bar
10 now and hang out now for a while.
11 (Laughter)
12 MR. TUVEL: My wife thinks I have to be
13 back home by ten o'clock.
14 (Laughter)
15 MR. GALVIN: Don't get in any trouble.
16 MR. TUVEL: Thank you very much for
17 your help.
18 MR. GALVIN: All right.
19 ACTING CHAIRMAN BRANCIFORTE: And then
20 next up is --
21 COMMISSIONER MURPHY: We have to do
22 the --
23 MS. CARCONE: Annual reports.
24 ACTING CHAIRMAN BRANCIFORTE: The
25 annual reports.

1 Before we start with you, Ms. Gonchar,
2 we are going to vote on accepting the annual reports
3 for the years 2014 and 2015. They have been
4 distributed. We have discussed them for the last
5 few weeks, and I thought we would vote on them
6 tonight.

7 COMMISSIONER GRANA: Motion to accept.

8 COMMISSIONER MURPHY: Second.

9 MR. GALVIN: Roll call.

10 MS. CARCONE: Okay.

11 Commissioner Cohen?

12 COMMISSIONER COHEN: Yes.

13 MS. CARCONE: Commissioner Grana?

14 COMMISSIONER GRANA: Yes.

15 MS. CARCONE: Commissioner Murphy?

16 COMMISSIONER MURPHY: Yes.

17 MS. CARCONE: Commissioner McAnuff?

18 COMMISSIONER MC ANUFF: Yes.

19 MS. CARCONE: Commissioner Weaver?

20 COMMISSIONER WEAVER: Yes.

21 MS. CARCONE: Commissioner McBride?

22 COMMISSIONER MC BRIDE: Yes.

23 MS. CARCONE: And Commissioner

24 Branciforte?

25 ACTING CHAIRMAN BRANCIFORTE: Yes.

1 MS. CARCONE: Okay.

2 (Continue on next page)

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HOBOKEN ZONING BOARD OF ADJUSTMENT
CITY OF HOBOKEN

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 RE: 1410 Grand Street/1405-1411 : May 24, 2016
 Adams Street : 7:15 pm
 Block 121, Lots 1-4, 23 & 24 :
 Applicant: 1410 Grand Adams St., LLC :
 Final Site Plan Approval :
 ----- X

Held At: 94 Washington Street
Hoboken, New Jersey

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12 BY: MERYL A.G. GONCHAR, ESQ.
13 Attorneys for the Applicant.

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EXHIBIT NO.

DESCRIPTION

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Look Book

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1 ACTING CHAIRMAN BRANCIFORTE: Is there
2 anything else before we move onto 1410 Grand?

3 MS. CARCONE: No, that is it.

4 ACTING CHAIRMAN BRANCIFORE: So,
5 Ms. Gonchar, the next is 1410 --

6 MS. GONCHAR: Grand Adams.

7 ACTING CHAIRMAN BRANCIFORTE: -- Grand
8 Adams. This is for final site plan approval. Is
9 that right?

10 MS. GONCHAR: Yes.

11 Meryl Gonchar, Greenbaum, Rowe, Smith &
12 Davis, representing 1410 Grand Adams, LLC.

13 We are before you this evening for
14 final site plan approval.

15 You will recall that preliminary site
16 plan approval along with the use variance to permit
17 development of a six-story mixed use building
18 comprised of one story of parking, retail and the
19 children's theater studio use with five stories of
20 residential above the premises identified as Lots 1,
21 2, 3, 4, 23 and 24, and Block 121, also identified
22 as 1410 Grand Street and 1405-1411 Adams Street, was
23 granted by the Board on June 9th, 2015 with a
24 memorializing resolution adopted July 28th of that
25 year.

1 Since that approval was granted, we
2 have obtained during the process obtaining outside
3 agency approvals. Hudson County Planning Board
4 approval was granted December 16th, 2015, and the
5 resolution memorializing that approval was adopted
6 January 20th, 2016.

7 We have obtained a Flood Plain
8 Management review letter, Hudson-Essex-Passaic Soil
9 Conservation District Certification, and New Jersey
10 DEP Flood Hazard permits.

11 We have applied for a franchise
12 agreement from the county and a license for
13 encroachment into the right-of-way for the city.
14 Both of those are in process.

15 We have our architect and our engineer
16 here, and unless the Board has any questions, they
17 will provide just additional details on what they
18 have done since the preliminary was granted.

19 ACTING CHAIRMAN BRANCIFORTE: Okay.
20 Before we begin with your witnesses' testimony, do
21 you have a copy of the resolution in front of you?

22 MS. GONCHAR: I have it in my bag.
23 Sure, yes.

24 ACTING CHAIRMAN BRANCIFORTE: On Page
25 9, at the bottom of Page 9, number 11B, the Board

1 was also concerned with the location of the access
2 panel. A condition of this approval is that the
3 applicant will design a system that will be approved
4 by DEP.

5 Now, where do you stand on that?

6 MS. GONCHAR: That was part of the
7 flood hazard approval, which we have obtained. The
8 DEP has signed off on the plan.

9 ACTING CHAIRMAN BRANCIFORTE: On the
10 access panel, they are fine with it then you're
11 saying?

12 MS. GONCHAR: It was all part of the
13 plan that was shown to them, and it was because it
14 was in the flood area that the question was raised.

15 We submitted a copy of that with the
16 flood hazard permit approval from the DEP with the
17 application.

18 ACTING CHAIRMAN BRANCIFORTE: All
19 right. Thanks.

20 Does anyone have any questions before
21 we start with the witnesses?

22 MS. GONCHAR: We have an extra copy of
23 that, if you want that as well.

24 ACTING CHAIRMAN BRANCIFORTE: I should
25 have a copy.

1 Okay. We will start with the witnesses
2 then unless anyone has any questions.

3 No. Okay.

4 Why don't you present your first
5 witness?

6 MS. GONCHAR: Our first witness is
7 Bruce Stieve, our architect, if we could have him
8 sworn.

9 MR. GALVIN: Bruce, raise your right
10 hand.

11 Do you swear or affirm the testimony
12 you are about to give in this matter is the truth,
13 the whole truth, and nothing but the truth?

14 MR. STIEVE: Yes, I do.

15 B R U C E A . S T I E V E , AIA, CNU, Marchetto,
16 Higgins, Stieve, 1225 Willow Avenue, Hoboken, New
17 Jersey, having been duly sworn, testified as
18 follows:

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

21 THE WITNESS: Bruce A. Stieve,
22 S-t-i-e-v-e.

23 MR. GALVIN: Mr. Chairman, do we accept
24 Mr. Stieve's credentials?

25 ACTING CHAIRMAN BRANCIFORTE: Yes.

1 MR. GALVIN: Thank you.

2 THE WITNESS: Thank you.

3 MS. GONCHAR: Thank you for accepting
4 him as an expert in the field of architecture.

5 Just describe -- can you just identify
6 the plans that you will be referring to, and let us
7 know if there is anything that needs to be marked,
8 meaning it wasn't in what was submitted?

9 THE WITNESS: Sure.

10 The first set of plans are the plans
11 that were presented at the June 9th meeting,
12 preliminary site plan approval.

13 And then the new set of plans that we
14 have is the last dated February 4th, 2016, and that
15 is our final site plan package that you should have.

16 Then we also brought the rendering that
17 we presented at preliminary site plan approval, and
18 we have that tonight as well.

19 MS. GONCHAR: Do you need to mark that
20 again, if that was part of the exhibits on
21 preliminary?

22 MR. GALVIN: No. I really don't think
23 we need to make it too complicated on a final as
24 long as everything is in order --

25 MS. GONCHAR: Fine. It's your choice.

1 MR. GALVIN: -- because you are not
2 changing anything, right?

3 MS. GONCHAR: It's the same rendering
4 you saw previously.

5 MR. GALVIN: Right.

6 THE WITNESS: That's correct, right.

7 And I think that the big thing that we
8 want to present tonight is tonight we are presenting
9 a project that is consistent with the preliminary
10 site plan approvals.

11 The building is the same volume. The
12 building height is the same. The number of units
13 are the same. The parking is the same. There are
14 no new variances. We have complied with all of the
15 variances that we presented at preliminary site
16 plan.

17 Since we last met, as Meryl stated, we
18 have advanced the technical aspects of the building.
19 We have been working with structural engineers and
20 mechanical, electrical and plumbing engineers to
21 advance the systems of the building.

22 We met with the county for Hudson
23 County planning approval. We have incorporated
24 their comments into the package. We have
25 incorporated the comments and resolution comments,

1 and comments from the Board's Engineer and Planner
2 into the package as well.

3 Again, so just to stress, the project
4 is basically the same project that we presented at
5 preliminary site plan approval. There were a few
6 minor adjustments that were made to the -- not minor
7 adjustments, but additions that were made to the
8 plans.

9 We have added the elevations at the
10 rear of the building. They were not presented at
11 preliminary site plan, so we have those tonight to
12 present to you.

13 We met with the Hoboken Flood Plain
14 Manager and developed a flood control plan with her
15 team, and I can present that to you tonight as well.

16 We worked with the landscape designer,
17 who helped us with the design of the common areas
18 and the green roof systems.

19 So there were four -- five drawings
20 that were added to the site plan package.

21 Again, on our A-1 drawing, basically
22 nothing changed on this except that we had added
23 those drawings to the drawing list.

24 A-2 is a new drawing that was added to
25 the plan, and again, when we worked with the site

1 plain -- the Flood Plain Control Manager in coming
2 up with the package for controlling the flooding of
3 the building, all of the mechanical systems need to
4 be raised out of the flood zone.

5 So we have inserted this mezzanine
6 floor plan that identifies the areas where
7 mechanical systems will be located on the mezzanine
8 levels. It shows that all of those mechanical areas
9 are out of the flood zone, and all of the trash
10 areas are out of the flood zone.

11 The A-3 drawing is a second floor plan,
12 and that basically just shows the development of the
13 outdoor courtyard space. We worked on that in
14 conjunction with the landscape architect.

15 At the end of the set, there is a
16 landscape plan that shows the species and the
17 plantings, but the deck area remains essentially the
18 same.

19 The typical residential floor plans,
20 again, the only adjustments that have been made to
21 those are that we have incorporated a structural
22 column system into the building.

23 There were some minor adjustments to
24 the cores and corridors to accommodate building
25 codes and structural assistance. That is true for

1 all of the plans.

2 The sixth floor plan was a new plan.
3 We didn't have that in our last set. We just had
4 typical floor plans, but now there is a sixth floor
5 plan, and that is A-5.

6 And then A-6 is the roof plan. Again,
7 this reflects the working with the roof landscape
8 designer in selecting materials.

9 The other thing that is different from
10 the roof plan from the preliminary site plan
11 approval, and I will go to the roof plan for that,
12 there were two common roof deck areas that were up
13 on the roof. Those were access for the residents.
14 Those have been eliminated, and the areas have been
15 converted into green roof areas, so that is one
16 minor adjustment. The other --

17 MR. GALVIN: Let's stop there.

18 Did you look at that?

19 Were you okay with that, Eileen?

20 MS. BANYRA: Uh-huh. They have
21 increased the green roof. To me, it is a better
22 improvement in terms of the overall green roof area.

23 MR. GALVIN: Is everybody okay with
24 that?

25 ACTING CHAIRMAN BRANCIFORTE: But you

1 haven't done away with the roof decks completely,
2 have you?

3 THE WITNESS: Yes. There's no public
4 access or building access on the roof at this point.
5 It's a green roof system and mechanicals.

6 ACTING CHAIRMAN BRANCIFORTE: If you
7 don't say it, I will.

8 Go ahead.

9 COMMISSIONER GRANA: No. Go ahead,
10 John.

11 ACTING CHAIRMAN BRANCIFORTE: No, no.

12 (Laughter)

13 MS. BANYRA: John, can I ask one
14 question because I think it may --

15 ACTING CHAIRMAN BRANCIFORTE: Go ahead.

16 MS. BANYRA: -- is that part of the
17 testimony from Mr. David then relative to the
18 stormwater, what I had raised, a question about the
19 rain garden, and there was some testimony, and then
20 the response that came back was about roof decks --
21 excuse me -- green roof, and that it was
22 accommodated both for the green roof and the
23 stormwater detention system --

24 THE WITNESS: That's correct.

25 MS. BANYRA: -- is that relative to

1 this conversation?

2 THE WITNESS: He will be providing
3 testimony regarding that, and with regard to the
4 sizing of the green roof and the capacity of the
5 green roof, yes.

6 MS. BANYRA: So that's relative to
7 this, and is that part of the reason why this came
8 off?

9 THE WITNESS: Yes. That is part of the
10 reason it came off.

11 And it also came off -- we -- in
12 looking through the building code review, there were
13 other issues that came into play, and we didn't
14 bring the second means of egress to the roof, and
15 therefore, it can't be occupiable space, so we
16 converted it to a green space.

17 MS. BANYRA: Yes, I mean --

18 MR. GALVIN: Well, say it.

19 MS. BANYRA: -- my opinion -- yeah, you
20 know, from an environmental perspective, to me the
21 recreational space is better for the residents, and
22 it makes certainly their project maybe more viable.

23 From an environmental perspective, I
24 would rather see a green roof personally for the
25 community.

1 MR. GALVIN: I have no problem, as long
2 as the Board's okay with it. I am always
3 concerned --

4 MS. BANYRA: No, right. I am just --

5 MR. GALVIN: -- with the consistency of
6 the testimony.

7 MS. BANYRA: -- I'm just -- good -- I
8 am just saying from -- I think it hurts the
9 applicant more than it hurts the -- and that is
10 where I come from --

11 ACTING CHAIRMAN BRANCIFORTE: Well, go
12 over this again.

13 You are saying there's recreational
14 space instead of --

15 COMMISSIONER GRANA: It's being
16 eliminated.

17 THE WITNESS: The recreational space
18 for the building and for the project occurs on the
19 courtyard roof terrace. There is an outdoor amenity
20 space for the use of the residents of the building,
21 and there's some private terrace space against the
22 edges of the building for the units on that floor.

23 All that we have done at this point is
24 taken the common roof deck area at the roof of the
25 building and eliminated that and converted it into a

1 green roof system.

2 MS. GONCHAR: If you can remind them,
3 since it has been a while, and you have seen a lot
4 of other projects, how the building was built in
5 really two towers with the outdoor space in between.

6 THE WITNESS: That's correct.

7 COMMISSIONER GRANA: I wanted to ask a
8 question for clarity.

9 So at this point the testimony is at
10 the ground level, the common elements that were
11 described in the preliminary are the same in the
12 final?

13 THE WITNESS: That's correct.

14 COMMISSIONER GRANA: On the roof, the
15 change of the delta is there were common elements
16 that were for recreation space on the roof, and
17 those are being eliminated and being replaced
18 entirely with green elements?

19 THE WITNESS: That's correct.

20 COMMISSIONER GRANA: Thanks.

21 ACTING CHAIRMAN BRANCIFORTE: Okay.

22 Thanks.

23 Anyone else?

24 Okay. You can continue.

25 THE WITNESS: One other feature is that

1 we have actually had an engineering group work with
2 us on the sizing and the configuration of the
3 photovoltaic array, so that actually has been
4 adjusted slightly.

5 In the initial concept design we had
6 the photovoltaic array cantilevered over the edge of
7 the building. There was a lot of concern from the
8 county as well as our photovoltaic engineer. They
9 asked us to eliminate that cantilever and house
10 everything behind the parapet for safety. They
11 didn't want the snow and ice falling out onto the
12 sidewalks, so we have actually moved that back. It
13 is not a feature on the facade of the building any
14 more.

15 It wasn't a prominent feature, but now
16 it is not, so there is no danger from snow and ice
17 sliding off the photovoltaics onto the street.

18 The building section hasn't changed.
19 Again, the building height remains the same. The
20 number of stories remains the same. The number of
21 units remain the same, and the number of parking
22 spaces remain the same.

23 The facade elevations for Adams Street
24 and Grand -- 14th Street remain the same.

25 There are some minor adjustments for

1 standardized sizing of windows, but none of the
2 facade calculations have changed.

3 The Grand Street -- again, the Grand
4 Street facade has not changed. It remains the same.
5 It is a brick facade with a concrete base and then
6 the decorative metal top.

7 And then A-10 is a new drawing that we
8 have added to the set. This drawing shows the
9 courtyard elevations, those elevations that face
10 that central recreation deck. It calls out the
11 materials. The materials that we are looking to use
12 on this are contemporary. It is a cemetitious panel
13 system, rain screen system, and so it will be
14 consistent with the materials that will be used on
15 the front of the building.

16 The panelization is a modern design, so
17 that it again reflects the character of the
18 architecture on the exterior of the building and
19 carries it into the courtyards.

20 We are proposing to use a bamboo lumber
21 railing system at the balconies, so again it is a
22 green material. It's used in a unique way.

23 There is also a facade drawing for the
24 party wall at the north end of the site. It will be
25 a -- we are going to turn the materials from the

1 street front around the edges of the buildings for
2 the interim period when there is not a neighboring
3 property built there, and then we are proposing to
4 use a control joint in a cementitious material again
5 on the side of the building, so that that material
6 carries around to the courtyard conditions --

7 MS. BANYRA: Is that the colorized --

8 THE WITNESS: Pardon me?

9 MS. BANYRA: -- will that be colorized
10 in some kind of color -- coordinated color on that?

11 THE WITNESS: It will be -- we will be
12 working with the -- again, the pallet of materials
13 that were selected, it is a brick that mimics the
14 loft buildings in that area --

15 MS. BANYRA: Yeah. I'm talking about
16 the side that you're carrying around --

17 THE WITNESS: Yes.

18 MS. BANYRA: -- until another building
19 shows up, so it won't be a light color standing out.
20 It is going to be matched or muted in terms of --

21 THE WITNESS: Exactly. A cementitious
22 material typically has some integral colors in it,
23 and we'll work with the coloring, so that it works
24 with the building wrapping around the side.

25 And then the base of the building is

1 the continuous pour formed concrete from the street
2 front facade that wraps around the north and south
3 as well.

4 COMMISSIONER MC BRIDE: Is the concrete
5 pigmented?

6 THE WITNESS: No, no. It will be a
7 natural concrete.

8 Again, we are looking for an industrial
9 character. We presented materials at the
10 preliminary site plan meeting --

11 COMMISSIONER MC ANUFF: Can you hold
12 the rendering up?

13 THE WITNESS: Pardon?

14 COMMISSIONER MC ANUFF: Can you hold
15 the rendering up?

16 THE WITNESS: Sure.

17 This is a picture -- this was the
18 rendering that was presented at the preliminary site
19 plan, and again, it shows the pallet of materials.

20 It has got the red brick that is,
21 again, has the characteristics of the loft buildings
22 in the neighborhood.

23 It has the pour formed concrete at the
24 base of the building, and then you can see the metal
25 panel system at the top of the building and around

1 the decorative awning, and that is basically it.

2 A-11 is the flood plain control -- the
3 flood control plan. And, again, we met with the
4 flood plain management team, and we established a
5 series of controls that we are going to be using
6 throughout the building. She has agreed to all of
7 the systems that we have proposed and provided a
8 letter saying that she was onboard with that.

9 It will be a series of wet
10 floodproofing and dry floodproofing. Dry
11 floodproofing will occur with the flood gates that
12 will be inserted prior to any storm event of
13 significant scale.

14 Then the wet floodproofing is again
15 using flood vents sized appropriately for the
16 building.

17 And then the last two new drawings that
18 we are proposing are the landscape plan. We worked
19 with a landscape designer who specializes in green
20 roofs and green roof systems, and we have worked out
21 what I believe is a pretty cool solution for the
22 amenity floor area.

23 It will be a combination of pedestal
24 pavers and wood decking for the outdoor spaces, and
25 then there is river rock ballast, which will be used

1 over the roof portions, and then, again, we have
2 planting systems and green roof tray systems on the
3 rest of the building, and they provided a list of
4 all of their species.

5 And then the last page, A-14, is a
6 series of planting details for those common
7 elements.

8 ACTING CHAIRMAN BRANCIFORTE: When you
9 say that it is river rock, can you explain what that
10 means, river rock exactly?

11 THE WITNESS: Yes.

12 River rock is basically a medium. It's
13 not like gravel. It is a little bit larger scale,
14 and it lays out over the roof as a ballast material,
15 so it covers the roof. It doesn't provide
16 absorption, but it provides esthetic coverage for
17 the roof.

18 COMMISSIONER WEAVER: It's rounded.

19 THE WITNESS: It's rounded.

20 COMMISSIONER WEAVER: Yeah, it's
21 rounded.

22 ACTING CHAIRMAN BRANCIFORTE: But the
23 rocks aren't big enough where -- I mean, they are
24 large rocks. They're not small stones that can
25 be --

1 THE WITNESS: Yes.

2 ACTING CHAIRMAN BRANCIFORTE: -- I will
3 give you an example.

4 A roof deck that I am very familiar
5 with has gravel around the edge, and we are finding
6 that little kids that go up there love to pick up
7 the gravel and throw it off the 12-story building --

8 THE WITNESS: Right.

9 ACTING CHAIRMAN BRANCIFORTE: -- so I
10 want to make sure that's not going to happen here.

11 THE WITNESS: No. It's not that -- it
12 is not gravel peg rock. It's a --

13 COMMISSIONER WEAVER: Whoa, whoa, whoa.

14 How big is it?

15 COMMISSIONER MURPHY: But this isn't
16 going to be in a deck area where --

17 (Commissioners talking at once)

18 MS. GONCHAR: Do kids have to be
19 stronger --

20 COMMISSIONER MURPHY: -- this is on the
21 roof, correct?

22 ACTING CHAIRMAN BRANCIFORTE: Yes.

23 THE WITNESS: Yes.

24 COMMISSIONER MURPHY: Right. So there
25 are no decks up there.

1 THE WITNESS: It is on the amenity
2 area --

3 COMMISSIONER MURPHY: Oh, I'm sorry.
4 Okay.

5 THE WITNESS: -- there is a separation,
6 and we can provide some --

7 COMMISSIONER MURPHY: I got you.

8 ACTING CHAIRMAN BRANCIFORTE: But it's
9 backed up against the wall. It's not like on the
10 other side of the wall there is a street below or --

11 THE WITNESS: It is right in this
12 location here and there's -- again, the decking
13 stops back here, and then the road is out here.

14 COMMISSIONER WEAVER: When the decking
15 stops, is there a railing?

16 THE WITNESS: There is not currently a
17 railing shown, but we could show a railing there.

18 COMMISSIONER WEAVER: I mean, I'm
19 good -- I'm with Branciforte. It's -- I know the
20 river rock actually if they threw it -- if they
21 could lift it up and if they could throw it off, it
22 would -- it could kill somebody. I mean, it's not
23 gravel. It's not gravel ballast. This is river
24 rock.

25 THE WITNESS: Yeah. We can provide

1 a --

2 MS. BANYRA: No, John, it's like

3 this --

4 THE WITNESS: -- or something at that

5 edge --

6 COMMISSIONER MURPHY: Like this --

7 MS. BANYRA: -- no, John. It's like

8 this -- it's like something that you could --

9 COMMISSIONER MURPHY: -- it's like this

10 size --

11 ACTING CHAIRMAN BRANCIFORTE: That you

12 could hold in the palm of your hand.

13 MS. BANYRA: -- nice smooth rock --

14 (All Board members talking at once)

15 THE WITNESS: We can provide a railing,

16 a railing detail and transition between the wood

17 decking and the river rock, so that small children

18 can't get through there.

19 COMMISSIONER MC ANUFF: You could just

20 extend across there --

21 THE WITNESS: Right. Yeah. We could

22 do that. We could come up with a detail where the

23 bench extends across. We will come up with a detail

24 to provide a separation and alleviate your concerns.

25 ACTING CHAIRMAN BRANCIFORTE: All

1 right.

2 COMMISSIONER WEAVER: You have a
3 railing at the parapet edge?

4 THE WITNESS: We do have a parapet at
5 the edge, yes. We have a 42-inch parapet around the
6 entire edge of the --

7 COMMISSIONER WEAVER: It's a solid
8 parapet?

9 THE WITNESS: It's a solid parapet.

10 ACTING CHAIRMAN BRANCIFORTE: Got you.

11 COMMISSIONER MURPHY: It's this.

12 ACTING CHAIRMAN BRANCIFORTE: We'll
13 discuss I guess -- are you okay with that, with the
14 parapet and the border --

15 COMMISSIONER WEAVER: With the railing,
16 yeah.

17 ACTING CHAIRMAN BRANCIFORTE: Okay.

18 THE WITNESS: We will provide a railing
19 between the transition, between the two.

20 MR. MARSDEN: Bruce --

21 THE WITNESS: Yes.

22 MR. MARSDEN: -- I notice the flood
23 hazard area permit refers to FH-101 and FH-102, I
24 believe.

25 They weren't part of the package, so

1 can I just get a copy of them?

2 THE WITNESS: Yes.

3 COMMISSIONER GRANA: Are we at
4 questions?

5 ACTING CHAIRMAN BRANCIFORTE: What's
6 that?

7 COMMISSIONER GRANA: Are we at
8 questions?

9 THE WITNESS: Again, if I could just go
10 back and reiterate the number of the units is the
11 same. It's 44 residential units.

12 We have 44 parking spaces.

13 I can give you a breakdown.

14 There was one minor adjustment in the
15 layout of the units. One two-bedroom became a
16 three-bedroom, but again, it is still a 44 unit mix.

17 The old unit bedroom count was 19
18 two-bedrooms. Now it is 18 two-bedrooms, and we
19 have five three-bedrooms, and now it's six
20 three-bedrooms.

21 ACTING CHAIRMAN BRANCIFORTE: The
22 change -- I'm sorry -- is the change going to affect
23 the affordable housing mix that you are offering?

24 MS. GONCHAR: No.

25 THE WITNESS: No.

1 ACTING CHAIRMAN BRANCIFORTE: No.

2 Okay.

3 COMMISSIONER WEAVER: And it has no
4 impact?

5 THE WITNESS: Not that I am aware of,
6 no.

7 MS. GONCHAR: No. I think we had
8 provided the number of affordables --

9 ACTING CHAIRMAN BRANCIFORTE: You did.

10 MS. GONCHAR: -- I think it was four of
11 them --

12 ACTING CHAIRMAN BRANCIFORTE: And that
13 was --

14 COMMISSIONER GRANA: It was two and one
15 or something like that --

16 ACTING CHAIRMAN BRANCIFORTE: Yeah.
17 But the number you're --

18 MS. GONCHAR: It was one, one, one,
19 three and one, two --

20 ACTING CHAIRMAN BRANCIFORTE: -- the
21 number you provided is based on this, on the change
22 of the mix --

23 MS. GONCHAR: -- well, the percentage
24 of affordable is based on the total number of
25 units --

1 ACTING CHAIRMAN BRANCIFORTE: Total,
2 right.

3 MS. GONCHAR: -- and then within the
4 affordable, you have to do the breakdown. No more
5 than 20 percent one-bedroom I think --

6 ACTING CHAIRMAN BRANCIFORTE: Okay.
7 That's the way it works?

8 MS. GONCHAR: -- and no less than 15 or
9 23, and the balance two --

10 ACTING CHAIRMAN BRANCIFORTE: Okay.

11 MS. GONCHAR: -- so it came out to one,
12 two and one. So changing the number of the bedroom
13 composition of the market units doesn't change the
14 affordable. Only a change in the total number is my
15 understanding --

16 MS. BANYRA: Yeah. It is dictated to
17 them. They don't have a choice --

18 MS. GONCHAR: Right. I mean --

19 MS. BANYRA: -- so whatever their
20 number is based on, there is a formula for that.

21 MS. GONCHAR: -- I think he was just
22 asking if shifting two to three-bedrooms in any way
23 changes our obligation, and it doesn't. It's on the
24 total number --

25 COMMISSIONER WEAVER: Right. Total

1 number of affordable now and our total number of
2 market now is the same as it was before.

3 MS. GONCHAR: That is true. That's
4 true.

5 COMMISSIONER WEAVER: Right.

6 THE WITNESS: Again, we got 1930 square
7 feet of retail. It did go down slightly 20 square
8 feet from 1950.

9 We have 44 parking spaces. 26 of them
10 are automatic stackers. We discussed that at the
11 last meeting. We have 11 regular spaces and seven
12 compacts.

13 We did actually add an electric vehicle
14 charging station. We went from three of those to
15 four of those, and we actually broadcast them a
16 little bit better throughout the garage, so that
17 they can be used by more parking spots.

18 So, again, the plan -- the volumetrics
19 of the plan remain the same. The facades overall
20 remain the same.

21 And, again, we are really excited about
22 this project. We think it will be a great addition
23 to Hoboken.

24 ACTING CHAIRMAN BRANCIFORTE: Are you
25 ready for questions?

1 THE WITNESS: Yes.

2 ACTING CHAIRMAN BRANCIFORTE: Any
3 questions for the architect?

4 COMMISSIONER GRANA: Just a handful.

5 I am looking at a letter from Eileen
6 Banyra, dated May 16th.

7 I am just curious. So there were two
8 changes since the preliminary. The 14th Street
9 planting beds were modified --

10 THE WITNESS: Right.

11 COMMISSIONER GRANA: -- sidewalk
12 replacement changes along 14th Street.

13 I assume that those were at the request
14 of the county?

15 THE WITNESS: That is correct.

16 When we went before the County Planning
17 Board --

18 (Witness confers)

19 THE WITNESS: -- pardon -- and we also
20 have our civil engineer who can testify a little bit
21 more to that as we go forward, but there were a
22 series of adjustments that they asked us to make to
23 the plan.

24 One was with regard to the plantings
25 along 14th Street. They asked us to keep them in

1 line with the development that happened to the east
2 of this property, which we did.

3 Another thing they asked us to do was
4 re-look at the bicycle rack system that we had
5 proposed.

6 One of their concerns was that the
7 system we initially proposed had put the bicycles
8 perpendicular to the curb, and their concern was
9 that if somebody is not careful parking their bike,
10 it is going to stick into the sidewalk and reduce
11 the walkable area of the sidewalk, so they asked us
12 to turn the bicycle storage parallel to the curb.
13 So we did that, and then we used the same system on
14 Adams Street just to be consistent.

15 COMMISSIONER GRANA: Okay.

16 The rainwater tank was reduced?

17 THE WITNESS: Again, our civil engineer
18 will talk about that.

19 COMMISSIONER GRANA: All right. That's
20 fine.

21 And the transcript indicates there's a
22 rain garden to be constructed at grade, but it's not
23 in the final plans.

24 THE WITNESS: Right. And, again, our
25 civil engineer will speak about that.

1 COMMISSIONER GRANA: Okay. Great.

2 Those are all of my questions. Sorry.

3 ACTING CHAIRMAN BRANCIFORTE: Thanks,
4 Antonio.

5 Anyone else?

6 COMMISSIONER WEAVER: Yes.

7 ACTING CHAIRMAN BRANCIFORTE: Dan?

8 COMMISSIONER WEAVER: Hum, I am looking
9 at the old resolution, and the windows in -- I think
10 the windows of the garage area are to be black.

11 That's what it states. 12G: The windows are black.

12 Do you mean the window frames are black
13 or the windows --

14 THE WITNESS: I think the window frames
15 are black.

16 We have some windows that are along
17 Grand Street that come down to the ground, but they
18 are in some of the mechanical areas and bike storage
19 areas, so I don't -- I think it actually would be
20 good to see into that stuff, so I think the window
21 frames were meant to be black --

22 COMMISSIONER WEAVER: Okay.

23 THE WITNESS: -- that is what it shows
24 in our --

25 COMMISSIONER MC ANUFF: The rendering

1 there.

2 THE WITNESS: -- yeah, it shows in our
3 rendering.

4 COMMISSIONER WEAVER: That was from the
5 original application, right?

6 THE WITNESS: Right.

7 COMMISSIONER WEAVER: I don't think
8 that was in my package.

9 THE WITNESS: Yeah, okay.

10 COMMISSIONER WEAVER: Is that being
11 marked as evidence?

12 COMMISSIONER MURPHY: No --

13 THE WITNESS: This was presented at the
14 previous meeting.

15 COMMISSIONER WEAVER: And it hasn't
16 changed?

17 THE WITNESS: It hasn't changed --

18 COMMISSIONER WEAVER: Hum, I --

19 THE WITNESS: -- we also submitted a
20 package of basically building materials --

21 COMMISSIONER WEAVER: -- on the
22 previous --

23 THE WITNESS: -- for preliminary site
24 plan, yeah, and we are consistent with all of those
25 as well. And in there they basically had a picture

1 of the system that we're using for parking. We had
2 a picture of the bike racks that we're proposing for
3 bike storage, and a brick -- a picture of all of the
4 exterior finishes for the building, the black
5 windows, the brick, and the poured form concrete.

6 ACTING CHAIRMAN BRANCIFORTE: Could you
7 pass that around for the Board?

8 THE WITNESS: Sure.

9 COMMISSIONER WEAVER: Is the mortar
10 going to be pigmented?

11 THE WITNESS: No. I think again what
12 we're trying to do with this building, the same
13 developer developed The Edge project, which is
14 another project up on Clinton and 14th Street, Edge
15 Lofts, and so we are looking to use a similar pallet
16 of materials on this building, and it is a limestone
17 mortar.

18 COMMISSIONER WEAVER: It's a limestone
19 mortar, so it is tinted?

20 THE WITNESS: No. Well, it's just a
21 lighter like gray mortar. It's not red --

22 COMMISSIONER WEAVER: But it's not
23 mortar out of the bag is what I'm getting at,
24 because mortar out of the bag is often white --

25 THE WITNESS: No, it's not --

1 COMMISSIONER WEAVER: -- and it implies
2 that there was no thought on the part of the
3 architect --

4 THE WITNESS: -- no, it will be light
5 green mortar. Again, it will be the same mortar
6 that we used on that project, but you're right it
7 was light green --

8 COMMISSIONER WEAVER: Right, because
9 what I mean, I think what I'm getting at is that
10 mortar is not tinted --

11 THE WITNESS: Right.

12 COMMISSIONER WEAVER: -- right?

13 THE WITNESS: Yes. It's not that
14 mortar --

15 COMMISSIONER WEAVER: But if that
16 mortar is not tinted -- but it's not going to be
17 that color --

18 THE WITNESS: Right.

19 COMMISSIONER WEAVER: -- but when
20 people talk about, oh, we're going to mimic the
21 surrounding masonry of, you know, the warehouse
22 buildings, and then they go out and they just put up
23 really nice red brick that matches the red brick
24 across the street more or less, and then they put up
25 white mortar out of the bag, right --

1 THE WITNESS: It will not be white
2 mortar out of the bag. It will be a light gray
3 tinted mortar.

4 COMMISSIONER WEAVER: There will be
5 some thought to it?

6 THE WITNESS: Yes. There will be some
7 thought.

8 COMMISSIONER WEAVER: Okay.

9 I mean, I'm not -- this is what I do
10 for a living --

11 THE WITNESS: I understand.

12 COMMISSIONER WEAVER: -- so -- and that
13 is obviously one of my pet peeves --

14 THE WITNESS: I understand --

15 (The witness and Commissioner Weaver
16 talking over one another)

17 MS. GONCHAR: We are marking it down
18 for future reference.

19 COMMISSIONER WEAVER: Also, you have --
20 the lighting on the exterior building is up and
21 down?

22 THE WITNESS: That's correct. It is a
23 concealed -- it's a cam light with a concealed --
24 the lighting is actually concealed, but what it does
25 is that it washes the pier down and it washes the

1 pier up.

2 COMMISSIONER WEAVER: Hum, well, in
3 Hoboken, we are trying to limit the amount of light
4 pollution, which includes -- which is -- which the
5 worst offenders are in fact the ones that are
6 pointed straight up --

7 THE WITNESS: Okay. Well, they're not.
8 I mean, it is not like a high halogen light fixture.
9 The spec is on the drawings.

10 What we find, it washes up the face of
11 the building and it stops maybe a story and a half
12 up. It is not like a -- it's not a spotlight.

13 COMMISSIONER MURPHY: It's like this.

14 COMMISSIONER WEAVER: It's fine if it
15 shines down --

16 THE WITNESS: So it is in the upper
17 right-hand corner of A-7.

18 Right now we are applying for an
19 up-down LED light fixture. It is the same fixture
20 that was on the previously approved plans.

21 COMMISSIONER WEAVER: So it's not --
22 then it is not like a dark sky compliant fixture,
23 right?

24 THE WITNESS: Not that I am aware of.

25 COMMISSIONER WEAVER: Okay.

1 ACTING CHAIRMAN BRANCIFORTE: Well, now
2 I am curious about how much light is going to be
3 shining into the sky.

4 So, you know, Mr. Weaver wasn't here
5 for the original hearing, so this is new to him, and
6 he is bringing up some issues that we probably
7 wouldn't have thought of back then, so these are
8 important discussions to have.

9 COMMISSIONER WEAVER: Well, I mean,
10 we --

11 MS. BANYRA: Is there a way that we
12 can -- it is a canister now, right?

13 THE WITNESS: Yes.

14 MS. BANYRA: If it was -- I am going to
15 call it a fan on top, so that it actually bends
16 towards -- it's not doing that. It's kind of
17 bending towards the building, so that it is not --

18 COMMISSIONER WEAVER: Yeah, if there
19 was like a snout on it.

20 MS. BANYRA: Yeah --

21 THE WITNESS: Yeah, we could provide --

22 MS. BANYRA: -- that it almost -- I'm
23 going to call it a fan on top --

24 THE WITNESS: -- a baffle or a
25 shield --

1 MS. BANYRA: -- yeah, because that I
2 think accomplishes --

3 THE WITNESS: -- that throws it against
4 the building.

5 MS. BANYRA: -- it accomplishes both
6 possibly --

7 COMMISSIONER WEAVER: Yeah. That would
8 be -- that would be ideal.

9 THE WITNESS: That would be something
10 that we can do.

11 COMMISSIONER WEAVER: I don't think --
12 I don't think I have any other -- other than --
13 yeah, I mean, maybe we crossed this territory
14 before, but all of these conditions, hum, they are
15 all going to be -- oh, I do have one more question.

16 What was the original -- maybe it
17 wasn't in the resolution -- but what was the
18 original square footage for the children's theater
19 is the same?

20 THE WITNESS: Yes.

21 The children's theater in the original
22 proposal was 1200 square feet --

23 COMMISSIONER WEAVER: Then they went to
24 1200 --

25 THE WITNESS: -- that is part of the

1 development that we have been working on. For the
2 building, we have been working with the children's
3 theater space on the development of that space as
4 well. It remains the same, 1200 square feet --

5 COMMISSIONER WEAVER: Okay, and then --

6 THE WITNESS: -- in the same location,
7 the same size.

8 Again, I am going to point you to the
9 rendering that we have for the building facades.
10 The children's theater is actually located under the
11 14th Street Viaduct adjacent to the open space under
12 the Viaduct. I think it is going to be great to
13 activate that space.

14 COMMISSIONER WEAVER: And then all of
15 the conditions -- well, I won't call them
16 conditions -- but the items of the old -- for the
17 previous zoning approval, hum, items, you know, one,
18 two, all of those are still -- nothing of that has
19 changed, right?

20 MS. GONCHAR: Where are you looking on
21 the old conditions?

22 COMMISSIONER WEAVER: I'm looking at
23 the entire thing, ma'am.

24 Yeah. I'm starting at Page 1 of 20.
25 All of these, for instance, it will be LEED

1 platinum. Five of the floors will contain 44
2 residential units --

3 MS. GONCHAR: That remains.

4 COMMISSIONER WEAVER: -- everything
5 here is still the same?

6 THE WITNESS: That's correct.

7 COMMISSIONER WEAVER: Great.

8 I have no other questions.

9 ACTING CHAIRMAN BRANCIFORTE: Thanks,
10 Dan.

11 Do we know, Pat, was this entered into
12 evidence?

13 MS. CARCONE: I don't recall seeing
14 that, but you know, I don't have a great memory.

15 THE WITNESS: We may have testified to
16 that at the last meeting. I know we showed that at
17 the last meeting as part of our --

18 MS. CARCONE: I didn't bring down my
19 whole preliminary file, but --

20 ACTING CHAIRMAN BRANCIFORTE: Can we
21 re-enter it?

22 MS. GONCHAR: It may have been part of
23 the first PowerPoint.

24 ACTING CHAIRMAN BRANCIFORTE: Oh, okay.

25 THE WITNESS: I believe that is what it

1 was. It was part of the PowerPoint presentation.

2 MR. GALVIN: You know what? Let's mark
3 that as A-1.

4 MS. CARCONE: Okay.

5 (Exhibit A-1 marked)

6 MS. GONCHAR: Can you see what it says
7 on it and just identify it for the record?

8 MS. CARCONE: Mixed-use building, the
9 address --

10 ACTING CHAIRMAN BRANCIFORTE: The date.

11 MS. CARCONE: -- preliminary site plan,
12 May 6th, 2015.

13 It has got the brick mortar, concrete,
14 metal panels, aluminum window system, bike racks and
15 parking system --

16 MR. GALVIN: So what are we calling it?
17 What is it called?

18 THE WITNESS: We call it a Look Book.

19 MS. CARCONE: Look Book.

20 MR. GALVIN: What is it?

21 MS. CARCONE: It's a Look Book.

22 THE WITNESS: For the look of the
23 building materials.

24 MS. GONCHAR: Dated May 6th, 2015.

25 MR. GALVIN: We will attach it to the

1 resolution.

2 ACTING CHAIRMAN BRANCIFORTE: Anyone
3 else, questions?

4 So we are okay then because at the last
5 meeting, I guess we discussed this with the DEP
6 thing, that there was going to be an electric motor
7 that has to operate the racks --

8 THE WITNESS: Yes. We actually -- we
9 had at length discussions with the Flood Plain
10 Manager on that.

11 One of the things that didn't come up
12 at that meeting, the technician that was here doing
13 testimony didn't share was that the system can be
14 operated entirely by hand in the event of flooding
15 or something like that. If there is a power outage,
16 there is an override for the hydraulics, and a few
17 people can actually push the vehicles back and forth
18 because it is on a dolly system, so there's an
19 override for that.

20 In addition, the Flood Plain Manager
21 said that she did not have any issue with electric
22 motors in the water as long as they met all of the
23 electrical requirements, building code
24 requirements --

25 ACTING CHAIRMAN BRANCIFORTE: Right.

1 Okay.

2 THE WITNESS: -- if they have to be
3 replaced, they have to be replaced.

4 ACTING CHAIRMAN BRANCIFORTE: Got you.
5 Any other questions?

6 Members?

7 Professionals?

8 MS. BANYRA: No.

9 ACTING CHAIRMAN BRANCIFORTE: Jeff, any
10 questions?

11 MR. MARSDEN: No.

12 ACTING CHAIRMAN BRANCIFORTE: Okay. I
13 will open it up -- do we need to open it up to the
14 public for final?

15 MR. GALVIN: No, but you will anyway.

16 ACTING CHAIRMAN BRANCIFORTE: I will?

17 MR. GALVIN: Yes. I like to do that
18 for safety purposes.

19 ACTING CHAIRMAN BRANCIFORTE: Okay.

20 We will open it up to the public.

21 Anyone from the public that would like
22 to ask questions of the architect at this time?

23 COMMISSIONER COHEN: Motion to close
24 public portion.

25 COMMISSIONER GRANA: Second.

1 ACTING CHAIRMAN BRANCIFORTE: All in
2 favor?

3 (All Board members answered in the
4 affirmative)

5 MR. GALVIN: I had so much trouble
6 recently in Point Pleasant Beach for opening up a
7 discussion regarding a change in the ordinance, but
8 I do it anyway.

9 MS. GONCHAR: I would.

10 ACTING CHAIRMAN BRANCIFORTE: How many
11 witnesses do you have tonight?

12 MR. GALVIN: Just two.

13 MS. GONCHAR: 12.

14 (Laughter)

15 ACTING CHAIRMAN BRANCIFORTE: Just two.

16 MR. GALVIN: By the way, we normally go
17 to about 12 o'clock, so I hope you have four hours
18 of testimony.

19 (Laughter)

20 MR. GALVIN: Raise your right hand.

21 Do you swear or affirm the testimony
22 you are about to give in this matter is the truth,
23 the whole truth, and nothing but the truth?

24 MR. DAVID: I do.

25 S O N Y D A V I D, PE, LEED, AP, Langan, 300

1 Kimball Drive, Parsippany, New Jersey, having been
2 duly sworn, testified as follows:

3 MR. GALVIN: State your full name for
4 the record and spell your last name.

5 THE WITNESS: Sony David. D-a-v-i-d is
6 my last name.

7 MR. GALVIN: Could you spell your first
8 name also?

9 THE WITNESS: Sure. S-o-n-y.

10 MR. GALVIN: Thank you.

11 MS. GONCHAR: I need to qualify him
12 because his firm is represented, but he didn't
13 testify --

14 ACTING CHAIRMAN BRANCIFORTE: He was
15 never --

16 MR. GALVIN: As an engineer?

17 MS. GONCHAR: Correct.

18 MR. GALVIN: You are a professional
19 engineer?

20 THE WITNESS: Correct.

21 MR. GALVIN: Okay. Give us three
22 Boards you've appeared before recently, but not us.

23 THE WITNESS: Clifton, Passaic and
24 Aberdeen.

25 MR. GALVIN: Do you accept his

1 credentials?

2 ACTING CHAIRMAN BRANCIFORTE: Yes.

3 MR. GALVIN: Thank you.

4 You may proceed.

5 MS. GONCHAR: Can you just tell them

6 the firm that you're affiliated with?

7 THE WITNESS: Langan Engineering.

8 MR. GALVIN: Can we have your license

9 number?

10 (Laughter)

11 I am only kidding. I'm kidding. I'm

12 kidding. Relax.

13 MS. GONCHAR: It is probably a very

14 high one because he is young.

15 MR. GALVIN: It's called pick on the

16 new guy. Don't worry about it. You're doing fine.

17 "Don't send me back to Hoboken,

18 please."

19 (Laughter)

20 THE WITNESS: So I wanted to just

21 identify some of the changes that were addressed by

22 the county. I think Bruce touched upon them.

23 They were the planter beds around the

24 perimeter of the building. He mentioned that the

25 planter had been adjusted on 14th Street based on

1 the county comments.

2 Other things that were adjusted were
3 for the reduction of the removal and replacement of
4 the sidewalk along 14th Street fronting the
5 building. This also included the elimination of any
6 new curbing and also maintained the existing ADA
7 ramps.

8 I think Bruce also touched upon the
9 revised location and orientation of the bicycle
10 racks both on Adams and 14th Street.

11 And, let's see, the one thing I wanted
12 to also touch upon was the reduction of the
13 rainwater harvesting tank. Originally we had
14 provided one that was 5,000 gallons, and based on a
15 further detailed study, it was determined that only
16 1500 gallons were necessary, and this was based on
17 the calculation of the captured stormwater runoff
18 required to actually irrigate the rooftop planting,
19 and so that basically was the study that optimized
20 the size of the gallonage of the tank to how much
21 rainwater runoff actually irrigated the roof.

22 MR. GALVIN: But we are in Hoboken,
23 where we need to get as much detention as possible.

24 ACTING CHAIRMAN BRANCIFORTE: Are you
25 saying you downsized the detention system because

1 you upsized the green roof --

2 THE WITNESS: So let me clarify.

3 So the rainwater harvesting tank is
4 solely for the purpose of irrigating the rooftop
5 plantings --

6 ACTING CHAIRMAN BRANCIFORTE: Okay.

7 THE WITNESS: -- the green roof in and
8 of itself, and I will touch upon that as well, was
9 what was used to manage the stormwater runoff for
10 the project as a whole.

11 ACTING CHAIRMAN BRANCIFORTE: Okay.

12 Now, there is a detention system
13 underneath the garage?

14 THE WITNESS: There is not, no.

15 ACTING CHAIRMAN BRANCIFORTE: Retention
16 or detention?

17 THE WITNESS: No. There's no detention
18 system.

19 The rainwater harvesting tank is a tank
20 that's located under the garage floor slab, which
21 solely -- the purpose of that solely is to irrigate
22 the rooftop gardens --

23 COMMISSIONER WEAVER: It's called a
24 publicly accessible rooftop garden, not the green
25 roof?

1 THE WITNESS: No, it is the green roof.

2 COMMISSIONER WEAVER: There is two --
3 there's two -- there's a landscaped roof on the top
4 of the second floor, right--

5 THE WITNESS: Correct.

6 COMMISSIONER WEAVER: -- which I refer
7 to as an intensive green roof, right?

8 It takes a lot of water. There is
9 grass. There's shrubs. There's trees, what have
10 you.

11 And then the roof on the top of the
12 building, right, the extensive green roof with the
13 sedum, what have you.

14 What's the rainwater catchment being
15 used for?

16 THE WITNESS: So the rainwater is being
17 used for both the intensive and extensive portion
18 of --

19 COMMISSIONER WEAVER: Of both roofs?

20 THE WITNESS: -- correct

21 So what that equates to is about 50
22 percent of the entire roof is a green roof to some
23 extent, whether it is intensive or extensive, and
24 the North Hudson Sewer Authority, we used their
25 basically coverage requirements, which provides a

1 reduction for impervious areas associated with a
2 green roof whether intensive or extensive for the
3 two, ten and hundred-year storm events, and we
4 complied with their regulations, and essentially
5 that was used to manage the stormwater runoff --

6 MR. GALVIN: At the Planning Board, we
7 have been requiring two times the North Hudson
8 standard when we're granting approvals.

9 MS. GONCHAR: At the Planning Board?

10 MR. GALVIN: At the Planning Board when
11 we're granting variances.

12 As long as the Board is okay with the
13 changes you're making, I'm okay with them. I just
14 wanted to make sure that we have explored it. I'm
15 saying those are small things that are sometimes
16 important for other reasons. I don't know if they
17 were important --

18 COMMISSIONER COHEN: What was the size
19 of the original water detention tank that --

20 THE WITNESS: So just to clarify. It
21 is not a detention. It is a rainwater harvesting
22 tank.

23 The original size was 5,000 gallons --

24 COMMISSIONER COHEN: 5,000 gallons.

25 THE WITNESS: -- and that was the

1 original approximation for whatever was necessary to
2 irrigate the rooftop plantings.

3 COMMISSIONER COHEN: And was that
4 rainwater retention system, irrigation system,
5 whatever you want to call it, was that on the roof
6 or was that -- where was that going to be located?

7 THE WITNESS: That is always located
8 under the garage floor slab under the building --

9 COMMISSIONER COHEN: Okay.

10 THE WITNESS: -- garage --

11 COMMISSIONER COHEN: So what is the --
12 what is the negative -- I get it is not the optimal
13 size for the irrigation purposes, but what is the
14 negative -- I mean, having a less efficient watering
15 system, what is the negative impact to the building
16 for having 2500 fewer gallons?

17 THE WITNESS: It's potentially more of
18 a construction related issue because, you know,
19 given the fact that this was a below grade
20 structure, and you are in a flood prone area with
21 high groundwater, so it is really more of a
22 construction related issue.

23 What you want to do is optimize a tank
24 like that for the purposes of only irrigation, if
25 you optimize that tank and basically constrict it to

1 what the optimization is, and in this case it is
2 basically optimized for 99.5 percent, so it
3 essentially irrigates the rooftop to the percentage
4 that it's absolutely necessary to irrigate it to,
5 and during construction, you eliminate any
6 unnecessary dewatering operations. You eliminate
7 having this basically submerge within the
8 groundwater and any unnecessary effects during
9 construction.

10 COMMISSIONER COHEN: So are you saying
11 that if it was larger than necessary, you would have
12 to dewater the tank?

13 THE WITNESS: No, no. You have to --
14 essentially when you're constructing it, if you're
15 going deeper, you are going to go deeper into
16 groundwater, then you have to provide bigger
17 anchorage and things like that.

18 COMMISSIONER WEAVER: Do you think --
19 if I might paraphrase, and correct me if I'm wrong,
20 if they dig down and then they put it below the
21 slab, you have also to tie the tank down because in
22 the event that the tank doesn't have any water in
23 it, and there is a flood event, it wants to pop out
24 of the ground.

25 So there's all kinds of things. There

1 is a burden to them putting it underneath the slab.

2 COMMISSIONER COHEN: Okay. Thanks.

3 MR. GALVIN: I just want to clarify, I
4 am not taking a position for or against. I just
5 want to make sure we are not overlooking something
6 that, you know, because it changed.

7 COMMISSIONER COHEN: I didn't
8 understand that until Dan explained it.

9 COMMISSIONER MC ANUFF: I have a
10 question on it.

11 Does the tank just overflow or anything
12 like that, of it's just --

13 THE WITNESS: It does for overflow, so
14 say during an event where the tank was completely
15 filled up, and based on the analysis, it was I think
16 it was only during rare situations, where
17 essentially they would have an overflow based on the
18 annual rain data that they had provided, there is an
19 overflow and does have a large storm event that
20 would need to flow into --

21 ACTING CHAIRMAN BRANCIFORTE: So you
22 are going to have to go in front of North Hudson for
23 this, right?

24 THE WITNESS: Correct, yes.

25 ACTING CHAIRMAN BRANCIFORTE: And did

1 you already?

2 THE WITNESS: Yes. We actually
3 submitted to North Hudson, and we coordinated with
4 Hatch-Mc Donald and with North Hudson Sewerage
5 Authority, and we've coordinated at both ends on
6 this, and we basically addressed all of their
7 compliance comments that they have initiated, and we
8 are in agreement that basically the stormwater
9 system is designed as per their regulations.

10 ACTING CHAIRMAN BRANCIFORTE: Okay.

11 MS. GONCHAR: It was submitted. We
12 haven't gotten it. They have had it since February.

13 ACTING CHAIRMAN BRANCIFORTE: You
14 submitted it, and you've had it since February?

15 MS. GONCHAR: We submitted it. The
16 town signed off. It has been submitted to North
17 Hudson. They have had it since February.

18 ACTING CHAIRMAN BRANCIFORTE: Oh,
19 they've had it since February?

20 MS. GONCHAR: We are waiting for them
21 to complete their review.

22 ACTING CHAIRMAN BRANCIFORTE: Okay.

23 But obviously, you can't build anything
24 without North Hudson's --

25 MS. GONCHAR: Absolutely.

1 (Board member and witness confer)

2 MR. GALVIN: You can't do that. It has
3 to be on the record.

4 ACTING CHAIRMAN BRANCIFORTE: -- so you
5 can't build anything without North Hudson Sewer
6 Authority's approval first?

7 THE WITNESS: No. You have to have
8 their approval.

9 ACTING CHAIRMAN BRANCIFORTE: Okay.

10 MR. GALVIN: Which they are going to
11 get --

12 ACTING CHAIRMAN BRANCIFORTE: In
13 writing, so --

14 MR. GALVIN: -- but they are going to
15 get it. You have to understand, they are going to
16 get it. I'm sure they're going to --

17 ACTING CHAIRMAN BRANCIFORTE: I just
18 wanted to make it clear to everyone --

19 MS. GONCHAR: It is a matter of timing.
20 Absolutely, we need that.

21 ACTING CHAIRMAN BRANCIFORTE: Okay.

22 COMMISSIONER MURPHY: I just have a
23 question, and maybe it is more for the Board than it
24 is for you.

25 But did we understand that that

1 stormwater thing was just for irrigation at that --
2 when we listened to this?

3 ACTING CHAIRMAN BRANCIFORTE: Well, it
4 is in the resolution.

5 Go ahead, Dennis.

6 MR. GALVIN: Yeah. I was going to say
7 we have some findings back to back.

8 The stormwater will be collected on the
9 roof and will be conveyed to Grand Street into the
10 city sewer along with the sanitary sewer, so they
11 are talking to us about it, right?

12 And then the applicant is proposing a
13 green roof and a rooftop garden, a 5,000 gallon
14 rainwater harvesting tank to irrigate the rooftop
15 garden.

16 The applicant is also proposing the
17 rain gardens in the area at ground grade, ground
18 perimeter of the building.

19 To me, I think -- I think that that
20 goes to the issue of stormwater management, which
21 they are going to comply with North Hudson. We
22 didn't ask them for anything extra. But the
23 impression is if you are doing -- if you are
24 recycling the water that is coming on the roof, that
25 that should help. It is going to help, right?

1 I mean --

2 COMMISSIONER MC ANUFF: Right. It
3 goes, you know, it falls into the combined sewer --

4 MR. GALVIN: Right.

5 COMMISSIONER MC ANUFF: -- once it gets
6 full, and the larger capacity tank you have --

7 MR. GALVIN: But I am saying what has
8 happened here, though, is -- I just wanted to point
9 it out to you guys. I don't want to -- and again, I
10 want to keep repeating, I don't want to mess up this
11 applicant. I don't want to mess up this case. I am
12 trying to use this to teach.

13 But if we think that it's 5,000 -- if
14 we think we are getting 5,000 gallons, and we go to
15 1500, even if it is a better plan for -- even if it
16 manages perfectly, the question is: What did you
17 think at the time, and if you had more stormwater
18 retention, that is better in Hoboken, because we
19 need as much retention as we can get.

20 MS. BANYRA: Yeah.

21 So I have had a little bit of
22 correspondence back and forth regarding the rain
23 gardens with the engineer.

24 So what I asked him to be prepared to
25 testify because in two places in the resolution,

1 there was testimony from the engineers about rain
2 gardens on the street, and then there was also, and
3 I guess in the transcript as well.

4 So I had asked him to quantify. He
5 indicated why he can't do rain gardens. I have
6 asked him to present that to the Board and indicate
7 what the fallback or what they are doing
8 differently, because they can't do the rain gardens,
9 and I would like him to maybe finish his testimony
10 relative to that, because obviously rain gardens
11 hold water, so we thought we were getting rain
12 gardens, but we are not, and he's going to explain
13 to us why, or, you know, why he is or isn't doing
14 that.

15 ACTING CHAIRMAN BRANCIFORTE: Let's
16 hear the rest of your testimony, and then we will
17 come back to the questions.

18 THE WITNESS: Sure.

19 So the issue regarding the rain gardens
20 that Eileen brought up, now the rain gardens was
21 discussed as one of the sustainable items that we
22 incorporated within the design, and as the design
23 progressed, we certainly evaluated that option on
24 the fronting street to see if that was possible.

25 What we did, as I discussed, was we

1 went with a green roof to manage the stormwater
2 runoff for the entire site. While it was
3 considered, what we did end up doing at the
4 perimeter was providing planting beds at the
5 perimeter of the building and then also tree pits,
6 and this was really to avoid any conflict with the
7 fronting parking and also addressing any challenges
8 with the shallow groundwater, because as you are
9 aware, if you are in a flood area, if you basically
10 have shallow groundwater, and you're inundating
11 these areas, you are basically not receiving the
12 benefit of any of the rain gardens essentially, if
13 you are basically -- you had water within it, or
14 basically you're going to be a flooded area.

15 And so one of the things that I wanted
16 to bring up, as Eileen had requested, was basically
17 doing a calculation as to what the volume of
18 stormwater was held within this rain garden area,
19 just to get an idea, at least a sense of what the
20 storage capacity would be for each.

21 What we looked at was a rain garden
22 area that was fronting on Adams Street that was
23 about of 65 feet long, four feet wide, and what we
24 were looking at was essentially about a hundred
25 cubic feet of storage.

1 And if you compare that to the green
2 roof that we have today and part of our final site
3 plan application, we have 1500 cubic feet of
4 storage, which is 15 times obviously greater than
5 the rain garden, and that is essentially how we
6 accommodated the stormwater management for the site.

7 MS. BANYRA: So, Mr. David, I think the
8 green roof was proposed in conjunction with. I
9 don't think your green roof has actually changed.

10 So there is a net loss I'm going to say
11 from the rain garden, because the green roof was
12 proposed originally, so you haven't increased the
13 green roof to accommodate, you know, for the loss
14 of, I'm going to say of the rain gardens, correct?

15 (Counsel confers)

16 THE WITNESS: One benefit that we will
17 receive, though, is --

18 MR. GALVIN: No, no, no. You should
19 wait a second. Wait for your attorney.

20 MS. GONCHAR: We are getting you the
21 numbers of the increase.

22 (Board members confer)

23 MS. BANYRA: Maybe he can quantify that
24 then.

25 MS. GONCHAR: We are getting the

1 square footage with what we replaced with green roof
2 that had been the deck area on the roof.

3 COMMISSIONER GRANA: Right.

4 ACTING CHAIRMAN BRANCIFORTE: Yes. Mr.
5 David, what say you?

6 THE WITNESS: So the original green
7 roof was approximately 3400 square feet, and what we
8 have done in the final application is have a green
9 roof of about 7400 square feet.

10 ACTING CHAIRMAN BRANCIFORTE: So 3400
11 to 7400?

12 THE WITNESS: Yes.

13 MS. BANYRA: Can I ask another question
14 relative to your tree pits?

15 THE WITNESS: Sure.

16 MS. BANYRA: So are the tree pits
17 getting structures, or are you doing a regular tree
18 pit, because that certainly could accommodate
19 additional stormwater, if you are using a
20 structurally -- there is a pretty good water system,
21 you know, water capacity there.

22 I don't know if the tree is already
23 installed. I think you just testified that, you
24 know, something about the tree pits, but I think --
25 the tree pits I thought were already installed in

1 Hudson County, by Hudson County relative to that
2 whole street scape, so what is being installed?

3 THE WITNESS: So we have three tree
4 pits proposed on Adams Street and two tree pits
5 proposed on Grand Street, with the 14th Street one I
6 mentioned being existing tree pits that would be
7 remaining.

8 MS. BANYRA: Okay.

9 So I mean, I think if structured soil
10 was used in those tree pits, that certainly would
11 accommodate, you know, maybe -- and I don't know --
12 you would have to quantify it, but that may be able
13 to make up the difference in the stormwater tank and
14 maybe in a different solution.

15 THE WITNESS: We can take a look at
16 that. I think it's, you know, we can also quantify
17 the difference of what essentially the 3400 was
18 versus the 7400 that we have now as well, and that
19 is obviously going to be far above and beyond what
20 we originally had.

21 MS. BANYRA: Okay.

22 ACTING CHAIRMAN BRANCIFORTE: Is that
23 all of your testimony?

24 MS. GONCHAR: I had spoken about the
25 approvals that we obtained so far, but since I am

1 not really supposed to testify, can you just confirm
2 what has been obtained to date in terms of
3 approvals?

4 THE WITNESS: Sure.

5 So the outside approvals I have
6 obtained to date are the Hudson County approval, the
7 soil erosion and sediment control certification, the
8 flood hazard area permit from DEP, and the one
9 permit application that is pending is the treatment
10 works approval, which is currently at North Hudson
11 Sewerage Authority, and once they endorse the
12 application, we would then submit to DEP for final
13 approval, and that's the only outstanding permit at
14 this point.

15 MS. GONCHAR: And if I could just, I
16 contacted in response to Jeff's letter, which you
17 may want to go through, but all of the items that
18 were cited or the vast majority of those items which
19 tracked the Hudson County approval, the engineer's
20 review letters and the resolution itself, since I
21 wasn't familiar with a compliance process for the
22 county, I emailed Byron Nicholas, who is the
23 principal planner that we have been dealing with on
24 our application, and the email that I received back
25 said you should be able to pull permits, as far as

1 we are concerned, you're completed.

2 As I said, we had applied, but their
3 franchise process take a number of weeks -- a number
4 of months, but we made that application and
5 submitted the description for the equivalent of the
6 city's encroachment into the right-of-way for any of
7 the canopies or bike racks that are going to be at
8 14th Street. Other than that, we have completed
9 with them.

10 MR. MARSDEN: And do you agree that the
11 remaining engineering issues that I have as not
12 addressed either have been addressed or will be
13 addressed?

14 THE WITNESS: Yes.

15 ACTING CHAIRMAN BRANCIFORTE: Any more
16 testimony?

17 MS. GONCHAR: That is all that we have
18 by way of direct testimony.

19 ACTING CHAIRMAN BRANCIFORTE: Okay.

20 Any Board members have questions?

21 Go ahead, Eileen. This is now
22 questions because we're done with the testimony.

23 MS. BANYRA: Yeah. I have a question
24 for the attorney.

25 So have you spoken with Brandy Forbes

1 about the affordable housing and what's the
2 mechanism or next step for you on that?

3 Where are you with that compliance
4 and/or --

5 MS. GONCHAR: I will do that as in
6 complete compliance with this. I don't know what
7 their process is on that, unless they have done it
8 in-house.

9 MS. BANYRA: Okay.

10 So I think we're going to probably -- I
11 don't know how many applications that have come to
12 final approval, where we have affordable housing and
13 everything, so we may just need to put something in
14 the resolution --

15 MS. GONCHAR: Absolutely.

16 MS. BANYRA: -- to kind of have a
17 tracker on that, because I am not sure how they gets
18 tracked.

19 And then the second thing is relative
20 to the theater space. I think the testimony was for
21 15 years. Can you --

22 MS. GONCHAR: Actually we delivered a
23 signed lease for 15 years, and after we came back a
24 second time, there was an extension under the same
25 terms for an additional -- up to an additional 15

1 years. That was part of the record at the
2 preliminary --

3 MS. BANYRA: Okay, so --

4 MS. GONCHAR: -- but not mentioned in
5 the resolution, but it was submitted.

6 MR. GALVIN: But it doesn't get
7 recorded until before the CO is issued.

8 MS. BANYRA: Okay. Are we recording
9 that?

10 MR. GALVIN: Yes.

11 All of the conditions of the
12 preliminary approval will still be required to be
13 complied with the final.

14 MS. BANYRA: Right.

15 But I don't think that is what Ms.
16 Gonchar said. It is different than what was in the
17 original -- their preliminary resolution.

18 MR. GALVIN: It wouldn't stop me from
19 okaying it, if it's more than what was proposed.

20 MS. BANYRA: Okay.

21 MR. GALVIN: I see that as a minimum --

22 MS. GONCHAR: The minimum was 15, and
23 then when we had entered into an extension, I think
24 we had advised, but that wasn't a requirement of the
25 Board.

1 MS. BANYRA: Okay.

2 So, Ms. Gonchar, you indicated that you
3 provided that?

4 I don't remember seeing it.

5 Have you provided that at preliminary
6 or -- okay. Great.

7 Those are the only questions I had.

8 Thank you.

9 MS. GONCHAR: If that isn't in the
10 record, Pat, we are happy to provide a copy of that.
11 I think we entered it not as an exhibit, and it was
12 submitted to the Board.

13 MS. BANYRA: Okay. That's fine. The
14 revised one?

15 MS. GONCHAR: With the extension.

16 MS. BANYRA: With the extension, yes.

17 ACTING CHAIRMAN BRANCIFORTE: So you
18 will provide it for the file?

19 MS. GONCHAR: If it's not already in
20 the record, sure. What I mean by "the record," I
21 meant in the file.

22 ACTING CHAIRMAN BRANCIFORTE: That's
23 what I meant, too. Yes.

24 Why don't you resend it anyway, just so
25 that we have a second copy, if we need it, if

1 there's not a first copy in there?

2 Any questions for the engineer?

3 COMMISSIONER MC BRIDE: I have one.

4 I'm sorry.

5 A curiosity question. We talked about
6 irrigation with a green roof. What is the
7 irrigation plan for the second floor recreational
8 area with the plantings and --

9 THE WITNESS: The irrigation system is
10 for both levels, to my understanding.

11 COMMISSIONER MC BRIDE: So both the
12 green roof at six and the recreational roof at two?

13 THE WITNESS: Yes.

14 COMMISSIONER MC BRIDE: Okay.

15 ACTING CHAIRMAN BRANCIFORTE: Any other
16 questions for the engineer?

17 COMMISSIONER WEAVER: I --

18 MS. GONCHAR: Excuse me, I'm sorry.

19 Condition 13 references the second one.
20 But if you look at Page 18, it references the
21 15-year extension. The original 15, plus 15, for a
22 total of 30.

23 MS. BANYRA: Okay. Great. Thank you.

24 I only saw it --

25 MS. GONCHAR: No, no. I just meant

1 Dennis got it in the resolution initially, so it's
2 there, but we are happy to submit another copy.

3 COMMISSIONER WEAVER: And my question
4 is again related to the irrigation and the
5 stormwater retention and everything else.

6 So perhaps this is also some education
7 for me, but how Hudson County Sewer still receives
8 the benefit of rainwater detention, you know,
9 typically when you have a rainwater retention tank,
10 you want to fill it up.

11 So in theory right now, where you're
12 not doing much irrigation, I mean, we've had a lot
13 of rain, you may have a full tank.

14 And then at times, you know, a lot of
15 this has to do with management, but you may want to
16 draw down part of that tank and oversize it, so that
17 there is some benefit to the rainwater, because if
18 it's a full tank, and we get a rainwater event,
19 what's the benefit then of having the cistern full
20 of water when it can't actually divert any of that
21 stormwater overflow into the tank?

22 So I guess my question is: How much of
23 this has to do with the actual management of the
24 system -- these are all very boring things -- but
25 the management of the cistern itself, right, what's

1 in place for -- how do they know when to use potable
2 water to irrigate the plans versus when we go
3 through a dry spell versus when they would have
4 capacity left in the cistern, you know, to irrigate
5 the plants?

6 I mean, how does this all work,
7 because -- because it could be run in such a way --
8 there is a potential for a rainwater catchment
9 system to be mismanaged, and -- but there is
10 negligible benefit to the environment --

11 THE WITNESS: Sure, and that's a good
12 point.

13 In the detailed study that we have as
14 part of the stormwater report really outlines how
15 that is managed I guess essentially, and what it
16 essentially takes is six years of rainfall data, so
17 you understand percolation, and the summer months
18 obviously being the more -- the less rain events
19 essentially, and that what accommodates for that is
20 pretty much what the design accommodates for that
21 drought period, and so the benefit of managing this
22 properly is really through the developer at the end
23 of the day.

24 For those owning the facility, it is in
25 their benefit to manage obviously the rainwater

1 tanks that they are using potable water and
2 basically the design of the system is essentially
3 accommodating what plant species are located on the
4 roof versus what is required from a rainwater runoff
5 capture process.

6 So, you know, that balance is exactly
7 what you are talking about, and essentially what
8 they are calculating is any time -- any period of
9 time where you are essentially capturing rainfall
10 and using it for the purposes of irrigating the
11 roof, and there are times when that is going to
12 fluctuate to be different, but the balance of that
13 being done is essentially what size is the tank, and
14 that is essentially what changed it from 5,000 to
15 1500 gallons, and the rooftop is really what manages
16 the stormwater.

17 NHSA takes into consideration the
18 runoff coefficients for different storm events.
19 They basically acknowledge the fact that you are
20 infiltrating rainwater within those -- whether it be
21 intensive or extensive, and accommodating some type
22 of volume within that media, so that essentially is
23 what manages the rainwater.

24 The rainwater harvesting tank in my
25 mind is almost like a bonus, where you're basically

1 capturing any additional runoff that comes off the
2 roof for the purpose of irrigating your roof.

3 COMMISSIONER WEAVER: And is the
4 rainwater capturing system -- the cistern going to
5 capture the leche from the green roof?

6 THE WITNESS: No. There is actually --
7 there's actually water quality units within the
8 actual system that accommodates the capture of clean
9 water within the --

10 COMMISSIONER WEAVER: Okay.

11 Thank you.

12 ACTING CHAIRMAN BRANCIFORTE: Any more
13 questions?

14 Jeff?

15 COMMISSIONER MARKS: Just one
16 clarification.

17 The tank that you are proposing, the
18 1500-gallon tank is solely for irrigation --

19 THE WITNESS: Correct.

20 MR. MARSDEN: -- of vegetation on both
21 roof levels?

22 THE WITNESS: Yes.

23 MR. MARSDEN: It has nothing do with
24 detention.

25 The detention adjustment is the fact

1 that you increased the green roof significantly, so
2 that will slow the disposition of the rainwater, and
3 in one of the county conditions it says no rainwater
4 will be dumped into the county system, so you will
5 be dumping to Grand and Adams the overflows?

6 THE WITNESS: Yes.

7 MR. MARSDEN: Okay.

8 ACTING CHAIRMAN BRANCIFORTE: Thanks.

9 So in conclusion basically with the
10 bigger green roof, the detention of rainwater
11 doesn't really kind of make up for the lack of
12 detention tank is made up with the bigger green
13 roof?

14 THE WITNESS: That's correct.

15 Just to kind of clarify and to
16 summarize this, we are required by NHSA to provide
17 essentially 25 percent of the roof to accommodate
18 for stormwater management for the site.

19 What we have done is essentially
20 doubled that and basically accommodating 50 percent
21 of the green roof, which is further above and beyond
22 what NHSA requires in terms of managing the
23 stormwater runoff for the entire site.

24 ACTING CHAIRMAN BRANCIFORTE: Got you.

25 MS. BANYRA: Mr. David, I had asked you

1 about the structured soils. Could you -- do you
2 have any numbers or did somebody do any calcs on the
3 quantification of the structured soils versus a
4 regular --

5 THE WITNESS: I would have to take look
6 at that in more detail.

7 I mean, if you look at our tree pits
8 are relatively small in size --

9 MS. BANYRA: Yeah --

10 THE WITNESS: -- so if you are able to
11 provide whatever I guess essential water that would
12 be captured in that space, it would be minimal in
13 terms of actual rainwater capture I would say
14 holding the water, it would be some benefit to it,
15 but it would be more just the square footages of the
16 three tree pits on one side and two on the other.
17 We could certainly quantify that for you, if that
18 would help clarify --

19 MS. BANYRA: Yeah.

20 My understanding of structured soils
21 for those tree pits is that there actually is like a
22 tremendous amount of storage that is usually done.

23 I don't know -- you had indicated to
24 me, you know, obviously you raised the fact that
25 there is a high water table, but in -- you know, my

1 understanding of structured soils is that you could
2 take an entire parking lot and cover it with a tree
3 pit with one, you know, good sized tree pit that has
4 a structured soil, so I don't know the
5 quantification of that --

6 THE WITNESS: Are you talking about
7 something that's larger than the actual --

8 MS. BANYRA: Underneath, yeah,
9 underneath. Not the tree pit here, the tree pit,
10 you know, as you are constructing it and you're
11 laying the curbs and you're doing sidewalks that you
12 make something in that planter area that actually is
13 bigger.

14 THE WITNESS: We could certainly take a
15 look at that.

16 I just think, I mean, I guess our
17 initial discussion about the increase in the green
18 roof is kind of what balances that I think, you
19 know, although that portion of it has been removed,
20 and there, like you said, a minimal amount of -- and
21 when we calculated the rain garden area, that was
22 not only like a void ratio of what you're talking
23 about with a structured material, it was actually
24 opened, you know, rain gardens, so that is even --
25 that's even a bigger amount of volume and cubic

1 footage right there, and that is the hundred versus
2 the 1500, you know, so it is a significant
3 difference in terms of how much has been gained on
4 the rooftop versus what would have been gained in
5 say structured soil or even in just an open rain
6 garden.

7 ACTING CHAIRMAN BRANCIFORTE: Good?

8 MS. BANYRA: Maybe.

9 (Laughter)

10 COMMISSIONER MURPHY: Well, I mean, why
11 not just do -- why get rid of the ones on the ground
12 just because you did one on the roof -- extended the
13 roof?

14 THE WITNESS: Well, when we originally
15 looked at the open rain garden, what the concern
16 was, it was twofold.

17 So I think one of the concerns you
18 raised was the shallow ground water, and the other
19 thing is you have parking over here, and the person
20 getting out would then be accommodating to have to
21 maneuver around an area that's a depressed area
22 within the curb, so that is what we were looking at
23 this area specifically.

24 MS. BANYRA: I guess I understood that
25 the structured soils are -- they do something

1 different, you know, than a rain garden, and they're
2 more significant in terms of the volume.

3 I don't know if that helps LEED
4 certification if you are looking for platinum
5 either. You know, I don't know the numbers. You
6 know, I can't quant -- I am not an engineer. You
7 know, what I read is what I read. He would have to
8 be able to quantify it for me, so I am throwing it
9 out there. Let's put it that way.

10 MR. GALVIN: All right. I think we are
11 moving on.

12 They are not saying yes. They are
13 saying --

14 MS. BANYRA: Yeah, yeah.

15 MR. GALVIN: -- you know --

16 ACTING CHAIRMAN BRANCIFORTE: Jeff, did
17 you have a question?

18 MR. MARSDEN: No. I was just saying, I
19 agree with Eileen. Any little extra we can deal
20 with. The structured soils around the tree pits
21 would be more than just a little. I mean, I would
22 have to run the calculation myself or you would to
23 determine exactly what, but it's not an issue of
24 discharging it to the groundwater --

25 MR. GALVIN: But here is the thing.

1 You were saying earlier that you think that the
2 elimination of the deck and the replacement with the
3 green roof is enough to make up the difference for
4 the 3500 square feet or 3500 gallons --

5 MS. BANYRA: I'm responding to the
6 Board's question about the tank --

7 MR. GALVIN: Right.

8 We're just saying what are we -- you
9 know, even if we didn't look at it, even if we
10 didn't look at it, that we were getting a certain
11 amount of stormwater detention, maybe they thought
12 in the back of their minds --

13 MS. BANYRA: Yeah.

14 MR. GALVIN: -- the way it was sold,
15 and if we're coming out to the same number based on
16 the changes, then we're okay, right?

17 MR. MARSDEN: Well, yeah, you can
18 always ask for a little extra.

19 MS. BANYRA: We're just providing
20 options to the Board.

21 MR. GALVIN: But we are at final. I
22 don't really --

23 MS. BANYRA: Understood.

24 ACTING CHAIRMAN BRANCIFORTE: I think
25 we are good on it.

1 MS. BANYRA: I raised it, and I am
2 done. You can make a decision. I'm good.

3 MR. GALVIN: Okay.

4 ACTING CHAIRMAN BRANCIFORTE: I think
5 the Board is clear on what is going on now, right?

6 No more questions about that, but thank
7 you for clearing it up.

8 Any more questions for this expert?

9 We'll open it up to the public. Anyone
10 have questions for the engineer?

11 Seeing none.

12 COMMISSIONER MC ANUFF: Motion to close
13 public portion.

14 MR. GALVIN: This was a good night for
15 you. You lucked out. You didn't come in on a rough
16 night when all of the neighbors want to come by.

17 (Laughter)

18 ACTING CHAIRMAN BRANCIFORTE: All in
19 favor?

20 (All Board members answered in the
21 affirmative)

22 MS. GONCHAR: We're easing him in.

23 (Laughter)

24 MR. GALVIN: "Oh, sure, I'll go to
25 Hoboken, yeah."

1 (Laughter)

2 COMMISSIONER WEAVER: It's always like
3 this. It's always like this.

4 ACTING CHAIRMAN BRANCIFORTE: So anyone
5 else giving testimony?

6 MS. GONCHAR: Those are all of our
7 witnesses.

8 ACTING CHAIRMAN BRANCIFORTE: Anything
9 you want to say before we discuss --

10 MS. GONCHAR: Only I think that the
11 only changes we identified are really just
12 finalizing designs, you know, going from preliminary
13 to final, refining some of this running out the
14 numbers and obviously accommodating the requirements
15 of Hudson County.

16 So certainly whatever the requirements
17 are for the affordable housing, we understand that
18 we have to do that, and there will be conditions at
19 final, that we need to do final cleanup, so...

20 ACTING CHAIRMAN BRANCIFORTE: Okay.

21 And before we go any further, I am
22 going to open it up to the public.

23 Anyone from the public have any
24 comments about the project?

25 Seeing no one in the public.

1 COMMISSIONER GRANA: Motion to close
2 public portion.

3 COMMISSIONER MC ANUFF: Second.

4 MS. BANYRA: Can I ask one question of
5 the Board?

6 ACTING CHAIRMAN BRANCIFORTE: All in
7 favor of closing public portion?

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

10 ACTING CHAIRMAN BRANCIFORTE: Thank
11 you.

12 MS. BANYRA: If for some reason the
13 applicant decided that they wanted to do a bigger
14 green roof, would that be anything that the Board
15 felt that they needed to come back on?

16 MR. GALVIN: Plants, seedum?

17 MS. BANYRA: Yeah, yeah, more green
18 roof.

19 MR. GALVIN: I don't --

20 MS. BANYRA: Is that something that the
21 Board feels that they would need to come back on it?

22 It's just a question.

23 ACTING CHAIRMAN BRANCIFORTE: Well --

24 MR. GALVIN: Does it comply with the
25 ordinance?

1 MS. BANYRA: Yes. I mean, more is
2 better. You know, we give a minimal requirement, so
3 to me more is better. I just wonder if that's
4 something --

5 MR. GALVIN: Does it involve decking?

6 MS. BANYRA: No. It's just a green
7 roof, just a green roof.

8 COMMISSIONER DE GRIM: Does it involve
9 reducing the size of the tank?

10 MR. GALVIN: No. I don't think you
11 can.

12 MS. BANYRA: No, no, no.

13 COMMISSIONER DE GRIM: Okay.

14 ACTING CHAIRMAN BRANCIFORTE: Okay.
15 Would they have to --

16 MS. BANYRA: Does the Board feel that
17 that would be something to bring them back for?

18 ACTING CHAIRMAN BRANCIFORTE: Dennis, I
19 will leave it up to you.

20 Is that something that would --

21 MR. GALVIN: No. I think we would be
22 happier to get a larger green roof, as Eileen
23 suggested. She is asking for how much latitude can
24 she have.

25 ACTING CHAIRMAN BRANCIFORTE: Oh, I see

1 what you're saying. Okay.

2 MS. GONCHAR: Because you were
3 concerned about what it said, I want you to be
4 clear, though, that one of the things that we had
5 asked for initially was the variance that allowed us
6 to go to 78 percent at the --

7 MR. GALVIN: That is what I was saying.
8 I asked if it complied with the ordinance, and you
9 said it did.

10 MS. GONCHAR: But it was a different --

11 MR. GALVIN: When you eliminate the
12 roof decks, because you had roof decks up there,
13 that there's a percentage --

14 MS. BANYRA: There is a ratio when you
15 have a roof deck. We have never restricted anybody
16 from a hundred percent --

17 MR. GALVIN: No, no.

18 MS. GONCHAR: Right.

19 MR. GALVIN: So --

20 MS. GONCHAR: I am just calling out
21 that if that is changed, just so it is clear, that
22 we did have that, and it was a variance, and that
23 has been eliminated.

24 MR. GALVIN: For the record, I am
25 grateful.

1 All I'm saying, I did ask the question
2 of did it require a variance, and it doesn't now
3 that we eliminated the deck.

4 So if the Board is asking me, I think
5 that we should give Eileen the latitude, if they
6 want to go larger for more green stuff up there, go
7 ahead.

8 MS. BANYRA: If somebody wanted to do
9 bigger, I just want them to feel comfortable. If
10 they decided to do -- to go more, great, and the
11 plan comes in and it's 80 percent instead of 75,
12 cool. I don't feel that they need to come back in,
13 but I wanted to run it past you.

14 Thank you.

15 ACTING CHAIRMAN BRANCIFORTE: So I
16 guess we are ready for a discussion.

17 Anyone?

18 MR. GALVIN: Let me just say --

19 ACTING CHAIRMAN BRANCIFORTE: Okay.

20 MR. GALVIN: -- just one second -- what
21 is supposed to happen at final is it is almost
22 supposed to be like an administrative express
23 approval, because if you did everything you were
24 supposed to on preliminary, all of the plans are
25 unchanged on final, and all you have to do is go out

1 and get the outside agency approvals, and they got
2 three or four of them, and we know that the fourth
3 one is coming.

4 The only thing that got a little
5 skittish here was that the deck went, and then there
6 were some kind of minor changes that staff didn't
7 think were big enough to require an amended
8 preliminary approval, so that is where the wheels
9 came off the bus a little here.

10 So it should even be easier than this.
11 In other words, there shouldn't be these little
12 things moving around.

13 ACTING CHAIRMAN BRANCIFORTE: Okay.

14 With that said, does anybody want to
15 have a short discussion before we make a motion?

16 MR. GALVIN: What I am saying is:
17 Unlike when you are doing a preliminary approval or
18 a use variance, where you have to put a lot of the
19 reasons, you don't have to have a lot of good
20 reasons. You just have to basically find that it
21 complies with preliminary, and they are entitled to
22 final site plan.

23 ACTING CHAIRMAN BRANCIFORTE: Phil?

24 COMMISSIONER COHEN: I think this is
25 generally consistent with what we approved last

1 June.

2 I think that most of the changes that
3 have been made are improvements to what we did. The
4 only thing that was different in the way that wasn't
5 as good was the loss of 2500 gallons of retention,
6 but I think we heard an explanation as to why there
7 is a good reason for them not to want to have an
8 oversized water retention irrigation tank under the
9 slab in a flood zone, which is a reasonable reason
10 not to do it.

11 So I think that, you know, I know that
12 there are some conditions that our counsel will
13 read, but I think that -- oh, the one thing I don't
14 know if you included, I think it's important to have
15 the railing between the edge of the green roof area
16 and the parapet --

17 ACTING CHAIRMAN BRANCIFORTE: Where the
18 rocks were?

19 COMMISSIONER COHEN: Yes.

20 COMMISSIONER DE GRIM: And between the
21 decking and the river rook.

22 COMMISSIONER COHEN: Right.

23 I think they committed to do that, and
24 I think that should be a condition of the approval.

25 ACTING CHAIRMAN BRANCIFORTE: And we'll

1 see the design on that I suppose of the change?

2 MR. GALVIN: Our planner and engineer.

3 ACTING CHAIRMAN BRANCIFORTE: Right.

4 The planner and engineer will check on it.

5 Antonio?

6 COMMISSIONER GRANA: I would just add
7 that I agree with the comments of Commissioner
8 Cohen, and also add that the applicant testified
9 that they addressed water retention by increasing
10 the green roof area.

11 That's my only addition to Mr. Cohen's
12 comments.

13 ACTING CHAIRMAN BRANCIFORTE: Okay.

14 Owen?

15 COMMISSIONER MC ANUFF: My only concern
16 again was the 5,000 or 1500 gallon tank --

17 ACTING CHAIRMAN BRANCIFORTE: You're
18 satisfied?

19 COMMISSIONER MC ANUFF: Not totally. I
20 would still put in the 5,000 gallon tank, but I
21 think the testimony has been sufficient why they put
22 the 1500.

23 ACTING CHAIRMAN BRANCIFORTE: Okay.

24 Anyone else?

25 COMMISSIONER MC BRIDE: I think I would

1 add, I think this is a good project. I think, you
2 know, trying to go LED is a great thing. I think
3 it's good for us. I don't have as much of a problem
4 with the retention as everybody else has.

5 I do share the concern about river
6 rock, though, and I think it should be a barrier
7 rather than a fence. That would be my two cents.
8 You can't control children and drunks. You know, if
9 somebody is going to lob something off, hell, that
10 could happen anywhere, so...

11 MR. GALVIN: We have a late entry by
12 the developer.

13 MS. GONCHAR: Only because the whole
14 discussion is whether what we can do to accommodate
15 that. What is the final word on the river rock,
16 since there was a concern with it rather than having
17 to separate it, that we would eliminate it.

18 That's what I was trying to get an
19 answer to while --

20 ACTING CHAIRMAN BRANCIFORTE: And put a
21 pervious --

22 MS. GONCHAR: What would you put in
23 lieu?

24 MR. MARCHETTO: The deck, just continue
25 it. The deck, hard scape,

1 MS. GONCHAR: The hard scape, this is
2 on the --

3 ACTING CHAIRMAN BRANCIFORTE: Does that
4 pose a problem, Eileen, do you think?

5 MS. BANYRA: I don't know.

6 (Board members confer)

7 MS. GONCHAR: Well, it is impervious --

8 MS. BANYRA: I'm not talking about
9 pervious. It's part of the structure then, so I
10 don't know --

11 MR. GALVIN: Well, if you have a deck,
12 then you're going to have a variance --

13 MS. BANYRA: -- I don't know. I would
14 have to look at it. Off the top of my head, I don't
15 know what the --

16 ACTING CHAIRMAN BRANCIFORTE: So if you
17 can't come to a design, a new design that our
18 planner, Ms. Banyra agrees with, you may end up back
19 here, talking about this one silly thing.

20 MS. BANYRA: Well, we could also do
21 probably a gravel that wouldn't be -- you know,
22 that's a little stone, as opposed to --

23 COMMISSONER MC BRIDE: Let me ask you.
24 You could throw anything off the roof. You can
25 throw decking off the roof. You can throw cans off

1 the roof, but I don't want to make a big thing out
2 of this --

3 MS. BANYRA: Right.

4 COMMISSIONER MC BRIDE: -- I want to
5 say if they put up as much barrier as we possibly
6 can, we've done our job.

7 MS. BANYRA: We can evaluate that when
8 we review the site plan, and it's interesting that
9 we raise this again because I had a conversation
10 on the street today, so for the 16 years that I have
11 been in the city, I have heard this. People,
12 drunks, I've heard bottles. I've heard rocks. I've
13 heard everything, and John has probably heard this
14 as well.

15 You know, I've heard of everything
16 being thrown off a roof. I actually have yet to
17 hear it actually happened. You probably all have
18 heard it happened, but everybody talks about it, and
19 I have yet to really hear it materialize, so --

20 (Everyone talking at once.)

21 ACTING CHAIRMAN BRANCIFORTE: No, I'm
22 definitely not --

23 COMMISSIONER GRANA: I'd like to add
24 that I concur with --

25 ACTING CHAIRMAN BRANCIFORTE: -- that's

1 the fire department --

2 COMMISSIONER GRANA: -- that I concur
3 with Commissioner McBride. I think that you can't
4 stop anybody from throwing anything they could
5 possibly get their hands on off the deck.

6 We have proposed a solution, and the
7 applicant has agreed.

8 ACTING CHAIRMAN BRANCIFORTE: Okay. So
9 we are good.

10 Dan, anything?

11 COMMISSIONER WEAVER: We talked about
12 the snouts or baffles on the uplights.

13 COMMISSIONER GRANA: That's right.

14 ACTING CHAIRMAN BRANCIFORTE: To
15 eliminate or try to eliminate light pollution
16 towards the sky?

17 COMMISSIONER COHEN: Make it sky
18 compliant.

19 ACTING CHAIRMAN BRANCIFORTE: Cory?

20 COMMISSIONER JOHNSON: I'm okay.

21 ACTING CHAIRMAN BRANCIFORTE: Okay.
22 Diane?

23 COMMISSIONER MURPHY: Nothing.

24 MS. GONCHAR: I just wanted to make
25 sure they understand what you are voting on, so if

1 we could just take one minute, because they are
2 still discussing the river rock, and I don't want
3 the vote to --

4 ACTING CHAIRMAN BRANCIFORTE: 60
5 seconds.

6 MS. GONCHAR: Guys, you have one
7 minute.

8 ACTING CHAIRMAN BRANCIFORTE: Do you
9 want to read the conditions while we wait?

10 MR. GALVIN: No. They need to pay
11 attention.

12 MS. BANYRA: I will review it when your
13 plans come in. You will get what material you put
14 there, you know, between river rock, decking and/or
15 some gravel and/or some wall system and see if we
16 come to a happy medium.

17 MS. GONCHAR: Okay.

18 The question is: Is a railing a
19 requirement, or is that dependent on what surface is
20 up there?

21 That is what they are trying to figure
22 out, or is that also within the delegated
23 determination of Ms. Banyra, that is what they are
24 trying to figure out.

25 ACTING CHAIRMAN BRANCIFORTE: I would

1 be favorable to letting Ms. Banyra handle that
2 decision. I don't know about the rest of the Board.

3 COMMISSIONER WEAVER: That's fine with
4 me.

5 COMMISSIONER MURPHY: Teach the parents
6 to keep the kids off.

7 ACTING CHAIRMAN BRANCIFORTE: That's
8 it. Sixty seconds is up, guys.

9 MR. STIEVE: They are okay with the
10 railing. We would just like to put a gated railing,
11 so we can get to that roof and clean it and clean
12 the planters and all of that stuff.

13 MR. GALVIN: Yeah.

14 ACTING CHAIRMAN BRANCIFORTE: Okay.
15 Good.

16 (Everyone talking at once.)

17 ACTING CHAIRMAN BRANCIFORTE: Okay.

18 COMMISSIONER MURPHY: No chainlink.

19 MR. GALVIN: Okay. Now I need
20 everyone's attention because I have seven conditions
21 I'm going to read slowly.

22 The first one: The plan has been
23 revised to replace the roof deck with additional
24 green roof as shown on the final plan. The green
25 roof is to be maintained by the owner of the

1 building during the life of the building and in
2 accordance with the final plans shown to the Board
3 on the evening of May 24th, 2016, unless modified
4 with Ms. Banyra's consent.

5 COMMISSIONER WEAVER: And so that would
6 have to be discussed before the resolution is
7 signed, right?

8 MR. GALVIN: No.

9 COMMISSIONER MURPHY: They're giving
10 her --

11 COMMISSIONER WEAVER: Free rein.

12 MR. GALVIN: Yes. Unless you --

13 MS. BANYRA: You know me.

14 (Laughter)

15 MR. GALVIN: She loves seedum.

16 MS. BANYRA: There's going to be trees
17 on my roof --

18 MR. GALVIN: Now, this condition is to
19 be recorded by means of a deed restriction, which is
20 to be reviewed and approved by the Board's attorney
21 and recorded prior to the issuance of a building
22 permit.

23 This condition is going in every
24 resolution, where there is a green roof plan,
25 because we want to make sure that they get

1 maintained for the life of the building.

2 (People in the audience talking)

3 ACTING CHAIRMAN BRANCIFORTE: Keep
4 going.

5 MR. GALVIN: You got to pay attention
6 back there. Don't let me get mad.

7 Are you helping your attorney?

8 What do you need?

9 Do you want to stop?

10 Is that okay, are we all right?

11 All right. I asked everybody to pay
12 attention.

13 Two: The Board hereby adopts and
14 incorporates the Look Book attached as Exhibit A-1.

15 The applicant represented that the
16 elements of the plan, lighting, bike racks,
17 material ---

18 MS. BANYRA: Pallet.

19 MR. GALVIN: -- pallet -- I had pallet.
20 I was having trouble reading it.

21 Three: Subject to the issuance of
22 treatment works approval from the North Hudson Sewer
23 Authority.

24 Four: The newly constructed tree pits
25 will be constructed with structured soils to

1 mitigate rainwater overflow.

2 MR. MARSDEN: Dennis, the TWA also has
3 to go through DEP, so I would just like to add and
4 DEP.

5 MR. GALVIN: Okay, Jeff. Got it.

6 Five: The applicant will continue to
7 be bound by the conditions of preliminary approval.

8 Six: The plan is to be revised to
9 show -- and one thing I will say about that, we
10 didn't really touch too much on the COA obligation,
11 but we know that you're going to comply with that,
12 right? That was an important condition.

13 MS. GONCHAR: Yes.

14 MR. GALVIN: Six: The plan is to be
15 revised to show a gated railing on the roof to limit
16 access to the river rock. This change is to be
17 reviewed and approved by the Board's Engineer and
18 Planner.

19 Seven: The plan is to be revised to
20 show night sky compliant lighting, again to be
21 reviewed and approved by the Board's Planner and
22 Engineer.

23 ACTING CHAIRMAN BRANCIFORTE: Is that
24 all?

25 MR. GALVIN: Yes. That is all I got.

1 ACTING CHAIRMAN BRANCIFORTE: Okay.

2 COMMISSIONER WEAVER: It's dark sky
3 compliant.

4 ACTING CHAIRMAN BRANCIFORTE: What's
5 that?

6 COMMISSIONER WEAVER: Dark sky
7 compliant.

8 MR. GALVIN: Got it.

9 Thank you.

10 ACTING CHAIRMAN BRANCIFORTE: Did we
11 miss anything else, guys?

12 If not, and there is going to be no
13 more discussion, I will ask for a motion.

14 COMMISSIONER GRANA: Motion to approve
15 1410 Grand Adams with included conditions.

16 COMMISSIONER MC ANUFF: Second.

17 ACTING CHAIRMAN BRANCIFORTE: Call the
18 roll, please.

19 MS. CARCONE: You had a question?

20 COMMISSIONER MURPHY: So is it only the
21 people who voted on it the last time, or is it this
22 Board?

23 MR. GALVIN: No. It's whoever is
24 sitting here tonight.

25 That's an excellent question, but it's

1 not an amended case --

2 COMMISSIONER MURPHY: I'm just
3 checking.

4 MR. GALVIN: -- even if it was an
5 amended -- even if we had an amended --

6 ACTING CHAIRMAN BRANCIFORTE: Call the
7 roll, and you can explain it later.

8 MR. GALVIN: Okay.

9 (Laughter)

10 ACTING CHAIRMAN BRANCIFORTE: We'll
11 call the roll.

12 MS. CARCONE: Commissioner Branciforte?

13 ACTING CHAIRMAN BRANCIFORTE: Yes.

14 MS. CARCONE: Commissioner Cohen?

15 COMMISSIONER COHEN: Yes.

16 MS. CARCONE: Commissioner Grana?

17 COMMISSIONER GRANA: Yes.

18 MS. CARCONE: Commissioner Murphy?

19 COMMISSIONER MURPHY: Yes.

20 MS. CARCONE: Commissioner McAnuff?

21 COMMISSIONER MC ANUFF: Yes.

22 MS. CARCONE: Commissioner Weaver?

23 COMMISSIONER WEAVER: Yes.

24 MS. CARCONE: Commissioner McBride?

25 COMMISSIONER MC BRIDE: Yes.

1 MS. CARCONE: Okay.

2 ACTING CHAIRMAN BRANCIFORTE: Okay.

3 Congratulations.

4 If there is no more business, I'll ask
5 for a motion to close.

6 COMMISSIONER MC BRIDE: Motion to
7 adjourn.

8 COMMISSIONER GRANA: Motion to close.

9 ACTING CHAIRMAN BRANCIFORTE: Second?

10 COMMISSIONER COHEN: Second.

11 COMMISSIONER MURPHY: Second.

12 ACTING CHAIRMAN BRANCIFORTE: All in
13 favor?

14 (All Board members answered in the
15 affirmative)

16 MR. GALVIN: Good job, team.

17 (The matter concluded at 8:35 p.m.)

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C E R T I F I C A T E

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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 Dated: 5/25/16

24 This transcript was prepared in accordance with

25 NJAC 13:43-5.9.

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