

2. According to the application, the applicant seeks Final Site Plan approval and no new variances.
3. Based upon the comments of applicant's Attorney, Meryl Gonchar, Esquire, the Board heard the following:
 - A. The applicants received use variance approval and Preliminary Site Plan Approval for the development of a six-story mixed use building comprised of five residential stories above one story of parking, retail, and a children's theater studio, from the Hoboken Zoning Board of Adjustment on June 9, 2015 and memorialized by Resolution adopted July 28, 2015.
 - B. The applicants have obtained necessary outside agency approvals, including a Flood Plain Management letter, Hudson-Essex-Passaic Soil Conservation District Certification and NJDEP Flood Hazard Permit, and the project was granted Hudson County Planning Board approval on December 16, 2015, memorialized by Resolution adopted January 20, 2016.
 - C. Pursuant to the Board's prior concerns with the access panels (July 28 ,2015 Resolution #11B, p.9), the plans have been submitted and approved by the Department of Environmental Protection.
4. Based upon the sworn and qualified testimony of the applicant's Professional Architect, Bruce Stieve, AIA, CNU, the Board made the following findings of fact:
 - A. The Final Site Plan is consistent with the original Preliminary Site Plan approval.
 - B. The applicant is not proposing any new variances; the building volume, height, number of units and parking are all the same as originally proposed.
 - C. The applicant is proposing a few minor changes incorporating County resolution requirements, and additions to the plans, a new rear elevation; the flood control plan; and the design of common areas/green roof systems.

- D. A mezzanine floor plan has been developed for the building to demonstrate how the mechanical systems and trash areas will be located out of the flood zone.
- E. The floor plans have been modified to reflect a structural column system.
- F. The two roof decks proposed in the Preliminary Site Plan have been eliminated from the plans, and these areas have been converted into green roof space.
- G. Outdoor space for the residents will alternatively be provided by the second floor courtyard roof terrace as well as private terrace space against the edges of the building.
- H. The courtyard will utilize a cementitious panel system, a rain screen system, and bamboo lumber railing. It will be consistent with the materials that will be used on the front of the building.
- I. Materials used for the façade will be consistent with the materials presented for the Preliminary Site Plan.
- J. Dry floodproofing for the building has been added to the plan with flood gates, while wet floodproofing will be done using flood vents throughout the building.
- K. The preliminary approval included 19 two-bedroom units and five three-bedroom units. As part of the Final Site Plan, this has been changed to 18 two-bedroom units and six three-bedroom units.
- L. The retail space was previously approved for 1,950 square feet of area. It is now proposed to be 1,930 square feet.
- M. The Final Site Plan includes the addition of one (1) electric car charging station in the parking garage, for a total of four (4) electric car charging stations.

- N. The building façade will utilize a light gray tinted mortar.
5. Based upon the sworn and qualified testimony of the applicant's Professional Engineer, Sony David, PE, LEED, AP, the Board made the following findings of fact:
- A. The planters on Fourteenth Street will be adjusted based upon feedback from the County.
 - B. The plans have been revised to reduce the amount of removal and replacement of the sidewalk along Fourteenth Street, as well as eliminating any new curbing and maintaining the existing ADA ramps and providing a different orientation of the bicycle racks.
 - C. Additionally, the capacity of the rainwater harvesting tank, which is used to irrigate the rooftop plantings, will be reduced from 5,000 gallons to 1,500 gallons after a detailed study determined that such a capacity was unnecessary in this location given that the green roof has increased from 3,400 square feet to 7,400 square feet as part of the Final Site Plan.
6. The Board felt confident that the applicant has adequately addressed the concerns and recommendations of the Board and Board professionals pertaining to Preliminary Site Plan approval.
7. The Board is satisfied that the applicant has or will obtain all outside agency approvals.
8. The Board finds that Final Site Plan approval should be granted as shown to the Board and finds that it is in the public's best interest.

CONCLUSIONS OF LAW:

WHEREAS, the Board determined that the applicant's Final Site Plan pursuant to N.J.S.A. 40:55D-50 was found to be sufficient as to style and design and the Board approved the applicant's request; and

WHEREAS, the Board finds that the requirements of Preliminary Approval have been or will be met; and

WHEREAS, the Board finds that the outside agency approvals have been or will be met; and

WHEREAS, the Board found that the changes to the plans required no new variances and were consistent with the the Preliminary Site Plan approval.

NOW, THEREFORE, BE IT RESOLVED by the Board of Adjustment of the City of Hoboken, in the County of Hudson and State of New Jersey, on the 24th day of May, 2016, upon a motion made by Antonio Grana and seconded by Owen McAnuff that the application of 1410 Grand Adams Street LLC, be granted, subject to the following terms and conditions:

1. The applicant shall be bound by all exhibits introduced, all representations made and all testimony given before the Board at its meeting of May 24, 2016.
2. The applicant shall provide all required Site Performance Bond and Inspection Fees in accordance with the Municipal Ordinance.
3. The applicant will have three (3) years from the date of this Resolution to obtain a building permit.
4. The applicant shall be responsible for obtaining any other approvals or permits from other governmental agencies, as may be required by law, including but not limited to the Municipality's and State's affordable housing regulations; and the applicant shall comply with any requirements or conditions of such approvals or permits.
5. The applicant must comply with the Development Fee Ordinance of the City of Hoboken, if applicable, which Ordinance is intended to generate revenue to facilitate the provision of affordable housing.
6. This approval is subject to the applicant's continuing obligation to ensure that the fees generated on this application by the Board's Planner, Engineer, and Attorney are fully paid prior to the issuance of a building permit and/or the issuance of the Certificate of Occupancy.
7. The plan has been revised to replace the roof deck with additional green roof as shown on the final plans. The green

roof is to be maintained by the owner of the building during the life of the building in accordance with the final plans shown to the Board on the evening of May 24, 2016, unless modified in consultation with the Board's Planner. This condition is to be recorded by means of a deed restriction, which is to be reviewed and approved by the Board's Attorney and recorded prior to the issuance of the building permit.

8. The Board hereby adopts and incorporates the "Look Book" attached as exhibit A-1 as part of this resolution and plan. The plan elements, such as the material palette, are to be consistent with the "Look Book".
9. The approval is subject to the issuance of the Treatment Works approval from North Hudson Sewerage Authority and the DEP.
10. The newly constructed tree pits will be constructed with structured soils to mitigate rainwater overflow.
11. The applicant is to comply with all conditions contained in the Preliminary Site Plan Resolution and all representations made at the time of the hearing except as herein specifically modified.
12. The plan is to be revised to show gravel and landscaping on the roof. This change is to be reviewed and approved by the Board's Engineer and Planner.
13. The plan is to be revised to show dark sky compliant lighting, to be reviewed and approved by the Board's Engineer and Planner.
14. Publication of a notice of this decision will be published in one of the City's officially designated newspapers, at the cost of the applicant.

VOTE ON ROLL CALL:

IN FAVOR: John Branciforte; Phil Cohen; Antonio Grana; Carol Murphy;
Owen McAnuff; Dan Weaver; Edward McBride

OPPOSED: None

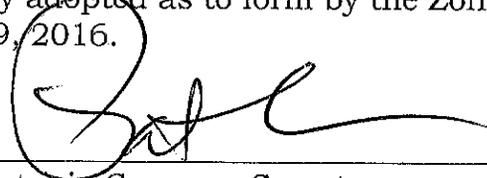
BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the applicant, Zoning Officer, and Tax Office of the City of Hoboken.



John Branciforte, Acting Chairman
Hoboken Zoning Board of Adjustment

CERTIFICATION

It is hereby certified the attached is a true copy of the Resolution approved May 24, 2016 and duly adopted as to form by the Zoning Board at its regular meeting on July 19, 2016.



Patricia Carcone, Secretary
Hoboken Zoning Board of Adjustment