

CITY OF HOBOKEN
PLANNING BOARD

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SPECIAL MEETING OF THE HOBOKEN : July 13, 2016
PLANNING BOARD : 7:45 p.m.
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Held At: 94 Washington Street
Hoboken, New Jersey

B E F O R E:

- Chairman Gary Holtzman
- Commissioner Brandy Forbes
- Commissioner Jim Doyle
- Commissioner Ryan Peene
- Commissioner Tom Jacobson
- Commissioner Kelly O'Connor

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

- David Glynn Roberts, AICP/PP, LLA, RLA
Board Planner
- Patricia Carcone, Board Secretary

PHYLLIS T. LEWIS
CERTIFIED SHORTHAND REPORTER
CERTIFIED REALTIME REPORTER
Phone: (732) 735-4522

1 A P P E A R A N C E S:

2 DENNIS M. GALVIN, ESQUIRE
3 730 Brewers Bridge Road
4 Jackson, New Jersey 08527
5 (732) 364-3011
6 Attorney for the Board.

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1 CHAIRMAN HOLTZMAN: We are going to get
2 started here, folks. I'm sorry we're running a
3 little late here.

4 Okay. It is Wednesday, July 13th, 7:44
5 p.m. This is the City of Hoboken Planning Board
6 Meeting. This is a Special Meeting.

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

15 Pat, please call the roll.

16 MS. CARCONE: Commissioner Holtzman?

17 CHAIRMAN HOLTZMAN: Here.

18 MS. CARCONE: Commissioner Magaletta
19 and Commissioenr Stratton are absent.

20 Commissioner Forbes?

21 COMMISSIONER FORBES: Here.

22 MS. CARCONE: Commissioner Doyle?

23 COMMISSIONER DOYLE: Here.

24 MS. CARCONE: Commissioners Graham, Mc
25 Kenzie and Pinchevsky are absent.

1 Commissioner Peene?

2 COMMISSIONER PEENE: Here.

3 MS. CARCONE: Commissioenr Jacobson?

4 COMMISSIONER JACOBSON: Here.

5 MS. CARCONE: And Commissioner

6 O'Connor?

7 COMMISSIONER O'CONNOR: Here.

8 CHAIRMAN HOLTZMAN: Thank you.

9 Okay. We have a number of -- should we
10 do our resolutions first real quick?

11 Yeah, let's do that. Okay. We have a
12 number of resolutions here. There was some feedback
13 from some of the Commissioners, which Mr. Galvin's
14 office tidied up.

15 The first one on the list is 1000
16 Jefferson.

17 Any additional comments or questions
18 from the Board?

19 We could do these as a consent, but
20 there is probably different people voting, so I
21 think we should do them one by one.

22 MS. CARCONE: Yes.

23 MR. GALVIN: It will go pretty fast.

24 CHAIRMAN HOLTZMAN: Yup.

25 1000 Jefferson, any questions or

1 comments?

2 None.

3 If there isn't, is there a motion to
4 accept the resolution?

5 MS. CARCONE: Voting are Commissioners
6 Forbes, Doyle, O'Connor and Holtzman.

7 COMMISSIONER DOYLE: Motion.

8 COMMISSIONER FORBES: Second.

9 CHAIRMAN HOLTZMAN: Pat, call the roll.

10 MS. CARCONE: Okay. Commissioner
11 Forbes?

12 COMMISSIONER FORBES: Yes.

13 MS. CARCONE: Commissioner Doyle?

14 COMMISSIONER DOYLE: Yes.

15 MS. CARCONE: Commissioner O'Connor?

16 COMMISSIONER O'CONNOR: Yes.

17 MS. CARCONE: Commissioner Holtzman?

18 CHAIRMAN HOLTZMAN: Yes.

19 Thank you.

20 Okay. The second item is 86, 88, 90
21 Jefferson.

22 Any additional questions or comments
23 here?

24 If there is not, is there a motion to
25 accept this?

1 Voting we have, Pat?

2 MS. CARCONE: Commissioner Forbes,
3 Commissioner Doyle, Commissioner Peene and
4 Commissioner Holtzman.

5 COMMISSIONER FORBES: Motion.

6 COMMISSIONER DOYLE: Second.

7 CHAIRMAN HOLTZMAN: Great.

8 Pat?

9 MS. CARCONE: Commissioner Forbes?

10 COMMISSIONER FORBES: Yes.

11 MS. CARCONE: Commissioner Doyle?

12 COMMISSIONER DOYLE: Yes.

13 MS. CARCONE: Commissioner Peene?

14 COMMISSIONER PEENE: Yes.

15 MS. CARCONE: Commissioner Holtzman?

16 CHAIRMAN HOLTZMAN: Yes.

17 Thank you.

18 Then the third one we have is 118-120
19 Madison.

20 I did have a quick question here that
21 was point 11 about the LSRP.

22 It says: The applicant is to remediate
23 the property as described by the applicant's
24 licensed site remediation professional.

25 MR. GALVIN: I think we fixed that.

1 CHAIRMAN HOLTZMAN: Did we fix that
2 part, because we should have a whole lot more
3 information about that.

4 MS. CARCONE: Which number is that?

5 CHAIRMAN HOLTZMAN: That is point 11 on
6 Page 6.

7 MR. GALVIN: What is the street
8 address?

9 CHAIRMAN HOLTZMAN: 118-120 Madison.

10 MS. CARCONE: I have it on Page 7.

11 CHAIRMAN HOLTZMAN: Maybe it carried
12 down. Okay. 11?

13 MR. GALVIN: Okay. It says exactly
14 what you say it says.

15 COMMISSIONER DOYLE: Well, is there
16 something that we can attach to the --

17 CHAIRMAN HOLTZMAN: I thought we had
18 details as to what --

19 MR. GALVIN: Well, the following number
20 12, I have: The deed notice as required by the DEP
21 for contaminated properties must be filed prior to
22 the issuance of the temporary permits, CO. The
23 Board wants the purchasers to be on notice prior to
24 owning their unit.

25 I didn't --

1 MR. ROBERTS: But the conditions that I
2 gave you that were proposed by Andy's LSRP, you were
3 going to attach it to the resolution, if I remember
4 correctly, as opposed to typing it in.

5 MR. GALVIN: Maybe that is how it got
6 lost.

7 MR. ROBERTS: So that would just have
8 to be appended to the resolution.

9 MR. GALVIN: Can you resend it to me?
10 Is that possible?

11 MR. ROBERTS: Sure. I don't have it
12 with me now, but --

13 MR. GALVIN: So we're going to change
14 it --

15 CHAIRMAN HOLTZMAN: I just don't want
16 to have somebody who is following up having to dig
17 through testimony, and it should be in the
18 resolution.

19 MR. GALVIN: As more particularly
20 explained in the attached Exhibit A.

21 CHAIRMAN HOLTZMAN: Okay. Great. I am
22 happy with that then.

23 Is there a motion to accept that with
24 the addition of the memo, the LSRP memo, being
25 attached?

1 MS. CARCONE: Voting are Commissioner
2 Forbes, Commissioner Doyle, Commissioner Peene and
3 Commissioner Holtzman.

4 COMMISSIONER PEENE: So moved.

5 COMMISSIONER DOYLE: Second.

6 CHAIRMAN HOLTZMAN: Pat?

7 MS. CARCONE: Commissioner Forbes?

8 COMMISSIONER FORBES: Yes.

9 MS. CARCONE: Commissioner Doyle?

10 COMMISSIONER DOYLE: Yes.

11 MS. CARCONE: Commissioner Peene?

12 COMMISSIONER PEENE: Yes.

13 MS. CARCONE: Commissioner Holtzman?

14 CHAIRMAN HOLTZMAN: Yes.

15 Thank you.

16 713-715 Monroe, any questions or
17 comments there, Commissioners?

18 None.

19 Is there a motion to accept it?

20 MS. CARCONE: Voting are Commissioner
21 Forbes, Commissioner Doyle, Commissioner Jacobson,
22 Commissioner O'Connor and Commissioner Holtzman.

23 COMMISSIONER FORBES: Motion.

24 CHAIRMAN HOLTZMAN: Anyone for a
25 second?

1 COMMISSIONER O'CONNOR: Second.

2 MS. CARCONE: Commissioner Forbes?

3 COMMISSIONER FORBES: Yes.

4 MS. CARCONE: Commissioner Doyle?

5 COMMISSIONER DOYLE: Yes.

6 MS. CARCONE: Commissioner -- oh, I'm
7 sorry, Commissioner Peene, too. You are voting.

8 COMMISSIONER PEENE: Yes.

9 MS. CARCONE: Commissioner O'Connor?

10 COMMISSIONER O'CONNOR: Yes.

11 MS. CARCONE: Commissioner Jacobson?

12 COMMISSIONER JACOBSON: Yes.

13 MS. CARCONE: Commissioner Holtzman?

14 CHAIRMAN HOLTZMAN: Yes.

15 Great. Thank you.

16 Then the next item on our agenda is our
17 review of the amendments to the Northwest
18 Redevelopment Plan.

19 Director Forbes, can you give us an
20 introduction on this?

21 COMMISSIONER FORBES: Yes. I will be
22 as brief as I can.

23 This is the City Council Subcommittee
24 and the Mayor has negotiated a Redevelopment
25 Agreement. The City Council approved that

1 Redevelopment Agreement. This is in the Northwest
2 Redevelopment Area. It was to consolidate a few
3 different sites into one proposed project.

4 If we had gone through with what the
5 Redevelopment Plan had, there wouldn't be some of
6 the amenities that would be coming back to that, so
7 we are looking to amend this, so that the
8 development is happening on one of the sites, and
9 the remainder of the sites are going to be provided
10 to and conveyed to the city as open space, a public
11 gymnasium.

12 We will have stormwater detention, and
13 as well, we added that there would be ten percent
14 affordable housing and have this really mirror the
15 city's affordable housing ordinance because this
16 isn't per se increasing the density, which would
17 trigger it complying, but we wanted to negotiate it
18 so that it would basically comply with the
19 affordable housing ordinances.

20 So that's what the project is. It is
21 424 residential dwelling units. 42 of those will be
22 affordable. We will have more than two acres of
23 parks and open space, including a public playground,
24 a 6800 square foot gymnasium and plaza area, really
25 opening up behind the Monroe Center.

1 It accommodated for parking for the
2 Monroe Center. In the development, there is also
3 temporary parking being provided adjacent to the
4 Monroe Center, so that that is not going to be
5 missing during the construction. A lot of things
6 that were considered.

7 This is basically the site that was
8 originally a five -- the Monroe Center was five
9 different phases. Through bankruptcy, it got kind
10 of parsed out to different ownership. This includes
11 the parking lot that's behind the Monroe Center,
12 which is Phase 4.

13 The site that's immediately south of
14 the Monroe Center, which is Phase 5.

15 Phase 3, which is the fenced-in parking
16 lot that is right against the light rail tracks and
17 the access road behind that, and as well as the site
18 that is just south of the Monroe Center area across
19 the street from 7th Street, which is a full 45,000
20 square foot site, so that is really the basis of
21 what this project entails.

22 And what it is doing again is taking
23 basically the density that would be allowed,
24 actually a little bit less than what would be
25 allowed, and putting it all into one building. It

1 is not taking up any more footprint or height than
2 what is allowed in the Redevelopment Plan. It's
3 just making sure that the development all happens in
4 that Phase 3, that portions closer to the light rail
5 and the rest of it will be conveyed to the city.

6 CHAIRMAN HOLTZMAN: And how large is
7 the stormwater detention system, do you remember?

8 COMMISSIONER FORBES: We're looking at
9 about 250,000 gallons of stormwater detention. It's
10 going to make a significant difference.

11 CHAIRMAN HOLTZMAN: Okay.

12 COMMISSIONER DOYLE: And there is
13 environmental remediation as well?

14 COMMISSIONER FORBES: Yes, correct,
15 right.

16 And that is something that has been
17 negotiated very significantly in the Redevelopment
18 Agreement itself. I know it's not for us to
19 consider tonight. Tonight what we were considering
20 is the proposed amendment to the Redevelopment Plan
21 that basically reflects what this Redevelopment
22 project in the Redevelopment Agreement have.

23 CHAIRMAN HOLTZMAN: Great.

24 Thank you very much.

25 Mr. Roberts, you prepared a review

1 letter for us?

2 MR. ROBERTS: Yes.

3 CHAIRMAN HOLTZMAN: Can you give us an
4 overview?

5 MR. ROBERTS: Brandy kind of gave you a
6 great synopsis of the general objective.

7 It is very complex in terms of how it
8 all happens. There is a transfer of bonuses from
9 one area to the other, basically to keep the project
10 basically the same size, but shift it all to that
11 one place to create a park, so...

12 CHAIRMAN HOLTZMAN: Whereas if it was
13 separate buildings --

14 MR. ROBERTS: Right.

15 CHAIRMAN HOLTZMAN: -- what we would
16 end up with is more of what we call pocket parks or
17 small open spaces as opposed to concentrating the
18 development in one area allows there to be the
19 trade-off --

20 MR. ROBERTS: Right. It almost
21 creates --

22 CHAIRMAN HOLTZMAN: -- of the
23 significantly sized open space.

24 MR. ROBERTS: -- right.

25 And you could really see in the

1 rendering that was in the press release, which I
2 just kind of clipped and put underneath the exact
3 same in my report, the exact same site as it exists
4 today. You probably will think it dramatizes the
5 effect of how much consolidated open space you can
6 put together, which then creates the flood storage
7 potential.

8 The only other thing I wanted to add to
9 that, I noticed was a couple of things this Board
10 has run into over the past couple years, which was,
11 for example, making it clear that I believe it
12 designated a redeveloper in order to submit the
13 Planning Board application. That is in there.

14 The affordable housing, which has been
15 applicable to all redevelopment projects is now
16 clearly spelled out. In the new plan the one thing
17 that was added as a result of I think the
18 introduction was a provision of preference for
19 Hoboken residents, and I think that is the only
20 difference is the --

21 COMMISSIONER FORBES: Yes. That was
22 the revision that the City Council added at the
23 Council meeting.

24 MR. ROBERTS: Right.

25 At the last Council meeting when it was

1 introduced, and that was for the affordable housing.
2 The affordable housing parameters are pretty
3 detailed. They follow, I believe I mentioned in my
4 memo, they pretty carefully follow what the
5 standards are that the State uses as far as bedroom
6 mix and all kinds of other things.

7 So I mean really what it comes down to
8 is the advantages of the open space, the flood
9 storage, the active recreation in the western part
10 of Hoboken are all things that both the master plan
11 and the reexamination report have been talking about
12 trying to achieve as an objective, so I thought it
13 was, you know, right in line with everything that
14 the city has been trying to do.

15 CHAIRMAN HOLTZMAN: So certainly not
16 inconsistent.

17 MR. ROBERTS: That is for sure.

18 CHAIRMAN HOLTZMAN: Director, could you
19 also talk a little bit about, there is a phasing
20 aspect to this as well in terms of --

21 COMMISSIONER FORBES: Yes, and that is
22 part of the redevelopment agreement, not per se the
23 plan, but it's just that added step.

24 The developer will be required to start
25 the construction of the park, that portion south of

1 7th Street and the gymnasium, before they start any
2 other construction as well, and that has to be
3 completed before they can get a certificate of
4 occupancy for the final residential building.

5 CHAIRMAN HOLTZMAN: So some security
6 that our community will get the offered goodies on
7 the table upfront.

8 COMMISSIONER FORBES: Yes. The
9 amenities will come first, yes.

10 CHAIRMAN HOLTZMAN: Great. Thank you
11 very much.

12 Commissioners, any questions for Dave
13 or Director Forbes?

14 COMMISSIONER PEENE: Just a question
15 for Mr. Roberts.

16 Did the recent ruling in Ocean County
17 Superior Court have any effect on the redeveloper's
18 agreement made with the affordable housing units?

19 CHAIRMAN HOLTZMAN: So what is -- walk
20 us back for those of us that haven't been reading
21 the legal journals.

22 MR. GALVIN: The answer is no.

23 MR. ROBERTS: Right. I --

24 CHAIRMAN HOLTZMAN: Walk us back and
25 introduce us to what we are talking about.

1 MR. ROBERTS: Right.

2 MR. GALVIN: Well, if you are going to
3 ask about -- there is a major issue in the whole
4 state about COA and affordable housing.

5 It really does not affect Hoboken
6 because we are an Urban A District, so we are exempt
7 from it. I do think we have to be mindful to keep
8 up our -- continue to meet our responsibility. I
9 think there has been a drain on our affordable
10 housing, like when you hit the 30 or 40-year mark,
11 you no longer have to be affordable while some of
12 that housing, and I think the Council is wisely
13 trying to keep up with that by doing what they are
14 doing.

15 So, no, the ruling in Ocean County has
16 no effect here, and the judge was looking for more
17 than the Supreme Court had required, and the
18 Appellate Division said that in the last week or
19 two.

20 COMMISSIONER PEENE: Thank you very
21 much, Counsel.

22 CHAIRMAN HOLTZMAN: Thanks, Mr. Peene.
23 Any other questions, Commissioners?

24 COMMISSIONER DOYLE: Can I just ask
25 Director Forbes: I believe that in the 2010 master

1 plan reexam, this property, the Pino property may
2 have been identified as a potential park.

3 COMMISSIONER FORBES: Yes. Actually I
4 believe it had been identified in the open space
5 plan that we adopted as part of that Reexamination
6 Report in 2010, so this is exactly in line with what
7 our goal was certainly in 2010 for creating that
8 open space.

9 COMMISSIONER DOYLE: And just to be
10 clear, not that you weren't, but the properties
11 would be deeded over to the city --

12 COMMISSIONER FORBES: Yes.

13 COMMISSIONER DOYLE: -- so they will be
14 city parks, not, you know, like a park that will be,
15 you know, a developer's land, which -- and
16 furthermore, this is probably not terribly relevant,
17 but we are going to use this for diversion of some
18 property over at the Boys and Girls Club, which
19 would mean that the property -- even if a future
20 administration decides they want to -- if they were
21 to try to change this park into residential condos,
22 it would not be possible, so it would be an added
23 protection --

24 CHAIRMAN HOLTZMAN: So is there a deed
25 restriction or something like that?

1 COMMISSIONER DOYLE: It is more --

2 MR. ROBERTS: You don't want to have to
3 go through a State House diversion, so this would
4 become part of your park system --

5 COMMISSIONER FORBES: It will
6 eventually be restricted through that Green Acres
7 process when that is completed.

8 CHAIRMAN HOLTZMAN: Great. Good to
9 know.

10 And is there any type of a time frame
11 that the developer that you are speaking with is
12 offering for this project?

13 COMMISSIONER FORBES: I know that they
14 are ready to go. They want to start the
15 environmental remediation right away.

16 As soon as they, you know, this plan
17 amendment is adopted, and they have the ability to
18 move forward, they will be doing that remediation
19 and start the construction of that park space.

20 Of course, they have to come to the
21 Planning Board because there is a building involved
22 and some features involved, so they will be coming
23 in for site plan approval of that park space and as
24 they move -- so I am going to start with that part
25 of the phasing first.

1 So as soon as they have the appropriate
2 Planning Board approvals and any DEP approvals for,
3 you know, flooding and other purposes, then they
4 will go ahead and start construction from that
5 point. It will be approximately 18 to 24 months for
6 them to complete the park and the gymnasium and have
7 those up and running.

8 They will, you know, probably have a
9 little bit of an overlap while they are doing
10 construction. They will be moving into coming back
11 to the Planning Board with their application for the
12 private building, so we will be seeing that as well.

13 Before that comes to the Board, one of
14 the requirements that we have in the Redevelopment
15 Agreement is that they have to come to my office and
16 have me do that review to make sure that whatever
17 they are submitting complies with what the
18 redevelopment agreement is.

19 So by the time it comes to you, it is
20 not something that you have to be as concerned
21 about. I will have a report already.

22 CHAIRMAN HOLTZMAN: Great.

23 For anybody who doesn't remember, the
24 site used to be a really quite nasty junkyard, where
25 there is going to be a park, so it is really quite a

1 turn-around. You know, it is great.

2 COMMISSIONER FORBES: Yes.

3 CHAIRMAN HOLTZMAN: And you feel there
4 is ample controls in place that the public amenities
5 will certainly be front loaded?

6 COMMISSIONER FORBES: Absolutely, yes.

7 We have those controls in place. We
8 also have controls in place on the environmental
9 remediation since these will be eventually deeded
10 over to the city. There will be some ongoing
11 groundwater testing that has to happen over time.
12 With that, we actually have an insurance requirement
13 for environmental, so that there is the protection
14 of the city as well as, you know, what those costs
15 for the testing is --

16 CHAIRMAN HOLTZMAN: And the same way
17 that here at the Planning Board we make a very
18 concerted effort to make sure that the neighborhood
19 is involved and noticed properly way ahead of time
20 before activity starts on some of these previously
21 environmental problematic sites, is there such a
22 thing that the administration is proposing?

23 COMMISSIONER FORBES: They will have to
24 come and get the site plan approval in order to do
25 the construction of that park. They may have, you

1 know --

2 CHAIRMAN HOLTZMAN: So we can make that
3 a condition?

4 COMMISSIONER FORBES: -- they may be
5 doing the demolition. They may start their
6 environmental remediation.

7 I believe that they have requirements
8 for hosting on the site for notification when they
9 are doing environmental remediation that's compliant
10 with the State of New Jersey, so they will have
11 that. And as they are then going to do the
12 construction and have to come through the site plan
13 process, they will have the 200 foot notice
14 requirement.

15 CHAIRMAN HOLTZMAN: Well, I recently
16 sent to Mr. Roberts and Mr. Hipolit some postings on
17 construction sites that I had seen in New York City
18 that are really sort of -- it starts out -- it's
19 good, like what is happening here.

20 And, you know, that way it also gives
21 people a little bit of background information as
22 well as the appropriate contact phone numbers in
23 case something seems out of whack or something seems
24 wrong.

25 I would just offer as a suggestion, as

1 advice that we can attach when we send this back to
2 the Council, that there needs to be clear-cut notice
3 to the neighborhood, so that people are not caught
4 by surprise.

5 COMMISSIONER FORBES: Well, I will
6 definitely reach out to the developer and see if
7 they would be interested -- I know that we have done
8 that on some of the sites that we as a city have
9 been developing as park sites, that perhaps we can
10 do something similar at this location, so people
11 understand what it is that it is being developed at
12 the site.

13 CHAIRMAN HOLTZMAN: My suggestion would
14 be that that is not the best methodology, where as
15 we have run into trouble when we have had developers
16 try to notice the neighborhood, which in one case
17 amounted to somebody running around at 3:30 in the
18 afternoon before the next day construction was going
19 to start tacking things up on telephone poles.

20 I think it should be somehow
21 coordinated through the Mayor's Office, the
22 Communication Director, so that it is done in a
23 proper, a little bit more formal method, where the
24 constituents have the Mayor's Office to go through
25 as opposed to calling a developer, who isn't set up

1 to communicate with the public

2 COMMISSIONER FORBES: We will
3 coordinate what that should be.

4 CHAIRMAN HOLTZMAN: Right. That would
5 be great.

6 Thank you.

7 We have a number of members in the
8 public. Is there anybody who wishes to speak?

9 Sure. Come on up.

10 MR. KRATZ: Mr. Chairman, Allen Kratz,
11 A-l-l-e-n, K-r-a-t-z, 1245 Bloomfield Street.

12 CHAIRMAN HOLTZMAN: Thank you.

13 MR. KRATZ: So following up on your
14 question, Mr. Chairman, is the 250,000 gallon
15 rainwater detention facility one of the amenities
16 that will be completed before a CO is offered for
17 the remainder?

18 Is that part of the advance
19 components --

20 COMMISSIONER FORBES: Actually, yes.
21 That is something both on the site that will have
22 the park and the gymnasium, it will be completed
23 first, but as well they have to do environmental
24 remediation for the remainder of the site, so they
25 are going to have to coordinate that as they do

1 that, rather than do environmental remediation, and
2 then have to dig that back up. They will be
3 incorporating that stormwater detention as part of
4 that larger project, so that they are not then
5 having to do a whole other remediation of disposing
6 of those soils, so that will be built out before
7 they are building up the structures and things like
8 that.

9 MR. KRATZ: Thank you very much.

10 CHAIRMAN HOLTZMAN: Thank you, Mr.
11 Kratz.

12 Any other members of the public that
13 wish to speak?

14 Questions, comments, opinions?

15 Going once, twice?

16 Okay. We'll close the public portion.

17 Any final comments or thoughts,
18 Commissioners?

19 COMMISSIONER DOYLE: I was going to
20 layer on to the concerns you were raising about the
21 public notice, and I am certainly in support of what
22 you are describing.

23 We did have two public meetings at the
24 Jubilee Center, and the surrounding neighborhood was
25 where the predominant participants were. There were

1 50 to 75 people. They were very well attended. We
2 actually changed the project as a result, between
3 the first and the second meeting.

4 But my point being that the
5 neighborhood is very tuned in. They have like a
6 web, you know, a group that they created, whatever
7 it is called, so we might be able to reach out to
8 them and have them get the word out.

9 CHAIRMAN HOLTZMAN: Yes.

10 The concern is that, you know, we
11 encounter this frequently where, you know, once the
12 shovels go into the ground, there probably is going
13 to be some off-gasing, some smells that everybody is
14 not used to, and people have, you know, a concern,
15 and we should try to deal with the concern before
16 the shovels go in the ground, so they know what to
17 anticipate. That is really where I am going with
18 that.

19 Thank you.

20 COMMISSIONER DOYLE: Okay.

21 CHAIRMAN HOLTZMAN: Anything else,
22 Commissioners?

23 Dennis, is there anything you put
24 together for us this evening?

25 MR. GALVIN: Yes.

1 Your recommendation would be that a
2 provision should be added to the ordinance to assure
3 that the public is to be notified --

4 COMMISSIONER FORBES: Yes. Not to be
5 added to the ordinance.

6 CHAIRMAN HOLTZMAN: Not to be added to
7 the ordinance. It is a recommendation.

8 COMMISSIONER FORBES: Yes.

9 CHAIRMAN HOLTZMAN: It's a
10 recommendation back to the City Council.

11 MR. GALVIN: Okay.

12 COMMISSIONER DOYLE: Well, I mean, I
13 guess you could recommend that, but, you know --

14 CHAIRMAN HOLTZMAN: It is formally a
15 recommendation as opposed to -- we are not looking
16 for a language change.

17 COMMISSIONER FORBES: Right. It's a
18 recommendation that notice is given to the
19 neighbors.

20 MR. GALVIN: I got it.

21 Do you want to try it?

22 That the public -- I took out what I
23 just said. Start over. Scratch it out.

24 COMMISSIONER FORBES: Okay.

25 MR. GALVIN: One: That the public --

1 yeah, strike that.

2 One: That the public is to be notified
3 at least one week prior to the inception of the --
4 that the public be notified at least --

5 CHAIRMAN HOLTZMAN: In coordination
6 with the Mayor's Office or from the Mayor's Office.

7 MR. GALVIN: -- I had that somewhere.
8 I was going to get there.

9 CHAIRMAN HOLTZMAN: Sorry about that.

10 MR. GALVIN: No, that's okay.

11 (Laughter)

12 CHAIRMAN HOLTZMAN: I will let you do
13 your work.

14 MR. GALVIN: Good, and then we can fix
15 it.

16 That the public be notified at least
17 one week prior to the inception -- one week prior to
18 the inception of the initial construction activity.
19 Moreover, the Board suggested the notice be
20 conducted through the Mayor's Office.

21 COMMISSIONER FORBES: Coordinated
22 through.

23 CHAIRMAN HOLTZMAN: "Coordinated" is a
24 better word.

25 COMMISSIONER DOYLE: Could you say

1 initiation of the construction?

2 MR. GALVIN: Well, I don't want it to
3 be viewed that we're saying every time they go out
4 with a truck, we should be telling everybody they're
5 coming out there. That's what I was thinking. It's
6 like the first time they get there and they're
7 starting --

8 CHAIRMAN HOLTZMAN: Just the initial
9 time.

10 MR. GALVIN: Yes.

11 CHAIRMAN HOLTZMAN: Commissioners, does
12 that sound acceptable to everybody?

13 COMMISSIONER PEENE: Yes.

14 COMMISSIONER FORBES: Yes.

15 CHAIRMAN HOLTZMAN: Okay. All right.

16 There are no other conditions or
17 recommendations?

18 Any there any other additional
19 recommendations?

20 COMMISSIONER JACOBSON: Just one thing
21 from an execution standpoint, the provision of
22 completing the park construction, the open space
23 construction, before beginning construction on the
24 building to be inhabited, is something like driving
25 piles an acceptable form of construction while the

1 parks are being constructed --

2 COMMISSIONER FORBES: Yes, yes.

3 COMMISSIONER JACOBSON: -- I could
4 imagine a scenario, where everybody is out there
5 celebrating the opening of this park, and then all
6 of a sudden you have got, you know, steam jacks
7 going for two months.

8 COMMISSIONER FORBES: Here is the
9 timing. They have to get their approvals for the,
10 I'm going to call it the Jackson property, because
11 that's what we're calling the park that's south of
12 7th Street.

13 They have to come in and get their
14 approvals from the Board before they can go and
15 apply for any approvals for any other portion of it.

16 Then they have to -- they can start the
17 construction and start moving. They have to do that
18 on that particular site before they can start
19 construction on any of the other sites.

20 While they are constructing that, they
21 can definitely come in and go for all of their
22 approvals on the other sites. However, they will
23 not get a certificate of occupancy for that final
24 building until the certificate of occupancy is
25 completed for the Jackson property.

1 That being said, the plaza in Phase 5
2 areas will be done after -- finished after because
3 of the construction staging, so that's not taking up
4 the space on the streets, but rather is on the
5 property. Those will be completed after there is
6 occupancy of the building.

7 However, there will not be a
8 certificate of completion, which would allow them to
9 eventually sell the building or refinance, do things
10 like that, until they have finalized Phases 4 and 5
11 and turned those over to the city.

12 COMMISSIONER DOYLE: So it is possible
13 that the park will not be ribbon-cutting complete
14 before they start doing some other things?

15 COMMISSIONER FORBES: Correct.

16 COMMISSIONER DOYLE: So the town's
17 concern --

18 COMMISSIONER FORBES: Correct.

19 COMMISSIONER DOYLE: -- they have to
20 initiate it, and they can't get a C of O for the
21 other, but it won't be one and then the other, it
22 will be concurrent at some point.

23 COMMISSIONER FORBES: Right.

24 CHAIRMAN HOLTZMAN: Okay. Good?

25 Are you satisfied, Mr. Jacobson?

1 COMMISSIONER JACOBSON: Absolutely.

2 CHAIRMAN HOLTZMAN: Thank you.

3 Is there a motion to approve the --

4 MR. ROBERTS: Recommended --

5 CHAIRMAN HOLTZMAN: -- approve our

6 recommendation back to the --

7 MR. ROBERTS: -- in favor for adoption.

8 MR. GALVIN: Well, we find it

9 consistent with the master plan and the single

10 recommendation we have, that there be some

11 coordinated notice to the neighboring public.

12 COMMISSIONER DOYLE: Right. I would

13 make the motion.

14 CHAIRMAN HOLTZMAN: Jim makes the

15 motion.

16 COMMISSIONER PEENE: Second.

17 CHAIRMAN HOLTZMAN: Mr. Peene seconds.

18 MS. CARCONE: Okay.

19 Commissioner Forbes?

20 COMMISSIONER FORBES: Yes.

21 MS. CARCONE: Commissioner Doyle?

22 COMMISSIONER DOYLE: Yes.

23 MS. CARCONE: Commissioner Peene?

24 COMMISSIONER PEENE: Yes.

25 MS. CARCONE: Commissioner Jacobson?

1 COMMISSIONER JACOBSON: Yes.

2 MS. CARCONE: Commissioner O'Connor?

3 COMMISSIONER O'CONNOR: Yes.

4 MS. CARCONE: And Commissioner

5 Holtzman?

6 CHAIRMAN HOLTZMAN: Yes.

7 Great. Thank you very much.

8 COMMISSIONER PEENE: Thank you,

9 Councilman Doyle, and Commissioner Forbes, for your
10 work.

11 MR. GALVIN: Well done.

12 CHAIRMAN HOLTZMAN: Thank you very
13 much.

14 CHAIRMAN HOLTZMAN: Is there a --

15 MR. GALVIN: Well, now your name has
16 been mentioned in public. Sorry. I had nothing to
17 do with it.

18 (Laughter)

19 CHAIRMAN HOLTZMAN: Is there a motion
20 to adjourn our meeting?

21 COMMISSIONER PEENE: So moved.

22 CHAIRMAN HOLTZMAN: Second?

23 COMMISSIONER JACOBSON: Second.

24 CHAIRMAN HOLTZMAN: Yes.

25 All in favor?

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

3 (The meeting concluded at 8:15 p.m.)

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C E R T I F I C A T E

I, PHYLLIS T. LEWIS, a Certified Court Reporter, Certified Realtime Court Reporter, and Notary Public of the State of New Jersey, do hereby certify that the foregoing is a true and accurate transcript of the testimony as taken stenographically by and before me at the time, place and date hereinbefore set forth.

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

s/Phyllis T. Lewis, CCR, CRCR

 PHYLLIS T. LEWIS, C.C.R. XI01333 C.R.C.R. 30XR15300
 Notary Public of the State of New Jersey
 My commission expires 11/5/2020.
 Dated: 7/18/16
 This transcript was prepared in accordance with
 NJAC 13:43-5.9.