

CITY OF JERSEY CITY  
PLANNING BOARD

In the Matter of: :  
: Transcript  
CASE P20-040, P20-041 :  
: of  
HP ROOSEVELT URBAN RENEWAL :  
180 10th Street : Proceedings  
201 Erie Street :  
Block 8802, Lot 6 :  
Block 8603, Lot 3 :  
-----x

Tuesday, August 11, 2020  
Zoom Remote Conference  
Commencing at 8:10 p.m.

BOARD MEMBERS PRESENT:  
CHRISTOPHER LANGSTON, Chairman  
DR. ORLANDO V. GONZALEZ, Vice Chairman  
JOYCE WATTERMAN, Council President  
GEOFFREY ALLEN, Commissioner  
HARKEESH THAKUR, Commissioner  
DAVID CRUZ, Commissioner  
PETER HORTON, Commissioner

A P P E A R A N C E S:  
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Attorney for the Board

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Attorneys for the Applicant

MICHAEL LOMBARDOZZI,  
Certified Shorthand Reporter

PRECISION REPORTING SERVICE  
CERTIFIED SHORTHAND REPORTERS  
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1 ALSO PRESENT:  
2 TANYA MARIONE, A.I.C.P., P.P.  
Director of Planning  
3 City Planning Division  
4 MATT WARD, A.I.C.P., P.P.  
Principal Planner  
5 City Planning Division  
6 CAMERON BLACK, A.I.C.P.  
Senior Planner  
7 City Planning Division  
8 ERICA BAPTISTE  
Senior Planner  
9 City Planning Division  
10 MALLORY CLARK  
Senior Planner  
11 City Planning Division  
12 TIMOTHY KREHEL, PP, A.I.C.P.  
Senior Planner  
13 City Planning Division

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1 CHAIRMAN LANGSTON: Okay, guys. Let's  
2 move on to case P20-040. It's a preliminary and  
3 final major site plan amendment for 180 10th Street.  
4 MR. KREHEL: It's actually going to  
5 also be the next one after that, because they go in  
6 tandem with each other.  
7 CHAIRMAN LANGSTON: Okay. So we'll  
8 also call case P20-041. It's a preliminary and  
9 final major site plan for 201 Erie Street.  
10 MR. REGAN: Good evening, Mr. Chairman.  
11 CHAIRMAN LANGSTON: Mr. Reagan. How  
12 are you?  
13 MR. REGAN: I'm well, thank you.  
14 Good evening, board. I'm counsel for  
15 the applicant for both of the applications. As  
16 Mr. Krehel pointed out, we're going to address both  
17 of them at the same time, because one is dependent  
18 upon the other, with regards to the board's action.  
19 The properties in connection are 201 Erie Street and  
20 180 10th Street; they are the Lincoln and the  
21 Roosevelt Apartment buildings, and the associated  
22 parking.  
23 With respect to publication, we did  
24 publish in the Jersey Journal, and provided notice  
25 to the property owners within 200 feet. And both of

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1 these applications were carried with preservation of  
 2 notice from the last board meeting.

3 But in addition to that, we did  
 4 re-notice for P20-041, for 201 Erie Street, to  
 5 clarify some of the variances that were being  
 6 requested. So we submitted -- I believe Mr. Krehel  
 7 and Mr. Alampi have copies of the affidavits of  
 8 service for each of those.

9 MR. ALAMPI: We do, Mr. Reagan. And I  
 10 do note that notice was made twice with respect to  
 11 the 201 Erie Street property, and the notice was  
 12 slightly modified based on some, I guess, discovery  
 13 in the application.

14 So with that, Mr. Chairman, we have the  
 15 affidavits of publication, proof of service, and  
 16 we're going to mark those as A-1 for the record.

17 (Whereupon, Exhibit A-1 is marked for  
 18 identification.)

19 CHAIRMAN LANGSTON: Thank you, Counsel.

20 MR. REGAN: I have three witnesses this  
 21 evening with regards to the application. Just a  
 22 quick little background, as I indicated, we're going  
 23 to present the application for the Lincoln first,  
 24 which involves the construction of a two-level  
 25 parking structure on the surface parking lot located

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1 the Roosevelt back in 2002, and the Lincoln back in  
 2 1994. They're residential apartment buildings that  
 3 have existed for a number of years.

4 So without further ado, I'd like to  
 5 bring up our first witness, who's William Kavanagh,  
 6 an architect with the Harman Group, who's involved  
 7 in the design of the parking structure. Hopefully  
 8 he's out there.

9 And I would ask, our site engineer also  
 10 has, also, I guess, plans which would include the  
 11 parking structure. And that's Adolf Montana from  
 12 PS&S.

13 W I L L I A M K A V A N A G H, having  
 14 been duly sworn, testified as follows:

15 MR. KAVANAGH: First name William,  
 16 W-I-L-L-I-A-M, last name Kavanagh, K-A-V-A-N-A-G-H.

17 DIRECT EXAMINATION

18 BY MR. REGAN:

19 Q. Mr. Kavanagh, I know you haven't  
 20 previously testified before the planning board, so  
 21 if you could give them a quick rundown of your  
 22 professional and educational background, and who  
 23 you're employed by.

24 A. Sure. My position is I'm the director  
 25 of parking design with the Harman Group. We have

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1 behind the Lincoln. And the intention there is to  
 2 increase the amount of parking, and one of the major  
 3 goals is to be able to relocate the parking for the  
 4 Roosevelt, the majority of which was -- is provided  
 5 in the Newport Mall, and the property owner would  
 6 like to bring it closer to the Roosevelt. So that's  
 7 why we're proceeding with the board's consideration  
 8 of the parking structure first, because assuming you  
 9 have positive beyond that, then we'd be asking you  
 10 to approved an amendment to the Roosevelt site plan  
 11 approval to allow 58 parking spaces to be relocated  
 12 to that deck.

13 Both of these properties are located --  
 14 or are subject to the Jersey Avenue/10th  
 15 Redevelopment Plan. As I indicated, the applicant  
 16 is proposing the construction of a two-level parking  
 17 structure on the Erie Street property, which is  
 18 currently a surface parking lot with 94 parking  
 19 spaces that serves the Lincoln. The two levels of  
 20 parking, as proposed, would create a total of 156  
 21 spaces.

22 If constructed, as I indicated with the  
 23 Roosevelt, we're seeking to relocate 58 of the  
 24 parking spaces of the mall to that parking deck.

25 Both of these projects were approved,

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1 offices in Philadelphia and New York. I am a  
 2 licensed architect in New Jersey since 1996; my  
 3 license is current.

4 CHAIRMAN LANGSTON: Perfect. That's  
 5 great. You're qualified, Mr. Kavanagh.

6 MR. KAVANAGH: Okay.

7 CHAIRMAN LANGSTON: Thank you.

8 MR. REGAN: And can I just -- Adolf, if  
 9 you're there, can you bring up the plans?

10 MR. MONTANA: I'm here.

11 MR. REGAN: Would you be able to share  
 12 the screen?

13 MR. MONTANA: Sure, let me try.

14 MR. REGAN: There we go.

15 MR. KAVANAGH: Adolf, could you put up  
 16 slides 7 to 15 to start with? That might help  
 17 describe the context.

18 BY MR. REGAN:

19 Q. Mr. Kavanagh, just before you start, I  
 20 mean, you were involved with the preparation of the  
 21 plans that were submitted to the board with regards  
 22 to the parking structure?

23 A. Yes, I was.

24 Q. Okay. If you could proceed to briefly  
 25 describe the proposed parking structure.

1 A. Correct. So just to orient everyone,  
2 north is up. You can see the 11th Street viaduct  
3 is on the south side of the site. You got Manila  
4 Avenue on the east; Erie Avenue (sic) on the west.  
5 And the two properties to the north are two, I  
6 guess, gas stations/convenience stores.

7 So the site is a very narrow site.  
8 It's definitely hemmed in by the viaduct and the  
9 properties to the north. It's 70 feet wide by 400  
10 feet long. Presently, it consists of a single  
11 surface lot; it's got two-way traffic with  
12 90-degree parking stalls.

13 So we're proposing a two-level parking  
14 facility. So the challenge becomes how to access  
15 the second level on such a narrow site. So we're  
16 proposing -- Adolf, could you go to the first  
17 slide?

18 So we're basically proposing a  
19 functional design consisting of two flat bays of  
20 parking, with two rows of parking each, with two  
21 speed ramps to the north, and all of the traffic is  
22 one-way circulation. So on the ground floor, going  
23 from east to west, you can proceed all the way out  
24 to Erie, or you can make, kind of, an S turn, to  
25 access the up speed-ramp to the second level, and

1 you would basically reverse direction, and you'd  
2 proceed to the east, and that will take you to the  
3 downward speed-ramp that will go back down to the  
4 first level, and then S turn out, and then you can  
5 either go back up or exit the facility to the west.  
6 So it's a very intuitive one-way circulation path.  
7 I like one-ways, because there's really no  
8 decisions on traffic flow; it's very predictable as  
9 to where cars will be coming and going.

10 So the challenge here, like I said,  
11 it's a very narrow site, and we want to get four  
12 rows of parking, two rows of parking on each level,  
13 for efficiency. So the problem -- not a problem,  
14 the functional design is showing angled parking  
15 with one-way drive aisles; however, the dimensions  
16 of the aisle and the angle of the stalls aren't  
17 consistent with the Jersey City zoning code. So  
18 Jersey City has 60-degree parking with 20-foot  
19 aisles, which is very large for that angle.

20 We're also using a structural system,  
21 it's called the More Park System, and it's kind of  
22 a modular parking system that, kind of -- we're  
23 respecting the module that it's proposing. It's  
24 basically an 18-by-18-foot grid. So it's three  
25 18-foot modules, and the angle of the stalls are

1 about -- I think it's 76 degrees, or it might be 77  
2 degrees. The aisle width that results is very  
3 consistent with parking industry standards.

4 Just one thing I failed to mention is  
5 my focus as an architect for the last 20 years is I  
6 specialize in parking facilities. So what we call  
7 is layout of the angle of the stall relative to the  
8 width of the aisle and the ramps, we call that  
9 functional design. So when you have a tight site,  
10 it's all about utilizing the angle of the stall  
11 relative to the width of the aisle to fit within  
12 the site constraints.

13 So other than that, it's a very, very  
14 straightforward, utilitarian structure.

15 The aqueduct on the south is  
16 effectively screening the south facade of the  
17 garage, the properties to the north, with their  
18 site fences, are effectively screening the north  
19 facade, and we're left with the two street views  
20 east and west, and they represent about 15 percent  
21 of the perimeter.

22 And then you have the entrance --  
23 we'll have roll-up -- we'll have access control, to  
24 limit access to the garage to residents only. So  
25 it's a private facility for residential parking

1 only.

2 So that --

3 Q. And you've got two -- really, you have  
4 two stairs -- there's no elevators, obviously,  
5 because it's two levels, and --

6 A. Right, so this is -- we need to comply  
7 with the building code, so there'll be two exits --  
8 two exit stairs at each corner. We're providing  
9 the required accessible parking spaces. Like I  
10 said, it's not the most complicated building that  
11 has been presented this evening.

12 MR. REGAN: I have nothing further from  
13 Mr. Kavanagh.

14 CHAIRMAN LANGSTON: Okay. Thank you.

15 Mr. Kavanagh, if we could just briefly  
16 get into the materials that you're using. You said  
17 it's a modular design. That means it's prefab  
18 construction, I'm assuming?

19 MR. KAVANAGH: Correct. So it is a  
20 steel framed system, and it'll have a concrete floor  
21 for the elevated floor. It's two levels. Since  
22 we're parking on the roof, it's going to appear as a  
23 one-story building. Pretty standard materials for a  
24 parking garage.

25 CHAIRMAN LANGSTON: Okay. And is there

1 a standpipe for the fire system in the stairwell?  
 2 MR. KAVANAGH: There is not. Per  
 3 building code -- and our intention is to make this  
 4 an open parking structure, in terms of free area and  
 5 things like that. If your open parking garage is  
 6 less than 30 feet in height, a standpipe is not  
 7 required; however, if we do have to -- if we're  
 8 unable to meet the free area requirements, then it  
 9 would be an enclosed garage, and we could provide  
 10 standpipes, if so required.  
 11 CHAIRMAN LANGSTON: And if we could,  
 12 let's just talk building materials. What is the  
 13 outside made of?  
 14 MR. KAVANAGH: So the two street  
 15 facades are primarily going to consist of -- you  
 16 know, we'll have a horizontal gate, so it'll be a  
 17 mesh-type door that would slide open and closed, and  
 18 then the remaining facade would be a similar  
 19 material, a metal mesh panel of some sort.  
 20 CHAIRMAN LANGSTON: Okay.  
 21 Commissioners, anybody, any questions?  
 22 COMMISSIONER THAKUR: Chairman, I'd  
 23 just like to ask Mr. Kavanagh, about that sectional  
 24 parking, you know, if he can operate the picture, or  
 25 show us more details on it, on the sectional part on

1 the cars will park, I thought you had some sections  
 2 of it there, three-car sections. Is that what you  
 3 said?  
 4 MR. KAVANAGH: I'm sorry, you want to  
 5 see a section with the vehicles?  
 6 COMMISSIONER THAKUR: Yes, something  
 7 like that. It's a three section -- what was that?  
 8 Maybe I misunderstood the question, or misunderstood  
 9 your part. You know, like, these are prefabricated,  
 10 three sectional -- you know, like, three cars are  
 11 parked in sections.  
 12 MR. REGAN: Why don't you go back to  
 13 the prior drawing, and maybe just describe -- point  
 14 out the parking --  
 15 COMMISSIONER THAKUR: You see these  
 16 sections? Yeah. The parking sections, where the  
 17 cars are parked -- like you said, 60 degrees is  
 18 easy, this being a narrow lot.  
 19 MR. KAVANAGH: Right. So the ground  
 20 floor plan there, you can see -- this is also a  
 21 short-span system, not a long-span system. So a  
 22 long-span system is where the structural system  
 23 spans from the front of the stall all the way to the  
 24 front of the other stall, and there's no columns at  
 25 the backs of the parking stalls. We call that a

1 the parking.  
 2 MR. KAVANAGH: Correct. Okay. So the  
 3 existing surface lot has a rise to it in the middle.  
 4 So we're actually utilizing that existing slope in  
 5 the site to lessen the ramps, and minimize the  
 6 height of the garage, and minimize excavation, and  
 7 things like that. You know, you are able to park on  
 8 slopes, and so that's what the section on the top  
 9 is. This is the north elevation, so we're -- it's a  
 10 little misleading, because you'll never quite see  
 11 all of this facade in its entirety, because there's  
 12 fences at the back of the gas station properties  
 13 that would be screening the majority of this facade,  
 14 but you can see the ramp -- the two speed ramps that  
 15 allow access to the upper floor.  
 16 The two end elevations are shown in the  
 17 middle there; you can see the 11th -- 11th Street  
 18 aqueduct beside it.  
 19 And then, there's a section at the  
 20 bottom.  
 21 CHAIRMAN LANGSTON: Harkesh, are you  
 22 satisfied with that?  
 23 COMMISSIONER THAKUR: Not yet.  
 24 See, this is not -- what I was trying  
 25 to figure out, about, you know, the degree in which

1 long-span system. This is a short-span system, so  
 2 there are columns at the back of the parking stalls  
 3 on the ground floor.  
 4 On the upper floor, obviously, the  
 5 columns stop at the floor, so there's -- that's why  
 6 we have more -- there's a few more parking spaces on  
 7 the upper level, because you don't have to park  
 8 between columns on the upper level.  
 9 But in terms of -- say it's a  
 10 prefabricated or a modular system, you know, all the  
 11 column sections, and beams, and things, are a kind  
 12 of predetermined kit of parts that is replicated,  
 13 and it's highly repetitive across the site.  
 14 COMMISSIONER THAKUR: Okay. I get it.  
 15 Now, I get it. See, I thought there was, like,  
 16 three sections -- you know, every three cars was one  
 17 section.  
 18 MR. KAVANAGH: Right. So we have --  
 19 going north to south, we have three bays of 18. So  
 20 it's 18, then the drive aisle is 18, and then the --  
 21 well, the middle aisle, where the drive aisle is  
 22 contained, is 18, and then the next 18-foot bay.  
 23 And then, north of those three 18-foot bays is where  
 24 the speed ramps are provided. So what I meant by  
 25 three bays of 18 is the parking footprint, and then

1 there's speed ramps to the north for accessing the  
 2 upper level.  
 3 COMMISSIONER THAKUR: I get it. Thank  
 4 you. Thank you so very much.  
 5 MR. KAVANAGH: You're welcome.  
 6 CHAIRMAN LANGSTON: Anybody else, any  
 7 questions?  
 8 Okay. Thank you, Mr. Kavanagh.  
 9 MR. REGAN: Thank you, Bill.  
 10 We'd like to next bring up Adolf  
 11 Montana, our civil engineer.  
 12 A D O L F M O N T A N A, having been  
 13 duly sworn, testified as follows:  
 14 MR. MONTANA: Adolf, A D-O-L-F,  
 15 Montana, M-O-N-T-A-N-A.  
 16 DIRECT EXAMINATION  
 17 BY MR. REGAN:  
 18 Q. Adolf, if you could just give the  
 19 board a quick rundown of your professional and  
 20 educational background and the current status of  
 21 your license.  
 22 A. I'm a professional engineer in the  
 23 state of New Jersey. I've been doing site  
 24 development for about 20 years. I have testified  
 25 in multiple municipalities within the state.

1 another driveway here on Erie Street, like we said  
 2 before, where the applicant is proposing to  
 3 construct a two-story level parking. The proposed  
 4 garage will have 72 spaces on the lower level; 84  
 5 spaces on the upper level, for a total of 156  
 6 parking spaces. This is an increase of 62 parking  
 7 spaces from what it used to be before.  
 8 The proposed building will have 1.7  
 9 feet front yard setback, where 5 foot is required;  
 10 1.3-foot side yard setback, where 2 feet is  
 11 required. Both side yards combine at 3, where we  
 12 need 5.  
 13 The proposed impervious coverage will  
 14 be 94.9 percent after construction, where allowable  
 15 is 75 percent.  
 16 The existing parking lot, currently,  
 17 right now, is 84.1.  
 18 And as Mr. Kavanagh spoke before,  
 19 access to the site -- I just have to get my --  
 20 access to the site for this structure will be a  
 21 one-way entrance from Manilla, and it'll be exit  
 22 only for -- on Erie Street.  
 23 The grading, the existing parking lot,  
 24 we're not touching the grading, and there's a high  
 25 point of about elevation 18 right here at the

1 CHAIRMAN LANGSTON: And Mr. Montana,  
 2 your license is current tonight?  
 3 MR. MONTANA: Yes, it is.  
 4 CHAIRMAN LANGSTON: Okay. You're  
 5 qualified.  
 6 MR. REAGAN: Thank you.  
 7 BY MR. REGAN:  
 8 Q. Adolf, you're employed by PS&S, who  
 9 prepared the site plans that were submitted as part  
 10 of the application?  
 11 A. That's correct.  
 12 Q. Okay. If you could just describe for  
 13 the board, you know, the existing conditions, and  
 14 the proposed improvements with regards to the  
 15 proposed parking deck.  
 16 A. Okay. So this is the site in  
 17 question. It's located between Manila Avenue and  
 18 Erie Street. On the south side, we have the 11th  
 19 Street viaduct. We have two gas stations on the  
 20 north side, and a McDonald's here as well.  
 21 The building -- currently, the site is  
 22 an existing paved parking lot on grade, with  
 23 approximately 94 parking spaces, as shown on the  
 24 survey. The existing site has access to the side  
 25 here at the driveway here on Manila Avenue, and

1 center, and it drains towards the east and towards  
 2 the west. Here, to the east, is approximately  
 3 elevation 12, and over here is about elevation 10.  
 4 We're also proposing, on the upper  
 5 level of the garage, there -- we'll be collecting  
 6 the surface runoff through drains in the structure,  
 7 which would be collected to a pipe that we're  
 8 proposing, as shown on the grading and drainage  
 9 plan, is connected to an existing inlet right here  
 10 in the vicinity of the existing parking lot,  
 11 there's one here and there's one there, as shown on  
 12 the plan.  
 13 We're also proposing an electrical  
 14 service to provide electricity to the lighting  
 15 fixtures, and we're coming off through an existing  
 16 utility pole located on Manila Avenue.  
 17 In terms of landscaping, if I zoom in,  
 18 we're proposing to landscape this portion of the  
 19 facade right here, on the east side, we're  
 20 landscaping as well the other side of the entrance.  
 21 This material here would be evergreen shrubs and  
 22 ornamental grasses.  
 23 Here, if I can just move over, between  
 24 the two drive aisles, there is an area where we can  
 25 add some, like, landscaping material, and we're

1 adding -- just keep moving -- there we go -- too  
 2 fast -- we're adding two evergreen trees and more  
 3 shrubs around this area.  
 4 On Erie Street, we're pretty much  
 5 doing the same thing that we did on Manilla; we  
 6 have the same plant material located in this  
 7 location.  
 8 For lighting, we're illuminating the  
 9 upper level using 11 -- using 11 LED light  
 10 fixtures, which they're going to be mounted at 20  
 11 feet in height. Those light fixtures are  
 12 manufactured by beacon. On the lower level, we're  
 13 going to be using 28 LED lights that will be  
 14 mounted on the ceiling at a height of 8 feet.  
 15 That pretty much summarizes my  
 16 presentation of the site plan.  
 17 Q. And the -- you were familiar with and  
 18 reviewed and ultimately responded to the June 3,  
 19 2020 review memo from the city Division of  
 20 Engineering?  
 21 A. Yes, I did.  
 22 Q. If you could just spend a moment just  
 23 going through that -- and your response was dated  
 24 June 12th, and we have not received any further  
 25 response from engineering with regards to that. Is

1 Q. But all of the work is anticipated to  
 2 be done within the site?  
 3 A. That's correct.  
 4 So point number 2, we're going to  
 5 install the no left turn on Erie Street.  
 6 Point number 3, Mr. Kavanagh responded  
 7 regarding the parking structure.  
 8 Point number 4, we're going to add the  
 9 note to the plan that talks about demolition.  
 10 Comment number 5, it's the same thing  
 11 about the sidewalk and the occur, it will be  
 12 replaced if necessary.  
 13 Comment number 6 talks about the cross  
 14 slope for the sidewalk. We will, you know, replace  
 15 the sidewalk as necessary, and we'll maintain the  
 16 existing slope.  
 17 And comment number 7 talks about  
 18 submitting to the JCMUA. If we receive an approval  
 19 tonight, that's one of the submittals that we're  
 20 going to make -- submit to JCMUA, so they can  
 21 review the drainage.  
 22 And comment number 8 talked about  
 23 details for Jersey City for the sidewalk and  
 24 driveways. We can -- you know, if we have to  
 25 repair driveways and sidewalks, we'll use Jersey

1 that your understanding?  
 2 A. That's correct, we made a submission  
 3 with a letter dated June 12th where we responded to  
 4 the comments provided by the engineer. You know,  
 5 we can go point by point, if you'd like, Frank.  
 6 Q. Just quickly -- and I really -- it was  
 7 more with regards to -- if you could just hit the  
 8 comments with regards to the driveways and the  
 9 sidewalks.  
 10 A. Correct, for example, point number 1  
 11 is asking for a 5-foot clearance between the  
 12 driveway and existing three parking spaces/utility  
 13 poles. As I stated before, we're keeping the  
 14 existing sidewalks and driveways at Manilla and  
 15 Erie Street, and we're using the existing curb  
 16 cuts. So we're not -- you know, it's an existing  
 17 condition.  
 18 Q. And they're in good condition.  
 19 Correct?  
 20 A. Correct, exactly -- or --  
 21 Q. And as necessary, they'll be repaired  
 22 and replaced as necessary?  
 23 A. The sidewalk and the curb will be  
 24 repaired if -- you know, if necessary, if that's  
 25 required.

1 City standard details.  
 2 Q. And the remaining comments, we've  
 3 either complied with or we will comply with.  
 4 Correct?  
 5 A. That's correct.  
 6 MR. REGAN: I have nothing further from  
 7 Mr. Montana, Mr. Chairman.  
 8 CHAIRMAN LANGSTON: Thank you.  
 9 Mr. Montana, the shrubbery on Erie --  
 10 on the Erie side and the Manilla side, how high does  
 11 that grow, or how high do you anticipate that will  
 12 grow?  
 13 MR. MONTANA: I believe those are --  
 14 they're going to be 6 feet tall as they mature, but  
 15 let me go check the plan, if I can just figure out  
 16 where it is.  
 17 (Whereupon, there is a brief pause in  
 18 the proceeding.)  
 19 MR. MONTANA: So the shrubs, they're  
 20 going to -- when they're installed, at the  
 21 beginning, they're going to be 24 inches in height;  
 22 they can mature up to, you know, 48 inches. The  
 23 trees are going to be 5 feet in height when they're  
 24 installed, and, you know, those can grow as, you  
 25 know, as much as you let them.

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1 CHAIRMAN LANGSTON: Okay. Thank you,  
 2 sir.  
 3 Anybody else, any questions?  
 4 All right. Thank you, Mr. Montana. We  
 5 appreciate it.  
 6 MR. REGAN: I'll bring up our last  
 7 witness, Brian McPeak, our professional planner,  
 8 just to provide testimony with regards to the  
 9 variances being requested.  
 10 You there, Brian? That would be Brian  
 11 McPeak.  
 12 MS. BAPTISTE: I thought I made him a  
 13 panelist, but it looks like he disappeared.  
 14 MR. WARD: I just promoted him.  
 15 B R I A N M c P E A K, having been  
 16 duly sworn, testified as follows:  
 17 MR. McPEAK: Brian McPeak, B-R-I-A-N,  
 18 M-c-P-E-A-K.  
 19 CHAIRMAN LANGSTON: Mr. McPeak, good  
 20 evening. We're having a little bit of trouble  
 21 hearing you. I don't know if, maybe, you can back  
 22 off of the microphone a little bit, I don't know if  
 23 that's it.  
 24  
 25

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1 justification for the variance requested by the  
 2 applicant.  
 3 A. Absolutely. I think Mr. Kavanagh and  
 4 Mr. Montana both thoroughly described the setting  
 5 and the project. Mr. Montana identified the  
 6 variances which --  
 7 Q. I'm sorry to interrupt you, but you  
 8 are breaking up a little. I don't know if there's  
 9 any other device, or maybe you can move a little,  
 10 just give it a shot.  
 11 A. Let me try reorienting the computer.  
 12 Is this any better?  
 13 Q. Unfortunately, I don't think so.  
 14 CHAIRMAN LANGSTON: I think that was  
 15 actually worse.  
 16 A. Let's try this position.  
 17 MS. MARIONE: You might want to call  
 18 in.  
 19 MR. McPEAK: What was that? I'm sorry.  
 20 MR. REGAN: You want to try to call in,  
 21 Brian?  
 22 MR. McPEAK: I can do that.  
 23 VICE CHAIRMAN GONZALEZ: That's better  
 24 right there.  
 25 CHAIRMAN LANGSTON: Whatever you did

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1 DIRECT EXAMINATION  
 2 BY MR. REGAN:  
 3 Q. We'll give it another shot, Brian.  
 4 Just give them your educational and professional  
 5 background, hopefully that works.  
 6 A. Absolutely. So I have a master's in  
 7 city and regional planning. I've been practicing  
 8 in New Jersey for approximately 25 years. I've  
 9 been licensed since 1996. I've appeared before the  
 10 Jersey City board, but it was some 15 years or so  
 11 ago. I've appeared before multiple other boards,  
 12 and my license is current as of this date.  
 13 CHAIRMAN LANGSTON: Perfect. You're  
 14 qualified, Mr. McPeak.  
 15 MR. McPEAK: Thank you.  
 16 BY MR. REGAN:  
 17 Q. Mr. McPeak, you're familiar with the  
 18 site plan and parking plans submitted as part of  
 19 the application?  
 20 A. That's correct. I've reviewed those  
 21 materials, as well as planning materials related to  
 22 Jersey City's redevelopment plan and master plan  
 23 and ordinance.  
 24 Q. Okay. If you can just proceed to  
 25 provide your testimony with regards to the

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1 worked.  
 2 MR. McPEAK: That's impressive, because  
 3 all I did was plug the computer in. Who would have  
 4 thought a battery was the issue. But my apologies,  
 5 members of the board.  
 6 A. As I was saying, Mr. Kavanagh and  
 7 Montana have, I think, thoroughly described the  
 8 site and the project. I concur with Mr. Montana's  
 9 review of the variances that are involved, and I  
 10 concur with the observations of both of them, based  
 11 on some familiarity with the site and the  
 12 surroundings. And the screening of this property  
 13 is pretty thorough by the adjoining commercial  
 14 developments to the north, gas stations,  
 15 McDonald's, Dunkin' Donuts, and the 11th Street  
 16 viaduct.  
 17 To discuss the variances themselves,  
 18 or, rather, the structure of the variances under  
 19 the Municipal Land Use Law, as I stated earlier,  
 20 I've taken a look at the Jersey Avenue 10th Street  
 21 Redevelopment Plan, as well as the master plan, the  
 22 development ordinance, and Municipal Land Use Law.  
 23 As the board is well aware, the Municipal Land Use  
 24 Law, at 40:55D-70c(2) provides a mechanism by which  
 25 the board can grant these deviations for this

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1 particular property, if the purposes of planning  
 2 are advanced, and if the benefits of the deviation  
 3 substantially outweigh the detriments.  
 4 In short, my conclusion is that this  
 5 case does, indeed, present the board with  
 6 circumstances by which the deviations can be  
 7 granted. And I'll just briefly review some  
 8 elements of the redevelopment plan, master plan,  
 9 and Municipal Land Use Law that are advanced by  
 10 these deviations.  
 11 In particular, and starting with the  
 12 master plan, I'd note that the objectives  
 13 documented in the master plan include:  
 14 Addressing traffic congestion and  
 15 improving circulation in Jersey City.  
 16 Acknowledging parking constraints in  
 17 residential and commercial neighborhoods and  
 18 districts throughout the city, and to identify  
 19 strategies for parking management to address those  
 20 constraints.  
 21 And enhancing the pedestrian  
 22 environment to encourage improvements, and increase  
 23 safety and facilitate pedestrian circulation.  
 24 The Jersey Avenue/10th Street  
 25 Redevelopment Plan, among other purposes in the

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1 endeavor, are advanced by this project, and that  
 2 the deviations that are associated with this  
 3 project are driven by the desire of the applicant  
 4 to, in effect, maximize the provision of parking in  
 5 this area to -- to do its parts to advance its  
 6 purposes, and, therefore, I think we've met the  
 7 burden of showing that we've advanced the purposes  
 8 of planning both at the state and local level.  
 9 From the standpoint of potential  
 10 detriments, having seen the site, and listened to  
 11 and reviewed the plan -- and listened to  
 12 Mr. Montana and review the plans that are provided,  
 13 the three deviations -- strike that, the four  
 14 deviations that are noted -- the side yard  
 15 setbacks, the front yard setback, the impervious  
 16 coverage -- those deviations enable the parking  
 17 to -- the site to accommodate as much parking as  
 18 possible, and the potential detriments from such  
 19 deviations are minimal, in terms of additional  
 20 stormwater runoff and/or aesthetic considerations,  
 21 due to the existing conditions and surroundings of  
 22 this particular parcel.  
 23 To touch a bit about the design  
 24 waiver, as Mr. Kavanagh noted, the design of this  
 25 facility is in keeping with his view of the

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1 goals and objectives, seeks to improve the  
 2 functionality and physical layout of the  
 3 redevelopment plan area; to advance off-street  
 4 parking and loading areas that are day or nighted  
 5 can public street systems to serve the project  
 6 area, and to provide conflicts through traffic or  
 7 pedestrian circulation elements.  
 8 And, you know, at its most fundamental  
 9 or, let's say, basic level, from the standpoint of  
 10 the legislature, it's my opinion that this project  
 11 also serves to provide sufficient space in an  
 12 appropriate location for a variety of uses, both  
 13 public and private, according to the respective  
 14 environmental requirements of those uses.  
 15 As had been indicated, I believe, by  
 16 Mr. Reagan, but also by Mr. Kavanagh, this project  
 17 does advance providing parking for the residents in  
 18 this area. Currently, those -- that parking is  
 19 accommodated over at Newport Mall's parking deck,  
 20 and this project would relocate those parking  
 21 stalls into an area that is much more conducive to  
 22 the use of residents of this area.  
 23 And in that regard, I think all of  
 24 these purposes of the redevelopment plan, the  
 25 master plan, and planning, from the statewide

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1 standards of parking design, in terms of its  
 2 functional design elements, and based on his  
 3 understanding and expertise in how these parking  
 4 facilities function, I think the board has credible  
 5 evidence -- or credible testimony, rather -- that  
 6 that design waiver is not one that would have an  
 7 adverse effect upon the utilization of this  
 8 facility.  
 9 At that point, in review of all that,  
 10 it's my opinion that the board is well within its  
 11 powers to grant these deviations, and should grant  
 12 these deviations, because they, as a professional  
 13 planner, I believe, clearly advanced the goals and  
 14 objectives of the city's plans, and of the  
 15 legislature's edicts to us, in terms of what we  
 16 should plan for, and that the benefits of those  
 17 deviations substantially outweigh the -- any  
 18 detriments that I observed with regards to these  
 19 deviations.  
 20 Q. Thank you, Brian.  
 21 MR. REGAN: I have nothing further for  
 22 Mr. McPeak, Mr. Chairman.  
 23 CHAIRMAN LANGSTON: Thank you.  
 24 Any questions for Mr. McPeak, anybody?  
 25 Okay. Thank you.

1 MR. REGAN: I have nothing further,  
 2 Mr. Chairman.  
 3 CHAIRMAN LANGSTON: Okay. Thank you,  
 4 Mr. Reagan.  
 5 At this time, is anybody here from the  
 6 public that wants to comment? Please raise your  
 7 hand. And I believe we have one person from public.  
 8 And Mr. Montana, could you stop sharing  
 9 your screen, please?  
 10 There you go, thank you.  
 11 VICE CHAIRMAN GONZALEZ: Mr. Chair, as  
 12 we get the public ready here, a question would be,  
 13 are we presenting these as two separate cases, or  
 14 are we presenting them together?  
 15 CHAIRMAN LANGSTON: We're presenting  
 16 them together, but we'll vote separately on them.  
 17 VICE CHAIRMAN GONZALEZ: Okay. All  
 18 right. Perfect. Thank you.  
 19 MS. BAPTISTE: I promoted Sheila, I'm  
 20 not sure if you heard me.  
 21 S H E I L A K I R V E N, having been  
 22 duly sworn, testified as follows:  
 23 MS. KIRVEN: Sheila, S-H-E-I-L-A,  
 24 K-I-R-V-E-N.  
 25 CHAIRMAN LANGSTON: Ms. Kirven, good

1 MS. KIRVEN: Sorry.  
 2 CHAIRMAN LANGSTON: -- the front of the  
 3 building -- that's fine, we appreciate the question.  
 4 MR. REGAN: I'll also bring it to the  
 5 attention of the applicant.  
 6 MS. KIRVEN: Thank you very much.  
 7 CHAIRMAN LANGSTON: Thank you.  
 8 Is there anybody else from public that  
 9 wants to comment? Please raise your hand, or if  
 10 you're calling in, you can press star 9 to raise  
 11 your hand, and we'll call on you. Anybody else from  
 12 public?  
 13 VICE CHAIRMAN GONZALEZ: Mr. Chair, I'd  
 14 like to make a motion at this time, seeing no  
 15 public, to close the public portion for case  
 16 P20-040.  
 17 CHAIRMAN LANGSTON: And case P20 --  
 18 COMMISSIONER CRUZ: Second it.  
 19 CHAIRMAN LANGSTON: We have a motion  
 20 and a second, and it's also for case P20-041.  
 21 VICE CHAIRMAN GONZALEZ: Oh, I'm sorry,  
 22 that's what I was asking earlier. Okay.  
 23 So I'd like to make a motion to close  
 24 for both case P20-040 and P20-041.  
 25 COMMISSIONER HORTON: I second it.

1 evening. We have five minutes for you.  
 2 MS. KIRVEN: Yeah, I just wanted to  
 3 know where -- what the configuration of the second  
 4 lot that you showed -- where moving trucks and  
 5 deliveries would be parking. Would moving trucks  
 6 have to cross the viaduct, then, if they were  
 7 moving, or would they park in front of the building?  
 8 MR. REGAN: I mean, I'll try to respond  
 9 to that, Mr. Chairman. The parking lot that is  
 10 being proposed, the parking deck is sort of  
 11 freestanding; it's bifurcated by the viaduct. And  
 12 both of the buildings, both the Lincoln and  
 13 Roosevelt, are located on 10th Street, and however  
 14 they've been doing loading and unloading with  
 15 regards to moving for probably the past 20-plus  
 16 years, I think that would continue. There are  
 17 accommodations, I believe, on each of those sites  
 18 for moving and unloading.  
 19 MS. KIRVEN: Well, actually, I'm a  
 20 neighbor, I'm across the street, and oftentimes they  
 21 park in the street and block the traffic to 10th  
 22 Street. So that is why I posed the question.  
 23 CHAIRMAN LANGSTON: Yeah, Ms. Kirven,  
 24 this really wouldn't address your concerns. This is  
 25 strictly a parking deck. That wouldn't --

1 COMMISSIONER CRUZ: Second it.  
 2 CHAIRMAN LANGSTON: We have some --  
 3 David, you got beat out there.  
 4 Okay. We have a motion and a second.  
 5 (Whereupon, a voice vote is taken; a  
 6 chorus of "ayes" heard.)  
 7 CHAIRMAN LANGSTON: Public is closed.  
 8 Tim, do you want to wrap us up?  
 9 MR. KREHEL: Yeah, overall, I thought  
 10 this was a good use of the surface parking lot that  
 11 was existing. It basically finalizes the project  
 12 overall; removes -- relocates the parking from the  
 13 Newport deck to this new parking structure.  
 14 And my only concern, initially, was the  
 15 way the parking was shown initially, and I discussed  
 16 that with the applicant and explained my concerns;  
 17 they, in turn, did a more thorough analysis of the  
 18 movements within the lot.  
 19 In my time before Jersey City, I did a  
 20 lot of parking and site design, you know, using  
 21 similar programs to More Park, so I'm used to the  
 22 way that this came together. I felt that the  
 23 variances that they're asking for are in result of  
 24 them maximizing the deck to accommodate the people  
 25 that were kind of displaced by going to the Newport

1 deck. I feel that this promotes the best interests  
 2 of the Jersey Avenue and 10th Avenue Redevelopment  
 3 Plan, and the overall Land Development Ordinance.  
 4 And I recommend approval.  
 5 VICE CHAIRMAN GONZALEZ: Thank you,  
 6 Tim.  
 7 CHAIRMAN LANGSTON: Thank you, Tim.  
 8 VICE CHAIRMAN GONZALEZ: Mr. Chair, I'd  
 9 like to make a motion at this time to vote for -- to  
 10 approve case P20-040, as presented to the board here  
 11 tonight.  
 12 COMMISSIONER CRUZ: Second it.  
 13 CHAIRMAN LANGSTON: We have a motion  
 14 made and seconded.  
 15 MR. KREHEL: Commissioner Gonzalez?  
 16 VICE CHAIRMAN GONZALEZ: Aye.  
 17 MR. KREHEL: Commissioner Cruz?  
 18 COMMISSIONER CRUZ: Aye.  
 19 MR. KREHEL: Commissioner Thakur?  
 20 COMMISSIONER THAKUR: Aye.  
 21 MR. KREHEL: Commissioner Horton?  
 22 COMMISSIONER HORTON: Aye.  
 23 MR. KREHEL: Commissioner Allen?  
 24 CHAIRMAN LANGSTON: Aye.  
 25 MR. KREHEL: Commissioner Watterman?

1 CHAIRMAN LANGSTON: Aye.  
 2 MR. REGAN: Thank you.  
 3 MR. KREHEL: All in favor, motion  
 4 passes.  
 5 CHAIRMAN LANGSTON: Okay. Thank you,  
 6 everybody. We do have a request from Mike to take  
 7 five minutes, if we could. It's 8:58 right now;  
 8 we'll be back at 9:03, everybody.  
 9 (Whereupon, the hearing concluded at  
 10 8:58 p.m.)  
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1 COUNCILWOMAN WATTERMAN: Aye.  
 2 MR. KREHEL: And Chairman Langston?  
 3 CHAIRMAN LANGSTON: Aye.  
 4 MR. KREHEL: All in favor, motion  
 5 passes.  
 6 VICE CHAIRMAN GONZALEZ: Thank you.  
 7 Mr. Chair, at this time, I'd like to  
 8 make a motion to approve case P20-041, as presented  
 9 to the board here tonight.  
 10 COMMISSIONER CRUZ: Second it.  
 11 CHAIRMAN LANGSTON: Okay. We have a  
 12 motion and a second.  
 13 MR. KREHEL: Commissioner Gonzalez?  
 14 VICE CHAIRMAN GONZALEZ: Aye.  
 15 MR. KREHEL: Commissioner Cruz?  
 16 COMMISSIONER CRUZ: Aye.  
 17 MR. KREHEL: Commissioner Thakur?  
 18 COMMISSIONER THAKUR: Aye.  
 19 MR. KREHEL: Commissioner Horton?  
 20 COMMISSIONER HORTON: Aye.  
 21 MR. KREHEL: Commissioner Allen?  
 22 COMMISSIONER ALLEN: Aye.  
 23 MR. KREHEL: Commissioner Watterman?  
 24 COUNCILWOMAN WATTERMAN: Aye.  
 25 MR. KREHEL: Chairman Langston?

1 C E R T I F I C A T E  
 2  
 3  
 4  
 5 I, Michael Lombardozi, a Notary Public  
 6 and Certified Court Reporter of the State of New  
 7 Jersey, do hereby certify that the foregoing is a  
 8 true and accurate transcript of the testimony as  
 9 taken stenographically by and before me at the time,  
 10 place, and on the date hereinbefore set forth.  
 11 I do further certify that I am neither  
 12 a relative nor employee nor attorney nor counsel of  
 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 this action.  
 17  
 18  
 19 Michael Lombardozi,  
 20 Certified Court Reporter, State of New Jersey  
 21 CERT #: 30X100239700  
 22 Date: 24 Aug 2020  
 23  
 24  
 25

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