

<p style="text-align: right;">Page 1</p> <p style="text-align: center;">CITY OF JERSEY CITY PLANNING BOARD</p> <p style="text-align: center;">-----X IN THE MATTER OF: TRANSCRIPT</p> <p>Case No. P22-197 124 GLENWOOD HOLDINGS, LLC OF 124 Glenwood Avenue Block 13204, Lot 56 REMOTE PROCEEDINGS Minor Site Plan</p> <p style="text-align: center;">-----X Tuesday, March 14, 2023 Jersey City, New Jersey Commencing at 7:37 p.m.</p> <p>BOARD MEMBERS PRESENT: CHRISTOPHER LANGSTON, Chairman DR. VIJAYA DESAI, Commissioner EDUARDO TORRES, Commissioner VIDYA GANGADIN, Commissioner DAVID CRUZ, Commissioner STEVE LIPSKI, Commissioner</p> <p>APPEARANCES</p> <p>SANTO T. ALAMPI, ESQUIRE Attorney for the Board PRIME & TUVEL, BY: BENJAMIN T.F. WINE, ESQUIRE Attorneys for the Applicant</p> <p>PRECISION REPORTING SERVICE Certified Shorthand Reporters (908) 642-4299</p>	<p style="text-align: right;">Page 2</p> <p>1 ALSO PRESENT:</p> <p>2</p> <p>3 TANYA MARIONE, A.I.C.P., P.P. Director of Planning City Planning Division</p> <p>4</p> <p>5 MATTHEW WARD, AICP Senior Planner City Planning Division</p> <p>6</p> <p>7 CAMERON BLACK, A.I.C.P., P.P. Senior Planner City Planning Division</p> <p>8</p> <p>9 TIMOTHY KREHEL, A.I.C.P., P.P. Senior Planner City Planning Division.</p> <p>10</p> <p>11</p> <p>12 FRANCISCO ESPINOZA, P.P. Senior Planner City Planning Division</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 3</p> <p>1 TABLE OF CONTENTS</p> <p>2</p> <p>3 WITNESS:</p> <p>4 THOMAS LaPORTA Page 9</p> <p>5 MARTIN MORENO Page 10</p> <p>6 CAROLYN WORSTELL Page 24</p> <p>7</p> <p>8</p> <p>9 EXHIBITS</p> <p>10 A-1 Notices Page 5</p> <p>11 A-2 3D Rendering Page 12</p> <p>12</p> <p>13</p> <p>14 AUDIENCE MEMBERS SWORN:</p> <p>15</p> <p>16 SANDRA RILEY.....Page 30</p> <p>17 NATHAN MacCORMACK.....Page 38</p> <p>18 SHIRIN MacCORMACK.....Page 41</p> <p>19 JULIAN BRANTLEY.....Page 49</p> <p>20 ERIC CARTER.....Page 51</p> <p>21 DERMOT RONAN.....Page 53</p> <p>22 STEVEN D. JANEL.....Page 56</p> <p>23 GEORGE RILEY.....Page 60</p> <p>24</p> <p>25 (*NOTE: City Planning staff members Ward, Krehel, Espinoza and Black were duly sworn at the beginning of the meeting; see Board Agenda Items transcript.)</p>	<p style="text-align: right;">Page 4</p> <p>1 CHAIRMAN LANGSTON: All right. Let's move</p> <p>2 on to Item 13. It's Case P22-197. It's a minor</p> <p>3 site plan for 124 Glenwood Avenue.</p> <p>4 MR. WINE: Good evening, Mr. Chair.</p> <p>5 Benjamin Wine of Prime & Tuvel on behalf of the</p> <p>6 applicant, 124 Glenwood Holdings, LLC. Hope</p> <p>7 everybody is doing well this evening.</p> <p>8 CHAIRMAN LANGSTON: We are. We are.</p> <p>9 Thank you. Good to see you again.</p> <p>10 MR. WINE: Good. I'll jump straight in</p> <p>11 and give the Board the benefit of a bit of</p> <p>12 background on the property as well as indicate what</p> <p>13 we're here proposing this evening and I'll let my</p> <p>14 professionals take it from there.</p> <p>15 So the address in question is -- oh, and</p> <p>16 I should mention to counsel, first, this was a --</p> <p>17 I believe we noticed on this and I hope you have</p> <p>18 that and have reviewed it and it should be in good</p> <p>19 form.</p> <p>20 MR. ALAMPI: You did. Counsel, I am in</p> <p>21 receipt of your affidavit of publication and proof</p> <p>22 of mailing with respect to the application at 124</p> <p>23 Glenwood Avenue here in the city. It does appear</p> <p>24 to be in order. Let's mark it as A-1 for the</p> <p>25 record.</p>

<p style="text-align: right;">Page 5</p> <p>1 (Whereupon, exhibit is received and marked 2 A-1 into evidence.) 3 MR. WINE: Thank you, Counsel. 4 With that the property in question is 124 5 Glenwood Avenue. That's Block 13204, Lot 56, and 6 we're located in the R-3 zone. 7 The property currently consists of a 8 three-story single-family residence, and surrounding 9 in the neighborhood are varying uses, various 10 multifamilies and various other uses. 11 Why we're here this evening is seeking 12 minor site plan in order to construct a four-story 13 four-unit residence with ancillary site improvements 14 as well, which you'll see. What I want to indicate 15 for the record is while -- to be overly 16 conservative, this application was prepared, the 17 plans were prepared, under the R-3 standards prior 18 to the zoning change in November. And to be clear, 19 that's how the plans were prepared. That's how we 20 intended to proceed. 21 When we were doing our review, we did have 22 an opportunity to notice that -- I was checking the 23 dates again and making sure to see when the new 24 regulations would come into effect. And to be 25 totally conservative, I ran the new R-3 zoning</p>	<p style="text-align: right;">Page 6</p> <p>1 requirements against our plans as well. And were 2 the new requirements to apply, we would actually be 3 seeking an approximately 4-foot rear yard setback 4 deviation. 5 So I do just want to be clear. I did not 6 want to, you know, pull the sheets over the Board or 7 anything like that. And, you know, during the 8 course of review with my professionals, this kind of 9 came up and I wanted to just alert the Board to it. 10 So to be clear, what I'll do this evening 11 is I have two witnesses for you: I have our project 12 architect, Martin Moreno; and then I also have 13 planning testimony from Ms. Worstell, who will speak 14 to that deviation and the zone change. 15 And, again, the goal here is just to 16 make sure that, should the Board hopefully act 17 favorably, we don't run into any issues down the 18 road. 19 So that's my presentation this evening, 20 Mr. Chair, to start off with. Unless you have any 21 questions of me, I'm happy to introduce my first 22 witness. 23 CHAIRMAN LANGSTON: So, Counsel, just to 24 be clear, are you asking for a deviation for that? 25 Does that apply now?</p>
<p style="text-align: right;">Page 7</p> <p>1 MR. WINE: So I believe that it does under 2 the new ordinance. And, again, this is -- it's one 3 of those, you know, the application was filed, 4 deemed complete right around when the new ordinance 5 would have taken effect. So what I'd like to do is 6 ask for the deviation. If the Board determines 7 it's not necessary, that's fine, but I do want to be 8 on record asking for it, you know, having our 9 planner put on testimony for it. And I can defer 10 to Ms. Marione or Mr. Krehel to that effect as 11 well. 12 The staff report, for what it's worth, I 13 believe Mr. Krehel felt that we were compliant under 14 the old standards. Again, if you'll allow me the 15 courtesy of putting the testimony on so that the 16 Board feels comfortable if it is a variance, you 17 know, having testimony on the record. 18 It's one of those weird ones where you're 19 right around the time change. 20 CHAIRMAN LANGSTON: Understood. I do want 21 to check your notice, though. Do you have a 22 catchall in there for any variances that are needed? 23 Is that in there? 24 MR. WINE: I'd be shocked if it wasn't. 25 MR. ALAMPI: It is, Mr. Chairman. And,</p>	<p style="text-align: right;">Page 8</p> <p>1 again, this is where we get into the time of 2 application rule. So if the application was filed 3 and deemed complete prior to the ordinance adoption 4 changing the zoning, that's obviously where we're 5 at. It's a very time-sensitive type of situation. 6 So I believe the way counsel wants to 7 proceed is the way I would proceed. Notice for it, 8 talk about it, and just deal with it upfront that we 9 believe we're under the old ordinance; however, 10 here's what it is and here's why we believe we can 11 sustain the variance if it's necessary, and then 12 defer to Planning on the issue of the timing of 13 everything. 14 CHAIRMAN LANGSTON: Okay. Understood. 15 Thank you. 16 MR. WINE: Yeah. And to echo counsel, 17 that's exactly what I'd like to do. 18 So with that, Mr. Chair, if you're 19 comfortable, I'm happy to move straight in. And 20 what we'll do, so we have -- our project designer is 21 Martin Moreno, who I see up. Now, he is not a 22 licensed architect. Mr. LaPorta is our licensed 23 architect who signed and sealed the plans. I do see 24 him here as well, but Mr. Moreno has been intimately 25 familiar with this project since day one.</p>

<p style="text-align: right;">Page 9</p> <p>1 So as I know the Board has done in the</p> <p>2 past, if it's okay, what I'd like to do is have</p> <p>3 Mr. LaPorta sworn in and accepted and qualified as</p> <p>4 an expert in the field of architecture and then have</p> <p>5 Mr. Moreno speak to the actual plan design, if</p> <p>6 that's okay.</p> <p>7 CHAIRMAN LANGSTON: Absolutely. That's</p> <p>8 what we would ask.</p> <p>9 MR. WINE: Okay. So with that, I do see</p> <p>10 Mr. LaPorta.</p> <p>11 If you can unmute yourself, Mr. LaPorta,</p> <p>12 and I believe the court reporter will get you sworn</p> <p>13 in.</p> <p>14 T H O M A S L a P O R T A, having been</p> <p>15 duly sworn, was examined and/or testified as</p> <p>16 follows:</p> <p>17 CHAIRMAN LANGSTON: Mr. LaPorta, good</p> <p>18 evening. I don't recall if we qualified you in the</p> <p>19 past. Have we?</p> <p>20 THE WITNESS: No, you have not.</p> <p>21 CHAIRMAN LANGSTON: Okay. So given that</p> <p>22 you're not testifying technically as an expert -- or</p> <p>23 you're not testifying tonight, your license is</p> <p>24 current tonight in the State of New Jersey?</p> <p>25 THE WITNESS: Yes, it is.</p>	<p style="text-align: right;">Page 10</p> <p>1 CHAIRMAN LANGSTON: Okay. Thank you, sir.</p> <p>2 You are qualified.</p> <p>3 And then let's bring Mr. Moreno up to be</p> <p>4 sworn in.</p> <p>5 THE WITNESS: Thank you.</p> <p>6 MR. MORENO: Good evening, everyone. I'm</p> <p>7 just going to go ahead --</p> <p>8 MR. WINE: Martin, you've got to get sworn</p> <p>9 in.</p> <p>10 MR. MORENO: Sorry about that.</p> <p>11 M A R T I N M O R E N O, having been</p> <p>12 duly sworn, was examined and/or testified as</p> <p>13 follows:</p> <p>14 CHAIRMAN LANGSTON: Mr. Moreno, I</p> <p>15 appreciate your willingness to jump right in. You</p> <p>16 worked under Mr. LaPorta's direction on this</p> <p>17 application?</p> <p>18 THE WITNESS: I did, sir, yes.</p> <p>19 CHAIRMAN LANGSTON: Okay. Thank you, sir.</p> <p>20 Go ahead.</p> <p>21 THE WITNESS: Okay. I'm going to go ahead</p> <p>22 and share my screen.</p> <p>23 So can everyone see my screen?</p> <p>24 CHAIRMAN LANGSTON: We can, yes.</p> <p>25 THE WITNESS: Okay. So, first and</p>
<p style="text-align: right;">Page 11</p> <p>1 foremost, thank you all so much for your time this</p> <p>2 evening. As mentioned, I'm speaking on behalf of T.</p> <p>3 LaPorta Architect, PC, here to present our project</p> <p>4 located at 124 Glenwood Avenue in Jersey City, New</p> <p>5 Jersey.</p> <p>6 If I can direct your attention to the</p> <p>7 middle, the top middle, of our sheet --</p> <p>8 MR. WINE: Martin, if it's okay, just</p> <p>9 before you do that, and I know -- I'll familiarize</p> <p>10 you a little bit with the process, but obviously</p> <p>11 these plans were submitted but I believe you did add</p> <p>12 a rendering since the date of submission.</p> <p>13 So perhaps just to be clear, I'll defer to</p> <p>14 counsel, but I'd like to have this exhibit, which</p> <p>15 Martin can describe as basically what was submitted</p> <p>16 with a 3D rendering on it, if that could be marked</p> <p>17 as A-2, that would be appreciated.</p> <p>18 MR. ALAMPI: Let's mark it as A-2. And</p> <p>19 then if there are any other things during the</p> <p>20 testimony that were not submitted or altered for</p> <p>21 rendering or whatever the purpose may be, you just</p> <p>22 call it out and we can continue in sequence: A-2,</p> <p>23 A-3, A-4, et cetera.</p> <p>24 MR. WINE: Certainly.</p> <p>25 Go ahead, Mr. Moreno.</p>	<p style="text-align: right;">Page 12</p> <p>1 (Whereupon, exhibit is received and marked</p> <p>2 A-2 into evidence.)</p> <p>3 THE WITNESS: Thank you. Thank you again.</p> <p>4 So if I please may direct your attention</p> <p>5 to the top middle of the screen, our property is</p> <p>6 located in the R-3 multifamily mid-rise district of</p> <p>7 Jersey City, New Jersey. We are located about</p> <p>8 midway between John F. Kennedy Boulevard and West</p> <p>9 Side Avenue.</p> <p>10 Down here to the bottom middle is an</p> <p>11 aerial view of our site showing the surrounding</p> <p>12 structures. And to the bottom left we have our</p> <p>13 street view of our property.</p> <p>14 Right now currently there is a</p> <p>15 two-and-a-half-story two-family building. And as</p> <p>16 previously mentioned, we are proposing a four-story</p> <p>17 four-unit building that is completely zoning</p> <p>18 compliant.</p> <p>19 Here we have our zoning analysis in</p> <p>20 regards to our proposed survey, which I will now</p> <p>21 move down to.</p> <p>22 So here in the bottom -- top left-hand</p> <p>23 corner, I'm sorry, is the existing survey. As</p> <p>24 mentioned, it's a two-and-a-half-story two-unit</p> <p>25 building. Here in the middle is our proposed</p>

<p style="text-align: right;">Page 13</p> <p>1 survey. We are completely compliant with our front 2 yard setback being 25.8 to match our neighboring 3 properties. We used our front yard setback diagram 4 here located in the bottom right-hand corner to make 5 sure that we are compliant with that.</p> <p>6 And just as a side note, we have a very, 7 you know, large substantial front yard which is not 8 commonly found in Jersey City.</p> <p>9 In regards to our rear yard, which Mr. Ben 10 Wine explained previously, was designed under the 11 previous R-3 standard. So it was assigned under the 12 previous R-3 standards.</p> <p>13 The rear yard consists of two exterior 14 spaces that are going to be designated strictly to 15 both Unit 1 and Unit 2. In regards to our side 16 yard setbacks, the minimum were 3 feet on one side 17 and 2 on the other. We do have our 2 on one side. 18 On the other side we have a 3.3 side yard. We 19 decided to make it a little bit bigger just 20 because we figured this was going to be used heavily 21 for circulation. It's not only just going to be 22 used to access the rear yard, but it's also going to 23 be used to access utilities as well as the refuse 24 room.</p> <p>25 Here we have our -- just a standard</p>	<p style="text-align: right;">Page 14</p> <p>1 coverage diagram to show that we are complying 2 with both lot coverage and building coverage 3 percentages.</p> <p>4 On the top right, we have just some more 5 site photos that were taken during our site visit 6 at the beginning of the project with views towards 7 West Side Avenue, as well as towards JFK 8 Boulevard.</p> <p>9 Moving on to our unit design. So as you 10 can see bubbled here, as we mentioned before, the 11 facade was redesigned to comply with a more 12 traditional look per the City's comments. The first 13 unit is 1,280 square feet consisting of two bedrooms 14 and three baths, three full baths. The bedrooms 15 are oriented towards the back with the living and 16 common areas oriented towards the front of the 17 building.</p> <p>18 As mentioned, we do have a refuse room 19 here as well as a sprinkler room and our utilities, 20 which are going to be accessed from the outside, 21 which is one of the reasons we wanted to make that 22 side yard just a little bit wider.</p> <p>23 Going on to our layout here towards the 24 bottom, both Unit 2 and Unit 3, also third and 25 second floor, are a typical layout. They consist of</p>
<p style="text-align: right;">Page 15</p> <p>1 four bedrooms and three bathrooms and they are 1,438 2 square feet with a very similar orientation, with 3 the bedrooms towards the back and the living area 4 towards the front.</p> <p>5 Going on to the fourth floor, once again, 6 the facade was redesigned, which is why it's just a 7 little bit different and why it's bubbled. This 8 unit is around the same size as both Unit 2 and 3, 9 it's 1,437 square feet with very similar bedroom and 10 bathroom count and similar orientation.</p> <p>11 In regards to the roof, we designated the 12 roof to be used as an exterior terrace area for Unit 13 3 and Unit 4, as well as providing some sort of 14 vegetation to serve as an eco roof for water 15 retention amongst other things.</p> <p>16 We also have the condenser for both Unit 3 17 and Unit 4 located on the roof; however, they will 18 not be visible from the street.</p> <p>19 Moving on to our facade design, as we 20 previously stated, this was redesigned to have a 21 more traditional look. I'm just going to quickly 22 scroll down two pages to here, to just show how we 23 decided to make something a little more traditional 24 while respecting the existing streetscape.</p> <p>25 So we decided to go with a very strong</p>	<p style="text-align: right;">Page 16</p> <p>1 brick accent which is found a lot throughout 2 Glenwood Avenue. There are some large apartment 3 buildings there as well as a lot of -- there's lots 4 of -- as well as a lot of buildings that serve as 5 dorms for the existing students because the 6 university is right nearby. So we decided to have a 7 strong brick accent, as well as, like, a similar 8 color to match that.</p> <p>9 In regards to the top, we decided to go 10 with a sort of triple triangular design, which is 11 very -- which is found right across the street to 12 respect our neighbors. A sort of similar triangle 13 design as well as a sort of dormer design which is 14 found throughout Glenwood Avenue as well.</p> <p>15 In regards to the color scheme on the 16 side, we decided to do a sort of light gray, light 17 green siding because, for starters, it complements 18 the brick and it's also found, as you can see 19 here, in some other properties along Glenwood 20 Avenue.</p> <p>21 Going back up to -- I just want to present 22 that first because I have the color. So something 23 that should be mentioned was that we decided to do 24 a -- as you can see here, we decided to do a sort of 25 circular bay window rather than your traditional</p>

<p style="text-align: right;">Page 17</p> <p>1 geometric bay window. The reason for that was</p> <p>2 because previously existing there was a bay window</p> <p>3 on our neighbor's property so we wanted to match</p> <p>4 that. So we decided to go with a more circular bay</p> <p>5 window to match our neighbor. Also, as mentioned,</p> <p>6 we went with the strong brick accent.</p> <p>7 In the back elevation, we have just</p> <p>8 sliding doors and a lot of windows for the units.</p> <p>9 There's a lot of surrounding trees in the area, so</p> <p>10 we wanted to make sure we provided a lot of windows</p> <p>11 to allow for a lot of natural light and a lot of</p> <p>12 natural ventilation.</p> <p>13 Moving on to our side yard elevation, this</p> <p>14 is the same side of the building where the wider</p> <p>15 setback is, showing the access to both the sprinkler</p> <p>16 room, refuse area, and as well as meter utility</p> <p>17 access should it be needed.</p> <p>18 This is the other side of the building</p> <p>19 which is located on the 2-foot side of the property.</p> <p>20 No windows there. It's going to have the vinyl</p> <p>21 siding finish and stucco finish. And a section of</p> <p>22 our building to just show the nice, comfortable,</p> <p>23 tall spaces that we are providing, as well as some</p> <p>24 eco roof and deck details for the roof.</p> <p>25 I already went -- I already covered this.</p>	<p style="text-align: right;">Page 18</p> <p>1 So with that being said, that pretty much concludes</p> <p>2 my presentation.</p> <p>3 DIRECT-EXAMINATION</p> <p>4 BY MR. WINE:</p> <p>5 Q. Thank you, Martin. I do just have a</p> <p>6 couple of follow-ups. And that was very thorough</p> <p>7 and I know this is one of your first times going</p> <p>8 this, so thank you for that. It was a very thorough</p> <p>9 presentation.</p> <p>10 I just want to highlight, I know that over</p> <p>11 the last few months, while there's not a formal, you</p> <p>12 know, neighborhood association here, you know,</p> <p>13 we've been going back and forth with Councilman</p> <p>14 Boggiano's office and his staff to come up with a</p> <p>15 facade.</p> <p>16 So if you could just speak, you know, a</p> <p>17 little bit to why, you know, perhaps -- you don't</p> <p>18 need to show the prior facade that the Board might</p> <p>19 have, but if you could just identify what those</p> <p>20 changes were that, again, the City had requested.</p> <p>21 A. Right. So originally we -- if you give me</p> <p>22 just one minute, I might be able to pull it up.</p> <p>23 Q. Okay.</p> <p>24 A. Just one second, please, if you don't</p> <p>25 mind.</p>
<p style="text-align: right;">Page 19</p> <p>1 Okay. So I'm going to go ahead and share</p> <p>2 my screen.</p> <p>3 CHAIRMAN LANGSTON: And, Mr. Moreno, we do</p> <p>4 have to mark this. So if you could, when you bring</p> <p>5 that up, just describe what it is, what the sheet</p> <p>6 number is if there is a sheet number.</p> <p>7 MR. WINE: This was actually submitted.</p> <p>8 This is exactly what you have as your submission.</p> <p>9 If you'd like to mark it, we can, but this is in</p> <p>10 your possession.</p> <p>11 CHAIRMAN LANGSTON: No, that's fine then.</p> <p>12 MR. WINE: Okay.</p> <p>13 A. So this was -- I'm sorry, Ben.</p> <p>14 Q. No, I was just going to ask if you</p> <p>15 could just highlight the change, really, and as to</p> <p>16 how we got there.</p> <p>17 A. Of course. So this was a previous</p> <p>18 design. It was a little bit more of a,</p> <p>19 quote/unquote, MAR design with a heavy use of</p> <p>20 casement windows, the use of brick and a lot of</p> <p>21 aluminum paneling.</p> <p>22 If I scroll down to -- I'm sorry, let me</p> <p>23 go to -- actually, you know what? Can you still see</p> <p>24 this or do I have to --</p> <p>25 Q. Yep. Yep. No, we can see it.</p>	<p style="text-align: right;">Page 20</p> <p>1 A. You can see this. Okay.</p> <p>2 So this was a previous one. I'm just</p> <p>3 going to scroll down. I'm sorry. Here we go. So</p> <p>4 we can see this screen here?</p> <p>5 Q. Yep, we can. We can, yes.</p> <p>6 A. Okay. So this was the previous -- the</p> <p>7 previous materials that we were going to use. We</p> <p>8 were going to use a sort of, like, beige brick</p> <p>9 with some sort of metal paneling for our front</p> <p>10 elevation. From my knowledge, it seemed like the</p> <p>11 City felt like it was just a little too modern for</p> <p>12 the existing street because the existing street in</p> <p>13 itself is a little bit more of a traditional street</p> <p>14 in regards to the existing facades.</p> <p>15 So rather than proposing, you know, more</p> <p>16 modern casement windows, we went with the more</p> <p>17 traditional double-hung windows. As mentioned,</p> <p>18 rather than proposing that sort of brown brick, we</p> <p>19 went with the red brick because we felt it respected</p> <p>20 the surrounding neighbors, the surrounding</p> <p>21 properties, a little bit more.</p> <p>22 And instead of paneling, we, again, just</p> <p>23 kind of took away those sort of modern-like</p> <p>24 elements and just kept it a little bit more</p> <p>25 traditional.</p>

<p style="text-align: right;">Page 21</p> <p>1 I understand we have a little bit of a</p> <p>2 wooden board-and-batten siding, but as I specified</p> <p>3 in the sheet towards -- in one of our previous</p> <p>4 sheets, that sort of dormer design coming off a</p> <p>5 sloped roof is something that's found throughout the</p> <p>6 street. So we just wanted to kind of incorporate</p> <p>7 that here.</p> <p>8 So it is -- we just wanted to make it</p> <p>9 something a little more traditional, but also</p> <p>10 something that stood out but really respected its</p> <p>11 sort of surrounding environment.</p> <p>12 Q. Perfect. Thank you.</p> <p>13 And then my last question, just so that</p> <p>14 we can move on to Ms. Worstell and have her address,</p> <p>15 you know, the rear yard there. If you can just</p> <p>16 indicate on the site plan what the dimension of the</p> <p>17 rear yard is that we're proposing.</p> <p>18 A. Of course. So I'll go ahead and I'll</p> <p>19 zoom in as well. So our rear yard here is 31.1</p> <p>20 feet.</p> <p>21 Q. Okay. And that was based on, you</p> <p>22 know, your understanding, your design, whereby the</p> <p>23 required combined front and rear yard had to meet a</p> <p>24 certain requirement?</p> <p>25 A. Correct. That was under the old zoning</p>	<p style="text-align: right;">Page 22</p> <p>1 standards. Correct.</p> <p>2 Q. And given that our front yard is kind</p> <p>3 of bound by where our neighbors are, that's how you</p> <p>4 came up with that rear yard?</p> <p>5 A. That is correct, sir, yes.</p> <p>6 Q. Okay.</p> <p>7 MR. WINE: All right. Mr. Chair, I have</p> <p>8 nothing further for Mr. Moreno at this point.</p> <p>9 CHAIRMAN LANGSTON: Okay. Thank you.</p> <p>10 Great job.</p> <p>11 MR. KREHEL: Chairman Langston, may I step</p> <p>12 in for a second?</p> <p>13 CHAIRMAN LANGSTON: Sure.</p> <p>14 MR. KREHEL: Considering we were talking</p> <p>15 about time of application, I did a little looking</p> <p>16 and they will have to ask for a variance this</p> <p>17 evening.</p> <p>18 CHAIRMAN LANGSTON: Okay. We understand.</p> <p>19 MR. WINE: And, Tim, thank you for that.</p> <p>20 And, you know, I'm sorry I didn't even bring that to</p> <p>21 your attention. It showed up, you know, an hour</p> <p>22 before our phone call prepping for the meeting. It</p> <p>23 kind of just pegged everyone and we thought, you</p> <p>24 know, maybe it's better to just put it on the</p> <p>25 record.</p>
<p style="text-align: right;">Page 23</p> <p>1 MR. KREHEL: That's fine.</p> <p>2 CHAIRMAN LANGSTON: Okay. I have no</p> <p>3 questions for Mr. Moreno.</p> <p>4 Anybody else?</p> <p>5 All right. Thank you, sir.</p> <p>6 COMMISSIONER GANGADIN: No.</p> <p>7 CHAIRMAN LANGSTON: All right. Let's move</p> <p>8 on to Ms. Worstell then.</p> <p>9 MR. WINE: Yeah. Mr. Chair, I think</p> <p>10 Commissioner Gangadin was trying to ask something,</p> <p>11 but it cut out on my end.</p> <p>12 COMMISSIONER GANGADIN: No, I said I have</p> <p>13 no questions.</p> <p>14 MR. WINE: Oh, okay. All right,</p> <p>15 certainly. So with that -- Martin, if you don't</p> <p>16 mind bringing down your screen and we can move</p> <p>17 on.</p> <p>18 THE WITNESS: Of course. Sorry about</p> <p>19 that.</p> <p>20 MR. WINE: And just stick around in case</p> <p>21 there are questions.</p> <p>22 THE WITNESS: Yeah. And thank you all for</p> <p>23 your time. Thank you.</p> <p>24 CHAIRMAN LANGSTON: Thank you.</p> <p>25 MR. WINE: All right. I do see Carolyn.</p>	<p style="text-align: right;">Page 24</p> <p>1 C A R O L Y N W O R S T E L L, having</p> <p>2 been duly sworn, was examined and/or testified as</p> <p>3 follows:</p> <p>4 CHAIRMAN LANGSTON: Ms. Worstell, good</p> <p>5 evening. I think we saw you a week ago. I can't</p> <p>6 remember.</p> <p>7 THE WITNESS: Yeah.</p> <p>8 CHAIRMAN LANGSTON: I'll double-check with</p> <p>9 you.</p> <p>10 THE WITNESS: It's been so long.</p> <p>11 CHAIRMAN LANGSTON: Your license is still</p> <p>12 current as --</p> <p>13 THE WITNESS: It is. My license is still</p> <p>14 in good standing this evening.</p> <p>15 CHAIRMAN LANGSTON: Thank you. You are</p> <p>16 qualified.</p> <p>17 THE WITNESS: Thank you. Thank you,</p> <p>18 everyone.</p> <p>19 So as mentioned, what happened with this</p> <p>20 site is when we originally were looking at it, we</p> <p>21 were looking at it under the old standards. And</p> <p>22 with the new standards, there are a number of</p> <p>23 changes, only one that really affected this</p> <p>24 development, and that was the rear yard setback</p> <p>25 standard.</p>

<p style="text-align: right;">Page 25</p> <p>1 So this property is located in the R-1 --</p> <p>2 the R-3 district, multifamily mid-rise district.</p> <p>3 And under the old zoning, the requirement was</p> <p>4 written as a combination. You needed a 35 feet</p> <p>5 combined front and rear yard plus an additional when</p> <p>6 had you a deeper lot. This is a deeper lot. And</p> <p>7 when we did those calculations, what we needed was a</p> <p>8 31.1-foot rear yard setback.</p> <p>9 When the project -- with the new</p> <p>10 requirements, they changed it and now it's no</p> <p>11 longer a combination. It's a straight requirement</p> <p>12 based on percentage of lot depth. And that's 25</p> <p>13 feet -- or 25 percentage -- 25 percent of your</p> <p>14 depth. In this case, that equates to 35.9 feet rear</p> <p>15 yard setback.</p> <p>16 So what we're proposing was 31.1 feet,</p> <p>17 which is what we needed under the old rules, and now</p> <p>18 it's 35.9 feet, which is what we need under the new</p> <p>19 rules, so we have a deficit of 4.8 feet.</p> <p>20 Overall, this project is still providing</p> <p>21 56.9 feet of combined front and rear yard setback</p> <p>22 and that's because we have such a deep front yard</p> <p>23 setback. We're over 25 feet set back from the front</p> <p>24 lot line and that's because the buildings on either</p> <p>25 side of us are also set back that far.</p>	<p style="text-align: right;">Page 26</p> <p>1 So it pushes us a lot further back than</p> <p>2 you would typically find in Jersey City and is not</p> <p>3 really -- is not typical and is not really what was</p> <p>4 generally probably anticipated when the requirements</p> <p>5 were set into place.</p> <p>6 Overall, this project is still</p> <p>7 substantially compliant with the new requirements.</p> <p>8 You know, we're still -- you know, we've got a front</p> <p>9 yard setback of 25 feet to match the adjacent. Our</p> <p>10 side yard setbacks are compliant. We have 3.3 on</p> <p>11 one side and combined is 5.3 side yard setbacks,</p> <p>12 which is conforming.</p> <p>13 Our building height is 41.9 feet, four</p> <p>14 stories, which is conforming.</p> <p>15 We have a building coverage which is</p> <p>16 actually substantially less than what is permitted.</p> <p>17 We're at 48 percent where 60 is permitted.</p> <p>18 Our lot coverage as well is under what's</p> <p>19 permitted. We're at 73 percent where 80 percent is</p> <p>20 permitted.</p> <p>21 And our front yard landscaping is actually</p> <p>22 more than you find, opposite of what I'm usually</p> <p>23 here to tell you. We've got 64 percent front yard</p> <p>24 landscaping where 60 percent is required.</p> <p>25 So, overall, this project is substantially</p>
<p style="text-align: right;">Page 27</p> <p>1 compliant. We just have the deviation just for that</p> <p>2 one rear yard setback.</p> <p>3 The building itself is still over 30 feet</p> <p>4 away from the adjacent building to the rear. And to</p> <p>5 the rear of us there is actually a structure on the</p> <p>6 adjacent property to the rear which is right on the</p> <p>7 property line. So there's really not a substantial</p> <p>8 detriment from that slightly undersized rear yard</p> <p>9 setback.</p> <p>10 And I think really, overall, here the</p> <p>11 benefits of this project really outweigh the</p> <p>12 detriments of that, you know, minimal variance.</p> <p>13 It's a new four-unit dwelling that's substantially</p> <p>14 compliant with the updated R-3 standards and we're</p> <p>15 providing a project that is still well, well under</p> <p>16 that lot coverage and building coverage.</p> <p>17 Again, we're 12 percent under what is</p> <p>18 permitted on building coverage. So really it is</p> <p>19 because we have this odd combination of that</p> <p>20 substantially deeper front yard setback that has</p> <p>21 created this situation. And with the change,</p> <p>22 again, where we were compliant, we are now not</p> <p>23 compliant.</p> <p>24 This project will advance and promote the</p> <p>25 purposes of the Municipal Land Use Law. Consistent</p>	<p style="text-align: right;">Page 28</p> <p>1 with Purpose A, it's an appropriate use. It's a</p> <p>2 permitted four-family use.</p> <p>3 Consistent with Purpose C, it will guide</p> <p>4 an appropriate use and development, provide adequate</p> <p>5 light, air and open space. So all of those setbacks</p> <p>6 are still going to provide adequate light, air and</p> <p>7 open space.</p> <p>8 You know, we have an appropriate</p> <p>9 population density that is permitted for a</p> <p>10 multifamily dwelling, consistent with Purpose E.</p> <p>11 And we're promoting a desirable visual</p> <p>12 environment, consistent with Purpose I, with this</p> <p>13 redesigned facade. As has been testified, you know,</p> <p>14 we're looking to incorporate those materials and</p> <p>15 architectural details that are a little more</p> <p>16 historical and more in keeping with the character of</p> <p>17 the block.</p> <p>18 When looking at the negative criteria, you</p> <p>19 know, there really isn't a substantial detriment to</p> <p>20 the general welfare or a substantial impairment to</p> <p>21 the intent and purpose of the zone plan. As</p> <p>22 mentioned, this is a conforming, you know,</p> <p>23 four-family dwelling. It's substantially in</p> <p>24 compliance with R-3 standards.</p> <p>25 We're providing that combined 56.9-foot</p>

<p style="text-align: right;">Page 29</p> <p>1 front and rear yard setback. So that's a</p> <p>2 substantial setback which results in 48 percent</p> <p>3 coverage where 60 percent is permitted. And we have</p> <p>4 a 64 percent front yard landscaping. So we're</p> <p>5 providing more landscaping in the front yard than</p> <p>6 you would typically find.</p> <p>7 So really I think that that this project</p> <p>8 meets both the positive and the negative criteria</p> <p>9 and really the variances can be granted consistent</p> <p>10 with the requirements.</p> <p>11 So if anyone has a question, I'm happy to</p> <p>12 provide anything else.</p> <p>13 MR. WINE: Thank you, Carolyn.</p> <p>14 CHAIRMAN LANGSTON: Thank you,</p> <p>15 Ms. Worstell. Yeah, I have no questions.</p> <p>16 Counsel, do you have anything else for</p> <p>17 your witness?</p> <p>18 MR. WINE: Nothing more for my witness at</p> <p>19 this time.</p> <p>20 CHAIRMAN LANGSTON: Okay. Anybody else</p> <p>21 from the Board have any questions for Ms. Worstell?</p> <p>22 COMMISSIONER TORRES: No.</p> <p>23 COMMISSIONER GANGADIN: No.</p> <p>24 CHAIRMAN LANGSTON: All right. Thank you,</p> <p>25 everybody.</p>	<p style="text-align: right;">Page 30</p> <p>1 Counsel, that's your presentation?</p> <p>2 MR. WINE: Yeah. I'll reserve my right to</p> <p>3 sum up. And just before I do that, again, I want to</p> <p>4 apologize to the Board. It's certainly not my style</p> <p>5 to find these last-minute things, but I would rather</p> <p>6 find them ten minutes before the hearing than ten</p> <p>7 minutes after the hearing. So I just want to put</p> <p>8 that on the record.</p> <p>9 And, again, I'll reserve my right to</p> <p>10 respond to any public.</p> <p>11 CHAIRMAN LANGSTON: Okay. Agreed. Yeah,</p> <p>12 no worries. You know, you made it under the wire.</p> <p>13 You're fine.</p> <p>14 Okay. At this time let's open it up for</p> <p>15 public comment. If anybody's here from the public</p> <p>16 that wants to comment on this application, please</p> <p>17 raise your hand. And if you're calling in, press</p> <p>18 *9. I see a couple of hands raised already.</p> <p>19 SECRETARY BLACK: Promoted Coach MG.</p> <p>20 MS. RILEY: Good evening. Can you hear</p> <p>21 me?</p> <p>22 CHAIRMAN LANGSTON: We can, yes. Let's</p> <p>23 just get you sworn in and we'll hear your comment.</p> <p>24 S A N D R A R I L E Y, having been duly</p> <p>25 sworn, was examined and/or testified as follows:</p>
<p style="text-align: right;">Page 31</p> <p>1 CHAIRMAN LANGSTON: Ms. Riley, good</p> <p>2 evening. We have three minutes for you.</p> <p>3 MS. RILEY: Good evening. I'd like to</p> <p>4 preface my remarks by informing the Board that our</p> <p>5 mom is 104 years old. She's lived in this home</p> <p>6 since 1957, this home at 122 Glenwood Avenue. At</p> <p>7 this point my husband, MG, my sister India and I</p> <p>8 also reside here.</p> <p>9 I want to just say for the record that we</p> <p>10 have a number of concerns, the first being</p> <p>11 preconstruction damage to our property. In</p> <p>12 December a contractor was hired by the developer to</p> <p>13 dig in the street in front of 124 Glenwood Avenue.</p> <p>14 As a result, we had suffered water leakage under the</p> <p>15 stairs we share with 120 Glenwood, from the stairway</p> <p>16 wall, in the street in front of our homes, around</p> <p>17 the foundation of our homes.</p> <p>18 In January we already had determined that</p> <p>19 our sewer line had collapsed, waterlines were</p> <p>20 leaking and they needed to be replaced. We were not</p> <p>21 aware of these problems until the initial demolition</p> <p>22 of 124's sewer line. We do not feel that we should</p> <p>23 be responsible for these repairs.</p> <p>24 Our other concerns are the potential for</p> <p>25 continuing damage to the structural integrity of our</p>	<p style="text-align: right;">Page 32</p> <p>1 home. We believe there's an incompatibility with</p> <p>2 the historic character and charm of the</p> <p>3 neighborhood. The string of homes located from 120</p> <p>4 to 130 were built in 1895 by William Coffin and even</p> <p>5 named the Maiden Cottages.</p> <p>6 We believe that the proposed design is too</p> <p>7 tall, too big, too long. And we believe it would</p> <p>8 significantly decrease -- not believe, we know it</p> <p>9 will decrease our access to sunlight on the west</p> <p>10 side of the house and extend into the backyard.</p> <p>11 Again, we've been here since 1957.</p> <p>12 And what about parking? Glenwood</p> <p>13 Avenue already lacks sufficient parking for its</p> <p>14 residents. I just -- you know, this is a big</p> <p>15 problem for us.</p> <p>16 I would like to ask each of you how you</p> <p>17 would feel if there were construction in your</p> <p>18 neighborhood, construction next door to you which</p> <p>19 was damaging the structural integrity of your home</p> <p>20 causing property as well as psychic damage.</p> <p>21 This is just very upsetting to us and I'm</p> <p>22 thankful for the opportunity to put our feelings on</p> <p>23 the record.</p> <p>24 CHAIRMAN LANGSTON: Thank you, Ms. Riley.</p> <p>25 Counsel, are you aware of any damage to</p>

<p style="text-align: right;">Page 33</p> <p>1 the property?</p> <p>2 MR. WINE: I'm not. I certainly take</p> <p>3 those concerns seriously. You know, all I can</p> <p>4 indicate -- and, Ms. Riley, I certainly want to make</p> <p>5 clear that anything that would be done would have to</p> <p>6 be done with all permits in place and all</p> <p>7 inspections in place. You know, if there was work</p> <p>8 done on the property, I would like to assume it was</p> <p>9 done with permits, whether that's, you know, working</p> <p>10 on sewer lines or anything like that.</p> <p>11 I'm not aware, unfortunately, Mr. Chair,</p> <p>12 but I certainly share Ms. Riley's concerns and will</p> <p>13 let my client know to take extra care in ensuring</p> <p>14 that everything is followed to a T.</p> <p>15 CHAIRMAN LANGSTON: Okay. Thank you,</p> <p>16 Counsel.</p> <p>17 COMMISSIONER TORRES: Chairman, I got a</p> <p>18 question for counsel.</p> <p>19 CHAIRMAN LANGSTON: Go ahead.</p> <p>20 COMMISSIONER TORRES: The foundation of</p> <p>21 the old building where they dug up the demolition of</p> <p>22 the building that was existing, is that adjacent,</p> <p>23 like shared foundation to the other properties or is</p> <p>24 there a space between each building?</p> <p>25 MR. WINE: Commissioner, I wish I knew the</p>	<p style="text-align: right;">Page 34</p> <p>1 answer to that. I don't know. I'm not sure if our</p> <p>2 architect knows, but if not -- I don't know. I</p> <p>3 don't want to --</p> <p>4 COMMISSIONER TORRES: Well, just to keep</p> <p>5 in mind, do you -- okay.</p> <p>6 The architect, are you going to answer</p> <p>7 that?</p> <p>8 MR. MORENO: Yes, Mr. Torres. I'm not the</p> <p>9 architect. I'm the lead designer speaking on behalf</p> <p>10 of Mr. LaPorta.</p> <p>11 COMMISSIONER TORRES: Yes. Yes.</p> <p>12 MR. MORENO: In regards to the existing</p> <p>13 survey which was provided by us, there is space in</p> <p>14 between each property.</p> <p>15 COMMISSIONER TORRES: Okay.</p> <p>16 MR. MORENO: They're not attached</p> <p>17 buildings, no, sir.</p> <p>18 COMMISSIONER TORRES: Just to keep in</p> <p>19 mind, I seen it happen to another property in</p> <p>20 Downtown Jersey City and somewhere else where the</p> <p>21 traditional type of footings and foundations that</p> <p>22 are supposed to be in place is not. It's just maybe</p> <p>23 a bedrock, maybe a shared poured concrete, not</p> <p>24 traditional for these older buildings.</p> <p>25 So just to be careful, I'd say, because</p>
<p style="text-align: right;">Page 35</p> <p>1 there are surrounding properties around there. Just</p> <p>2 to be on the safe side, use a lot of precaution.</p> <p>3 That's the only thing I have to say.</p> <p>4 CHAIRMAN LANGSTON: All right. Thank you.</p> <p>5 Commissioner Lipski, I think you had a</p> <p>6 question, also?</p> <p>7 COMMISSIONER LIPSKI: Yeah, or a comment.</p> <p>8 And this is to you, Chair. I don't know if this</p> <p>9 governing body has any jurisdiction or any say in</p> <p>10 what has happened or allegedly has happened to the</p> <p>11 property nearby this applicant's parcel.</p> <p>12 But, you know, to hear a family who's been</p> <p>13 here this long and somebody 104 years old in there,</p> <p>14 her golden years, and to Mr. Wine's point, if what</p> <p>15 he said is accurate, that he had not known about it</p> <p>16 today, fair enough. And then promising that it</p> <p>17 won't happen again is great. But that doesn't, you</p> <p>18 know, give me, as a Jersey City resident, the warm</p> <p>19 and fuzzies of what has happened.</p> <p>20 I mean, I would take a lot of comfort if</p> <p>21 Mr. Wine would, on the record, say that he would</p> <p>22 establish what actually happened and, you know, see</p> <p>23 about making whole this long-term Jersey City</p> <p>24 family.</p> <p>25 CHAIRMAN LANGSTON: And for your first</p>	<p style="text-align: right;">Page 36</p> <p>1 part of the comment, Commissioner, we do not have</p> <p>2 jurisdiction over that. That would be the Building</p> <p>3 Department. I wish we did, but we do not.</p> <p>4 COMMISSIONER LIPSKI: Okay. So maybe for</p> <p>5 the record -- and that's excellent, Board Chairman.</p> <p>6 I love going through you. If we can establish what</p> <p>7 means that Coach MG -- I forget -- Sandra, whatever</p> <p>8 her name is.</p> <p>9 CHAIRMAN LANGSTON: Ms. Riley.</p> <p>10 COMMISSIONER LIPSKI: Riley. Excellent.</p> <p>11 Thank you, Chairman. Could seek not, you know, to</p> <p>12 get into an entanglement. Mr. Wine is a great</p> <p>13 attorney. He's been before this Board a number of</p> <p>14 times. I suspect he would represent to his client</p> <p>15 through his decency what could get done to make this</p> <p>16 family whole. I don't know if we could make that a</p> <p>17 condition. I don't know.</p> <p>18 MR. WINE: Yeah, Commissioner, at the risk</p> <p>19 of not knowing what "whole" would look like and I</p> <p>20 don't know, you know, if it's a matter for the</p> <p>21 courts to determine or the Building Department, all</p> <p>22 I can say is, you know, I -- I tell my clients,</p> <p>23 whether or not this Board discusses their</p> <p>24 application or another board in another</p> <p>25 municipality, that, you know, your job as a</p>

<p style="text-align: right;">Page 37</p> <p>1 developer is to be a good neighbor. It's incumbent 2 upon you. I mean, unless you're somebody who plans 3 to develop one development and then escape to 4 another country, I presume, you know, you want to be 5 a good neighbor.</p> <p>6 So I do always advise my clients and I 7 will do so now on the record and then behind the 8 scenes as well that obviously anything he does 9 should be coordinated with all the appropriate 10 agencies. To the extent possible, he should 11 communicate with his neighbor about, you know, 12 construction times and that.</p> <p>13 And I recognize, you know, that, you know, 14 it would be a burden to knock on her door every 15 morning and say construction's starting in ten 16 minutes, but some type of, you know, notice as to 17 perhaps when construction might begin and to ensure 18 that it's overseen by the appropriate authorities 19 and professionals.</p> <p>20 That, I'm certainly happy to do and I 21 would do that anyways whether or not you put that on 22 the record.</p> <p>23 COMMISSIONER LIPSKI: Excellent. And so 24 in my world it's pretty simple without getting 25 overly complicated. Getting whole is your client</p>	<p style="text-align: right;">Page 38</p> <p>1 through whoever, him or her and/or their 2 representative, ascertain to the extent he or she 3 may have caused whatever damage and just say, you 4 know, whether it's through insurance or 5 out-of-pocket, here's a good neighborly deed. I'll 6 restore you to where you were.</p> <p>7 If not -- you know what? My mom taught me 8 you leave a place better than you found it.</p> <p>9 CHAIRMAN LANGSTON: Agreed. Absolutely 10 agree. But, once again, that jurisdiction isn't in 11 front of us.</p> <p>12 But, Counsel, we appreciate, you know, 13 your best effort on this and your client's best 14 effort. We do preach being good neighbors, of 15 course, but, again, that would fall on the Building 16 Department to enforce any damages.</p> <p>17 Let's move on with public comment. I see 18 another hand raised.</p> <p>19 SECRETARY BLACK: We have Shirin and 20 Nathan MacCormack.</p> <p>21 NATHAN MACCORMACK, having 22 been duly sworn, was examined and/or testified as 23 follows:</p> <p>24 MR. McCORMACK: Nathan MacCormack. 25 N-A-T-H-A-N, M-a-c-C-O-R-M-A-C-K. From one court</p>
<p style="text-align: right;">Page 39</p> <p>1 reporter to another, good evening.</p> <p>2 CHAIRMAN LANGSTON: Mr. MacCormack, good 3 evening. There's another person on the screen with 4 you. Is she going to be testifying as well?</p> <p>5 MR. MacCORMACK: Yes.</p> <p>6 CHAIRMAN LANGSTON: All right. Let's 7 handle your testimony separately. So, 8 Mr. MacCormack, we have three minutes from you and 9 then we'll swear in the other witness.</p> <p>10 MR. MacCORMACK: Thank you for the 11 opportunity to be heard tonight.</p> <p>12 So my wife, Shirin, and I have restored 13 one of the 1895 homes that Ms. Riley was speaking of 14 that are a part of the historic stretch of houses, 15 one of six houses built in 1895, one of which is up 16 for debate tonight basically.</p> <p>17 So the first point I wanted to make is as 18 much as I understand the need for this property to 19 be put to use and for just that, my -- the first 20 concern that I had when I saw the design was the 21 depth of the building. The setback is the biggest 22 concern to me for the soul reason that Glenwood 23 Avenue on this block is on a hill. And we had 24 about a foot of water in our basement after 25 Hurricane Ida.</p>	<p style="text-align: right;">Page 40</p> <p>1 And so being towards the bottom of this 2 hill, just a few doors away from this proposed 3 project, my concern is mostly with the permeable 4 surface area. And I'm concerned that on this block, 5 as Ms. Riley stated, many people -- parking is very 6 tough. Most people who had a front yard chose to 7 get rid of it for parking, you know, for a driveway. 8 So when it does rain, there's really not much area 9 for absorption.</p> <p>10 Being directly downhill from this project 11 is concerning. And, in addition, next Thursday, 12 before the Zoning Board, will be a project by the 13 same developer right next door to us with, I assume, 14 about the same footprint.</p> <p>15 So we are very concerned about the depth 16 of the project and what that would mean for the 17 groundwater absorption.</p> <p>18 But thank you for your time.</p> <p>19 CHAIRMAN LANGSTON: All right. Thank you, 20 Mr. MacCormack.</p> <p>21 And let's bring up your other witness.</p> <p>22 MR. WINE: Mr. Chair, did you want me to 23 address that comment -- because I think it was a 24 good one and I think we can -- or do you want to 25 hear from Ms. MacCormack first?</p>

<p style="text-align: right;">Page 41</p> <p>1 CHAIRMAN LANGSTON: Let's hear from 2 Ms. MacCormack and I assume we may have similar 3 concerns. So let's address them together. 4 MR. WINE: Sure. 5 SHIRIN MacCORMACK, having 6 been duly sworn, was examined and/or testified as 7 follows: 8 CHAIRMAN LANGSTON: Ms. MacCormack, good 9 evening. We have three minutes for you. 10 MS. MacCORMACK: Good evening. I wanted 11 to thank you for your time tonight and I wanted to 12 express some concerns. As a resident of Jersey 13 City for 14 years now, I love this neighborhood. I 14 love Jersey City. I lived downtown at the historic 15 Dixon Mills for many years and then, in more recent 16 years, up here where my husband and I have 17 painstakingly, lovingly restored this 1895 treasure 18 of a home in a string of homes built by William W. 19 Coffin in 1895. 20 And I find this neighborhood very 21 beautiful. It has historic integrity. And, you 22 know, in a time when so many people are coming in 23 and just razing everything down rather than 24 restoring beauty that is there already, I just think 25 it's a shame. We're lucky that we're in this pocket</p>	<p style="text-align: right;">Page 42</p> <p>1 on this block of some very intact history with 2 beautiful, you know, locally sourced stone wall and 3 the Queen Anne architecture. 4 And I do have concerns about the new 5 building. To go over them briefly, higher and 6 deeper proposed plans will mean less sunlight and a 7 lot more shadow on our property and neighboring 8 properties. 9 I'm also concerned that the height is a 10 lot more than 2 feet higher than the existing 11 structure, to go from two and a half stories of the 12 existing home to four stories. And if you just even 13 look at the images of the proposal, it looks a lot 14 taller than that. So I wanted to know about the 15 height accuracy. 16 Also, greater population density with 17 this construction would mean more noise and less 18 parking. 19 New plans are being claimed to be modern 20 in a historical style, but they are quite modern. 21 They are not Queen Anne. They will not match the 22 surrounding historical character of the block and 23 the neighborhood. 24 I'm not sure what the plans are for the 25 stone wall that is sidewalk front-facing along this</p>
<p style="text-align: right;">Page 43</p> <p>1 row of homes. But to go a little deeper, the 2 historic preservation specialist letter did say that 3 this block has a largely intact -- and I'm quoting 4 this "intact historic streetscape with few modern 5 intrusions. Staff recommends that any new 6 construction be compatible with the scale, the form, 7 the setbacks, the heights, and historic character of 8 the neighborhood, and the stone wall fronting the 9 row of Queen Anne historic houses should be retained 10 as part of a historic streetscape." 11 To me, full brick and vinyl siding is not 12 historical. And I know that, you know, my husband 13 and I renovated our own home and we found out when 14 we removed the vinyl siding there was beautiful 15 cedar original wooden shingle and clapboard 16 underneath. The existing home at 124 Glenwood still 17 has that Palladium window in the attic and the 18 second story lite window. They're merely just 19 covered up and actually being protected and 20 preserved, which is fortunate if we can retain them, 21 by the -- 22 CHAIRMAN LANGSTON: Okay. That was your 23 three minutes, Ms. MacCormack. I appreciate it. 24 Thank you. Thank you for your time. 25 MS. MacCORMACK: Can I add one more note,</p>	<p style="text-align: right;">Page 44</p> <p>1 please? 2 CHAIRMAN LANGSTON: Four seconds, please. 3 MS. MacCORMACK: I'd love to see what's 4 happening with the preservation of the front facade 5 up at 41 to 45 Highland happen at 124 Glenwood. 6 Thank you. 7 CHAIRMAN LANGSTON: Thank you. We 8 appreciate it. 9 MR. WINE: Okay. So, Mr. Chair, a lot 10 to unpack there, but I'm happy to respond and have 11 my team respond. I want to start by suggesting 12 that, first and foremost, you know, the presentation 13 you've seen this evening -- and this is really to 14 the MacCormacks as well. You know, the bulk of the 15 building -- again, with the exception of that 16 deviation that came to light and that we added 17 to our application, the bulk of the building 18 complies with the R-3 standards and that's, you 19 know, what your governing body and this Planning 20 Board have determined to be appropriate for the 21 R-3. 22 Now, before we can file an application, we 23 do have to apply to the Historic Preservation 24 Commission on any application for demolition in 25 order to receive what's called a determination of</p>

<p style="text-align: right;">Page 45</p> <p>1 significance, which, in fact, is what I believe 2 what you were reading from specifically. And 3 that determination of significance comes with the 4 demo permit that allows this property to be 5 demolished.</p> <p>6 And with that in mind, you know, this 7 Board and the governing body have felt that the R-3 8 zone is entitled to have a little bit more density 9 where we're composing a compliant four units, is 10 entitled to have a little more height where you're 11 entitled to, I believe it's 42 feet, and we're 12 underneath that.</p> <p>13 Also, you know, they don't want parking. 14 Quite honestly, if you actually read the text of the 15 ordinance, three- and four-families are actually the 16 smallest density permitted in the R-3. There's an 17 argument to be made that one- and two-families are 18 actually not permitted under the new R-3 standards, 19 but, nevertheless, this Board and the governing body 20 felt that parking is not something that they would 21 desire to see.</p> <p>22 The goal of this application since the 23 inception, and again with the exception of the one 24 deviation that has come to light at the eleventh 25 hour, the goal was to construct a building that</p>	<p style="text-align: right;">Page 46</p> <p>1 complies with the R-3 standards.</p> <p>2 I want to touch on another couple of 3 issues as well. You know, the design of the 4 facade, to your point, Ms. MacCormack, you're 5 never -- when you do something new, you're never 6 going to get something that is 1895. You know, 7 you can try and get the design, but unfortunately, 8 you know, new is always going to be new and not 9 1895.</p> <p>10 What the architect has done, quite 11 painstakingly, really in the last couple of weeks 12 after multiple rounds of comments from the 13 councilman's office, who shared those design 14 concerns, was to actually pivot and change the 15 facade to better take on the aesthetics and 16 characteristics of some of the neighboring 17 styles, which really are beautiful in and of 18 themselves.</p> <p>19 And you saw some of the dormers. You saw 20 the changed material. You saw the window pattern. 21 You saw the bay window that did not previously 22 exist. So I think, you know, this architect has 23 done -- or this designer through the architect has 24 done, you know, everything he can responsive to 25 bring that into focus.</p>
<p style="text-align: right;">Page 47</p> <p>1 And then regarding the wall in the front, 2 it's a good point. I'm glad you brought it up. I 3 think we missed that in our testimony. That's one 4 of the elements as to why we're maintaining that 5 front yard setback. We're not only keeping the wall 6 that's there, that retaining wall, we're actually 7 improving it, restoring it, and bringing that 8 walkway into better condition because it needs a 9 whole lot of repair. And that all takes place 10 within that 25.8-foot setback in the front.</p> <p>11 We are doing that. We recognize that 12 that's a nice element that exists today. You know, 13 the topography is something unique on this property. 14 And our goal has always been to do that, not to 15 provide parking.</p> <p>16 I think you mentioned people are knocking 17 down -- are just installing front yard parking. The 18 Chairman can correct me if I'm wrong, but I don't 19 think you can do that without filing for a permit or 20 coming before this Board. And it's my understanding 21 that the goal in a lot of areas in the city is to 22 prohibit that type of development in putting parking 23 in the front, both from an aesthetic perspective but 24 also from a drainage perspective, which you 25 mentioned.</p>	<p style="text-align: right;">Page 48</p> <p>1 So some of the couple of items that 2 Mr. Moreno mentioned as well to help with the 3 drainage, there's going to be a rain garden on the 4 property. We are well beneath the impervious 5 coverage that's permitted on the property. We have 6 green roof components added to the building. We 7 have stormwater management added to the site.</p> <p>8 So these are issues that, I agree, I live 9 downhill myself of some neighbors and am very 10 familiar with flooding issues, but I think the 11 testimony you've heard and the plans that have been 12 really well engineered will only make this a better 13 condition from a drainage perspective than what you 14 see today.</p> <p>15 So I think -- and, Mr. Chair, I'm sorry if 16 I missed anything. Those were the notes that I had 17 to respond to the MacCormacks.</p> <p>18 CHAIRMAN LANGSTON: All right. Thank you, 19 Counsel. And I do want to agree with you on the 20 front yard parking. It's not something I like to 21 see. You certainly would have to come in front of 22 this Board and ask to have front yard parking added 23 and I don't think that we've ever approved that 24 request.</p> <p>25 So that being said, let's move on with</p>

<p style="text-align: right;">Page 49</p> <p>1 public comment.</p> <p>2 SECRETARY BLACK: Promoted Gia Stafford.</p> <p>3 JULIAN BRANTLEY, having been</p> <p>4 duly sworn, was examined and/or testified as</p> <p>5 follows:</p> <p>6 CHAIRMAN LANGSTON: Mr. Brantley, are</p> <p>7 you -- there's another person on your screen. Are</p> <p>8 you both going to be testifying tonight?</p> <p>9 MR. BRANTLEY: No, just I am. Just I am.</p> <p>10 CHAIRMAN LANGSTON: All right. So we have</p> <p>11 three minutes for you, Mr. Brantley.</p> <p>12 MR. BRANTLEY: Okay. Going back to what</p> <p>13 Ms. Riley said, the City has, in fact, come in and</p> <p>14 uprooted the street with permits and everything</p> <p>15 being said. However, they also repavement the area,</p> <p>16 but now because of the continuation of cars running</p> <p>17 over it -- I don't know if a pipe had burst, but now</p> <p>18 there's a continuation of water coming from the</p> <p>19 street.</p> <p>20 So I'm not sure of -- as she said before,</p> <p>21 circling back to what she said, would they be able</p> <p>22 to do the same thing if that was the case or would</p> <p>23 that be the same situation?</p> <p>24 Also moving forward from that, with this</p> <p>25 building being -- if I'm correct, being taken down</p>	<p style="text-align: right;">Page 50</p> <p>1 and a new one being put up, I do have a strong</p> <p>2 health concern as far as my grandma goes, who is</p> <p>3 sitting right next to me, as well as Ms. Edwards,</p> <p>4 who would be my neighbor of Sandra Riley, with all</p> <p>5 the dust and everything and the breeze. Most of</p> <p>6 them have asthma and breathing problems. So that</p> <p>7 does create a big concern for me as far as that</p> <p>8 goes.</p> <p>9 Also, just like you said, as far as the</p> <p>10 loud noise and everything else being early, my</p> <p>11 grandma -- and I don't know if you want me to</p> <p>12 disclose this -- she has tinnitus. So that will</p> <p>13 also create a problem as far as the noise goes.</p> <p>14 So I'm trying to figure out what would be</p> <p>15 done if that was the case and cleanup goes as well.</p> <p>16 Thank you for your time.</p> <p>17 MR. WINE: Sure, thank you, Mr. Brantley.</p> <p>18 CHAIRMAN LANGSTON: Thank you,</p> <p>19 Mr. Brantley.</p> <p>20 MR. WINE: Again, all very valid concerns.</p> <p>21 Again, it sounds like the City might have done some</p> <p>22 work in the street, which might have been what</p> <p>23 Ms. Riley was referencing as well.</p> <p>24 I'll just reiterate. Anything done by my</p> <p>25 client will be done under all permits and, to</p>
<p style="text-align: right;">Page 51</p> <p>1 Commissioner Lipski's point, will be done with the</p> <p>2 best possible care and attention towards being a</p> <p>3 good neighbor, you know. And with respect to some</p> <p>4 of the health concerns of the dust and noise and all</p> <p>5 that, I mean, unfortunately, construction is going</p> <p>6 to ultimately cause those issues.</p> <p>7 You know, we will, again, do our best to</p> <p>8 be good neighbors and follow all available protocol.</p> <p>9 And if the Board has any recommendations as to</p> <p>10 protocol that I'm unaware of, we're certainly happy</p> <p>11 to entertain that. But everything will follow all</p> <p>12 ordinances of record and comply with the law.</p> <p>13 CHAIRMAN LANGSTON: All right. Thank you,</p> <p>14 Counsel.</p> <p>15 SECRETARY BLACK: I've promoted Eric</p> <p>16 Carter.</p> <p>17 ERIC CARTER, having been</p> <p>18 duly sworn, was examined and/or testified as</p> <p>19 follows:</p> <p>20 CHAIRMAN LANGSTON: Mr. Carter, good</p> <p>21 evening. We have three minutes for you, sir.</p> <p>22 MR. CARTER: Good evening. I probably</p> <p>23 won't take three minutes, but I appreciate you</p> <p>24 giving me the time. I'm a resident of Glenwood</p> <p>25 Avenue. I'm a little bit further down the hill, but</p>	<p style="text-align: right;">Page 52</p> <p>1 that row of houses are so beautiful and historic.</p> <p>2 For quality of life, as a neighbor, they're</p> <p>3 beautiful to see.</p> <p>4 And I understand change. I understand</p> <p>5 progress. I just looked at the design that you</p> <p>6 presented tonight and wish you could get a little</p> <p>7 closer to what is already happening there.</p> <p>8 I think my other challenge is the size.</p> <p>9 I've been a Jersey City resident for almost 30 years</p> <p>10 now. One of the reasons that I moved to this</p> <p>11 neighborhood recently was that I lived on</p> <p>12 Montgomery Street downtown in Van Vorst Park and</p> <p>13 the population density is really -- it changes</p> <p>14 your quality of life. It just got too crowded, too</p> <p>15 busy. And when I see a single or two-story house</p> <p>16 moving to a four-story house, I see that change</p> <p>17 start to happen here and it doesn't make me feel</p> <p>18 good.</p> <p>19 I just wanted to put that out there. I</p> <p>20 think that, you know, one of the reasons that this</p> <p>21 neighborhood was desirable to me was that there</p> <p>22 weren't a lot of large dwellings. There were still</p> <p>23 single-family homes, two-family homes. It felt like</p> <p>24 a neighborhood.</p> <p>25 And I hate to see more encroachment.</p>

<p style="text-align: right;">Page 53</p> <p>1 There are a few large apartment buildings at the top 2 of the block, but, you know, I'd love -- I'd love to 3 see a two- or three-family home there. 4 The height of this, you know, when you 5 talk about your new height, is 41.9. And, yeah, 6 you're allowed 42, but it's still dwarfing the other 7 houses in that historic row. 8 And that's all I have to say. Thank you 9 for your time. 10 CHAIRMAN LANGSTON: All right. Thank you, 11 Mr. Carter. 12 MR. RONAN: I would like to stay on if 13 possible. 14 CHAIRMAN LANGSTON: Sure. If you could, 15 Mr. Ronan, please just confirm that you were already 16 sworn in tonight and are still under oath. 17 MR. RONAN: Yes, I was already sworn in 18 and I still am under oath. 19 CHAIRMAN LANGSTON: Three minutes for you, 20 sir. 21 D E R M O T R O N A N, having been 22 previously duly sworn, remained under oath and 23 testified as follows: 24 MR. RONAN: I'm going to be quick. Thank 25 you, all.</p>	<p style="text-align: right;">Page 54</p> <p>1 I just want to point out that we didn't 2 see any reference to what was happening to the 3 trees, the hedging, the greenery that is already 4 existing on that site. Obviously, if you're trying 5 to push back to a lot of the lights from the 6 neighboring properties, it's going to have a deficit 7 of light that is going to impact the greenery in our 8 neighborhood. There's very few trees in our 9 neighborhood, unfortunately, and you're also going 10 to probably impact the tree in front. 11 So I do want to ask, what is happening to 12 maintain the greenery of that site? And I do agree 13 with what others have said. The building's a little 14 too big for its neighbors. And while I do approve 15 of development in this neighborhood, I think it's 16 got to be managed to be appropriate to the 17 neighborhood. 18 But I also want to point out, some of the 19 addresses, at least the one that depicted our 20 particular house, were incorrect on your documents 21 that you showed. 22 CHAIRMAN LANGSTON: All right. Thank you, 23 Mr. Ronan. We appreciate it. 24 MR. WINE: And Mr. Ronan and Mr. Carter, 25 to that as well, greenery, I'm happy to have our</p>
<p style="text-align: right;">Page 55</p> <p>1 architect reshow what we're doing. At the end of 2 the day, the rear yard will be all greenery. It 3 will be a combination of lawn and trees and 4 shrubs. 5 In the front as well, there's actually not 6 currently much by way of shrubbery at all. We are 7 significantly increasing, as Ms. Worstell and Mr. 8 Moreno indicated, the landscaping in the front yard 9 as well as just cleaning it up generally. 10 And, again, you know, concerns are 11 heard. But to reiterate, the building massing, the 12 mass of the building, again, it's permitted under 13 the R-3 standards. And I don't say that to be 14 dismissive. I really say that to stress to the 15 public that, you know, this is ultimately what the 16 R-3 contemplates in terms of scale and mass of 17 development. 18 CHAIRMAN LANGSTON: All right. Thank you, 19 Counsel. 20 All right. Let's move on in public 21 comment, please. 22 SECRETARY BLACK: Promoted Steven D. 23 Janel, Esquire. 24 THE REPORTER: And if you are testifying 25 as an attorney, I do not need to swear you in, but I</p>	<p style="text-align: right;">Page 56</p> <p>1 don't know. 2 MR. JANEL: I'm happy to be sworn in if 3 you so desire. 4 S T E V E N D. J A N E L, having been 5 duly sworn, was examined and/or testified as 6 follows: 7 CHAIRMAN LANGSTON: Mr. Janel, good 8 evening. We have three minutes for you, sir. 9 MR. JANEL: Thank you. 10 I was brought in at the behest of some of 11 the homeowners on Glenwood Avenue. One of the 12 issues that they were concerned about is the 13 integrity of the neighborhood. I think it's been 14 established that the neighborhood style is Queen 15 Anne. Queen Anne is a Victorian style, but it has 16 more specific and unique features. Queen Anne 17 features asymmetrical exteriors with decorative 18 trim. Wraparound porches are very common, as are 19 towers, turrets and multicolored pallets. 20 When we hear Mr. Moreno testify with 21 regard to A-2, which was a rendering he did as to 22 the property that's proposed, his comments were 23 "it's a more traditional look." He spoke of lots of 24 aluminum panels. He described it as modern. And, 25 more importantly, from my client's perspective, he</p>

<p style="text-align: right;">Page 57</p> <p>1 described it as looking as "something that stood 2 out." 3 Well, I would suggest to the panel that it 4 certainly does stand out because it doesn't fit in. 5 It's a sore thumb. It doesn't look anything like 6 Queen Anne architecture and it doesn't look like 7 anything in the particular row of homes in which it 8 would be located. 9 Without even getting into the size and 10 scope of the project, I refer to the memo which was 11 issued by the Historic Commission which specifically 12 says "The building on 124 Glenwood Avenue is a wood 13 frame, two-and-a-half story, two-bay single-family 14 residence with Queen Anne style influences and its 15 asymmetrical fenestration, cross-gabled roof, 16 staggered front-facing gambles, two-story protruding 17 bay windows and raised entrance." 18 The last comment is "The block of 19 Glenwood Avenue between West Side Avenue and JFK 20 Boulevard has a largely intact historic streetscape 21 with few modern intrusions. Staff recommends that 22 any new construction be compatible with the scale, 23 form, setbacks, heights and historic characteristics 24 of the neighborhood and that the stone wall 25 fronting the row of the Queen Anne style houses</p>	<p style="text-align: right;">Page 58</p> <p>1 should be retained as part of the historic 2 streetscape." 3 I would suggest to the panel that this is 4 about as far from the recommendation of the Historic 5 Commission as you could possibly get. Based on that 6 alone, I can't see this really fitting what was 7 intended for this particular property. 8 Thank you. 9 CHAIRMAN LANGSTON: Thank you, Mr. Janel. 10 We appreciate it. 11 MR. WINE: Thank you, Mr. Janel. And, if 12 I may, Mr. Chair. Thank you, Mr. Janel. A lot of 13 what you said, quite honestly, you know, you 14 referenced a lot of the design characteristics that 15 have actually been integrated within this property. 16 And I'm just reiterating what you said and what's in 17 the report that you referenced. 18 For example, we had "asymmetrical 19 fenestration, cross-gable roof, staggered 20 front-facing gambles, two-story protruding bay 21 window, raised entrance." These are features that 22 if you look at the plans, Mr. Moreno through 23 Mr. LaPorta redesigned because these were some of 24 the comments that Councilman Boggiano's office had 25 shared with us as well about changing from what we</p>
<p style="text-align: right;">Page 59</p> <p>1 had proposed as a -- not that I want to go down the 2 road of calling it a "Bayonne box," but something 3 that was more of a straight rectangular, box-shaped 4 building. 5 These are some of the design features that 6 we've integrated. In fact, the City of Jersey City 7 has within its Land Development Ordinance 8 residential design standards. And at the risk of 9 boring the Board and going through that and 10 recognizing that they are subjective in a lot of 11 ways and nature, I believe that we've accomplished 12 that. 13 But, nevertheless, you know, I have the 14 ability to text my architect. And if the Board 15 feels that there's a particular feature or 16 particular design or particular element to the 17 facade design that is either desirable or not 18 desirable, it's fungible. I mean, we can make 19 changes to the design. 20 We just felt in conjunction -- after 21 making the changes requested by the councilman's 22 office and in conjunction with this report, that 23 what we came up with was actually satisfactory, 24 although recognizing fully, as I mentioned before, 25 it is somewhat subjective. I do -- I do appreciate</p>	<p style="text-align: right;">Page 60</p> <p>1 that. But, again, we are open -- if there are 2 specific suggestions with that, that is something we 3 can work with. 4 CHAIRMAN LANGSTON: Okay. Thank you, 5 Counsel. 6 All right. Let's continue with public 7 comment. 8 SECRETARY BLACK: So we've already 9 promoted Coach MG. Do we want to promote them 10 again? 11 CHAIRMAN LANGSTON: I would because she 12 did mention there were multiple people in the 13 household. And Ms. Riley's name when we brought her 14 up certainly wasn't Coach MG, so maybe there's 15 somebody else in there. 16 But if it is Ms. Riley again, we can only 17 allow you to testify once per application. But if 18 there's somebody else on, we certainly can hear 19 them. 20 MR. RILEY: Yes, good evening. 21 CHAIRMAN LANGSTON: Good evening. 22 G E O R G E R I L E Y, having been 23 duly sworn, was examined and/or testified as 24 follows: 25 CHAIRMAN LANGSTON: Mr. Riley, good</p>

<p style="text-align: right;">Page 61</p> <p>1 evening. We have three minutes for you, sir.</p> <p>2 MR. RILEY: Okay. I won't take the full</p> <p>3 three minutes. I just have a question to what</p> <p>4 Attorney Wine said. He said that people are not</p> <p>5 looking for parking? You're proposing a 14-bedroom</p> <p>6 and if it's next to us and on the block and how is</p> <p>7 that not going to -- I mean, are you saying that</p> <p>8 nobody's going to come in with a car? We already</p> <p>9 have issues with parking. We have St. Peter's</p> <p>10 University here. We have three apartment buildings</p> <p>11 up the street.</p> <p>12 In fact, the parking is so bad you need a</p> <p>13 permit to park from 3 p.m. to 9 p.m. just for</p> <p>14 residents. And after that, you know, when everybody</p> <p>15 comes in, it's just insane.</p> <p>16 I was just questioning when you said</p> <p>17 nobody's looking for parking. You know, I mean, I</p> <p>18 don't understand that. You know, unless they want</p> <p>19 to ride bikes, you know. We have the CitiBikes up</p> <p>20 the street that they can ride, but I'm not sure, you</p> <p>21 know -- I just question that. Thank you.</p> <p>22 MR. WINE: Sure. And, Mr. Riley, I</p> <p>23 certainly apologize if I misspoke. I don't think</p> <p>24 that I did. What I suggested is that it's my</p> <p>25 understanding that the governing body is not looking</p>	<p style="text-align: right;">Page 62</p> <p>1 for parking here in the R-3 zone and so much so that</p> <p>2 they don't have a parking requirement.</p> <p>3 It's not prohibited. We could propose</p> <p>4 parking on this property, although my understanding</p> <p>5 from working with City Planning on this, and</p> <p>6 actually hearing some other comments about drainage</p> <p>7 concerns, about adding driveways and impervious</p> <p>8 coverage, you know, we have the availability, we</p> <p>9 have the coverage to play with. It's something we'd</p> <p>10 be permitted to do.</p> <p>11 But ultimately what I intended -- and,</p> <p>12 again, I'm sorry if I misspoke or if it was</p> <p>13 misunderstood. I'm not suggesting people in the</p> <p>14 neighborhood don't appreciate parking. I'm</p> <p>15 suggesting that what this ordinance looks to do,</p> <p>16 what the R-3 looks to do, is not necessarily have</p> <p>17 parking.</p> <p>18 MR. ALAMPI: Back to you, Chairman.</p> <p>19 CHAIRMAN LANGSTON: I'm sorry. I've been</p> <p>20 speaking for, like, 45 seconds and had no idea my</p> <p>21 camera was off.</p> <p>22 So if anybody else is here from the public</p> <p>23 that wants to comment, please raise your hand. If</p> <p>24 you are calling in, you can press *9 to raise your</p> <p>25 hand.</p>
<p style="text-align: right;">Page 63</p> <p>1 COMMISSIONER LIPSKI: Chairman, seeing no</p> <p>2 others wishing to speak from the public, I move to</p> <p>3 close the public session.</p> <p>4 COMMISSIONER GANGADIN: Second.</p> <p>5 CHAIRMAN LANGSTON: Okay. We have a</p> <p>6 motion and a second. Public is closed.</p> <p>7 I'm not sure whose this was. Tim, do you</p> <p>8 have anything you want to add?</p> <p>9 MR. KREHEL: Yeah. Given the realization</p> <p>10 of a rear yard setback variance that's required and</p> <p>11 that City Planning did not receive a rendering until</p> <p>12 this meeting, I believe, because the plans that --</p> <p>13 when Mr. Wine -- Mr. Wine's been pretty open in</p> <p>14 working with City Planning.</p> <p>15 However, I think given the way things are</p> <p>16 presented tonight and seeing the rendering as it is,</p> <p>17 I think it would be best -- if Mr. Wine would be</p> <p>18 willing to -- to carry to a future meeting so that</p> <p>19 City Planning has more time to look at the design of</p> <p>20 the project again given the rendering that was shown</p> <p>21 to us tonight.</p> <p>22 CHAIRMAN LANGSTON: I have no problem with</p> <p>23 that.</p> <p>24 Counsel, Mr. Wine, are you in agreement?</p> <p>25 MR. WINE: Yeah. So I'll offer two</p>	<p style="text-align: right;">Page 64</p> <p>1 options. That's certainly one of them and on its</p> <p>2 face, I don't have an issue with that.</p> <p>3 The other option I would offer -- and I</p> <p>4 wouldn't be advocating on behalf of my client in a</p> <p>5 good capacity if I didn't at least offer this.</p> <p>6 Understanding that these residential design</p> <p>7 standards and hearing the comments from the public</p> <p>8 which appeared, honestly, all related to the design,</p> <p>9 we think we accomplished it but recognizing that</p> <p>10 others may not feel so. You know, there's always</p> <p>11 going to be a lot of cooks in the kitchen and I</p> <p>12 don't think at the end of the day, everybody, you</p> <p>13 know, might look at this and say this is what I had</p> <p>14 envisioned here.</p> <p>15 So what I would request, if it's okay with</p> <p>16 the Board -- and if not, I'm certainly happy to go</p> <p>17 with what Mr. Krehel said -- would be if the Board</p> <p>18 is so inclined to approve the project with respect</p> <p>19 to the massing and, you know, the one deviation we</p> <p>20 have. Then I would certainly agree as a condition</p> <p>21 to work with Mr. Krehel and all of City Planning to</p> <p>22 come up with a design that they feel is appropriate</p> <p>23 for this block. I have no issue with that.</p> <p>24 CHAIRMAN LANGSTON: Counsel --</p> <p>25 MR. KREHEL: I would have an issue with</p>

<p style="text-align: right;">Page 65</p> <p>1 that considering there's no notice on record right 2 now that shows a variance. I think they need to 3 come back. Currently there's no notice out there 4 that shows a variance being requested.</p> <p>5 COMMISSIONER LIPSKI: Mr. Chairman, I 6 would also strongly agree with Tim in the sense that 7 I'll reach out to my councilman, who -- I live in 8 Ward C, Boggiano is Pam Andes, see if they can 9 follow up, since Mr. Wine has referenced that, to 10 see how we could facilitate good community 11 relationships with the Rileys and making sure that 12 an assessment of alleged damage is ascertained.</p> <p>13 CHAIRMAN LANGSTON: Commissioner, I would 14 strongly advise against that unless you are willing 15 to recuse yourself on the next application that we 16 have.</p> <p>17 COMMISSIONER GANGADIN: Chairman, I was 18 just about to say the same.</p> <p>19 CHAIRMAN LANGSTON: Yeah. We can't have 20 conversations about this application outside of the 21 meeting, Commissioner.</p> <p>22 COMMISSIONER GANGADIN: We can't.</p> <p>23 CHAIRMAN LANGSTON: That would be, you 24 know -- like I said, if you want to have those 25 conversations, you would have to recuse on the next</p>	<p style="text-align: right;">Page 66</p> <p>1 time this application came up. Mr. --</p> <p>2 COMMISSIONER LIPSKI: Can I just at least 3 ask Councilman Boggiano to reference the record 4 without saying anything?</p> <p>5 MR. ALAMPI: Commissioner, you cannot 6 speak to anybody regarding the application.</p> <p>7 CHAIRMAN LANGSTON: Yeah, we really 8 shouldn't be speaking to anybody about it.</p> <p>9 MR. WINE: Mr. Chair, I think, if I may, I 10 think a good -- I think what would accomplish what I 11 think Commissioner Lipski is trying to do without 12 causing any potential issue would be if the Board 13 was inclined to work with the stipulation I just 14 made, for example, you know, we can include 15 Councilman Boggiano's office with respect to any of 16 those design reviews as well.</p> <p>17 That would be a condition of -- I mean, 18 that would be, I think, permitted. I'll defer to 19 Mr. Alampi, but I think that would be totally 20 appropriate. And, you know, they could --</p> <p>21 CHAIRMAN LANGSTON: Counsel. Counsel, we 22 are either going to vote or not vote on the 23 application as presented to us tonight. We are not 24 going to leave this up to chance later on down the 25 road.</p>
<p style="text-align: right;">Page 67</p> <p>1 MR. WINE: Fair enough.</p> <p>2 CHAIRMAN LANGSTON: We approve what's in 3 front of us or deny what's in front of us.</p> <p>4 MR. WINE: Fair enough.</p> <p>5 CHAIRMAN LANGSTON: It's not this Board's 6 responsibility to design the project for you. So 7 with that said, Counsel, you can either roll the 8 dice tonight on this vote or if you're willing to 9 come back at another time with a redesign or not, 10 you know.</p> <p>11 MR. WINE: Sure. Mr. Chair, would you 12 give me two minutes to call my client and confirm?</p> <p>13 MR. ALAMPI: Mr. Wine, before you do that.</p> <p>14 Chairman, let's be clear on what we're 15 asking for. So, first, with respect to the notice, 16 it appeared to be in order. It now is clear that 17 there's a rear yard variance that was not noticed. 18 However, there is the catchall language in the 19 notice. So counsel has to deal with that issue 20 however he decides to deal with it before it has 21 taken jurisdiction and started the application.</p> <p>22 With respect to carrying the application 23 because the rendering was submitted outside of the 24 time frame, as I understood what was being asked was 25 for Planning to look at the rendering and for</p>	<p style="text-align: right;">Page 68</p> <p>1 Planning to discuss the architectural elements.</p> <p>2 Now, I am sure one of the things that 3 counsel is going to do is he's going to reach out to 4 the neighbor to discuss some issues up to and 5 including the architectural component. But Planning 6 wants to review those and see if, in Planning's 7 opinion, they're appropriate under the rubric. I 8 think that's what Mr. Krehel was articulating.</p> <p>9 So this is not going to become a 10 free-for-all where everybody gets to design the 11 building. That's not the intent of what's being 12 requested by Planning or what counsel's agreeing 13 to. So I want everybody to understand that aspect 14 of it.</p> <p>15 And, Counsel, I would say we'd give you 16 two seconds to talk to your client, but that's where 17 I am, Chairman.</p> <p>18 MR. WINE: Thank you, Counsel. And I'll 19 echo what you said. Regarding notice, you know, 20 that's the reason we have the catchall in the 21 notice, for situations like this and similar. And 22 the Board coming up with variances that weren't 23 flagged or issues coming up, that's why the catchall 24 is there.</p> <p>25 So I'll defer to Mr. Alampi, but I would</p>

<p style="text-align: right;">Page 69</p> <p>1 suggest that, you know, if we are going to carry 2 this, you know, two weeks, which would not give us 3 time to renote anyways, that I would ask that 4 Mr. Alampi be comfortable and this Board be 5 comfortable that our notice is, in fact, compliant 6 and provides jurisdiction. There's case law on it, 7 but that's the entire purpose of the catchall, which 8 I believe should satisfy that.</p> <p>9 As to the design element -- and I will ask 10 for just a minute and a half to call my client. But 11 as to the design, again, I agree with Mr. Alampi. 12 To use his term "free-for-all," unfortunately, as I 13 indicated before, you're probably never going to 14 come to a consensus with absolutely everybody as to 15 how a facade ultimately looks. And ultimately a 16 property owner has some degree of entitlement to 17 choose how he feels it is appropriate or she feels 18 it is appropriate to design their building so long 19 as Planning staff or Zoning staff and the Board feel 20 that it is compliant with the ordinance's 21 guidelines.</p> <p>22 So, you know, to counsel's point, I would 23 definitely -- assuming my client agrees to carry 24 this, which I would expect, but I'll ask for a 25 minute, I would ask that what this Board understands</p>	<p style="text-align: right;">Page 70</p> <p>1 is that we would speak with Mr. Krehel regard -- and 2 if Mr. Krehel would like to anybody else in, that's 3 fine. But regarding this, to kind of keep it, you 4 know, level-headed and well-thought-out and a 5 productive conversation.</p> <p>6 CHAIRMAN LANGSTON: All right. Thank you, 7 Counsel. And you're more than welcome to come in in 8 two weeks but we will not be here. Our next meeting 9 is on April 4th.</p> <p>10 MR. WINE: I meant next week actually. 11 I'm sorry.</p> <p>12 CHAIRMAN LANGSTON: Yeah. Next week is 13 out of the question. So, yeah, the earliest we 14 could get you in is April 4th.</p> <p>15 I would like to give Bridget a 16 five-minute break any minute now. So I'll 17 address -- I think Commissioner Lipski had a 18 question or a comment.</p> <p>19 COMMISSIONER LIPSKI: The point that 20 Tim brought up about the prompting of a variance. 21 So the catchall would be an umbrella or supersede 22 that?</p> <p>23 CHAIRMAN LANGSTON: So the catchall is in 24 their notice. An applicant doesn't -- if they don't 25 believe they have any variances in their notice,</p>
<p style="text-align: right;">Page 71</p> <p>1 there's a catchall that says if the Board or 2 Planning staff deems that there is a variance in the 3 application that they find, that this notice also 4 covers that.</p> <p>5 That being said, I like to know personally 6 if there are variances when I'm reviewing an 7 application. And, you know, we go through these 8 applications before each meeting and it's a heavy 9 lift. And if I'm not looking for a variance, I'm 10 not digging through your plans to find a variance. 11 It's not my responsibility to do that, especially 12 given that we have three meetings in a row, three 13 weeks in a row. I'm not digging through, you know, 14 the master plan if I don't think I have to, if 15 there's no variance listed on the application. So, 16 you know, I like to know what I'm getting into when 17 I review a plan.</p> <p>18 But, like I said, Counsel, the ball's in 19 your court. We'll take a five-minute break. If you 20 want to roll the dice, you can roll the dice.</p> <p>21 COMMISSIONER TORRES: Chairman, this is 22 Commissioner Torres.</p> <p>23 CHAIRMAN LANGSTON: Go ahead.</p> <p>24 COMMISSIONER TORRES: Okay. Let me just 25 make a suggestion then as we talked about this</p>	<p style="text-align: right;">Page 72</p> <p>1 around for a little bit of time. We don't design 2 the building. There are standards for that. And I 3 think this is going all over the place with design 4 of the building and not the variance, you know. 5 We're getting off the subject of the variance and on 6 to the design, which they try to do that.</p> <p>7 So let's take that five-minute break and 8 let counsel do what he has to do and hopefully after 9 a five-minute break, we can resolve this today.</p> <p>10 CHAIRMAN LANGSTON: Sure.</p> <p>11 COMMISSIONER TORRES: That would be good? 12 To get through this would be nice.</p> <p>13 CHAIRMAN LANGSTON: Yeah, I'm all for it. 14 I would hate to waste the last -- I didn't check the 15 time we started this.</p> <p>16 COMMISSIONER TORRES: About half hour, 45 17 minutes.</p> <p>18 CHAIRMAN LANGSTON: We don't have time to 19 waste.</p> <p>20 COMMISSIONER LIPSKI: So just in sum, so 21 for this five minutes I can go over it, what exactly 22 is the nature of the variance?</p> <p>23 MR. ALAMPI: The 4-foot rear yard.</p> <p>24 COMMISSIONER LIPSKI: Thank you. Thanks, 25 Counsel.</p>

<p style="text-align: right;">Page 73</p> <p>1 CHAIRMAN LANGSTON: Okay. So it's 8:57. 2 Let's come back at 9:02, please. 3 MR. ALAMPI: You're welcome, Commissioner. 4 (Whereupon, a recess is taken.) 5 CHAIRMAN LANGSTON: Counsel, the floor is 6 yours. 7 MR. WINE: Thank you. And I appreciate 8 the opportunity to take that break. 9 CHAIRMAN LANGSTON: No problem. 10 MR. WINE: So to echo what Commissioner 11 Torres said before, I hate to be the one to ask you, 12 you know, after spending time on this to table a 13 vote, you know, pending some review of the facade 14 design ultimately, which seems to be the only 15 outstanding issue, you know, before the Board. 16 But, nevertheless, I would hate to see an 17 application that we met, you know, our burden of 18 proof, I would like to think, and been able to 19 justify with no real push-back as to the single 20 deviation that we had, I would hate to see that 21 application be denied solely on the basis that the 22 Board isn't comfortable proceeding with design 23 standards. 24 So I think the right thing for me to do 25 here, you know, unless the Board feels differently,</p>	<p style="text-align: right;">Page 74</p> <p>1 would be to carry it to make sure that Mr. Krehel 2 has an opportunity to review the facade against the 3 design standards and make any recommendations giving 4 us the opportunity to make that change. 5 I would hate to see a good application go 6 down and have to refile and start from scratch. And 7 I'd also risk res judicata issues and have to, you 8 know, come back with a substantially different 9 application all over a facade design. 10 So I think the intelligent move, much as I 11 would love to go -- you know, I think we have a good 12 application and we've met our burden, I think the 13 intelligent move for me would be to ask to carry for 14 that opportunity. 15 CHAIRMAN LANGSTON: Okay. Thank you, 16 Counsel. And the Board is neutral on it. It's 17 totally your call. It's not the Board's 18 recommendation to do anything at this point. 19 COMMISSIONER TORRES: And we're not here 20 to design a building. 21 CHAIRMAN LANGSTON: No. No, we're 22 certainly not here to design a building. You 23 know, we're just here to vote on what's presented to 24 us. 25 Okay. Cam, do you think we can get this</p>
<p style="text-align: right;">Page 75</p> <p>1 on the 4th? Or, Counsel, you know, you obviously 2 have to go back and forth with Tim. I don't know 3 what time frame you're looking for here. I mean, 4 obviously you're going to ask me for last week, 5 but -- 6 MR. WINE: Mr. Chair, is last week an 7 option? 8 CHAIRMAN LANGSTON: Last week was way too 9 late too. 10 MR. WINE: Yeah. So I would say like 11 this. I mean, Mr. Krehel, as he alluded to, we've 12 been an open line of communication this whole way, 13 you know. We'll send him these plans first thing in 14 the morning. You know, I'll work with him. And, 15 again, if he has any recommendations, I don't 16 personally see an issue with April 4th, you know, 17 to the extent it's some massive facade design 18 overhaul that's recommended. You know, I know 19 Martin works pretty quickly. So I'm comfortable 20 with April 4th. 21 CHAIRMAN LANGSTON: Okay, Tim -- 22 MR. ALAMPI: Mr. Wine, I'll leave it to 23 you whether you renote and call out that variance 24 since you're going out to April 4th with enough time 25 to do it. It's your application.</p>	<p style="text-align: right;">Page 76</p> <p>1 MR. WINE: Yeah, noted. Definitely. 2 CHAIRMAN LANGSTON: Tim, are you 3 comfortable with the 4th? 4 MR. KREHEL: Yeah, I'm comfortable with 5 the 4th. I just want to make one more quick 6 comment. It's just that this needs to be looked at, 7 considering the rendering was revealed basically 8 today. And given the comments by Historic 9 Preservation, even though it's just a determination 10 of significance, it still has significance. And 11 that's why even though this Board does not decide 12 design, it needs to take into account these kind of 13 situations. That's what we're doing here. We're 14 doing our due diligence. 15 In this situation where something is 16 brought up at the last second, it needs to be taken 17 seriously considering there's many people in the 18 public that are upset about this and we need to do 19 due diligence and that's what we're doing right now. 20 I just wanted to say that. 21 CHAIRMAN LANGSTON: Okay. Understood. 22 So let's carry this with testimony taken, 23 Case P22-197, minor site plan for 124 Glenwood 24 Avenue, let's take this to a date certain of April 25 4th with testimony taken.</p>

<p style="text-align: right;">Page 77</p> <p>1 Counsel, it's once again up to you</p> <p>2 whether you want to renote for that including the</p> <p>3 variance or not, but that is this Board's action</p> <p>4 tonight.</p> <p>5 MR. WINE: Thank you, Mr. Chair. So I</p> <p>6 would just ask that you put on the record if it's</p> <p>7 okay to preserve notice and I will speak to my</p> <p>8 client about renoticing. But just if you can</p> <p>9 preserve it anyways, that would be, I think --</p> <p>10 CHAIRMAN LANGSTON: We're in an open</p> <p>11 application, Counsel. With testimony taken, we're</p> <p>12 carrying this conversation forward. I believe the</p> <p>13 application is legally in front of us right now and</p> <p>14 I don't know that -- you know, notice has already</p> <p>15 been entered into -- entered into the record. So I</p> <p>16 don't know that we would be able to preserve notice</p> <p>17 for something that's open currently.</p> <p>18 Santo, do you agree? disagree? I'm not a</p> <p>19 lawyer, obviously.</p> <p>20 MR. ALAMPI: You're doing a good job of</p> <p>21 playing one tonight.</p> <p>22 COMMISSIONER TORRES: He does a good job.</p> <p>23 Yes, he does.</p> <p>24 MR. WINE: You're better off for it,</p> <p>25 Mr. Chair.</p>	<p style="text-align: right;">Page 78</p> <p>1 MR. ALAMPI: The matter is carried. The</p> <p>2 notice is preserved as the notice has been accepted</p> <p>3 by the Board. However, Counsel will determine,</p> <p>4 because his notice does not have the variance</p> <p>5 identified specifically, if he would like to</p> <p>6 renote. That's for him to determine as the</p> <p>7 applicant.</p> <p>8 MR. WINE: Thank you, Counsel. So I</p> <p>9 appreciate the Board's time this evening. Again,</p> <p>10 just to indicate, I certainly did not intend to pull</p> <p>11 a fast one on anyone and I appreciate the Board's</p> <p>12 time and look forward to hopefully concluding this</p> <p>13 positively on April 4th.</p> <p>14 CHAIRMAN LANGSTON: Thank you, Counsel.</p> <p>15 (Whereupon, the hearing on this</p> <p>16 application was adjourned to April 4, 2023, 6:30</p> <p>17 p.m.)</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 79</p> <p>1 C E R T I F I C A T E</p> <p>2</p> <p>3 I, BRIDGET LOMBARDOZZI, Notary Public</p> <p>4 and Certified Shorthand Reporter of the State</p> <p>5 of New Jersey, do hereby certify that the</p> <p>6 foregoing is a true and accurate transcript of</p> <p>7 the testimony as taken stenographically</p> <p>8 remotely by and before me at the time, place</p> <p>9 and the date hereinbefore set forth.</p> <p>10 I DO FURTHER CERTIFY that I am neither</p> <p>11 a relative nor employee nor attorney nor</p> <p>12 counsel of any of the parties to this action,</p> <p>13 and that I am neither a relative nor employee</p> <p>14 of such attorney or counsel, and that I am not</p> <p>15 financially interested in the action.</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20 -----</p> <p>21 BRIDGET LOMBARDOZZI,</p> <p>22 Certified Shorthand Reporter</p> <p>23 C.S.R. License No. XI01201</p> <p>24</p> <p>25</p>	

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