

CITY OF JERSEY CITY
PLANNING BOARD

In the Matter of: :
 : Transcript
CASE P22-197 :
 : of
124 GLENWOOD HOLDINGS, LLC :
124 Glenwood Avenue : Proceedings
Block 13204, Lot 56 :

Tuesday, July 25, 2023
Zoom Remote Videoconference
Commencing at 5:45 p.m.

BOARD MEMBERS PRESENT:

CHRISTOPHER LANGSTON, Chairman
VIDYA GANGADIN, Commissioner
DAVID CRUZ, Commissioner
STEVE LIPSKI, Commissioner
DR. VIJAY DESAI, Commissioner
DARLENE GREEN, Commissioner
PATRICK STAMATO, Commissioner

APPEARANCES:

SANTO T. ALAMPI, ESQUIRE
Attorney for the Board

PRIME & TUVEL
BY: BENJAMIN T.F. WINE, ESQUIRE
Attorneys for the Applicant

MICHAEL LOMBARDOZZI,
Certified Shorthand Reporter

PRECISION REPORTING SERVICE
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(908) 642-4299

1 ALSO PRESENT:
2 TANYA MARIONE, A.I.C.P., P.P.
Director of Planning
3 City Planning Division
4 MATT WARD, A.I.C.P., P.P.
Supervising Planner
5 City Planning Division
6 CAMERON BLACK, A.I.C.P., P.P.
Senior Planner
7 City Planning Division
8 MALLORY CLARK, A.I.C.P., P.P.
Senior Planner
9 City Planning Division
10 FRANCISCO ESPINOZA
Senior Planner
11 City Planning Division
12 ELIZABETH OPPER, A.I.C.P., P.P.
Urban Designer
13 City Planning Division
14 ERIK BEASLEY
Zoning Specialist
15 City Planning Division

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1 CHAIRMAN LANGSTON: Let's get into old
2 business. I'll call item A, it's case P22-197, it's
3 a minor site plan for 124 Glenwood Avenue. This has
4 been carried from the July 11th meeting, and the
5 original presentation was on March 14th.

6 MR. BLACK: Promoted Benjamin Wine.

7 MR. WINE: Good evening, Mr. Chair,
8 members of the board.

9 CHAIRMAN LANGSTON: Good evening,
10 Counsel.

11 MR. WINE: How are you this evening?

12 CHAIRMAN LANGSTON: I'm good. Good.

13 MR. WINE: For the record, Benjamin Wine
14 from Prime & Tuvel on behalf of the applicant, 124
15 Glenwood Holdings, LLC. The property in question is,
16 as you indicated, 124 Glenwood Avenue, that's Block
17 13204, and Lot 56.

18 Just by way of a bit of background for
19 everybody, and then we can jump right into our
20 presentation, as you indicated, Mr. Chair, this
21 application was initially presented back in March of
22 2014 (sic). If the board -- if the commissioners
23 recall, at that point, we also came up with and
24 realized there was a rear yard setback variance that,
25 due to the time of application rule with respect to

<p style="text-align: right;">Page 5</p> <p>1 the changes in the R-3 standard, by about two days, 2 we missed that time of application and had a -- had a 3 rear yard setback variance.</p> <p>4 We did put on our full testimony with 5 respect to the architecture at the time, as well as 6 the planning testimony for that variance, but what we 7 heard, ultimately, that evening, Mr. Krehel, who was 8 with planning staff at that point, had some questions 9 regarding the overall aesthetics and the ability to 10 review a rendering that had been submitted at that 11 time; that it did not necessarily align with the 12 plans that were presented.</p> <p>13 We also heard from members of the public 14 that, despite the fact that the building was -- other 15 than the rear yard setback variance, was compliant 16 with the R-3 standards, they did have some concerns 17 about the aesthetics of the building. And we took 18 the opportunity, through quite a lot of 19 back-and-forth, and despite the amount of time that 20 the board spent hearing the application, we elected 21 to carry that application forward, which is 22 ultimately until tonight, in the effort to, you know, 23 do our best to meet with the public and address some 24 of the concerns that they have.</p> <p>25 We do believe that we've done that. We</p>	<p style="text-align: right;">Page 6</p> <p>1 did present with them, I believe it was two more 2 times, once -- once over -- just by email, and then, 3 another time, we had an actual meeting with them. We 4 went through several iterations of the aesthetics. 5 And we actually just took it upon ourselves to 6 eliminate the rear yard setback variance altogether. 7 It was only a couple of feet at the time. And, 8 again, while we believe that we had the testimony on, 9 we felt that the best -- our best foot forward was 10 just eliminating it, as we didn't really need it, 11 anyways.</p> <p>12 The other thing that has come up over 13 the course of the last few months is that, initially, 14 we'd been proposing a fire escape at the rear of the 15 building, which we had every understanding was 16 permitted. It did come up prior to the meeting two 17 weeks ago, that, in fact, the building department 18 would not let that move forward. So, again, we went 19 through a plan redesign, to ensure that that would be 20 relocated internal to the building, which you'll see, 21 making it a fire stair instead of a fire escape, and 22 thereby compliant with building code, so that we 23 wouldn't ultimately get an approval before this 24 board, go pull our [inaudible] permits, and find out 25 that we would have to come back for some type of</p>
<p style="text-align: right;">Page 7</p> <p>1 amended site plan approval. So that has all been, we 2 believe, taken care of; we haven't heard any comments 3 to the contrary on that.</p> <p>4 And, ultimately, as I indicated, what 5 you'll see this evening, I intend to call two 6 witnesses: I'll have our project architect, who will 7 walk us through the plans, and without going through 8 everything all over again, I'm largely focused on the 9 revision, since this board last saw the plans. And 10 then, while we no longer have a variance, and 11 technically no need for professional planning 12 testimony, we did want to have our project planner, 13 Carolyn Worstell, testify to that effect, also in 14 light of the fact that she's been very involved in 15 working with the project architect and the community, 16 to be able to ensure that we have is ultimately 17 compliant, and meets the intent of the R-3 standards.</p> <p>18 So with that, Mr. Chair, unless you have 19 questions of me, I'm happy to move straight along 20 with our professionals.</p> <p>21 CHAIRMAN LANGSTON: Counsel, is there -- 22 to your knowledge, is there any opposing attorney 23 present?</p> <p>24 MR. WINE: Not to my knowledge.</p> <p>25 CHAIRMAN LANGSTON: Tanya, do you know</p>	<p style="text-align: right;">Page 8</p> <p>1 of anyone?</p> <p>2 MS. MARIONE: That -- I see 3 Ms. Hadjiyannis in the attendees, but I'm not sure if 4 she has formal objection to 128 Glenwood, because the 5 sister application to this -- I don't even know if 6 it's a sister, but a similar application to this at 7 the zoning board. But I don't see her hand raised, 8 so I don't know if that, in and of itself, is a sign 9 that she isn't.</p> <p>10 CHAIRMAN LANGSTON: Okay. She --</p> <p>11 MR. ALAMPI: Is she in attendance, 12 though, Tanya?</p> <p>13 MS. MARIONE: She is. She actually just 14 raised her hand.</p> <p>15 MR. ALAMPI: All right. Let's promote 16 her and see -- I guess you're only saying that 17 because you acknowledge that she's [inaudible] in 18 opposition to a case in front of the zoning board.</p> <p>19 MS. HADJIYANNIS: Yes, hi everybody. I 20 just wanted to just clarify that I'm just observing 21 tonight, and I'm not representing anybody.</p> <p>22 MR. ALAMPI: Okay.</p> <p>23 CHAIRMAN LANGSTON: Okay. Understood.</p> <p>24 MS. HADJIYANNIS: Thanks.</p> <p>25 CHAIRMAN LANGSTON: I wanted to get your</p>

<p style="text-align: right;">Page 9</p> <p>1 appearance on record, if that was the case.</p> <p>2 MS. HADJIYANNIS: No, I just wanted</p> <p>3 to --</p> <p>4 MR. BLACK: Ben, is your architect in</p> <p>5 the audience?</p> <p>6 MR. WINE: Yes, so we have -- there</p> <p>7 should be two people on: It would be Thomas LaPorta</p> <p>8 and Martin Moreno.</p> <p>9 MR. ALAMPI: So, Counsel, the only thing</p> <p>10 that I want to do, I believe you stated March of</p> <p>11 2014, I think you meant to state that the testimony</p> <p>12 was March 14th of 2023.</p> <p>13 MR. WINE: Yeah, I definitely meant</p> <p>14 that.</p> <p>15 MR. ALAMPI: Unless I misheard. Either</p> <p>16 way, it's March 14th of 2023.</p> <p>17 MR. WINE: I'm not going to tell</p> <p>18 everybody where I was in March of 2014, but I was not</p> <p>19 a practicing attorney, let's put it that way.</p> <p>20 MR. ALAMPI: Now, see, I didn't want to</p> <p>21 say that, because I'm trying my best not to offend</p> <p>22 anybody.</p> <p>23 CHAIRMAN LANGSTON: I was actually</p> <p>24 sitting in this same seat back then.</p> <p>25 MR. WINE: Oh wow.</p>	<p style="text-align: right;">Page 10</p> <p>1 MR. ALAMPI: We have video of that,</p> <p>2 Chairman.</p> <p>3 CHAIRMAN LANGSTON: There is not.</p> <p>4 If we could, though, let's take care of</p> <p>5 the housekeeping item. We didn't have all</p> <p>6 commissioners present that are here tonight at that</p> <p>7 March 14th meeting of 2023. Cam, if we could just go</p> <p>8 through that list, let's see if everyone's had a</p> <p>9 chance to watch the original video.</p> <p>10 MR. BLACK: Okay. So the commissioners</p> <p>11 present on March 14th, 2023, to hear 124 Glenwood,</p> <p>12 were Chairman Langston, Commissioner Torres,</p> <p>13 Commissioner Gangadin, Commissioner Lipski,</p> <p>14 Commissioner Dr. Desai, and Commissioner Cruz. So</p> <p>15 among those tonight, we have Commissioner Cruz,</p> <p>16 Commissioner Dr. Desai, Commissioner Lipski,</p> <p>17 Commissioner Gangadin, and Chairman Langston. So we</p> <p>18 have five who were at the original hearing, and then</p> <p>19 we have, of course, Commissioner Stamato and</p> <p>20 Commissioner Green. Can you confirm that you've read</p> <p>21 the transcript?</p> <p>22 COMMISSIONER GREEN: Confirmed.</p> <p>23 COMMISSIONER STAMATO: I can't confirm;</p> <p>24 I haven't read it.</p> <p>25 MR. BLACK: Okay. So we have six</p>
<p style="text-align: right;">Page 11</p> <p>1 commissioners that can vote.</p> <p>2 CHAIRMAN LANGSTON: All right. So,</p> <p>3 Commissioner Stamato, you wouldn't be able to ask</p> <p>4 questions or vote on this application tonight, there</p> <p>5 is a bit of history, and we do need to keep a clean</p> <p>6 record here going forward.</p> <p>7 COMMISSIONER STAMATO: Chairman, I</p> <p>8 completely understand.</p> <p>9 CHAIRMAN LANGSTON: Yeah. All right.</p> <p>10 So we'll catch up with you in -- I'd like to say 10</p> <p>11 minutes or so, but I think we're looking at closer to</p> <p>12 an hour.</p> <p>13 But all right. Let's continue, then,</p> <p>14 please.</p> <p>15 MR. BLACK: I do want to note one thing.</p> <p>16 So there is a George MG Riley who raised their hand</p> <p>17 when we asked if there was someone who was</p> <p>18 representing opposition. I'm not sure if it's -- it</p> <p>19 doesn't say that they're an attorney, but...</p> <p>20 CHAIRMAN LANGSTON: All right. Maybe</p> <p>21 let's bring Mr. Riley up, and --</p> <p>22 MR. BLACK: Right.</p> <p>23 CHAIRMAN LANGSTON: -- see if there is</p> <p>24 some issue here.</p> <p>25 MR. RILEY: I am not representing an</p>	<p style="text-align: right;">Page 12</p> <p>1 attorney, I just wanted my hand to be raised for when</p> <p>2 you came to the public portion.</p> <p>3 CHAIRMAN LANGSTON: Understood, sir.</p> <p>4 Thank you. Yeah, we'll -- we'll call public as soon</p> <p>5 as the presentation is done, and I'll make sure</p> <p>6 you're heard.</p> <p>7 Okay. Thank you, Cam.</p> <p>8 All right, Counsel. The floor is yours.</p> <p>9 MR. WINE: Perfect. Thank you,</p> <p>10 Chairman.</p> <p>11 So with that, so I'd like to have both</p> <p>12 Mr. LaPorta and Mr. Moreno -- I believe they're</p> <p>13 probably technically still under oath, but I'll defer</p> <p>14 to counsel on that. For the -- just for everybody's</p> <p>15 reference, Mr. LaPorta is the licensed architect;</p> <p>16 Mr. Moreno would be testifying as the design lead in</p> <p>17 a fact witness capacity, under Mr. LaPorta's guidance</p> <p>18 and license.</p> <p>19 MR. ALAMPI: Counsel, let's just get</p> <p>20 them up on the screen.</p> <p>21 And then, Chairman, out of an abundance</p> <p>22 of caution, given the fact that multiple months have</p> <p>23 elapsed, let's just place them back under oath, and</p> <p>24 make sure all their -- at least the licensed</p> <p>25 gentleman is still so licensed.</p>

<p style="text-align: right;">Page 13</p> <p>1 CHAIRMAN LANGSTON: Absolutely. Thank</p> <p>2 you, Counsel.</p> <p>3 MR. WINE: Sure. So would -- so I'll</p> <p>4 defer to Mike, would you like to take it?</p> <p>5 (Whereupon, Thomas LaPorta and Martin</p> <p>6 Moreno are sworn in.)</p> <p>7 MR. LaPORTA: Thomas LaPorta, registered</p> <p>8 architect in New Jersey.</p> <p>9 MR. MORENO: And Martin Moreno, senior</p> <p>10 architectural designer under T. LaPorta Architect,</p> <p>11 PC.</p> <p>12 CHAIRMAN LANGSTON: All right. Thank</p> <p>13 you.</p> <p>14 So, Mr. LaPorta, under the licensed</p> <p>15 architect on the project; Mr. Moreno worked under</p> <p>16 your guidance. If we could, let's just make sure</p> <p>17 that your license is current in the state of New</p> <p>18 Jersey as of tonight?</p> <p>19 MR. LaPORTA: Yes, it is current.</p> <p>20 CHAIRMAN LANGSTON: Okay. Thank you,</p> <p>21 sir.</p> <p>22 And Mr. Moreno worked under your</p> <p>23 supervision?</p> <p>24 MR. LaPORTA: Yes, he has.</p> <p>25 CHAIRMAN LANGSTON: Okay. So let's</p>	<p style="text-align: right;">Page 14</p> <p>1 bring Mr. Moreno up, then. Thank you, Mr. LaPorta.</p> <p>2 We appreciate your time.</p> <p>3 MR. LaPORTA: Thank you.</p> <p>4 M A R T I N M O R E N O, having been</p> <p>5 duly sworn, testified as follows:</p> <p>6 DIRECT EXAMINATION</p> <p>7 BY MR. WINE:</p> <p>8 Q. Okay. So, Martin, if you could go</p> <p>9 ahead and share your screen with the -- the plans,</p> <p>10 and just confirm, as you're bringing them up, that</p> <p>11 the plans you're going to share and utilize are, in</p> <p>12 fact, the plans that were submitted to the board at</p> <p>13 least 10 days in advance of this meeting?</p> <p>14 A. Of course. Of course.</p> <p>15 So I'm sharing it now. Can everyone</p> <p>16 see my screen?</p> <p>17 CHAIRMAN LANGSTON: We can.</p> <p>18 MR. MORENO: Great.</p> <p>19 A. Okay. Well, first and foremost, good</p> <p>20 evening everyone, and thank you so much for your</p> <p>21 time. As mentioned, my name is Martin Moreno, and</p> <p>22 I'm speaking son behalf of Tom LaPorta Architect,</p> <p>23 PC, to present our project at 124 Glenwood Avenue</p> <p>24 here in Jersey City. The property is located in</p> <p>25 the R-3 Zone, right between West Side Avenue and</p>
<p style="text-align: right;">Page 15</p> <p>1 John F. Kennedy Boulevard. And what we are</p> <p>2 proposing is an as-of-right, four-story, four-unit</p> <p>3 building.</p> <p>4 I would like to start off with</p> <p>5 discussing some changes that we made to the site</p> <p>6 plan from our last meeting back in March. Overall,</p> <p>7 what we are proposing now is a much smaller</p> <p>8 building, both in terms of depth and height. The</p> <p>9 rear of the building was brought in about 5 feet,</p> <p>10 to comply with the new R-3 standards, and the</p> <p>11 height of the building was reduced about 3 feet.</p> <p>12 I will go into more details on said</p> <p>13 changes as we progress throughout the presentation,</p> <p>14 but before we move to the next page, I would just</p> <p>15 like to highlight some things. Up here, in the top</p> <p>16 left-hand corner, we have a proposed color</p> <p>17 elevation of what we are -- of our building. And</p> <p>18 on the bottom left-hand corner, we just have two</p> <p>19 site photos, one from the street and one an aerial</p> <p>20 view, just showing the property in relationship to</p> <p>21 its surrounding buildings. You get a sense of both</p> <p>22 size and scale from this photo.</p> <p>23 So moving on to the next page is our</p> <p>24 surveys. So as we mentioned, we made modification</p> <p>25 to the site plan in order to comply with both the</p>	<p style="text-align: right;">Page 16</p> <p>1 new R-3 standards, most specifically the rear yard</p> <p>2 setback that was previously discussed by Mr. Wine.</p> <p>3 And we also made some changes to the front of the</p> <p>4 building, not in regards to the front yard setback,</p> <p>5 that stayed the same, but we added a porch, as you</p> <p>6 can see here, which I will get into more detail,</p> <p>7 but this was added after some talks with the</p> <p>8 community, for aesthetic purposes, to better fit</p> <p>9 the surrounding buildings.</p> <p>10 Other than that, just to give some</p> <p>11 quick recap, the backyard here is going to be an</p> <p>12 exterior terrace space that will be utilized with</p> <p>13 both Unit 1 and Unit 2. And other than that, as we</p> <p>14 said, it's completely as-of-right. The setbacks</p> <p>15 are compliant. The coverage is compliant.</p> <p>16 And here, up here, we also have some</p> <p>17 more site photos in the top right-hand corner</p> <p>18 showing the street. So we have one photo looking</p> <p>19 towards West Side Avenue, once again, to get a</p> <p>20 better sense of scale of the buildings that are</p> <p>21 there, and another photo looking towards JFK</p> <p>22 Boulevard, once again, just to get a better sense</p> <p>23 of the street.</p> <p>24 Moving on --</p> <p>25 MR. ALAMPI: So, Mr. Moreno, for</p>

<p style="text-align: right;">Page 17</p> <p>1 purposes of the public, can you just tell us, 2 previously, what the rear yard variance sought was, 3 and what a complying rear yard is in the R-3? 4 MR. MORENO: Of course. So, previously, 5 under the previous R-3 standards, if I'm not 6 mistaken, we had to -- the front yard and the rear 7 yard had to equal 35 feet. Once the -- once the 8 zoning standard got updated, we had to -- it had to 9 be a certain percentage, I believe 25 percent of the 10 lot depth. So with those new R-3 standards, the 25 11 percent lot depth, we were technically -- we were 12 technically about 5 feet over what was allowed. So 13 by doing -- by complying with the new R-3 standards, 14 and matching that 25 percent lot depth, we brought 15 the building in about 5 feet, as I mentioned, to 16 comply with the new standards. 17 MR. ALAMPI: Thank you. 18 A. Okay. Now, moving on to our floor 19 plans, I think the biggest changes that we made 20 here was the removal of the fire escape as a second 21 means of egress. What we are now proposing is a 22 second means of egress as an interior secondary 23 stairs. These stairs here are compliant with NJ 24 IBC 2021. The-bedroom count of each unit did not 25 change from the previous presentation. Unit 1 is</p>	<p style="text-align: right;">Page 18</p> <p>1 an ADA compliant unit, featuring three bedrooms and 2 two full bathrooms, and measured at 1,221.7 square 3 feet. Unit 2 and 3 are very similar layouts, both 4 consisting of four bedrooms and two-and-a-half 5 bedrooms, with each unit measuring 1,259 square 6 feet. 7 As I mentioned, this is Unit 3, very 8 similar layout to Unit 2. 9 Unit 4, which is the fourth floor, 10 also features four bedrooms and two-and-a-half 11 bathrooms, but it is a little smaller than Unit 2 12 and 3, given some of the facade changes that I will 13 get into. Unit 4 measures at 1,231 square feet. 14 Moving on to the roof, the roof is 15 going to be utilized as an exterior space for both 16 Unit 3 and Unit 4. The Unit 3 terrace measures at 17 302 square feet, while the Unit 4 terrace measures 18 at 327 square feet. The condensers in each roof 19 will be located in such that it is not visible from 20 the street. 21 And something that I just wanted to 22 address was that, previously, we addressed -- we 23 received some comments to possibly move the -- move 24 the line of the roof terrace back. This was prior 25 to the July 11th meeting. When we received those</p>
<p style="text-align: right;">Page 19</p> <p>1 comments, it was within the 10-day dead line, so we 2 couldn't make those changes, but given that we were 3 given a limb bit of time to revise the drawings and 4 resubmit, we actually did go ahead and push the 5 roof terrace line back. So, originally, in the 6 July 11 submission, we had about 5 feet from the 7 front parapet to the roofline, which now we have 15 8 feet. So we pushed it back about 10 feet for the 9 roof terrace. 10 Other features that are going to be 11 included in the roof are a, sort of, ecoroof 12 detail, with both stairs being accessible to the 13 roof. 14 CHAIRMAN LANGSTON: Mr. Moreno, let's 15 put the breaks on here. So this is a new exhibit 16 you're presenting? 17 MR. MORENO: Yes, sir. 18 MR. WINE: No, it's a -- I'm sorry, 19 so -- so, Martin, just to clarify, it's new as part 20 of the package, but the package was submitted more 21 than 10 days ago. Right? 22 MR. MORENO: Yes, I -- what I was 23 referring to in regards to the setback of the roof 24 was a comment that we received prior to the July 11th 25 meeting, not prior to this meeting, Chairman.</p>	<p style="text-align: right;">Page 20</p> <p>1 CHAIRMAN LANGSTON: Okay. So that 2 change is reflected in our prints that are in our 3 packet. Correct? And were available online? 4 MR. MORENO: Correct. So when we 5 received those -- when we received those comments 6 prior to the July 11th meeting, at the time, we 7 didn't have time to properly address it, but since we 8 pushed the meeting to today, we had a little bit more 9 time, and, therefore, it gave us the opportunity to 10 go ahead and revise it. 11 CHAIRMAN LANGSTON: Okay. Understood. 12 Go ahead, then, sir. 13 A. Okay. So moving on to our elevations, 14 now, these are the front facades. The facade that 15 you see here on the left is what was originally 16 presented to the board on -- at the March meeting. 17 This is, here, we have featured now, this was -- we 18 came up with this design after some comments and 19 some meetings with the town and with the community, 20 to be a much more -- from an aesthetic standpoint, 21 a much more suitable front elevation. 22 We did keep our, sort of, asymmetrical 23 bay window design that we had previously proposed, 24 but we added some other aspects, such as a porch, 25 to match the surrounding homes, and, also, this,</p>

<p style="text-align: right;">Page 21</p> <p>1 sort of, cone-like structure, which is very 2 reminiscent of the Queen Anne rural style. That is 3 something that the community was very keen on, that 4 we tried to do our best to match the Queen Anne 5 rural style, so we went ahead and added that, sort 6 of, cone-like feature. This feature is also 7 featured in another home just two doors down, which 8 I will show.</p> <p>9 Another feature we add to the front 10 elevation was, rather than having a parapet, we 11 added this, sort of, decorative gate. This gate 12 just, kind of, helps better with lighting, with 13 shadows, it helps not be so imposing, in terms of 14 height. And just as an overall nicer feature. 15 This was also something that was recommended to us 16 by the community in one of our meetings.</p> <p>17 So moving on to our side elevation, as 18 you can see, we have now have two bulkheads for 19 both the secondary interior stairs, and then just 20 very straightforward, just a revised front 21 elevation with the porch, with the cone-like 22 feature, the railing. Here, we have the materials 23 that we're using. Some of the neighboring -- some 24 of the neighboring homes had colors such as green, 25 red, some like light yellow, so we decided to stay</p>	<p style="text-align: right;">Page 22</p> <p>1 in line with that, and feature materials very 2 similar to what they had. Once I -- I will go back 3 to the color elevation in a minute, just so we can 4 get a reference.</p> <p>5 Moving on to the other -- the other 6 side of the building, once again, very similar 7 features on the front facade, the railing, the 8 bulkhead, our rear yard elevation. And then, just 9 a section of the building, to show the different 10 units, the stairs, and things like that.</p> <p>11 So moving on here, we have our street 12 study. Now, we didn't have a formal block study 13 performed on this site, so all the information that 14 we came up with was used by referencing different 15 resources, such as topographical surveys for both 16 124 and 128 Englewood, that were provided for us. 17 We also used different flood elevation maps, 18 geological topographical maps of Jersey City that 19 are found online. And we also did some on-site 20 measurements ourselves, just to get a good sense of 21 the heights of the surrounding homes. So, this 22 way, you get a sense of the height of the building 23 in relationship to its neighbors.</p> <p>24 And for this, sort of, elevation 25 facade progression, just to, sort of, go through</p>
<p style="text-align: right;">Page 23</p> <p>1 it, on the very left is what we originally 2 proposed. So this was originally submitted with 3 our application back in August, before our very 4 first -- before our very first hearing. Before 5 we -- before our hearing in March, we received some 6 comments from the -- from the town, to change up 7 the look of the front facade, because they felt it 8 was a little too modern.</p> <p>9 From there, we revised it to this, 10 which was originally presented in that March 11 meeting.</p> <p>12 After that March meeting, we revised 13 it to this here, per Mr. Tim Krehel's comments.</p> <p>14 After this revision, before we met 15 with the community for the first time, we received 16 some comments from Councilman Boggiano's office, 17 which then we went ahead and revised the elevation 18 again to present to the community -- to the 19 community at the meeting.</p> <p>20 And after talks with the community and 21 some meetings, we went ahead and finalized our 22 front elevation to what you see here, which is what 23 we presented to you today.</p> <p>24 And these are just some more site -- 25 some city details.</p>	<p style="text-align: right;">Page 24</p> <p>1 And just to go back, once again, in 2 referencing the colors, as you can see here, this 3 is what I was referring to, as some of the 4 neighbors have some red, some yellows, things like 5 that. As you see up here, you'll see that 6 cone-like structure that I was referring to, in 7 regards to the Queen Anne rural style.</p> <p>8 And just to cap it off and go back to 9 the front page, once again, this is the color 10 elevation of what our house will look like.</p> <p>11 And that pretty much concludes my 12 presentation.</p> <p>13 Q. Thank you, Martin.</p> <p>14 I just had one follow-up question. I 15 know it came up during the community meetings. Just 16 to confirm, if you can move to the site plan sheet 17 real quick, the -- the retaining wall that is -- or 18 was in the front of the property, if you can zoom in 19 a little bit, just to confirm --</p> <p>20 A. Yes.</p> <p>21 Q. -- we agreed with the community -- and 22 I just want to make sure that you can put this on 23 record as well, for the board and the public to hear 24 -- that the material choice for the replacement of 25 the wall, which I'll let you point to, right over</p>

<p style="text-align: right;">Page 25</p> <p>1 there, which initially had said to be repaired, but</p> <p>2 was actually included in part of the demolition,</p> <p>3 that would be replaced with a material and an</p> <p>4 aesthetic that would be run by city planning before</p> <p>5 being installed. Is that correct?</p> <p>6 A. Correct.</p> <p>7 Q. Okay. Thank you. I just wanted to put</p> <p>8 that out there.</p> <p>9 MR. WINE: So, Chairman, I have nothing</p> <p>10 further for Mr. Moreno on direct, at this point.</p> <p>11 CHAIRMAN LANGSTON: Okay. Thank you,</p> <p>12 Counsel.</p> <p>13 I don't, obviously, see any material</p> <p>14 listed on that stone wall repair. Can we talk about</p> <p>15 the material?</p> <p>16 MR. MORENO: Well, something that we</p> <p>17 discussed about -- in the community meetings is</p> <p>18 looking at older photographs and finding materials</p> <p>19 that extremely resemble what was previously there, as</p> <p>20 well as possibly even trying to find old remnants of</p> <p>21 the existing stone, and finding a material that --</p> <p>22 that properly resembles that as well. We're going to</p> <p>23 take any measure possible, as we mentioned, during</p> <p>24 the construction process, to make sure that whatever</p> <p>25 is rebuilt matches what was there before.</p>	<p style="text-align: right;">Page 26</p> <p>1 CHAIRMAN LANGSTON: Okay. Tanya, are</p> <p>2 you comfortable taking one more thing and putting it</p> <p>3 on your plate here? You're going to have to approve</p> <p>4 that wall without our --</p> <p>5 MS. MARIONE: My preference is that --</p> <p>6 sorry, Chairman. I didn't mean to cut you off. My</p> <p>7 preference for that is a historic preservationist.</p> <p>8 CHAIRMAN LANGSTON: Okay. So, Counsel,</p> <p>9 you would be okay with that, you would have to go</p> <p>10 through historic preservation on the rebuilding of</p> <p>11 the retaining wall?</p> <p>12 MR. WINE: That would be the office; not</p> <p>13 go to an HPC meeting.</p> <p>14 MS. MARIONE: No, not HPC, just the --</p> <p>15 just the historic preservationist.</p> <p>16 MR. WINE: Sure, not a problem at all.</p> <p>17 CHAIRMAN LANGSTON: Okay. Understood.</p> <p>18 I was going to bring up the letter from Historic</p> <p>19 Preservation, that that was part of their original</p> <p>20 findings, was that that wall would be retained. So I</p> <p>21 can cross that off of my list.</p> <p>22 Other than that, I have no questions, at</p> <p>23 this time. Anybody else from the board?</p> <p>24 COMMISSIONER GANGADIN: No.</p> <p>25 CHAIRMAN LANGSTON: Okay. Thank you,</p>
<p style="text-align: right;">Page 27</p> <p>1 Mr. Moreno. Appreciate it.</p> <p>2 MR. MORENO: Thank you, sir. Thank you</p> <p>3 so much.</p> <p>4 CHAIRMAN LANGSTON: If you could, just</p> <p>5 stop that screen share for us.</p> <p>6 MR. WINE: All right. So, Chairman, my</p> <p>7 next and final witness I intend to call is Carolyn</p> <p>8 Worstell, our project planner.</p> <p>9 CHAIRMAN LANGSTON: Sure.</p> <p>10 C A R O L Y N W O R S T E L L, having</p> <p>11 been duly sworn, testified as follows:</p> <p>12 MS. WORSTELL: Carolyn Worstell,</p> <p>13 C-A-R-O-L-Y-N, W-O-R-S-T-E-L-L.</p> <p>14 CHAIRMAN LANGSTON: Ms. Worstell, good</p> <p>15 evening. I believe you were the planner of record on</p> <p>16 the March 14th meeting. Can we just confirm that</p> <p>17 your license is current tonight?</p> <p>18 MS. WORSTELL: It is current this</p> <p>19 evening.</p> <p>20 CHAIRMAN LANGSTON: Okay. Thank you.</p> <p>21 You're qualified.</p> <p>22 MS. WORSTELL: Thank you.</p> <p>23 A. So I'm going to be very brief. As has</p> <p>24 been mentioned, you know, I previously was here on</p> <p>25 this application for that rear yard setback. Just</p>	<p style="text-align: right;">Page 28</p> <p>1 to reiterate what Martin had said, this was -- the</p> <p>2 previous testimony related to changes in the R-3.</p> <p>3 When we submitted, we were still under the old</p> <p>4 standards, which basically required the 35 feet</p> <p>5 combined front and rear yard setback, plus an</p> <p>6 additional setback for deeper lots, which, when</p> <p>7 calculated for this lot, was a 31.1-foot rear yard</p> <p>8 setback. The project, at that time, proposed a</p> <p>9 conforming 31.1-foot rear yard setback.</p> <p>10 Obviously, there was the time of</p> <p>11 application; we were a couple of days late in</p> <p>12 submission, and so the new zoning requirements</p> <p>13 kicked in, which required that 25 percent of lot</p> <p>14 depth, which was the 35.9 feet. So that has,</p> <p>15 obviously, been corrected with this application,</p> <p>16 and we now provide a conforming 36-foot rear yard</p> <p>17 setback. So that is no longer a variance necessary</p> <p>18 for this application.</p> <p>19 Overall, as has been testified, you</p> <p>20 know, there was the only variance previously</p> <p>21 requested. The new application has been revised to</p> <p>22 address that and eliminate the need for that</p> <p>23 variance. You know, in addition, they have reduced</p> <p>24 the height of the building down to the 38 feet, so</p> <p>25 that that has been another change.</p>

<p style="text-align: right;">Page 29</p> <p>1 But, overall, the changes here have</p> <p>2 both reduced the height and they have reduced</p> <p>3 the -- the coverage of the site. We're well below</p> <p>4 the building coverage requirement, it's 45 percent</p> <p>5 building coverage where 60 percent is permitted,</p> <p>6 and 68 percent lot coverage where 80 is permitted.</p> <p>7 So this project is conforming with all of the</p> <p>8 requirements under the zone, and is even below some</p> <p>9 of the -- the maximums permitted by the code for</p> <p>10 the R-3 District. So the project is completely</p> <p>11 conforming, as it's presented this evening.</p> <p>12 Q. All right. Thank you, Carolyn. And I</p> <p>13 think, really, that's all I wanted you to put on the</p> <p>14 record. I have nothing further for you, at this</p> <p>15 point.</p> <p>16 CHAIRMAN LANGSTON: All right. Thank</p> <p>17 you, Ms. Worstell. Yeah, I have no questions,</p> <p>18 either. Anybody else? Anybody else from the board?</p> <p>19 COMMISSIONER GANGADIN: No.</p> <p>20 CHAIRMAN LANGSTON: Okay. Thank you,</p> <p>21 Ms. Worstell, I appreciate it.</p> <p>22 MR. WINE: So, Chairman, that would</p> <p>23 conclude my presentation on direct. I'll, as I</p> <p>24 always do, request the right to respond to any</p> <p>25 comments and sum up at the end, if that's all right.</p>	<p style="text-align: right;">Page 30</p> <p>1 CHAIRMAN LANGSTON: Of course, Counsel.</p> <p>2 And one thing I do want to run by you, before we open</p> <p>3 up public, usually, when we have a continuation like</p> <p>4 we did, with previous testimony taken, we limit</p> <p>5 public comment to just the facts that were presented</p> <p>6 tonight. Given that this is a wildly different</p> <p>7 application from the first time we heard this, I</p> <p>8 don't know that we could handle that. I think we're</p> <p>9 going to have to open up public and, you know, hear</p> <p>10 everyone that raises their hand.</p> <p>11 MR. WINE: Yeah, and, Chairman, the only</p> <p>12 thing I would say to that is, obviously, we presented</p> <p>13 a reduced version. I know I'm usually a little bit</p> <p>14 more thorough with going through -- having the</p> <p>15 project professionals go through the entire plan set.</p> <p>16 So the only thing I would say is, to the extent</p> <p>17 somebody from the public wants to talk about</p> <p>18 something we didn't bring up, if it's okay if we</p> <p>19 could just bring that up and address it, that's all.</p> <p>20 CHAIRMAN LANGSTON: Okay. Understood.</p> <p>21 All right. So, at this time, let's open</p> <p>22 it up for public comment. If anybody's here from the</p> <p>23 public that wants to comment on this application,</p> <p>24 please raise your hand. And if you're calling in,</p> <p>25 you can press star 9 to raise your hand.</p>
<p style="text-align: right;">Page 31</p> <p>1 MR. BLACK: Promoted George MG Riley.</p> <p>2 MR. RILEY: I am not going to be</p> <p>3 speaking first; my mother-in-law India N. Edwards</p> <p>4 will be speaking first.</p> <p>5 I N D I A E D W A R D S, having been</p> <p>6 duly sworn, testified as follows:</p> <p>7 MS. EDWARDS: I am India N. Edwards, a</p> <p>8 lifelong resident at 122 Glenwood Avenue in Jersey</p> <p>9 City. My name is I-N-D-I-A, Nicholson,</p> <p>10 N-I-C-H-O-L-S-O-N, Edwards, E-D-W-A-R-D-S.</p> <p>11 CHAIRMAN LANGSTON: Ms. Edwards, good</p> <p>12 evening. We have three minutes for you.</p> <p>13 MS. EDWARDS: Well, I have lived in</p> <p>14 Jersey -- I'm a graduate of Snyder High School and</p> <p>15 Wilberforce University, and I have dedicated my life</p> <p>16 in service to others as a social worker for the</p> <p>17 Hudson County Welfare Board, Lutheran Home for the</p> <p>18 Aging, Jersey City Office of Aging, and served as a</p> <p>19 director of social services at Christ Hospital for</p> <p>20 many years. In fact, I wrote a grant for the</p> <p>21 coordinated Christ Hospital services for mental</p> <p>22 health at Christ Hospital.</p> <p>23 And I've lived at Glenwood Avenue for 66</p> <p>24 years, and knew a Mrs. Barksdale Brown, my neighbor</p> <p>25 at 120, and the first Fisher family, and later the</p>	<p style="text-align: right;">Page 32</p> <p>1 Lockharts at 124, and the Watershines (ph) and</p> <p>2 Grainers (ph) at 130, and so on. We have always have</p> <p>3 had a very small neighborhood, and so small that we</p> <p>4 refer to one another as aunts and uncles, and if</p> <p>5 anyone was in trouble or needed any kind of help,</p> <p>6 everyone was there for each other, for the past years</p> <p>7 since I've lived there, 122.</p> <p>8 I -- it broke my heart when the</p> <p>9 bulldozer knocked down next door. It had beautiful</p> <p>10 trees, and lovely bushes, and a lovely garden. In</p> <p>11 fact, I planted trees. It really brought tears to my</p> <p>12 heart, and now I'm sick at heart about the</p> <p>13 developer's plan. The developer should build a home</p> <p>14 for the one family, and not for four. He should put</p> <p>15 back what he destroyed, and he should build a home</p> <p>16 that looks like those that stood there for the past</p> <p>17 128 years. He should be on the right side, so it</p> <p>18 does not take away from the antiquity of the area,</p> <p>19 and take away the light and the rising of the sun and</p> <p>20 the moon that we have always enjoyed.</p> <p>21 I'm so -- so nervous. I think I have a</p> <p>22 right to be. Thank you so much.</p> <p>23 CHAIRMAN LANGSTON: All right. Thank</p> <p>24 you, Ms. Edwards. We appreciate your comments.</p> <p>25 Mr. Riley, do you want to speak as well</p>

<p style="text-align: right;">Page 33</p> <p>1 while we have you up?</p> <p>2 MR. RILEY: No, my sister-in-law, India</p> <p>3 Thybulle, is going to speak.</p> <p>4 CHAIRMAN LANGSTON: Okay. Are they --</p> <p>5 is your sister-in-law in the room with you right now?</p> <p>6 MS. THYBULLE: Okay. Why don't we hear</p> <p>7 those comments, then, while we have you on camera.</p> <p>8 I N D I A T H Y B U L L E, having been</p> <p>9 duly sworn, testified as follows:</p> <p>10 MS. THYBULLE: India E. Thybulle,</p> <p>11 I-N-D-I-A, E, T-H-Y-B-U-L-L-E, my address is 122</p> <p>12 Glenwood Avenue, Jersey City, New Jersey.</p> <p>13 CHAIRMAN LANGSTON: Ms. Thybulle, good</p> <p>14 evening. We have three minutes for you.</p> <p>15 MS. THYBULLE: Yes, thank you.</p> <p>16 Yes, good evening, and thank you for</p> <p>17 your attention to my concerns. I lived at 122</p> <p>18 Glenwood Avenue during my school years, leaving when</p> <p>19 I got married, and returning only recently. I</p> <p>20 appreciate the beauty and power of neighborhood and</p> <p>21 community, things that my family and I enjoyed for</p> <p>22 many years.</p> <p>23 The recent changes in zoning are</p> <p>24 alarming, and have enabled developers to change our</p> <p>25 neighborhood for the worse, threatening our quality</p>	<p style="text-align: right;">Page 34</p> <p>1 of life. When I say "our quality of life," I'm</p> <p>2 speaking not only for my family, but also for my</p> <p>3 neighbors, good citizens who have lived in homes, not</p> <p>4 multi-residential units, for years, if not decades.</p> <p>5 The 124 Holdings developer, SM Sugar,</p> <p>6 has placed the quality of our lives -- of our</p> <p>7 individual and collective lives in jeopardy, and</p> <p>8 stirred up anger and resentment, emotions that are</p> <p>9 difficult to contain. What the developer's proposing</p> <p>10 to do is unfair and unjust to us, the people who live</p> <p>11 here.</p> <p>12 The City of Jersey City has allowed him</p> <p>13 and other developers to build to excess. 124</p> <p>14 Holdings is a case in point. Four floors are</p> <p>15 excessive. Four floors tower over us at 122. Four</p> <p>16 floors remove what we had, access to views of the sky</p> <p>17 and sunlight on the west side of our home.</p> <p>18 From the early days, the homes and</p> <p>19 properties from 122 to 130 Glenwood have offered</p> <p>20 little respite on Glenwood -- have offered a little</p> <p>21 respite on Glenwood. Houses set back, up and away</p> <p>22 from the street, originally single-family homes, they</p> <p>23 created a neighborhood within a neighborhood, where</p> <p>24 families knew and helped one another.</p> <p>25 What has been proposed at 124, the</p>
<p style="text-align: right;">Page 35</p> <p>1 multilevel residential monstrosity, does not fit in</p> <p>2 with our little neighborhood. Aesthetically, it</p> <p>3 would stand as an ugly and most unwelcomed scar.</p> <p>4 Practically, it would mean more density, more people,</p> <p>5 more noise, less light, less parking, and ultimately</p> <p>6 less quality of life.</p> <p>7 Thank you.</p> <p>8 CHAIRMAN LANGSTON: All right. Thank</p> <p>9 you, ma'am. We appreciate your time.</p> <p>10 MS. THYBULLE: You're welcome.</p> <p>11 MR. BLACK: Promoted Nathan and Shirin</p> <p>12 MacCormack.</p> <p>13 N A T H A N M a c C O R M A C K,</p> <p>14 having been duly sworn, testified as follows:</p> <p>15 MR. MacCORMACK: Nathan MacCormack,</p> <p>16 N-A-T-H-A-N, MacCormack is M-a-c-C-O-R-M-A-C-K, 130</p> <p>17 Glenwood Avenue, Jersey City.</p> <p>18 CHAIRMAN LANGSTON: Mr. MacCormack, good</p> <p>19 evening. We have three minutes for you, sir.</p> <p>20 MR. MacCORMACK: Thank you, Chairman.</p> <p>21 I would like to thank the planning for</p> <p>22 taking the time to listen to the community</p> <p>23 surrounding the block of Glenwood Avenue. At the</p> <p>24 March 14th hearing, Counsel Wine responded to the</p> <p>25 commissioners' request to, quote, make whole the</p>	<p style="text-align: right;">Page 36</p> <p>1 family whose water line was damaged by a contractor</p> <p>2 working for the developer, SMS. Counsel Wine had</p> <p>3 stated:</p> <p>4 I tell all my clients, whether or not</p> <p>5 the court discusses their application, or another</p> <p>6 board in another municipality, that your job as a</p> <p>7 developer is to be a good neighbor. It is incumbent</p> <p>8 upon you. Unless you are somebody who plans to</p> <p>9 develop one development and escape to another</p> <p>10 country, I presume you want to be a good neighbor, so</p> <p>11 I do always advise my clients, and I will do so now</p> <p>12 on the record, and then behind the scenes as well.</p> <p>13 To say that we are skeptical of SMS as a</p> <p>14 developer is an understatement. Not only did the</p> <p>15 developer not make anything whole, they have</p> <p>16 literally destroyed the landscape of a section of our</p> <p>17 enclave, in our historic -- of our historic homes, by</p> <p>18 razing the house at 124 Glenwood, as well as the</p> <p>19 historic 130-year-old wall that Counsel Wine promised</p> <p>20 on the record to preserve. And to correct Counsel</p> <p>21 Wine, he did not state he would repair the wall; he</p> <p>22 stated he would preserve the wall. As well in our</p> <p>23 community meeting, he agreed that the community would</p> <p>24 agree to the materials to replace the wall, not</p> <p>25 historic, not the planning board. You told a room</p>

<p style="text-align: right;">Page 37</p> <p>1 full of residents that the community would agree to</p> <p>2 the materials to replace and repair the wall.</p> <p>3 So it was clear at the March 14th</p> <p>4 meeting that the residents of Glenwood Avenue who</p> <p>5 spoke on the record oppose the demolition of the</p> <p>6 house of 124. Our understanding was that we were</p> <p>7 actually able to protest the demolition of the home,</p> <p>8 and that the meeting was tabled while the planning</p> <p>9 board determined if this was, indeed, the best route.</p> <p>10 And while I would like to only be upset</p> <p>11 with the developer for the demolition of 124</p> <p>12 Glenwood, I have to wonder why it was razed, when the</p> <p>13 board clearly new that the residents felt it was</p> <p>14 historic and disagreed with the findings of historic</p> <p>15 preservation. We were led to believe that this</p> <p>16 demolition would not take place after the March 14th</p> <p>17 meeting.</p> <p>18 So whatever the internal processes are</p> <p>19 involved, when the community shows an outpouring of</p> <p>20 support to preserve the history, but the developer</p> <p>21 can move ahead anyway, what are we residents left to</p> <p>22 think about the process? Why wasn't this conveyed to</p> <p>23 the building department who granted the permit to</p> <p>24 demo this house that it needs to be put on hold?</p> <p>25 You know, make no mistake, if our</p>	<p style="text-align: right;">Page 38</p> <p>1 enclave was situated south of Montgomery, instead of</p> <p>2 one block outside of the Historic District, our</p> <p>3 enclave would absolutely qualify for historic</p> <p>4 district designation --</p> <p>5 CHAIRMAN LANGSTON: Mr. MacCormack, I'm</p> <p>6 sorry, sir, that is your three minutes.</p> <p>7 MR. MacCORMACK: Thank you, Chairman.</p> <p>8 CHAIRMAN LANGSTON: Thank you. We</p> <p>9 appreciate your time.</p> <p>10 MS. MacCORMACK: I'd like to speak in a</p> <p>11 little bit.</p> <p>12 CHAIRMAN LANGSTON: Okay. Understood.</p> <p>13 Thank you.</p> <p>14 MR. BLACK: Promoted Eric Blair Carter.</p> <p>15 All right. They are either not seeing</p> <p>16 their promotion or declining -- okay. Now, they've</p> <p>17 joined.</p> <p>18 E R I C C A R T E R, having been duly</p> <p>19 sworn, testified as follows:</p> <p>20 MR. CARTER: I'm Eric Blair Carter, that</p> <p>21 is E-R-I-C, B-L-A-I-R, C-A-R-T-E-R, and I live at 159</p> <p>22 Glenwood Avenue.</p> <p>23 CHAIRMAN LANGSTON: Mr. Carter, good</p> <p>24 evening. We have three minutes for you.</p> <p>25 MR. CARTER: Okay. And I'm not going to</p>
<p style="text-align: right;">Page 39</p> <p>1 need that long.</p> <p>2 First of all, planning board, thank you,</p> <p>3 once again, for listening to us as a community.</p> <p>4 Thank you, Mr. Wine, for listening to us. We</p> <p>5 appreciate the changes that you've made, but the one</p> <p>6 change that has not been made, after repeated</p> <p>7 conversations, is really the density. Here on</p> <p>8 Glenwood Avenue, we are a small street that's made up</p> <p>9 mostly of one- and two-family homes. There are a few</p> <p>10 apartment buildings at the top of the street.</p> <p>11 What's happened with this property is</p> <p>12 that it sits right in the middle of a historic parade</p> <p>13 of houses, which is one of the reasons that I bought</p> <p>14 my house at 159. I'm not part of that, but the</p> <p>15 aesthetic of that little parade was so lovely and</p> <p>16 felt so special, when one of the buildings was</p> <p>17 destroyed is when I got involved. And I thank you,</p> <p>18 because it also got me -- gave me a chance to know my</p> <p>19 neighbors a little better, as we all united in this</p> <p>20 fight.</p> <p>21 The one thing that I'm appealing to is,</p> <p>22 please, if you could, think about the density; think</p> <p>23 about what it does to a small street like this. When</p> <p>24 you add three and four-bedroom apartments, we have to</p> <p>25 find parking for all of those people. We have to</p>	<p style="text-align: right;">Page 40</p> <p>1 deal with the additional noise, as we put rooftop</p> <p>2 terraces on. My neighbors are suffering, because</p> <p>3 their light will be taken. Our quality of life will</p> <p>4 all be changed, and none of us want it.</p> <p>5 Thank you.</p> <p>6 CHAIRMAN LANGSTON: All right, thank</p> <p>7 you, Mr. Carter. We appreciate your time.</p> <p>8 MR. BLACK: Promoted Nathalie Kalbach.</p> <p>9 N A T H A L I E K A L B A C H, having</p> <p>10 been duly sworn, testified as follows:</p> <p>11 MR. CARTER: My name is Nathalie</p> <p>12 Kalbach, N-A-T-H-A-L-I-E, Kalbach, K-A-L-B-A-C-H.</p> <p>13 Home address is 19 Bentley Avenue.</p> <p>14 CHAIRMAN LANGSTON: Ms. Kalbach, good</p> <p>15 evening. We have three minutes for you.</p> <p>16 MR. CARTER: Yes, hello. Today, I speak</p> <p>17 as part of the Oral History Committee of the</p> <p>18 Landmarks Conservancy. The houses on 120 to 130</p> <p>19 Glenwood Avenue, unquestionably, have architectural</p> <p>20 value, but I want to highlight their cultural and</p> <p>21 historical significance.</p> <p>22 At 124 Glenwood, sadly demolished, Manny</p> <p>23 Fisher (ph) resided from 1950 to '72. During his</p> <p>24 tenure, he left a mark on our city's history by</p> <p>25 serving on the boards of the Jersey City Red Cross</p>

<p style="text-align: right;">Page 41</p> <p>1 and Vitier Haas (ph) Boys Club, helping to found the 2 city's public health nursing service, and becoming a 3 respected member of the JC Human Rights Commission. 4 Moving to 120 Glenwood Avenue, the year 5 1920 saw the rival of Ella Barksdale and her husband, 6 John Brown. They were pivotal figures in the civil 7 rights movement supporting Dr. Canon's efforts when 8 he founded the committee of 100 to combat racism and 9 racial barriers. Additionally, they were 10 instrumental in founding the city's first black-owned 11 bank, and actively participated in antilynching 12 protests. Mrs. Barksdale even contributed to the 13 Jersey Journal, advocating for issues related to the 14 black community, and introduced the study of 15 African-American history to the city's public 16 schools. 17 You just met Ms. India Edwards of 122 18 Glenwood Avenue, who, at the age of 104 years, has 19 been living in her home since 1957. Her family's 20 history is deeply intertwined with the civil rights 21 movement, and her grandfather, who was once enslaved, 22 ensured her access to a university education. The 23 Edwards family was closely associated with civil 24 rights lawyer Raymond A. Brown, and they actively 25 participated in the NAACP and the civil rights</p>	<p style="text-align: right;">Page 42</p> <p>1 movement. Mrs. Edwards's commitment to her community 2 extended to her role as the director of social 3 services of Christ Hospital until her retirement at 4 the age of 76. Notably, she cared for her neighbor, 5 Ms. Ella Barksdale, until Ms. Barksdale passed away 6 in '66. 7 Let me mention that Ms. India Edwards 8 will be honored at a special screening of her life's 9 journey at City Hall in August. This event serves as 10 a testament to her enduring impact her life had, and 11 still has, on our city's history and culture. The 12 remaining buildings should be individually landmarked 13 as they continue to tell the story of this quaint, 14 little enclave, and its residents deep personal, 15 cultural, and emotional bonds. The African-American 16 history of the city is deeply entwined with the 17 remaining houses, and it would be a shame to have the 18 characteristics destroyed further. 19 In conclusion, I implore you to ask the 20 developer to create a project that not only respects 21 the historic fabric of this community, but also adds 22 value to it, especially when it comes to its proposed 23 scale, and height in comparison to the other 24 buildings. Let's preserve what remains of our 25 history -- of our city's history, and ensure that any</p>
<p style="text-align: right;">Page 43</p> <p>1 new developments contribute to its unique tapestry. 2 Thank you for your time and 3 consideration. 4 CHAIRMAN LANGSTON: Thank you, 5 Ms. Kalbach, we appreciate it. 6 MR. BLACK: Promoted Sergio. 7 S E R G I O S T I F E L M A N, having 8 been duly sworn, testified as follows: 9 MR. STIFELMAN: Sergio, S-E-R-G-I-O, 10 Stifelman, S-T-I-F-E-L-M-A-N, 419 Fairmount Avenue, 11 Jersey City, New Jersey. 12 CHAIRMAN LANGSTON: Mr. Stifelman, good 13 evening. We have three minutes for you. 14 MR. STIFELMAN: Yes, thank you. 15 I don't know if this is the right moment 16 to raise this issue, but since this is a city 17 planning meeting, I've always wondered if the issue 18 of density should not be considered [inaudible] -- it 19 puts dozens of -- 20 CHAIRMAN LANGSTON: Mr. Stifelman, your 21 screen froze up there. We didn't hear your comments. 22 I am going to start your timer again, and if you 23 could start from the beginning. 24 MR. STIFELMAN: Thank you. Can you hear 25 me now?</p>	<p style="text-align: right;">Page 44</p> <p>1 CHAIRMAN LANGSTON: We can, yes. You 2 just froze up. 3 MR. STIFELMAN: Yes, I've been wondering 4 for a long time now, why is it that the issue of 5 density, which has been addressed here tonight, is 6 not the first item on any agenda. I consider this 7 density issue to be at the top of the pyramid. I 8 mean, the bigger it is, the more destructive it's 9 going to be downwards. 10 And when I see a building like this 11 going up, the first thing that comes to my mind is 12 not even aesthetics or historical issues, which are 13 extremely important, it's that what is it, from a 14 city planning point of view, can be said about not 15 one by several areas in the city where one family 16 lived, three, four, five people, now is going to hold 17 15, 20, 50, 100 people. This is what I never 18 understood. Why is it that we always -- irrespective 19 of zoning issue, because if the zoning program allows 20 for such a density, my understanding is it goes 21 against the statute, because the city planner is 22 supposed to be caring for density pollution. That's 23 what I read, at least, unless I misread it. 24 And I -- quite frankly, I find all these 25 technical issues, first of all, impossible to</p>

<p style="text-align: right;">Page 45</p> <p>1 address. I mean, you can do that, meaning the</p> <p>2 developer and everybody else, because that's what you</p> <p>3 do. From our point of view, we have to hire an</p> <p>4 architect and a city planner to discuss these other</p> <p>5 details. And I feel impotent before all this. Quite</p> <p>6 frankly, again, I refuse to discuss details because</p> <p>7 it feels like I'm engaging in something -- as if an</p> <p>8 invader had come to my land, and I'm discussing the</p> <p>9 terms of the invasion -- of the invasion itself.</p> <p>10 And this is all I have to say. I've</p> <p>11 been saying this for a long time now, to Matt, to</p> <p>12 Tanya, whoever I meet, any builder, any meetings, any</p> <p>13 gatherings, everything falls on that fears, simply</p> <p>14 because the idea is it's going to be built no matter</p> <p>15 what, it's just a matter of a few adjustments, and,</p> <p>16 of course, maybe not in this case, the variances,</p> <p>17 which are forgiven or whatever, negotiated, and this</p> <p>18 or that.</p> <p>19 So this is my view, and thanks for</p> <p>20 listening, and thanks for the opportunity. And if</p> <p>21 this is not the place or forum to raise this issue,</p> <p>22 please forgive me, but I think at least I should try.</p> <p>23 Thank you.</p> <p>24 CHAIRMAN LANGSTON: All right. Thank</p> <p>25 you, Mr. Stifelman. We appreciate your time.</p>	<p style="text-align: right;">Page 46</p> <p>1 MR. BLACK: Promoted George.</p> <p>2 MS. RILEY: Sondra, S-O-N-D-R-A, Riley,</p> <p>3 R-I-L-E-Y, 122 Glenwood Avenue, Jersey City, New</p> <p>4 Jersey.</p> <p>5 CHAIRMAN LANGSTON: Ms. Riley, good</p> <p>6 evening. We have three minutes for you.</p> <p>7 MS. RILEY: Thank you.</p> <p>8 I'm speaking on behalf of my entire</p> <p>9 family when I say that we object strongly to the</p> <p>10 plans for 124, and wish to restate our request for a</p> <p>11 smaller building. While it may be legally correct</p> <p>12 for the R-3 multi-family mid-rise district, to which</p> <p>13 we also object, the proposed building is not an</p> <p>14 appropriate land use, and will not promote the</p> <p>15 health, safety, or general welfare of our area. The</p> <p>16 size, scale, height, length, and width of the 124</p> <p>17 Holdings multi-residential unit are out of character,</p> <p>18 out of alignment, and incompatible with our historic</p> <p>19 homes, the unique and lovely string of Mayhew Terrace</p> <p>20 Cottages built in 1895. This unit will not promote a</p> <p>21 desirable visual environment because of this</p> <p>22 misalignment.</p> <p>23 The proposed building, comprising 6,800</p> <p>24 square feet with 15 bedrooms, we view as a cruise</p> <p>25 ship. It will dwarf our homes, which are about 1,600</p>
<p style="text-align: right;">Page 47</p> <p>1 square feet with three bedrooms. What's more, the</p> <p>2 proposed height is inconsistent with the surrounding</p> <p>3 neighborhood and would be out of place.</p> <p>4 It will have a detrimental effect on the</p> <p>5 neighborhood, and on us, specifically, at 122,</p> <p>6 because it will block our sunlight, shrouding our</p> <p>7 home in darkness during the afternoon hours, not only</p> <p>8 constricting our access to adequate light, but also</p> <p>9 to air and open space. Rather than promoting the</p> <p>10 establishment of appropriate population densities and</p> <p>11 concentrations that contribute to the wellbeing of</p> <p>12 persons, neighborhoods, communities, and preservation</p> <p>13 of the environment, it will do just the opposite.</p> <p>14 Beyond increasing density on the block, the proposed</p> <p>15 unit would hamper the free flow of traffic, and</p> <p>16 result in congestion and blight. It will place a</p> <p>17 further strain on the already difficult parking</p> <p>18 situation on Glenwood. There is a finite amount of</p> <p>19 space available to us all. Residents already have to</p> <p>20 jockey for available parking spots. How in the world</p> <p>21 can Glenwood Avenue accommodate more cars?</p> <p>22 These are quality of life issues, and if</p> <p>23 approved, this project will have a deleterious and</p> <p>24 toxic effect upon us all.</p> <p>25 Thank you for listening to my concerns.</p>	<p style="text-align: right;">Page 48</p> <p>1 CHAIRMAN LANGSTON: All right. Thank</p> <p>2 you, Ms. Riley. We appreciate your time.</p> <p>3 Counsel, do you want to address</p> <p>4 Ms. Riley's testimony? I think she was referring to</p> <p>5 a different building, as far as the density went.</p> <p>6 MR. WINE: Yeah, I'm happy -- I'm happy</p> <p>7 to do that. I wanted to know if you wanted to wait</p> <p>8 to hear from anybody else.</p> <p>9 CHAIRMAN LANGSTON: That's fine. We can</p> <p>10 do that. We can continue on with public comment.</p> <p>11 MR. BLACK: Promoted Chris Perez.</p> <p>12 CHAIRMAN LANGSTON: And, Cam, I do think</p> <p>13 that I may have cut Mr. Riley off. I think -- I</p> <p>14 don't know if Mr. Riley wanted -- thank you. All</p> <p>15 right. I appreciate it. We see your hand. And</p> <p>16 let's move on to Chris Perez, and we'll come back to</p> <p>17 Mr. Riley.</p> <p>18 CHRISTOPHER PEREZ,</p> <p>19 having been duly sworn, testified as follows:</p> <p>20 MR. PEREZ: Christopher Perez,</p> <p>21 P-E-R-E-Z, 185 Carteret Avenue.</p> <p>22 CHAIRMAN LANGSTON: Mr. Perez, good</p> <p>23 evening. Obviously, you know, you've been here</p> <p>24 before, we have three minutes for you, sir.</p> <p>25 MR. PEREZ: Awesome. Thank you.</p>

<p style="text-align: right;">Page 49</p> <p>1 Good evening, everyone. This is Chris</p> <p>2 Perez. I'm the president of the Jersey City</p> <p>3 Landmarks Conservancy.</p> <p>4 I just wanted to go into a little bit of</p> <p>5 context on this matter. This little stretch of homes</p> <p>6 on Glenwood is special, and deserving of attention</p> <p>7 and care to preserve them and their relation to each</p> <p>8 other.</p> <p>9 In 1895, these six Queen Anne homes,</p> <p>10 called the Mayhew Terrace Cottages, were built by</p> <p>11 William W. Coffin. He was a manager of the Globe</p> <p>12 Woolen Company in Utica, New York. He had so much</p> <p>13 faith in this area that he quit his job and bought</p> <p>14 these lots in 1894; moved into the first house he</p> <p>15 built on Glenwood to oversee these six houses being</p> <p>16 built. The houses were shaped by the elevated</p> <p>17 terrace that they were built on, creating a grand row</p> <p>18 of buildings. These houses relate to each other and</p> <p>19 tell a story. None of them should have ever been</p> <p>20 demolished. The Mayhew Terrace Cottages also house</p> <p>21 many families that are part of a rich cultural</p> <p>22 history of activism, as you just heard.</p> <p>23 These houses should have been landmarked</p> <p>24 as a set for their architectural, historical, and</p> <p>25 cultural significance. The determination of</p>	<p style="text-align: right;">Page 50</p> <p>1 significance reads:</p> <p>2 The block of Glenwood Avenue between</p> <p>3 West Side and JFK had a large, intact historic</p> <p>4 streetscape with few modern intrusions. Staff</p> <p>5 recommends that any new construction be compatible</p> <p>6 with the scale, form, setbacks, heights, and historic</p> <p>7 character of the neighborhood, and that the stone</p> <p>8 wall fronting the row of Queen Anne style houses</p> <p>9 should be retained as part of the historic</p> <p>10 streetscape.</p> <p>11 This is an unfortunate situation that</p> <p>12 was overlooked. We understand that the Jersey City</p> <p>13 Planning Department has a lot on their plate, and</p> <p>14 that sometimes zoning changes may accidentally</p> <p>15 overlook sections and pieces of history that are not</p> <p>16 known to the city and the administration. This is an</p> <p>17 opportunity for the JCLC, residents, and</p> <p>18 stakeholders, to build a stronger relationship with</p> <p>19 the city, to avoid these types of situations from</p> <p>20 occurring again.</p> <p>21 The JCLC is working actively, engaging</p> <p>22 as possible, in the process. We have started that</p> <p>23 journey by initiating efforts to foster and improve</p> <p>24 relationship with the Historic Preservation office;</p> <p>25 that is going well, and we hope to grow into a true</p>
<p style="text-align: right;">Page 51</p> <p>1 partnership. The JCLC has a wealth of resources</p> <p>2 supported by a volunteer board and committee members.</p> <p>3 These resources are academic, and include access to</p> <p>4 individuals with a wealth of knowledge about their</p> <p>5 blocks, neighborhood, and city, that would prove</p> <p>6 helpful when making decisions about zoning,</p> <p>7 demolitions, and the determination of significance</p> <p>8 process.</p> <p>9 We appreciate the developers' attempt to</p> <p>10 make good on the issue that has arisen from this</p> <p>11 historic oversight; however, we ask that the board</p> <p>12 take into account the community feedback, and the</p> <p>13 city's own determination of significance, and</p> <p>14 encourage the developer to rebuild the damaged wall</p> <p>15 to its historic look and feel, and build a home that</p> <p>16 is to the scale and style that relates to the</p> <p>17 remaining homes, again, as suggested by the</p> <p>18 determination of significance.</p> <p>19 Thank you.</p> <p>20 CHAIRMAN LANGSTON: All right. Thank</p> <p>21 you, Mr. Perez. We appreciate it.</p> <p>22 G E O R G E R I L E Y, having been</p> <p>23 duly sworn, testified as follows:</p> <p>24 MR. RILEY: George E. Riley, Jr.,</p> <p>25 G-E-O-R-G-E, E, R-I-L-E-Y, J-R, 122 Glenwood Avenue,</p>	<p style="text-align: right;">Page 52</p> <p>1 Jersey City.</p> <p>2 CHAIRMAN LANGSTON: Mr. Riley, good</p> <p>3 evening. It's good to finally see you on the screen.</p> <p>4 And we have three minutes for you, sir.</p> <p>5 MR. RILEY: Thank you.</p> <p>6 Thank you for your time, commissioners.</p> <p>7 It's been alluded to, all of the factuals of the</p> <p>8 building, density, and so on and so forth. I just</p> <p>9 looked at the drawings, you know, I mean, and been</p> <p>10 looking at the drawings that the developer has</p> <p>11 submitted, and looking at them, they're measuring --</p> <p>12 they're talking about their building is 81.9 feet</p> <p>13 long. That is 30 feet longer than our house. Which</p> <p>14 means that, when the sun does go on the western side,</p> <p>15 we will lose all sunlight, including half of our</p> <p>16 backyard. And the drawing on page 106, which is the</p> <p>17 front of the building, showing the streetscape, their</p> <p>18 drawing shows that it's still taller than our house.</p> <p>19 And if you look at the -- the way that the houses</p> <p>20 have been in scale, each house, stepping down, was</p> <p>21 lower than the one next to it, but looking at his</p> <p>22 drawing, his house is going to dwarf ours not only in</p> <p>23 length, but also in height, further ensuring that we</p> <p>24 do not have any sunlight.</p> <p>25 And I think that's just a travesty, even</p>

<p style="text-align: right;">Page 53</p> <p>1 though it is as of right. And I just have a</p> <p>2 question, even though this may not be the proper</p> <p>3 meeting, but they're submitting 128 Glenwood as a</p> <p>4 smaller scale; you know, instead of 15 bedrooms,</p> <p>5 they're looking at 11 bedrooms. I don't see why they</p> <p>6 can't do the same thing for 124, if they want to be a</p> <p>7 good neighbor.</p> <p>8 And with that, I'm complete. Thank you</p> <p>9 very much.</p> <p>10 CHAIRMAN LANGSTON: All right. Thank</p> <p>11 you, Mr. Riley. We appreciate your time.</p> <p>12 Is there anybody else here from public</p> <p>13 that wants to comment on this application? If so,</p> <p>14 please raise your hand. And if you're calling in,</p> <p>15 you can press star 9 to raise your hand.</p> <p>16 MR. BLACK: Okay. Two more hands just</p> <p>17 went up.</p> <p>18 Promoted William O'Dea.</p> <p>19 W I L L I A M O ' D E A, having been</p> <p>20 duly sworn, testified as follows:</p> <p>21 MR. O'DEA: Commissioner William O'Dea,</p> <p>22 51a Williams Avenue, Jersey City, New Jersey.</p> <p>23 CHAIRMAN LANGSTON: Commissioner O'Dea,</p> <p>24 always good to see you. We generally have a --</p> <p>25 MR. O'DEA: Always a pleasure, Chairman.</p>	<p style="text-align: right;">Page 54</p> <p>1 CHAIRMAN LANGSTON: We generally have a</p> <p>2 time limit for public speakers; our elected</p> <p>3 officials, we do afford the privilege -- or courtesy,</p> <p>4 I should say -- you know, that we'll hear your</p> <p>5 statement without a time limit. But, you know, just</p> <p>6 give --</p> <p>7 MR. O'DEA: I'll try to keep it to three</p> <p>8 minutes. I think my -- I think my comments, though</p> <p>9 not normally, will be brief this evening.</p> <p>10 CHAIRMAN LANGSTON: Okay.</p> <p>11 MR. O'DEA: I just want to -- I just</p> <p>12 want to support all the comments from the community.</p> <p>13 I think they've made a compelling argument. I think</p> <p>14 that all actions have consequences. The fact that</p> <p>15 that wall was allowed to be taken down was a knowing</p> <p>16 act on the part of the developer. It should have</p> <p>17 consequences. The developer should build a building</p> <p>18 to the scale of the other buildings there. The</p> <p>19 history is something that we need to preserve. If</p> <p>20 this was a city or a country in Europe, the building</p> <p>21 never would have been demolished. We wouldn't be</p> <p>22 having these type of discussions.</p> <p>23 I understand the zoning has been done</p> <p>24 for the site, it creates certain handcuffs or issues</p> <p>25 with you, but to the degree possible, I think that</p>
<p style="text-align: right;">Page 55</p> <p>1 ensuring the integrity and preservation of that</p> <p>2 neighborhood's historic clear history, not only of</p> <p>3 the city, but in many cases related to history of</p> <p>4 things like the civil rights movement, is something</p> <p>5 that I would ask this board please consider, if</p> <p>6 you're able to do.</p> <p>7 And that's all I have to say. Thank</p> <p>8 you.</p> <p>9 CHAIRMAN LANGSTON: All right. Thank</p> <p>10 you, Commissioner. We appreciate your time.</p> <p>11 MR. O'DEA: My pleasure.</p> <p>12 MR. BLACK: Promoted Nathan and Shirin</p> <p>13 MacCormack.</p> <p>14 S H I R I N M a c C O R M A C K,</p> <p>15 having been duly sworn, testified as follows:</p> <p>16 MS. MacCORMACK: My name is Shirin</p> <p>17 MacCormack, it's S-H-I-R-I-N, M-A-C-C-O-R-M-A-C-K.</p> <p>18 CHAIRMAN LANGSTON: Ms. MacCormack, good</p> <p>19 evening. We have three minutes for you.</p> <p>20 MS. MacCORMACK: Good evening. Thank</p> <p>21 you for the opportunity to speak tonight. I'm a</p> <p>22 proud New Jersey native, a taxpaying resident of</p> <p>23 Jersey City, my home for 14 years, and head of</p> <p>24 McGinley Square Community Board Neighborhood</p> <p>25 Association.</p>	<p style="text-align: right;">Page 56</p> <p>1 Tonight, I speak against the proposed</p> <p>2 building at 124. The plans are way out of scale for</p> <p>3 massive infill that simply does not fit; it engulfs</p> <p>4 surrounding homes and further burdens aging</p> <p>5 infrastructure. We are talking about four to five</p> <p>6 times higher density than surroundings; 6,800 square</p> <p>7 feet versus 1,600; 15 bedrooms versus 3, a rear</p> <p>8 setback of 35 feet versus surrounding 79; four</p> <p>9 stories versus two and a half; four units versus one;</p> <p>10 a small, new-growth curbside tree planted to replace</p> <p>11 a soaring backyard treescape of 100-year-old</p> <p>12 groundwater mitigating backyard trees, on a block</p> <p>13 that has already experienced terrible flooding.</p> <p>14 Don't be fooled by the image showing the</p> <p>15 proposed building in relation to the surrounding</p> <p>16 homes. It says in small print at the bottom it's not</p> <p>17 to scale. It is not accurate. The numbers on it may</p> <p>18 be correct, but the visuals are completely</p> <p>19 misrepresenting the proposed building as much smaller</p> <p>20 than it actually would be in relation to nearby</p> <p>21 homes. Plans completely disregard the number one</p> <p>22 priority in community feedback: We requested a</p> <p>23 smaller building.</p> <p>24 We echo statements made in Historic</p> <p>25 Preservation's letter that future infill should match</p>

<p style="text-align: right;">Page 57</p> <p>1 the scale and density of surrounding homes. JC</p> <p>2 Historic Preservation's guidelines and the R-3 Zoning</p> <p>3 are at odds, because that zoning does not make sense</p> <p>4 for this property. Next to our homes, in the 120-130</p> <p>5 Glenwood family of homes, that building is still</p> <p>6 oppressively giant. Its height is inconsistent with</p> <p>7 surroundings, it's out of place, it's out of</p> <p>8 character, and it has a degrading detrimental effect</p> <p>9 on the neighborhood.</p> <p>10 The developer reluctantly but finally</p> <p>11 said, at our last community meeting, that there is,</p> <p>12 quote, no benefit for the existing community. It</p> <p>13 would be exclusively to our detriment. That should</p> <p>14 be a red flag. Jersey City is our actual home, our</p> <p>15 sanctuary, while, to others, it is just an office for</p> <p>16 mass profit. Jersey City is our home. This is not a</p> <p>17 game of Tetris. This is not a Las Vegas weekend</p> <p>18 bender by tourists, leaving a wake of destruction</p> <p>19 behind them. We care about our home. This is where</p> <p>20 we set down our roots, where we invested in the city,</p> <p>21 and we want to protect our investment, and our home's</p> <p>22 values, and our wellbeing.</p> <p>23 The proposed building will create up to</p> <p>24 30 more cars on the block where street parking's</p> <p>25 already a nightmare. It does not offer any</p>	<p style="text-align: right;">Page 58</p> <p>1 affordable or accessible units. It will create walls</p> <p>2 of buildings sandwiched right between our homes,</p> <p>3 boxing us in, to the detriment of our wellbeing, in</p> <p>4 terms of air, light, and open space. It'll deplete</p> <p>5 our quality of life and our experience of our home as</p> <p>6 a quiet place.</p> <p>7 Further, it destroys the historic</p> <p>8 streetscape and damages the heritage of black and</p> <p>9 women's history, as is sadly so often the case. It's</p> <p>10 bad enough that we lost a historic treasure of a</p> <p>11 home; let's at least ensure that infill doesn't do</p> <p>12 further damage to our significant architectural and</p> <p>13 sociocultural history.</p> <p>14 At the last meeting, Commissioner Lipski</p> <p>15 said, 03/14, that he was taught to leave a place</p> <p>16 better than you find it. Pam Andes wrote in an email</p> <p>17 to the developer: We have little faith in the</p> <p>18 project. Tim Krehel said it needs to be taken</p> <p>19 seriously how many people from the public are upset</p> <p>20 about this. Frances Goldin famously said "We want</p> <p>21 urban renewal, but we want it to benefit the people,</p> <p>22 not victimize them." Our block lost a historic home,</p> <p>23 and our ancestral family of homes should have been</p> <p>24 saved. Let's please create something smaller</p> <p>25 together that respects the space and the community,</p>
<p style="text-align: right;">Page 59</p> <p>1 despite what was already lost.</p> <p>2 I ask you, the board, to please go a</p> <p>3 little deeper in introspect tonight about people, do</p> <p>4 we want to plow down our neighbor and wash away</p> <p>5 their history, or is there an alternative that feels</p> <p>6 more equitable, perhaps a smaller building, where an</p> <p>7 out-of-town developer could still make a huge</p> <p>8 project, and not at the expense of the wellbeing,</p> <p>9 history, and property value of longstanding,</p> <p>10 taxpaying, local resident community. Ask how you</p> <p>11 might feel if this was happening next door to you or</p> <p>12 next door to your grandmother. How could it be as of</p> <p>13 right if it feels wrong? We can both grow as a city,</p> <p>14 lift each other up, take care of one another and our</p> <p>15 heritage, as we step into the future. Both are</p> <p>16 possible if we work together, set the precedent,</p> <p>17 create a legacy of meaningful growth. Please do not</p> <p>18 approve this tonight. We can do better.</p> <p>19 Thank you.</p> <p>20 CHAIRMAN LANGSTON: All right. Thank</p> <p>21 you, Ms. MacCormack. We appreciate it.</p> <p>22 All right. Is anybody else here from</p> <p>23 the public that wants to comment on this application?</p> <p>24 Anybody else from public?</p> <p>25 COMMISSIONER GANGADIN: Chair, seeing no</p>	<p style="text-align: right;">Page 60</p> <p>1 more from public, I would like to close the public</p> <p>2 portion.</p> <p>3 COMMISSIONER LIPSKI: Second.</p> <p>4 COMMISSIONER GREEN: I second it.</p> <p>5 COMMISSIONER CRUZ: Second it.</p> <p>6 CHAIRMAN LANGSTON: Okay. We have a</p> <p>7 motion made and seconded.</p> <p>8 (Whereupon, a voice vote is taken; a</p> <p>9 chorus of "ayes" heard.)</p> <p>10 CHAIRMAN LANGSTON: Public is closed.</p> <p>11 Before we get to staff comment, I do</p> <p>12 want to address one comment that was made by</p> <p>13 Mr. MacCormack. Mr. Wine, during the community</p> <p>14 meeting, did you offer the community input on the</p> <p>15 retaining wall?</p> <p>16 MR. WINE: Yes, I did, and the way I</p> <p>17 framed it, I -- Mr. MacCormack's correct, I</p> <p>18 suggested -- and perhaps they could confirm this --</p> <p>19 that the best way to do that, given that there are a</p> <p>20 lot of voices in the room, are, as Ms. Marione said,</p> <p>21 through the -- through city planning; as she</p> <p>22 indicated, she'd prefer through Historic</p> <p>23 Preservation. So, yes, we're happy to do it with the</p> <p>24 community, but given that there might be several</p> <p>25 different opinions, I think the most streamlined way</p>

<p style="text-align: right;">Page 61</p> <p>1 would be in some type of city planning or historic 2 approach. But if you feel differently, we certainly 3 did indicate that we would -- we would do it in 4 accordance with the community opinion and input. 5 CHAIRMAN LANGSTON: I mean, if your 6 comment was that you would accept community input on 7 the wall, I think that's completely appropriate. The 8 community doesn't work for the historic preservation 9 department in city planning. 10 MR. WINE: Yeah, that -- and that's 11 perfectly fine. Again, as I indicated, I felt that 12 going through city planning was a streamlined way to 13 do that, which I also indicated at the community 14 meeting, but I'm happy to have a sit-down meeting, 15 you know, post any approval, and talk about what that 16 might look like. If there are various opinions in 17 the room, some of which say it should be blue, some 18 of which say it should be yellow, of course, you 19 can't accommodate both, so my suggestion was that it 20 would be in some type of -- maybe through a 21 representative, that's fine as well -- but at some 22 point, yes, we're happy to solicit that opinion. We 23 have no preference one way or another; we're happy 24 for the community to ultimately look at this and 25 determine what that wall should look like.</p>	<p style="text-align: right;">Page 62</p> <p>1 CHAIRMAN LANGSTON: Counsel, I'm going 2 to go with my gut feeling here and say that no one is 3 going to suggest a blue or yellow retaining wall. 4 MR. WINE: I agree. 5 CHAIRMAN LANGSTON: All right. Before 6 we bring Tanya up, Counsel, do you want to make any 7 closing remark here? 8 MR. WINE: Yeah, and I just want to 9 respond to a couple of those comments from the public 10 as well, if that's all right. 11 CHAIRMAN LANGSTON: Sure. 12 MR. WINE: So we did take those efforts. 13 You know, we did try to come to what we feel is an 14 equitable solution, recognizing, as well, that, 15 again, since day one, the goal of this project has 16 always been and continues to be to -- my client 17 purchased a property zoned as R-3 -- was to develop 18 in accordance with the R-3. 19 While, you know, there are other 20 individual properties on the immediate block that are 21 single-family or two-family, not to suggest that the 22 owners there might move tomorrow, but the point is 23 that they could move tomorrow, and if they did move 24 tomorrow, those could also be expanded and extended 25 to the R-3 standards. And even if they didn't move</p>
<p style="text-align: right;">Page 63</p> <p>1 tomorrow, they could choose as well to blow their 2 homes back to add a little bit more square footage. 3 That's all there. 4 The goal of this application, since day 5 one, was to comply with the R-3 standards. We 6 encountered a hiccup at that point, at the first 7 meeting, due to the time of application rule, that 8 there was a rear yard setback deviation. We 9 addressed it, as was the appropriate thing to do at 10 the time, seeking the variance, but given that we've 11 had these four months, we obviously opted to 12 eliminate that variance, again, with the goal and 13 intent of complying with the R-3 development 14 standards, which is what we're doing here tonight. 15 I also want to indicate, as well, that 16 the context that was shown with this street, while 17 there is a note on the plans, as Ms. MacCormack had 18 indicated, that it's not an exact, exact 19 representation, that note was also clarified by our 20 project architect, that, in fact, topographic data 21 was used, both offered by the city and it was 22 prepared by the developer. They also looked at 23 various maps, and they did on-site measurements. So 24 while an entire block topography was not done, that's 25 certainly not the standard. And, again, I think, as</p>	<p style="text-align: right;">Page 64</p> <p>1 Mr. Moreno had indicated, that's a pretty fair and 2 accurate representation of the scale of the building. 3 I also want to indicate -- and that's just to respond 4 to that comment in particular. 5 There was also, throughout the several 6 meetings that we had, while you've heard comments 7 tonight that the single biggest focus was density, 8 that was partially a focus, and we acknowledge that, 9 and nevertheless elected to proceed with an 10 as-of-right density for this project. But another 11 focus was the height. And what Mr. Moreno worked 12 very hard on, as you see through that five-image 13 projection, is to reduce the height, reduce the 14 massing of the building, actually build that fourth 15 story, quote/unquote, into the roofline, so to speak, 16 to alleviate some of that height. 17 In addition to dropping the height well 18 below compliance, he also put on, at the 19 suggestion -- actually, I believe it was Mr. Perez, 20 who suggested that the community meeting, or at least 21 echoed it, and we thought it was a great idea, was to 22 put a railing of sorts on the roof as a parapet, 23 rather than traditionally what's done, which is just 24 running of materials up to the roof level, because 25 that would be less invasive.</p>

<p style="text-align: right;">Page 65</p> <p>1 So throughout this entire process, what</p> <p>2 started as -- supposed to be an as-of-right project,</p> <p>3 we continued to work with the community over time.</p> <p>4 While I recognize that we will not always make every</p> <p>5 member of the community happy, we've really done our</p> <p>6 best, in keeping with the goals of the developer,</p> <p>7 which have been to develop a four-unit building, as</p> <p>8 is what the zoning calls for, we have done our best</p> <p>9 to address those comments that we heard.</p> <p>10 I also want to put on record, and</p> <p>11 [inaudible], it's somewhat esoteric, and I know the</p> <p>12 board knows this, but I think it's important to</p> <p>13 mention that, when you look at an as-of-right site</p> <p>14 plan, there's good case law on exactly what the board</p> <p>15 can and cannot address. And I think, very simply,</p> <p>16 the Pizzo Martin Group versus Randolph decision,</p> <p>17 which is one of the leading cases, limits what the</p> <p>18 board can actually address when it comes to reviewing</p> <p>19 an as-of-right site plan. And it says specifically</p> <p>20 that they are to review the zoning ordinance, the</p> <p>21 applicable provisions of the site plan ordinance, and</p> <p>22 determine if it complies. And then, furthermore, if</p> <p>23 it does, the same board has no authority to deny that</p> <p>24 plan based on its view merely that a use permitted</p> <p>25 under the zoning ordinance is inconsistent with the</p>	<p style="text-align: right;">Page 66</p> <p>1 principals of sound zoning. Again, it's permitted,</p> <p>2 that's what the zone calls, and that's, ultimately,</p> <p>3 what we've elected to develop.</p> <p>4 And then, lastly, I want to put as well</p> <p>5 that, as this board, again -- and I know, Chairman, I</p> <p>6 know you're well aware, I know this board is well</p> <p>7 aware, but I think, as I heard a member of the public</p> <p>8 mentioned, they're not always aware as to what the</p> <p>9 legal criteria, and what the zoning standards, and</p> <p>10 what the technical language is, so I think it's</p> <p>11 important to put it on the record as well, that the</p> <p>12 board cannot deny approval on the basis that a</p> <p>13 proposed development made too intensive use of the</p> <p>14 site, as long as the project was a permitted use, did</p> <p>15 not exceed coverage, FAR, or any bulk requirements.</p> <p>16 And that's exactly, again, what we have</p> <p>17 here, we have an R-3 lot, we have R-3 Zoning that the</p> <p>18 governing body and this very board, at some point in</p> <p>19 history, determined that this should be R-3 zoning.</p> <p>20 We elected -- my client elected to purchase this</p> <p>21 property based on the R-3 Zoning, submit a site plan</p> <p>22 application based on the R-3 Zoning, and then,</p> <p>23 despite all of that, continued to engage and work</p> <p>24 with the city professionals, with the councilman's</p> <p>25 office, and with the public, to come up with a plan</p>
<p style="text-align: right;">Page 67</p> <p>1 that could be more tolerable within the scope and</p> <p>2 scale of the R-3 standards. And I believe that we</p> <p>3 did do that, we did whittle it down, and, again, what</p> <p>4 we have here is fully conforming under your</p> <p>5 ordinance.</p> <p>6 I want to just close by making very</p> <p>7 clear: This -- the entire goal of this application,</p> <p>8 as I indicated before, compliance with the R-3</p> <p>9 standards, was never to wedge anything in, or wedge</p> <p>10 infill development that's inappropriate in the</p> <p>11 context of the neighborhood. What you have heard</p> <p>12 from members of the public relates to a stretch of</p> <p>13 these six homes that are currently on this block, but</p> <p>14 if you take a wider view, which I believe this board</p> <p>15 has, and it's shown on our various plans in our set,</p> <p>16 those six homes do serve as somewhat of an anomaly,</p> <p>17 but they have not been designated as historic -- and</p> <p>18 perhaps they could be, but they are not today -- and</p> <p>19 taken as a general neighborhood context, the city,</p> <p>20 through planning, through this board, and through the</p> <p>21 governing body, have determined that the appropriate</p> <p>22 zoning for this property is that R-3. And,</p> <p>23 ultimately, that's what we're here proposing.</p> <p>24 So I am the first person to say to</p> <p>25 anybody, as I indicated at the first meeting and as I</p>	<p style="text-align: right;">Page 68</p> <p>1 indicated throughout the community meetings that we</p> <p>2 had, I encourage all of my clients to work with the</p> <p>3 community to come up with something that works for</p> <p>4 the developer and works for the community, to the</p> <p>5 best possible, and to what makes the most sense in</p> <p>6 the scale of development. And my client has been</p> <p>7 willing to do that, has worked on this for several</p> <p>8 months since the initial meeting, and for over a year</p> <p>9 since -- prior to that, to come up with what you see</p> <p>10 here today.</p> <p>11 So I would just ask this board, again,</p> <p>12 while I do not want to take away from the comments</p> <p>13 that we heard from the public, several of them I</p> <p>14 thought were good, it was also mentioned -- a couple</p> <p>15 mentioned, as well, thanking us for listening, with</p> <p>16 the exception of density, to a number of the comments</p> <p>17 we heard. And I would just urge this board -- and</p> <p>18 I'm sorry that I've gone over my time -- but I would</p> <p>19 urge the board, and I thank the board for their time,</p> <p>20 and I would ask them to approve this application as</p> <p>21 presented, with the stipulations that are made,</p> <p>22 recognizing, again, that this project has been</p> <p>23 designed and has been proposed to comply with what</p> <p>24 zoning ultimately has determined is promote for this</p> <p>25 property.</p>

<p style="text-align: right;">Page 69</p> <p>1 So thank you, Mr. Chair. Again, I know 2 that was a little more long winded than my typical 3 closing, but I appreciate your time. 4 CHAIRMAN LANGSTON: All right. Thank 5 you, Counsel. And I've sat on this board since 2013 6 and been chair of this board since 2014, and I -- I 7 appreciate you finally bringing me up to speed on 8 what my charge is as a planning board chair and 9 commissioner. 10 So let's move on to Tanya's comments. 11 Tanya, do you want to address, please? 12 MS. MARIONE: Based on all of the 13 comments that were given tonight, I don't think 14 there's any real need for me to add anything else to 15 the record. This is an application that I inherited, 16 because Mr. Krehel resigned from his position. If 17 the chair pleases, I'm just going to read the 18 conditions into the record and leave it there. 19 CHAIRMAN LANGSTON: Sure. I do want to 20 get into how we're going to handle that -- the 21 approval of that wall after the fact, though, Tanya. 22 MS. MARIONE: Okay. So I'll just read 23 the conditions, it's pretty standard, at this point. 24 Number one, all testimony given by the 25 applicant and their expert witnesses in accordance</p>	<p style="text-align: right;">Page 70</p> <p>1 with this application shall be binding. 2 Number two, all materials and color 3 selections shall be shown on final plans. No change 4 to the facade, site design, including materials, can 5 be -- I'm sorry, that may be required by the 6 construction code official shall be permitted without 7 consultation and approval by planning staff. 8 All street trees, landscaping, shall be 9 installed prior to the issuance of a certificate of 10 occupancy, and I'll go further to say of a temporary 11 certificate of occupancy. 12 And the architectural engineering firms 13 of record shall submit a signed and sealed affidavit 14 confirming that the building was constructed as 15 approved prior though issuance of certificate of 16 occupancy. 17 All comments address -- all comments 18 provided by Jersey City Division of Engineering shall 19 be addressed prior to -- this says issuance of 20 certificate of occupancy; I just want to correct on 21 the record that, really, that should be before 22 building plans, which are within the final signature 23 set. 24 And the last comment that was discussed 25 on the record was the rebuilding of the retaining</p>
<p style="text-align: right;">Page 71</p> <p>1 wall that was there, that was also mentioned, within 2 the Historic Preservation memo, that it was to be 3 retained, that they should pick out the materials, 4 the selection of the stones, and those should be 5 approved by Historic Preservation, I would say, prior 6 to issuance of building permits, so that would be 7 shown on the signature sets. 8 MR. WINE: And, Chairman, I see you're 9 on mute. 10 CHAIRMAN LANGSTON: Go ahead, counsel. 11 MR. WINE: Yeah, I was just going to say 12 that I certainly take no exception, and agree to all 13 of those comments. 14 CHAIRMAN LANGSTON: Okay. So, I mean, 15 Counsel, you stated in that community meeting that 16 the community would have input on that wall, and 17 you'd make sure the neighborhood was made whole after 18 that wall was demolished. 19 MR. ALAMPI: So, Chairman -- 20 CHAIRMAN LANGSTON: Go ahead, Counsel. 21 MR. ALAMPI: Thank you, Chairman. 22 If I could jump in, there's a clear 23 photograph on the architectural plans that show that 24 wall, it's made of stone. It's pretty clear to me 25 from that photograph exactly what that wall looks</p>	<p style="text-align: right;">Page 72</p> <p>1 like. It sounded to me from the public comments that 2 the public wants that wall to be rebuilt. And I 3 think a condition that that wall be constructed of 4 material similar to what exists is acceptable. I 5 don't know that we have to go much further. If 6 historic wants to weigh in on that, I think that 7 that's acceptable, but there's no reason why that 8 wall can't be built to look exactly how it looks in 9 the photograph included in the set. 10 CHAIRMAN LANGSTON: I agree, Counsel. 11 You know, I don't think there's any shortage of 12 similar stone out there, and if there is, it's on the 13 applicant to make this whole. I am comfortable 14 giving that charge to Tanya -- sorry, Tanya -- but, 15 you know, this needs to -- needs to be done 16 correctly, and I don't know that I have faith that 17 this will be done correctly. But I think we need a 18 strong voice from planning on this. And, you know, I 19 would want that condition placed on any approval 20 tonight, that that stone wall is constructed as per, 21 you know, the existing wall. And I want that on 22 signature sets as a clear detail that I can see 23 before I sign off on anything. 24 MR. ALAMPI: Counsel, any comment with 25 respect to that being a condition, that that wall be</p>

<p style="text-align: right;">Page 73</p> <p>1 constructed of the like material of which was 2 removed, as depicted in the photograph, and for 3 historic and planning to verify that the detail is 4 accurate prior to signature sets? Do we have an 5 issue with that? 6 MR. WINE: No issue. 7 CHAIRMAN LANGSTON: Okay. Thank you, 8 Counsel. 9 All right. So, Tanya, those are your 10 comments? Tanya, anything else? 11 MS. MARIONE: No. Sorry, I realized 12 when I said yes and everybody was staring at me that 13 nobody probably heard me. Yes, those are the ends of 14 my comments; no, I don't have anything additional to 15 say. 16 CHAIRMAN LANGSTON: I thought you 17 glitched out for a second, it's all right. 18 MS. MARIONE: I'm here. 19 CHAIRMAN LANGSTON: Okay. So with that, 20 I'll entertain a motion. 21 COMMISSIONER GANGADIN: Chair, I'd like 22 to make a motion to approve case P22-197, as 23 presented to the board this evening. 24 COMMISSIONER DESAI: Second it. 25 CHAIRMAN LANGSTON: Okay. We have a</p>	<p style="text-align: right;">Page 74</p> <p>1 motion and a second for an approval. 2 MR. ALAMPI: With conditions, Chairman. 3 CHAIRMAN LANGSTON: With conditions. 4 Thank you, Counsel. 5 MR. BLACK: Acting Vice Chair Gangadin? 6 COMMISSIONER GANGADIN: I want to thank 7 the public for coming out this evening and expressing 8 their concerns. You do have valid concerns. We're 9 all Jersey City residents, and we do deeply care for 10 Jersey City as well. 11 My vote is a no. 12 MR. BLACK: Commissioner Cruz? 13 Commissioner Cruz? 14 COMMISSIONER CRUZ: Yes. Hi. You hear 15 me? You hear me now? 16 MR. BLACK: Yes. 17 COMMISSIONER CRUZ: My vote is no. 18 MR. BLACK: Commissioner Dr. Desai? 19 COMMISSIONER DESAI: Counselor and 20 [inaudible]. 21 MR. BLACK: Doctor, we can't hear you. 22 COMMISSIONER DESAI: They are going to 23 work with the community and they met the community so 24 many times, and they said they are going to build the 25 retaining wall as it is. So I think they have done</p>
<p style="text-align: right;">Page 75</p> <p>1 enough work with the community. And my vote is yes. 2 MR. BLACK: Commissioner Lipski? 3 COMMISSIONER LIPSKI: No. 4 MR. BLACK: Commissioner Green? 5 COMMISSIONER GREEN: No. 6 MR. BLACK: And Chairman Langston? 7 CHAIRMAN LANGSTON: So I completely 8 understand the community's concerns here. I wish 9 there was a way to streamline, you know, any historic 10 landmark designation, because I think this would be a 11 great spot for it. 12 That being said, this board has to vote 13 on what the current zoning is, the current laws are. 14 There was no historic designation, and I think that's 15 a failure of the system. But, you know, it is an 16 as-of-right project. I would hold the developer to 17 reconstructing that wall to our satisfaction. And 18 given that it's an as-of-right project, my vote would 19 be yes. 20 MR. BLACK: Okay. We have two 21 motions -- two votes to approve, four no, so the 22 motion does not carry. 23 CHAIRMAN LANGSTON: Okay. 24 MR. WINE: So -- 25 CHAIRMAN LANGSTON: Is there another</p>	<p style="text-align: right;">Page 76</p> <p>1 motion for a denial? 2 COMMISSIONER LIPSKI: Do we actually 3 need that? 4 MR. WINE: Yeah, Mr. Chair, can I make a 5 comment? 6 CHAIRMAN LANGSTON: We're in board 7 deliberation right now, Counsel. 8 MR. WINE: Understood. 9 MR. ALAMPI: So, Chairman, the motion to 10 approve has failed, which is a statutory denial; 11 however, it is appropriate to take a second motion. 12 CHAIRMAN LANGSTON: Okay. So I would 13 entertain another motion. 14 MR. ALAMPI: Which, again, Chairman, 15 would be a motion to deny the application, since the 16 motion to approve fails. 17 CHAIRMAN LANGSTON: Okay. So -- 18 MR. ALAMPI: So I would suggest that 19 perhaps one of the four commissioners make that 20 motion. 21 COMMISSIONER GANGADIN: Chair, do you 22 think it's appropriate for me to make that, since I 23 made the motion to approve? 24 CHAIRMAN LANGSTON: I would leave that 25 up to Santo.</p>

<p style="text-align: right;">Page 77</p> <p>1 MR. ALAMPI: Whoever would like to make</p> <p>2 the motion can make the motion.</p> <p>3 COMMISSIONER GREEN: Well, I'll make the</p> <p>4 motion to deny.</p> <p>5 MR. ALAMPI: Thank you, Commissioner.</p> <p>6 COMMISSIONER GREEN: I'm sorry.</p> <p>7 CHAIRMAN LANGSTON: Thank you,</p> <p>8 Commissioner.</p> <p>9 Okay. So we have a motion for denial.</p> <p>10 Do I have a second --</p> <p>11 COMMISSIONER CRUZ: Second it.</p> <p>12 CHAIRMAN LANGSTON: Okay. I have a</p> <p>13 motion and a second for denial.</p> <p>14 MR. ALAMPI: So an affirmative vote will</p> <p>15 be to support the motion to deny.</p> <p>16 MR. BLACK: Okay. So Commissioner</p> <p>17 Green?</p> <p>18 COMMISSIONER GREEN: No.</p> <p>19 MR. BLACK: So a yes vote is to deny.</p> <p>20 COMMISSIONER GREEN: I'm sorry. Yes,</p> <p>21 I'm sorry. Yes to deny. Yes.</p> <p>22 CHAIRMAN LANGSTON: Okay. Just for the</p> <p>23 board's clarification here, the motion is to deny, so</p> <p>24 an affirmative vote is denial for the project.</p> <p>25 MR. BLACK: Okay. Commissioner Green</p>	<p style="text-align: right;">Page 78</p> <p>1 voted yes.</p> <p>2 Acting Chair Gangadin (sic)?</p> <p>3 COMMISSIONER GANGADIN: Yes to deny.</p> <p>4 MR. BLACK: Commissioner Cruz?</p> <p>5 COMMISSIONER CRUZ: Yes to deny.</p> <p>6 MR. BLACK: Commissioner Lipski?</p> <p>7 COMMISSIONER LIPSKI: Yes.</p> <p>8 MR. BLACK: Dr. Desai -- Commissioner</p> <p>9 Dr. Desai? Commissioner Dr. Desai?</p> <p>10 COMMISSIONER DESAI: No.</p> <p>11 MR. BLACK: And Chairman Langston?</p> <p>12 CHAIRMAN LANGSTON: No.</p> <p>13 MR. BLACK: Okay. So that was four</p> <p>14 yeses on the motion to deny and two noes. So motion</p> <p>15 passes to deny.</p> <p>16 CHAIRMAN LANGSTON: Okay. Thank you,</p> <p>17 everybody.</p> <p>18 (Whereupon, the hearing concluded at</p> <p>19 7:20 p.m.)</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</p> <p>4</p> <p>5 I, Michael Lombardozzi, a Notary Public</p> <p>6 and Certified Court Reporter of the State of New</p> <p>7 Jersey, do hereby certify that the foregoing is a</p> <p>8 true and accurate transcript of the testimony as</p> <p>9 taken stenographically by and before me at the time,</p> <p>10 place, and on the date hereinbefore set forth.</p> <p>11 I do further certify that I am neither a</p> <p>12 relative nor employee nor attorney nor counsel of any</p> <p>13 of the parties to this action, and that I am neither</p> <p>14 a relative nor employee of such attorney or counsel</p> <p>15 and that I am not financially interested in this</p> <p>16 action.</p> <p>17</p> <p>18</p> <p>19 Michael Lombardozzi,</p> <p>20 Certified Court Reporter, State of New Jersey</p> <p>CERT #: 30X100239700</p> <p>Date: 7 Aug 2023</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	

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