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TOWNSHIP OF TEANECK

BOARD OF ADJUSTMENT

THURSDAY, SEPTEMBER 19, 2019

IN THE MATTER OF : TRANSCRIPT OF  
APPLICATION AND PUBLIC HEARING : PROCEEDING  
on Investigation and Adoption of :  
**189 THE PLAZA** : **ZB2019-17**

B E F O R E :  
TOWNSHIP OF TEANECK BOARD OF ADJUSTMENT  
THERE BEING PRESENT:

JAMES BROWN  
HARVEY ROSEN, VICE CHAIRMAN  
JENNIFER PRINCE  
DANIEL WETRIN  
MONICA HONIS  
ATIF REHMAN  
MARK MERMELSTEIN (Recused)  
JERRY BARTA

DANIEL STEINHAGEN, ESQ.  
ACTING BOARD ATTORNEY

ROSILAND McLEAN  
BOARD SECRETARY

DAN MELFI  
ZONING OFFICER

JOSEPH VINCE  
BOARD ENGINEER

JASON TUVEL, ESQ.  
Attorney for the Applicant  
Reported by: Angela (Angie) M. Shaw-Crockett  
Certified Court Reporter  
Registered Merit Reporter  
Certified Realtime Reporter

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1           VICE CHAIR ROSEN: We'll do our best.

2           Okay. I'm going to ask Mr. Tuvel to begin the  
3           first case, 189 Plaza. For those of you who  
4           are new to this process let me explain how this  
5           works.

6           The attorney for the case will present his  
7           witness. The board will have the opportunity  
8           to question the witness as we go along, at the  
9           end of his testimony, and then the members of  
10          the public will then be, as well, able to ask  
11          questions of the witness.

12          You will only be asked to ask questions of  
13          the witness and his or her testimony at the  
14          time. And, again, we only take questions. We  
15          won't entertain any kind of statements. There  
16          is a time for that. That will be at the end of  
17          the case.

18          When all the presenters have been  
19          presented, you will have an opportunity to make  
20          a statement and make an argument any way that  
21          you'd like. But in this portion of the  
22          process, this is confined to questions only.

23          Mr. Tuvel, please identify yourself and  
24          begin your presentation.

25          MR. TUVEL: Sure. Good evening,

1 Mr. Chairman, members of the board, Jason  
2 Tuvel, attorney for the applicant.

3 This is an application for Block 5005,  
4 Lots 1, 2 and 11, also known as 189 The Plaza.  
5 The project or the subject property fronts on  
6 both State Street as well as The Plaza.

7 For those of you who are not familiar with  
8 the property and what exists there now today on  
9 State Street, you have retail that fronts along  
10 the road without any parking on The Plaza. You  
11 have the old Chase Bank ATM.

12 So you basically have a lot that's  
13 100 percent impervious surface or all pavement.  
14 Specifically, the area facing The Plaza is  
15 underdeveloped. It's not being used in its  
16 most efficient way and quite frankly doesn't  
17 look very appealing.

18 This application is in the B1 business  
19 retail zone and the proposed development seeks  
20 to redevelop the entire site. So what the  
21 applicant did here is they basically created a  
22 property assemblage by getting three  
23 properties, ones that face on 189 The Plaza and  
24 the others that face on State Street. So you  
25 have an interesting property that slopes very

1 significantly from north to south that has two  
2 frontages. It's a through lot and we were able  
3 to increase the size of the property by  
4 assembling the three lots.

5 It's an application for preliminary and  
6 final major site plan approval with a use  
7 variance for height, as well as other bulk  
8 variances relief. There may be a D1 use  
9 variance that we applied a notice for, but  
10 we'll get to that when the planning testimony  
11 comes.

12 The proposal is for a 15-story residential  
13 building that includes neighborhood commercial  
14 retail over a three-story-parking structure.  
15 The applicant -- the commercial space, just so  
16 the board is aware, is 5900 square feet.

17 The application fully conforms with the  
18 New Jersey Residential Site -- RSIS standards  
19 for parking. So there's about 177 parking  
20 spaces located in the three-story structure.  
21 There's many amenities associated with this  
22 building, which you'll hear from our architect,  
23 John Nastasi.

24 What I'll hope to do this evening is call  
25 two witnesses. If we can get through them both

1 would be great. Our architect John Nastasi,  
2 Nastasi Architects and our traffic engineer,  
3 Michelle Briehof from Maser.

4 I did receive, Mr. Chairman, the review  
5 letters from the board's professionals. We  
6 acknowledge that there's more revisions that we  
7 have to make based on the whole Schwanewede  
8 review letter, as well as the letter that we  
9 received from Mr. Luglio.

10 But what we'd like to do is get not only  
11 the board's professional comments, hear from  
12 the board if they have any comments in  
13 connection with the plan, as well as the  
14 public. And when we make revisions and when we  
15 resubmit it -- as you indicated we're not going  
16 to finish this evening -- we'd like to try to  
17 address as best we can all the comments the  
18 board -- the board professionals may have.

19 So again, I'd like to call two witnesses  
20 this evening, if possible. I've provided the  
21 affidavit of service to the board ahead of  
22 time.

23 So, Mr. Steinhagen, I don't know if you  
24 want to just acknowledge that that's in order.

25 MR. STEINHAGEN: Yes, I can acknowledge

1           that the applicant has provided sufficient  
2           notice in accordance to the Municipal Land Use  
3           Law for the board to take jurisdiction.  
4           There's a couple of housekeeping items I'd like  
5           to take care of.

6                     Mr. Tuvel referenced the board's  
7           professional reports. We'll start with the  
8           Schwanewede Hals August 14, 2019 review letter.  
9           We're going to mark that as B-1.

10                    (Exhibit B-1 was received and marked for  
11           identification, as of this date.)

12                    The Gregory Associates planning  
13           memorandum, August 15, 2019, that's going to be  
14           B-2; and then the revised Sam Schwartz traffic  
15           review letter dated August 15, 2019, revised  
16           September 17, 2019, B-3.

17                    (Exhibits B-2 and B-3 were received and  
18           marked for identification, as of this date.)

19                    MR. STEINHAGEN: We should also swear in  
20           the board's special conflict professionals --  
21           I'm sorry. The feedback is getting to me. But  
22           Ms. Gregory, Mr. Luglio, would you please  
23           stand?

24                    (Professionals sworn.)

25                    MR. STEINHAGEN: Thank you.



J. Nastasi

1           MR. TUVEL: I'd just also like to  
2 acknowledge that this is a special meeting and  
3 notice was also provided in connection with the  
4 Open Public Meetings Act as a part of this  
5 process.

6           So the first witness I'd like to call,  
7 Mr. Chairman, is our architect, John Nastasi.  
8 I don't believe he's testified before this  
9 board before. So after he's sworn in, I can go  
10 through his qualifications.

11           What I'd also like do since we have a  
12 different setup here than we do at the  
13 municipal building, the boards that we're going  
14 to be marking are down here. I have 11 by 17s  
15 of what the public can see for the board  
16 members so that you can follow along in a  
17 packet.

18           VICE CHAIR ROSEN: Let me tell you that  
19 the 11 by 17 is almost impossible for us to  
20 read. The lettering is so tiny. Frankly, if I  
21 have to rely on this, it's not going to work  
22 because the lighting in here is terrible. So.

23           I'll ask you if you could turn those  
24 boards or charts around so we can see what  
25 you're referring to.

J. Nastasi

1           MR. TUVEL: Just so you know, the 11 by 17  
2 are just the exhibits. They're not the plans  
3 and they're blown up. So it's not like you're  
4 going to have to read any text on those, just  
5 so you know.

6           VICE CHAIR ROSEN: But they are almost  
7 impossible to read. Okay. Sir, please.

8           MR. TUVEL: You can pass them out.

9   J O H N   N A S T A S I,  
10           called as a witness, having first been  
11           duly sworn, was examined and testified as  
12           follows:

13           MR. STEINHAGEN: Thank you. Can you give  
14 us your name and business address, please.

15           THE WITNESS: John Nastasi, N-A-S --

16           VICE CHAIR ROSEN: As the audience told  
17 me, keep that microphone to your mouth.

18           THE WITNESS: John Nastasi, N-A-S-T-A-S-I.  
19 Address is 321 Newark Street, Hoboken, New  
20 Jersey.

21           VICE CHAIR ROSEN: Have you appeared  
22 before this board before?

23           THE WITNESS: I have not presented at this  
24 board before.

25           VICE CHAIR ROSEN: What other boards have

J. Nastasi

1 you presented in front of?

2 THE WITNESS: I've presented at -- many,  
3 many times in Hoboken, Jersey City, South  
4 Jersey, New York City.

5 VICE CHAIR ROSEN: How long have you been  
6 a licensed registered architect in the State of  
7 New Jersey?

8 THE WITNESS: About 34 years.

9 VICE CHAIR ROSEN: Your license is  
10 up-to-date and --

11 THE WITNESS: It is up-to-date.

12 VICE CHAIR ROSEN: Okay. Unless any  
13 questions of this -- of Mr. -- can you give me  
14 your name again and --

15 MR. TUVEL: Nastasi.

16 VICE CHAIR ROSEN: -- credentials. We'll  
17 ask you to begin your presentation.  
18 Mr. Nastasi will be accepted as an expert.

19 MR. STEINHAGEN: Do you have any  
20 professional certifications, AIA, RA?

21 THE WITNESS: I'm a licensed architect in  
22 the State of New Jersey, State of New York. I  
23 have had my own practice for 29 years.

24 MR. STEINHAGEN: So you're NCARB --

25 THE WITNESS: I'm NCARB certified, yes.

J. Nastasi

1 MR. STEINHAGEN: Thank you.

2 MR. TUVEL: Mr. Rosen, just so  
3 procedurally we get this right. I don't want  
4 to go back and forth.

5 We have the boards facing the public so  
6 the public can see what the boards are.

7 Do you want us also to flip them while  
8 we're testifying? Let me know how.

9 VICE CHAIR ROSEN: Normally, the custom --

10 MR. TUVEL: We just wanted the public to  
11 be able to see them, as well.

12 VICE CHAIR ROSEN: I think that the  
13 boards -- these boards have been accessible at  
14 the beginning of the meeting. I, again, invite  
15 the public to sit as close as you can to see  
16 what's going on. If you're sitting in the back  
17 and you can't see, I can't help you.

18 But there are plenty of seats up front so,  
19 again, I invite you to come down and sit  
20 forward so you can see the plans. And I do  
21 appreciate it if you can put the boards to the  
22 side. That's our normal custom, just to be  
23 able to see what you're talking about as you're  
24 going through.

25 MR. TUVEL: Okay. Just give us one minute

J. Nastasi

1 so we can arrange.

2 VICE CHAIR ROSEN: Sure.

3 THE WITNESS: Okay. I think we're ready.

4 VICE CHAIR ROSEN: Appreciate that.

5 Please proceed.

6 THE WITNESS: So I'm going to present from  
7 a series of boards, I think, numbered 1 through  
8 14. You have 11 through 17, readouts of  
9 everything that's exactly on the boards.

10 So I'll cite each board by number so that  
11 we all know where we're following along.

12 MR. TUVEL: So, Dan, before we get  
13 started, do you want to mark all the exhibits  
14 as we go or do you want to mark the packet as  
15 A-1, sheets 1 through 14?

16 MR. STEINHAGEN: I think if you're going  
17 to testify off the mounted boards, it would  
18 make sense to mark those each individually.  
19 This isn't a plan sheet that was submitted to  
20 the board. I understand that it's not the  
21 architectural drawings.

22 MR. TUVEL: Correct.

23 MR. STEINHAGEN: So each sheet should be  
24 separately marked.

25 MR. TUVEL: That's fine.

J. Nastasi

1 MR. STEINHAGEN: Sheet one will be A-1.

2 (Exhibit A-1 was received and marked for  
3 identification, as of this date.)

4 EXAMINATION

5 BY MR. TUVEL:

6 Q. John, we can mark them as we go.

7 A. Okay. So let's start with Board Number 1,  
8 and I will try to address the crowd but also address  
9 the board.

10 We're looking at the site at 189 The  
11 Plaza. And the first thing I'd like to do is  
12 explain to the community the nature of the site.  
13 It's not a very typical site to develop a  
14 residential building for. It's not in the middle of  
15 a residential zone. It's pressed up against the  
16 railroad tracks along Palisade. To the north is the  
17 State Street bridge. To the south is The Plaza and  
18 the parking area. And then the commercial along  
19 Queen Anne sort of wraps The Plaza. And our  
20 building, our site is this peninsula that sits at  
21 sort of the western edge of this condition.

22 Q. John, just before you keep going, jus  
23 identify what A-1 is?

24 A. A-1 is Board Number 1 and it's marked up  
25 there A-1.

J. Nastasi

1 Q. Yeah. And that's an aerial of the  
2 existing area, correct, the existing conditions on  
3 the property?

4 A. Yes. It's the site plan and it's an area  
5 plan. And the Board Number 2 is the neighborhood  
6 context.

7 MR. STEINHAGEN: Just for the record,  
8 Sheet A-1 has zoning data, a key map from what  
9 looks like it could be the background of a  
10 zoning map and then an area where the property  
11 and zone boundaries are delineated.

12 MR. TUVEL: Yes.

13 MR. STEINHAGEN: And the second board is  
14 going to be A-2?

15 THE WITNESS: Yes.

16 (Exhibit A-2 was received and marked for  
17 identification, as of this date.)

18 A. And the second board, which is A-2, is  
19 neighborhood context. It's sort of an area site  
20 plan.

21 VICE CHAIR ROSEN: Okay.

22 A. Okay. The next thing we should understand  
23 about this site is that State Street is one level  
24 above The Plaza. So not only are we a peninsula  
25 sort of pressed up against Palisade and the tracks,

J. Nastasi

1 we're proposing to enter the residential building  
2 off the Plaza, but State Street is one level higher.

3           So we're proposing commercial along State  
4 Street, which is really the second story of the  
5 building. So the building staggers from south to  
6 north. And I'll show you other drawings that  
7 explain that.

8           The condition of the site that I think is  
9 important to talk about is that the angled parking  
10 on The Plaza presents an interesting condition here  
11 with cars. And in working with the town engineers,  
12 we're proposing a loading zone that indents off of  
13 the street so that for couriers, deliveries, moving,  
14 garbage removal, Uber drop-offs, taxi cabs, we have  
15 a loading zone which minimizes the impact of the  
16 resident's usage along The Plaza.

17           VICE CHAIR ROSEN: Could you step back a  
18 second and put your finger on the area called  
19 the "loading zone."

20           THE WITNESS: (Complies.)

21           VICE CHAIR ROSEN: Thank you.

22           A. And then along State Street, we have the  
23 neighborhood commercial storefront on the first and  
24 second floor so that local stores or commercial  
25 space professional office will have storefront space



J. Nastasi

1 and keep State Street activated with usage.

2 If we move to the next set of boards.

3 MR. TUVEL: So let's mark that as A-3 and  
4 A-4, John, and just identify what those are for  
5 the record.

6 (Exhibit A-3 and A-4 were received and  
7 marked for identification, as of this date.)

8 A. Board Number 3 will be labeled A-3 and  
9 that is a rendering of the building entry; and Board  
10 Number 4 will be A-4, and that is an aerial  
11 rendering of the entry. So these next two boards  
12 are going to talk about the entry condition along  
13 The Plaza.

14 So the one thing to notice on Board Number  
15 3 is that we have an indented loading zone. We have  
16 a very large residential lobby that's lit up. We  
17 have a parking -- covered parking entry and then we  
18 have a service entry.

19 So what we're trying to do on The Plaza is  
20 to address all the needs of the building so that  
21 when the building is fully functional, it performs  
22 and behaves so that it doesn't create a detriment to  
23 the neighborhood.

24 We're considering all of the things that  
25 happen with a multifamily building, including how do

J. Nastasi

1 people take deliveries, how do you throw the garbage  
2 out, how do you bring your bicycle from in off of  
3 the street, and how do get dropped off by a taxi  
4 cab. And what we've created is functional but also  
5 a beautiful residential lobby.

6           The aerial on Board Number 4 shows the  
7 building's relationship to the commercial along  
8 Queen Anne that wraps and creates this residential  
9 base. The dropoff zone is here, the residential  
10 lobby is here, the covered parking entry is here.  
11 So we even thought about a car pulling off the  
12 street having to get into the garage. It can be  
13 covered from the weather and not block the sidewalk  
14 as the car pulls into the garage.

15           The one thing you'll notice is that the  
16 base of the building aligns with the height of all  
17 of the commercial spaces along Queen Anne. So this  
18 height continues and then there's a beautiful  
19 residential base with all of the lobby and services  
20 at the ground floor and all of the building's public  
21 amenities, the gym, the yoga studio, the pool on the  
22 second floor. And this board kind of shows that  
23 relationship.

24           Q. John, could you just explain some of the  
25 materials on that first level lobby and what they

J. Nastasi

1 would see along The Plaza?

2 A. You weren't going to let me get to that on  
3 my own?

4 Q. I have to do my job.

5 A. So the next thing I was going to say was  
6 that the building, as it rises above The Plaza and  
7 meets the commercial height of the stores on Queen  
8 Anne. It starts to terrace back. Every time the  
9 building steps back, we provide gardens.

10 So the building has a series of green  
11 spaces at each terrace level so that the building  
12 steps back to allow light down into the street, but  
13 also it gives the community a visual garden so that  
14 you have lots of green terraces sprinkled throughout  
15 the whole building.

16 The building has a stone base, as you  
17 could see on Board Number 3, with large windows for  
18 the amenity space in the lobby, concrete columns and  
19 then as you see in this first setback, the first set  
20 of gardens and then the residential setback with  
21 balconies, more gardens. And then as the building  
22 rises up, it's made with a warm gray cementitious  
23 rain screen material that is a very advanced way of  
24 building a building today. But I think the overall  
25 form of the building is modern, it's warm and it's

J. Nastasi

1 sort of exquisitely detailed.

2 Q. Okay. And just so the number is out there  
3 because I know you're going to go floor by floor,  
4 but there's over 380 plantings or so associated  
5 with -- associated with this project, right?

6 A. Yes, there's over 380 plantings throughout  
7 the building.

8 Q. Okay.

9 A. If we step back a little bit, Boards  
10 Number 5 and 6 will begin to show the building in  
11 the context of the neighborhood.

12 THE WITNESS: Board Number 5 will be A-5.

13 (Exhibit A-5 was received and marked for  
14 identification, as of this date.)

15 THE WITNESS: And that's the view of the  
16 building from Queen Anne.

17 Board Number 6 will be A-6.

18 That's the view of our building coming  
19 over the bridge from State Street.

20 A. So what we're doing here is we're  
21 starting -- after talking about the entry in the  
22 lobby, now we're kind of pulling back a little bit.  
23 And you can see from Queen Anne how the stores along  
24 Queen Anne kind of come across and pick up the  
25 height of our base. And you could see the first set

J. Nastasi

1 of terraces.

2           There's now another set of terraces two  
3 stories up and there's a large public garden space  
4 for the residents. And then there are more terraces  
5 along here behind the stores on Queen Anne. And  
6 then as the building steps up, we have recessed  
7 balconies with more private gardens to break the  
8 scale of the building down. And then one large roof  
9 garden and amenity space on top. So the building  
10 terraces and every time it terraces, we present  
11 green space and gardens.

12           Board Number 6 shows the building emerging  
13 from behind the trees as you cross the building on  
14 State Street. And what's nice about this is that  
15 the scale of the building is broken up by the  
16 terraces. It's buffered by the trees. And then as  
17 we go over State Street, the commercial -- the  
18 neighborhood commercial spaces appear at street  
19 level.

20           MR. TUVEL: Just mark that board as A-6,  
21 John.

22           (Exhibit A-6 was received and marked for  
23 identification, as of this date.)

24           THE WITNESS: Already marked A-6, okay.

25           So we'll continue to pull back a little bit and

J. Nastasi

1 we'll look at Board 7 and 8.

2 So Board 7 will be marked A-7.

3 (Exhibit A-7 was received and marked for  
4 identification, as of this date.)

5 THE WITNESS: And that's the view from  
6 Windsor Court looking over the trees at the  
7 building.

8 Board Number 8 is a view from Teaneck Road  
9 and State Street looking towards our building.

10 Board Number 8 will be marked A-8.

11 (Exhibit A-8 was received and marked for  
12 identification, as of this date.)

13 VICE CHAIR ROSEN: A correction. It's  
14 Windsor Road.

15 THE WITNESS: Thank you.

16 A. So Board 7. You can see the building  
17 emerging out of the tops of the trees from Windsor  
18 Road and it's just the top few stories that can make  
19 it above the trees. So the scale of the trees along  
20 Windsor breaks the scale of the building there.

21 And then if we're back on Teaneck and  
22 State, you can see the corner of the building  
23 emerge. The top several stories can emerge above  
24 the tree line. So the building, you can see the  
25 gray stone appear just above the tree line. So both

J. Nastasi

1 Boards 7 and 8 start to show the building in context  
2 as you're further and further away from the  
3 building.

4 THE WITNESS: I'm going to jump to Boards  
5 11 and 12. And I'd like to call them A-11 and  
6 A-12.

7 (Exhibits A-11 and A-12 was received and  
8 marked for identification, as of this date.)

9 MR. TUVEL: He just wanted to keep the  
10 numbers consistent.

11 MR. STEINHAGEN: So long as we understand  
12 it's not going to be an Exhibit 8. We're going  
13 to 9.

14 THE WITNESS: We're going to jump to 11  
15 and 12 if that's okay.

16 So I am calling A-11 and A-12.

17 MR. TUVEL: Do you not have some of those  
18 sheets?

19 MR. BROWN: Some of us don't have 9 and  
20 10.

21 MR. WETRIN: I have 10. I don't have 9.

22 THE WITNESS: We're not going to reference  
23 9 and 10. We're going to go to 11 and 12.

24 MR. WETRIN: Don't look at those sheets.

25 A. Okay. A-11 is the ground floor up from

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1 The Plaza side of the building. It's a ground floor  
2 plan; and then A-12 is the second floor plan of the  
3 building showing the commercial space on State and  
4 then the gym yoga studio and pool.

5 So if we start on Board 11, you can see  
6 here how along The Plaza, we have our recessed  
7 arrival zone our loading zone and then our curb cut  
8 and driveway for the garage.

9 And then this purple area is the large  
10 residential lobby that is -- has large glass  
11 openings and is lit up to the street. It's also set  
12 back and protected in the rain. So if you're  
13 arriving in the building in the rain, you can get  
14 under cover before you go in.

15 We have a series of well thought out  
16 practical considerations, like trash and recycling  
17 storage, package rooms, bicycle storage for all of  
18 the residents, common storage transformers and then  
19 this orange area is the service corridor that allows  
20 us to bring bicycles and garbage in and out of the  
21 building without clogging up the lobby and really  
22 clogging up the sidewalk.

23 We've also coordinated through the town  
24 planners and engineers working with proper egress  
25 requirements to allow the proper safety and egress



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1 of the building out of this service alleyway and  
2 also providing access for fire department to get  
3 onto the site.

4           The building on the driveway entry, the  
5 building has a series of security gates and a cueing  
6 area. And we're actually proposing -- and I know we  
7 have our parking consultant presenting today, but  
8 we're providing 177 parking spaces, which actually  
9 exceeds the requirements. So we're providing more  
10 parking than is required by the state code. And  
11 what that does is it makes sure that the residents  
12 of the building don't tax the city by putting their  
13 cars out on the street, that the building can handle  
14 not only cars for the residents, but their guests  
15 and visitors as well.

16           Something we're very excited about if we  
17 move to board 12 is that this is a building that is  
18 not just a box with a bunch of apartments in it, but  
19 it's actually a building that provides common  
20 community space for the residents in that if you --  
21 if you're somewhat of a healthy person, you can use  
22 the pool, the yoga studio, the fitness gym. And  
23 it's accessed directly off of the elevator lobby so  
24 that the residents can come down and utilize sort of  
25 the common amenity space.

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1           And I think that way you look at  
2 residential buildings in city and towns like  
3 Teaneck, I think that there's a need for people to  
4 want to move from living in a typical house or a  
5 typical apartment and possibly moving into a  
6 building that has common amenity space. It's sort  
7 of more of an urban way of living and it  
8 concentrates parts of your life into the building  
9 and I think this will be a successful feature for  
10 the building.

11 BY MR. TUVEL:

12           Q.   John, if you could also describe the  
13 location of the commercial space along State Street  
14 on Sheet 12.

15           A.   Okay. On Sheet 12, it's the second floor  
16 of The Plaza where the gym and pool is -- are, but  
17 it's actually the ground floor on State because  
18 State is higher and you can see there's a  
19 1600-square foot neighborhood commercial space. And  
20 that accesses directly out onto State Street.

21                   We also have a small commercial lobby that  
22 goes up to the second floor. And there's another  
23 commercial space on the floor above State Street.  
24 So we're providing two commercial spaces off of  
25 State, which I see is sort of neighborhood

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1 commercial or neighborhood retail.

2 Q. Just to be clear as well, there's also a  
3 lobby, a residential lobby on State Street. So  
4 residents who are walking in the area could also  
5 access their unit that way, as well?

6 A. Of course. If you're coming across the  
7 State Street bridge and you want to enter the  
8 building or visiting, there's a back lobby.

9 VICE CHAIR ROSEN: I also wanted to be  
10 clear on the gym itself and the pool. These  
11 are -- is this facility open to the public?

12 MR. TUVEL: It's amenity space for  
13 residents.

14 VICE CHAIR ROSEN: Okay. Thank you.

15 THE WITNESS: So the next board that I'll  
16 show is Board 13 which will become A-13.

17 (Exhibit A-13 was received and marked for  
18 identification, as of this date.)

19 A. A-13 is a typical residential floor plan  
20 on the lower part of the building and you could see  
21 that the apartments are color coded. And the one  
22 thing that I'd like to say is that we're looking at  
23 a series of apartments. We have 147 residential  
24 units, but we're evenly dividing them so that  
25 there's 56 one-bedroom apartments; there's 69

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1 two-bedroom apartments; and then there's 22  
2 three-bedroom apartments.

3 So we're trying to provide a mix of unit  
4 sizes so we can accommodate the different needs, for  
5 different people at different stages in their life.

6 BY MR. TUVEL:

7 Q. And just one thing that I should have  
8 mentioned at the beginning is clearly we have to  
9 provide our 15 percent affordable obligation and the  
10 bedroom mixes will be consistent with state law on  
11 the affordable units as a combination of one, two,  
12 three bedrooms. It's an inclusionary project. All  
13 of the affordable units will be the same as the  
14 market rate units.

15 VICE CHAIR ROSEN: State the math. How  
16 many units? How many units are there?

17 THE WITNESS: Twenty-two.

18 VICE CHAIR ROSEN: Do you know what the  
19 breakdown is?

20 MR. TUVEL: I'd rather have our planner  
21 Joe Burgis go -- and that's more his --

22 VICE CHAIR ROSEN: This is going to be a  
23 rental building?

24 MR. TUVEL: That's correct. The  
25 15 percent set aside. Obviously, the developer

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1           would want the flexibility. I believe under  
2           the Teaneck ordinance, if it was a condo  
3           building, we'd have to do the 20 percent.

4           MR. STEINHAGEN: Understood.

5           MR. TUVEL: Either way.

6           VICE CHAIR ROSEN: Right now it's going to  
7           be a rental?

8           MR. TUVEL: Correct.

9 BY MR. TUVEL:

10          Q. Sorry to interrupt, John. Go ahead.

11          A. That's okay.

12                 So back to Board A-13, which is a typical  
13 residential floor at the base of the building, the  
14 one thing you'll notice is that we have our  
15 one-bedroom apartments in blue, our two-bedroom  
16 apartments in yellow and our three-bedroom  
17 apartments in tan. And we're mixing them throughout  
18 the building. And this being the first setback in  
19 the first terrace, you could see the beginning of  
20 our residential terraces and green spaces here  
21 directly off of these units.

22                 Along The Plaza, there's a setback in a  
23 garden. Along the west, there's another setback and  
24 a garden and then there's large setbacks and gardens  
25 here (indicating).

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1           As we move up the building -- and I could  
2 walk us through each phase of the building -- we'll  
3 move to Board 14, which will become A-14.

4           (Exhibit A-14 was received and marked for  
5 identification, as of this date.)

6           A.   A-14 is the primary amenity floor plan.  
7 It's when the building has a major setback from The  
8 Plaza and you can see, which I think is very  
9 interesting, is that there's a large amenity space  
10 here, sort of like a common mixed-use space that  
11 could be used for a number of types of events. It's  
12 about 2,000 square feet, which is available to the  
13 residents. And then this common amenity space opens  
14 onto a very large outdoor garden, which is 3,300  
15 feet.

16           So all of these amenities are things that  
17 we're adding to the residential building so that the  
18 building is not just a closed box, but it's actually  
19 a building that sort of lives and breathes with the  
20 residents and provides different layers of what  
21 residents need in wanting to live in a building like  
22 this.

23           VICE CHAIR ROSEN: Stop a second.

24           Mr. Tuvell, can you represent the common  
25 space is confined to a residential use only?

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1           MR. TUVEL: That's correct. The purpose  
2 of the common space, as Mr. Nastasi indicated,  
3 would be for the residents of the building,  
4 correct.

5           VICE CHAIR ROSEN: And consequently, it  
6 will not be available for the public to rent  
7 that space or --

8           MR. TUVEL: No. It would just be for  
9 residents of the building to use for gathering,  
10 things of that nature.

11          A. Okay. If we continue up the building, we  
12 have a typical upper floor plan on Sheet 15, which I  
13 will call A-15.

14                   (Exhibit A-15 was received and marked for  
15 identification, as of this date.)

16          A. And this is a typical residential plan on  
17 the upper floors. Again, the one-bedroom units are  
18 in blue; the two-bedroom units are in yellow; and  
19 the three bedrooms are in tan. But we also can see  
20 the recessed balconies and gardens, that we carve  
21 and sculp the building as it comes up to help break  
22 down the scale of the form.

23                   And then last but not least is Sheet 16,  
24 which becomes A-16.

25                   (Exhibit A-16 was received and marked for

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1 identification, as of this date.)

2 A. And that's the uppermost roof plan. And  
3 what's interesting about the uppermost roof plan is  
4 that it's predominantly green. So it's layered with  
5 gardens that wrap on all four sides. There's major  
6 green roof space that absorbs rainwater. And then  
7 there's two separate residential amenity spaces,  
8 sort of a movie theater room, reading room, also  
9 more of a lounge and a pool table, more of a lounge  
10 space, each accessed from the elevators. And both  
11 of these open onto the roof gardens, which has  
12 seating, fire pits and other amenity space for the  
13 residents.

14 Q. John, could you just describe what the  
15 lighting would be like at the -- on the rooftop  
16 level?

17 A. I would imagine the lighting on the  
18 rooftop level would be low, soft and warm that would  
19 just light the amenity space and not spill over into  
20 the neighborhood.

21 Q. Okay. And as the Chairman had indicated  
22 before, the rooftop space is also for the residents  
23 only; is that correct?

24 A. Yes.

25 Q. On the parking decks, I'd like -- there



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1 was a lot of comments from the board engineer  
2 regarding circulation of the parking area. Those  
3 are some of the items that we'd like to address  
4 prior to the next meeting.

5 So in terms of testimony regarding  
6 circulation within the parking level, I'd like to  
7 hold off on that until we have the ability to  
8 address Mr. Vince's letter on those issues.

9 VICE CHAIR ROSEN: We have some questions  
10 about what's been said so far.

11 MR. TUVEL: Of course.

12 VICE CHAIR ROSEN: Can you put Board 4 and  
13 5, both up at the same time?

14 MR. STEINHAGEN: Are you done with the  
15 direct testimony of this witness?

16 MR. TUVEL: At this time, yes.

17 VICE CHAIR ROSEN: Board 4 is a  
18 perspective of The Plaza looking north; and  
19 Board 5 is the prospective of the building from  
20 Queen Anne Road. Yeah, those two.

21 THE WITNESS: Okay.

22 VICE CHAIR ROSEN: I'm curious to relate  
23 the height of this building to the height of  
24 1475 Palisades, the other towers -- I guess you  
25 call it multistory building -- across the

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1 street.

2 I understand these are renderings. I  
3 understand they're best guesses and drawings.

4 What's the approximate comparison in  
5 height so that the top floor of Floor 15, how  
6 does that relate to the top floor of the  
7 building at 1475?

8 Because the Board Number 4 seems to be  
9 dwarfing that building. But Board Number 5  
10 seems to hold it about the same or close.

11 THE WITNESS: I think I can clarify that.

12 Board 5 is in perspective, so this  
13 building is diminishing. But the height of  
14 this building to our north is about -- it's  
15 about 85 feet. And I wasn't the architect, so  
16 I don't know exactly. But it's roughly  
17 85 feet. While we're 15 stories so we're  
18 100 -- 158 feet, so our building is taller.  
19 Our proposed building is taller than the  
20 building to the north.

21 VICE CHAIR ROSEN: By approximately  
22 70 feet?

23 THE WITNESS: Yes.

24 VICE CHAIR ROSEN: Okay. And how -- is it  
25 approximately built on the same level, ground

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1 level, correct? It's about the same?

2 THE WITNESS: I believe we're about  
3 15 feet or a story and a half lower in  
4 elevation than the building to the left.

5 VICE CHAIR ROSEN: Does that take away  
6 from that differential?

7 THE WITNESS: Yes, it does.

8 VICE CHAIR ROSEN: So if we were to create  
9 a fictional plane, so to speak, above sea  
10 level, for example, you're saying that your  
11 proposed building is approximately 50 to  
12 60 feet?

13 THE WITNESS: It's about 50 feet taller.

14 VICE CHAIR ROSEN: 50 feet taller.

15 MR. TUVEL: I just -- I want to make sure  
16 we have our facts right.

17 BY MR. TUVEL:

18 Q. Dan, I just -- do you know the exact  
19 height of 1475? I want to make sure the testimony,  
20 or that the board understands. I think it might be  
21 a little taller than 85 feet but just...

22 MR. MELFI: If I remember correctly, I  
23 think it was about 92 --

24 MR. TUVEL: 92.

25 MR. MELFI: -- that's to the roof. And I

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1 think it's 112 to the top of the elevator  
2 shaft. I'm going by memory.

3 MR. STEINHAGEN: Does it make sense to  
4 find out the elevation for sea level that is --  
5 rather than comparing heights where there's  
6 different elevations, different starting  
7 points.

8 MR. TUVEL: We can find that out before  
9 the next meeting so the board knows. I just  
10 knew Mr. Melfi would know the exact height.

11 VICE CHAIR ROSEN: Granting we're given  
12 within 10 feet or so, this building will be  
13 approximately four story -- four to five  
14 stories taller as what it appears from street  
15 level?

16 THE WITNESS: Yes.

17 VICE CHAIR ROSEN: Thank you.

18 Any other questions from members of the  
19 board on the testimony given so far?

20 MR. REHMAN: I've got a question about the  
21 common area. So I know it's not available for  
22 the public, but it's not uncommon in buildings  
23 like these for residents to rent it out for  
24 their own purposes but then invite friends that  
25 don't live in the building.

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1           Is that -- is that going to be allowed?

2           MR. TUVEL: Sure. So I can -- I'll speak  
3 to that very briefly, but I think traffic  
4 testimony would address that better than myself  
5 and Mr. Nastasi.

6           But sure, if you're living there and  
7 you're having your child's birthday party or  
8 something like that, you might have visitors  
9 who will com -- instead of coming to your  
10 apartment, you might use the common space.

11           But that's why the RSIS, the Residential  
12 Site Improvement Standards, that govern parking  
13 standards in New Jersey, which is why we were  
14 very cognizant of complying with that as part  
15 of this application, takes into account visitor  
16 parking. So the spaces that we're providing by  
17 complying with state law, accounts for the  
18 visitor parking.

19           So that's my little summary of it, but I  
20 think having our traffic engineer respond to  
21 you on that question is probably the better way  
22 to do it.

23           THE WITNESS: And I think the intent of  
24 your question, if I may correct the attorney, I  
25 think it is a social space. So if my five-year

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1 old is having a birthday party and he invites  
2 all of his friends, then the building is a  
3 social building and extends out to the  
4 community.

5 MR. REHMAN: So if, for instance, I lived  
6 in the building and I wanted to have a movie  
7 night, could I block off the theater so that  
8 other residents can't use it but then invite,  
9 for a specific period of time, invite only my  
10 friends?

11 Because I mean -- I think there's a  
12 difference between inviting guests, generally,  
13 to visit and, you know, block off a space  
14 exclusively.

15 MR. TUVEL: So I think that's an  
16 operational issue. I can ask the developer  
17 what their thoughts are behind that. I think  
18 that's -- John, correct me if I'm wrong -- more  
19 of an architectural issue, but more of an  
20 operational issue we can ask the developer.

21 MR. REHMAN: With respect to the  
22 commercial space, is that also going to be  
23 rented or is that to purchase?

24 MR. TUVEL: No, that would be rental  
25 space.

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1 MR. REHMAN: Thanks.

2 VICE CHAIR ROSEN: Any other questions  
3 from members of the board? Mr. Nastasi?

4 MR. TUVEL: Not at this time. We have  
5 some items to address in the board engineer's  
6 letter, but that concludes direct at this time.

7 VICE CHAIR ROSEN: At this point, I'll  
8 open all questions.

9 MR. WETRIN: I just wanted to ask a  
10 question just about a commercial space.

11 You'd mentioned there's a second floor on  
12 the commercial. Is there an intention or is  
13 there a breakdown on how you'd want to use that  
14 commercial space?

15 THE WITNESS: Well, I think the intent --  
16 it's neighborhood commercial so it could be a  
17 professional office or be some kind of store.  
18 But it's supposed to be extended out to the  
19 neighborhood and be neighborhood retail.

20 MR. WETRIN: On the street level, would  
21 that be one unit, would that be multiple, has  
22 that been decided?

23 THE WITNESS: Right now we show it as  
24 single units, but I'm sure the developer is  
25 going to want the flexibility based on what the

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1 market is calling for.

2 MR. TUVEL: We're showing those as six  
3 permitted uses in the B-2 zone. So whatever  
4 uses are permitted there could occupy those  
5 spaces.

6 VICE CHAIR ROSEN: Questions from  
7 professionals at this point?

8 I'm sorry, Mr. Brown?

9 MR. BROWN: I have a question regarding  
10 the loading zone. If my math is correct, it's  
11 approximately 8 feet wide. Would that be  
12 right?

13 THE WITNESS: Yes.

14 MR. BROWN: And in your opinion, is that a  
15 large enough number to accommodate, say, a  
16 large delivery truck, moving truck?

17 THE WITNESS: Yes. We're talking about  
18 moving couriers, Amazon, all deliveries.

19 MR. BROWN: That wouldn't infringe out  
20 onto The Plaza, right?

21 THE WITNESS: Right. The intent is that  
22 the moving truck or the courier truck can get  
23 out of the way of traffic.

24 MR. BROWN: And it will fit entirely in  
25 that zone?



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1 THE WITNESS: Yes.

2 MR. WETRIN: One more question.

3 Should I address it to the traffic expert?

4 MR. TUVEL: Ask the question and if we  
5 think the traffic expert is more the  
6 appropriate person, we'll see.

7 MR. WETRIN: Can I play through a  
8 scenario. You've got someone moving into the  
9 building and they've got a moving truck,  
10 they're unloading their household goods and  
11 then you have a delivery truck show up at the  
12 same time.

13 What does the delivery truck do?

14 THE WITNESS: I think that's a very good  
15 question and I think I'll bounce that one off  
16 to traffic.

17 MR. TUVEL: I can answer it because I've  
18 worked on a lot of multifamily projects where  
19 that exact question comes up.

20 And the answer is: When you have moving  
21 vehicles come to a property, they have to --  
22 typically in leases, that --

23 VICE CHAIR ROSEN: You probably shouldn't  
24 answer that question.

25 MR. TUVEL: It's more of an operational

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1 question. I'm not answering as an expert, but  
2 it's coordinated with the management company is  
3 my point. So that's how you would do it to  
4 make sure there's no conflict.

5 VICE CHAIR ROSEN: Ms. Gregory,  
6 Mr. Luglio, you have any questions?

7 MR. LUGGIO: Not at this point right now.

8 VICE CHAIR ROSEN: I will open --

9 MR. WETRIN: One more, follow up.  
10 Just to the left of the lobby, you've got  
11 15-foot ROW. Is that right of way?

12 THE WITNESS: ROW is right of way.

13 MR. WETRIN: Right of way for who?

14 THE WITNESS: What -- we're providing  
15 6-foot clearance for cars to pass if a vehicle  
16 were in the loading zone.

17 MR. WETRIN: If you're facing the lobby  
18 from The Plaza to your left, I think there's  
19 a --

20 MR. TUVEL: John's talking about the  
21 easement area on the bottom of the page.

22 THE WITNESS: This is a right of way that  
23 is a legal -- a legal deed to leave this space  
24 empty. It has nothing to do with our project.

25 MR. WETRIN: Okay.

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1           MR. STEINHAGEN: Can you confirm that the  
2 building is fully fire sprinklered?

3           THE WITNESS: Yes, the building would be  
4 fully fire sprinklered and meet and exceed all  
5 building codes.

6           VICE CHAIR ROSEN: All units or public  
7 spaces?

8           THE WITNESS: All units, even closets.

9           VICE CHAIR ROSEN: How are the units going  
10 to be heated and cooled? Heat pump, air  
11 conditioner, condensers on the roof?

12          THE WITNESS: We haven't done construction  
13 drawings yet. The intent is that it would  
14 be -- it's split systems for the apartment. So  
15 there's central heating and -- heating and  
16 air-conditioning with condensers up on the  
17 roof.

18          MR. STEINHAGEN: Even though they're high  
19 up, they're acoustically screened to prevent  
20 noise from coming out?

21          THE WITNESS: Yes, we typically  
22 encapsulate the condensers with acoustic  
23 barriers to minimize the decibel levels.

24          MR. STEINHAGEN: What's the length of the  
25 corridor on the typical floor plan between the

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1 stairs?

2 MR. TUVEL: John, just indicate what  
3 exhibit you're referring to.

4 THE WITNESS: I'm on page -- or Board 13.  
5 I do not know exactly the length of the  
6 separation, but I do know that the length of  
7 the corridor meets the code for separation of  
8 fire egress.

9 MR. STEINHAGEN: Okay. Thank you.

10 MR. WETRIN: One more question. This is  
11 not an architect question, but definitely not a  
12 traffic question. If someone else is better  
13 situated, let me know.

14 But who is the target market that you guys  
15 are targeting to rent these units?

16 MR. TUVEL: You can give your opinion as  
17 an architect, I guess, but I was going to say  
18 the planner could also answer that question,  
19 too. But go ahead.

20 THE WITNESS: As an architect and not a  
21 planner, what I would say is there's multiple  
22 targets. I think you start with the older  
23 generation or the people who want to sell their  
24 house and downsize and not take care of a house  
25 and a backyard anymore and live in a full

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1 service building so that they don't have to do  
2 the upkeep of a full house.

3 I also think the target market are the  
4 younger kids coming out of college who want to  
5 stay in Teaneck and not move to another city.  
6 And I think the one bedrooms are nice for that  
7 market.

8 And then I think the middle -- in between  
9 those two bubbles of people, I think is sort of  
10 like the rest of us in between who might want  
11 to live in a full service building.

12 MR. REHMAN: Do you foresee many families  
13 with school-aged children living in these  
14 buildings?

15 MR. TUVEL: Yeah, I think now we're  
16 getting more into planning.

17 MR. REHMAN: That's fine.

18 MR. TUVEL: We'll be happy to answer this  
19 when Mr. Burgis gets up.

20 VICE CHAIR ROSEN: That's appropriate.

21 Mr. Melfi?

22 MR. MELFI: On Sheet 13 where you show the  
23 balconies for 11, 12, 13, 14, how do they get  
24 maintained?

25 Would that be part of the individual's

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1 responsibility or would that be part of like  
2 the condo association? Because it looks like  
3 there's some kind of barrier between each  
4 garden area.

5 THE WITNESS: Those are private terraces  
6 for the apartments, so I would imagine the  
7 individual unit owners would maintain their  
8 little private terrace.

9 MR. TUVEL: Renters or owners, yes.

10 MR. MELFI: A favorite question of one of  
11 our board members who isn't here, when it snows  
12 on those nights, what do you do with the snow?

13 THE WITNESS: You shovel it, pile it up.

14 MR. MELFI: Over to the side or --

15 THE WITNESS: I think that's a good  
16 question for the maintenance of the building.

17 MR. MELFI: You heat the deck, so it melts  
18 as it --

19 THE WITNESS: I think that's a  
20 maintenance -- a building maintenance question.

21 MR. TUVEL: We can ask the developer. We  
22 can get back to you on that.

23 THE WITNESS: Thank you.

24 VICE CHAIR ROSEN: Any members of the  
25 public wish to ask questions, please step up

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1 front. We have a microphone up here.

2 Before you start, if you are interested in  
3 asking question, please come and form a line in  
4 this aisle here.

5 MR. VINCE: Do you want me to go through  
6 some of the stuff in my letter that -- where  
7 testimony required which is not based on  
8 circulation? Do you want me to --

9 MR. TUVEL: Sure.

10 MR. VINCE: We're going to call him again,  
11 right?

12 MR. TUVEL: It's up to you.

13 Obviously, we said we will deal with  
14 circulation at the next meeting, make revisions  
15 in your letter. If you have other comments...

16 MR. VINCE: What's the average square  
17 footage of each of these different style  
18 apartments; the one, two, three?

19 THE WITNESS: If I look at Sheet 13,  
20 two-bedroom units are 1060 square feet. The  
21 one-bedroom units -- the one-bedroom units are  
22 probably between 600-, 700-square feet. And  
23 then the three bedrooms go up to about  
24 1300-square feet.

25 MR. BROWN: What did you say the two

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1 bedrooms were?

2 THE WITNESS: 1100, 1050, 1100.

3 VICE CHAIR ROSEN: Any other questions?

4 MR. VINCE: Just about the general  
5 architecture. We were provided with a deed  
6 restriction for the area on the property and  
7 one of the restrictions list it, said that the  
8 buildings had to have English-type  
9 architecture.

10 So can you just provide a little testimony  
11 about that and how this building may fit that  
12 criteria?

13 THE WITNESS: Well, I think the building  
14 has a -- has sort of a modern residential  
15 aesthetic that I think is really market driven.  
16 I think that was our intent for the  
17 architecture of this building.

18 MR. VINCE: So the building is an  
19 English-style architecture?

20 MR. TUVEL: That's an old restriction that  
21 we don't believe is applicable.

22 MR. STEINHAGEN: So the board shouldn't be  
23 concerned with the validity of a deed  
24 restriction. If someone wants to enforce this,  
25 the board doesn't have enforcement power.



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1 THE BOARD SECRETARY: Please pull the  
2 microphone.

3 MR. STEINHAGEN: This board does not have  
4 enforcement power with respect to deed  
5 restrictions if a person has benefited by that.  
6 But the board should be mindful -- you don't  
7 want to approve something that they can't build  
8 because we're wasting our time.

9 But if the applicant is taking the  
10 position that it's not applicable, then I don't  
11 know what English-style architecture is. Tudor  
12 I guess?

13 VICE CHAIR ROSEN: I'm not quite sure what  
14 English means. Tudor, I know. Keep going.

15 MR. VINCE: Any signage proposed?

16 THE WITNESS: We don't have any specific  
17 signs at this time, but there will be the name  
18 and address of the building in the lobby and  
19 then service entry, parking entry, a very  
20 modest signage for the building.

21 MR. VINCE: And what about the commercial  
22 space? Assuming --

23 THE WITNESS: Nothing at this point  
24 because it's all speculative.

25 MR. TUVEL: If at some point in the future

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1           there's a tenant and there's signs proposed and  
2           they don't conform with the ordinance, we,  
3           obviously, have to come before the board.

4           MR. VINCE: Do you anticipate any -- how  
5           about the number of employees that would come  
6           to work at this building associated with the  
7           residential use?

8           THE WITNESS: I think that would be a  
9           management question.

10          MR. TUVEL: I can get you that from the --  
11          the same as Dan's question about the snow  
12          removal. It's more of a maintenance issue. We  
13          can get that answer for you.

14          MR. VINCE: Okay.

15          VICE CHAIR ROSEN: Do you intend to call  
16          the developer or representative?

17          MR. TUVEL: Depending on the question,  
18          but, yeah, if I have to, I will.

19          MR. VINCE: Can you describe the trash  
20          operations, how that's going to function?

21          THE WITNESS: Yes. If we look at Board  
22          11, what we've set up is this orange service  
23          corridor to the east of the building. And the  
24          orange service corridor is directly connected  
25          to the gray area of -- behind the lobby, which

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1 is the maintenance area.

2 And our plan is through recycling rooms  
3 and compactors to collect the garbage and to  
4 schedule its removal so that the building is  
5 coordinating the trash being brought out to the  
6 street in a coordinated time with the pickup  
7 service so as to minimize the time that the  
8 trash is out there so it doesn't sit out there  
9 ahead of time.

10 MR. STEINHAGEN: Private hauler?

11 MR. TUVEL: Private, yes. For both  
12 commercial -- and that applies to the  
13 residential and the commercial space.

14 VICE CHAIR ROSEN: In fact, all sanitation  
15 in Teaneck is contracted.

16 MR. VINCE: Could you explain about the  
17 drainage and rainwater and the snow basically  
18 coming off the vehicles in the garage. Are you  
19 going to have drains in the garage, sloped  
20 floors and also on the roof?

21 THE WITNESS: Yes, we will collect all  
22 storm water runoff into collection basins and  
23 tie everything back properly into the storm  
24 system.

25 MR. VINCE: I think the last one -- just

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1 from a building standpoint, is are you going to  
2 have separate utilities for the commercial  
3 spaces or how are utilities going to be  
4 serviced? One utility service for the whole  
5 building?

6 THE WITNESS: When you say "utility  
7 system," could you be more specific?

8 MR. VINCE: Yes. How is it going to be  
9 metered?

10 THE WITNESS: Everything is metered  
11 separate.

12 THE BOARD SECRETARY: Let the record  
13 reflect Mr. Barta has arrived.

14 VICE CHAIR ROSEN: Folks, you can use that  
15 microphone over there.

16 MR. STEINHAGEN: Members of the public, I  
17 just want to remind you that we're asking  
18 questions of the witness' testimony.

19 MS. HULNICK: Identify myself? Pamela  
20 Hulnick.

21 VICE CHAIR ROSEN: Hold the mic up.

22 MS. HULNICK: Pamela Hulnick, resident of  
23 Teaneck, H-U-L-N-I-C-K, and I'm a resident of  
24 Teaneck. I live on Ayers Court.

25 Okay. What other buildings in the area --

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1           you mentioned something about sedimentation  
2           [sic] rock, something about the facade of the  
3           building, the kind of rock that you use?

4           THE WITNESS: I mentioned that the facade  
5           of the building is a warm, grayish,  
6           cementitious panel. So it's a rain screen.  
7           It's clicked onto the facade of the building.

8           MS. HULNICK: Does it resemble any of the  
9           buildings in the ten block area surrounding it?

10          THE WITNESS: Not that I know of.

11          MS. HULNICK: Do you feel that it fits  
12          into the community aesthetically?

13          THE WITNESS: As an architect, I would say  
14          that the building is -- we're proposing a  
15          building that I think is a progressive building  
16          for the community. I think it's providing a  
17          need for the community, but I also think that  
18          the aesthetics of the building are also  
19          progressive.

20          So I think it's taking the community sort  
21          of into a more modern aesthetic. So I think  
22          it's a progressive aesthetic for the building.  
23          It's not a -- it's not a vernacular or a  
24          historical esthetic. It's a modern aesthetic.

25          MS. HULNICK: Is there anything in the

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1 surrounding area that is also a progressive  
2 aesthetic, any of the other buildings that you  
3 can think of?

4 THE WITNESS: No major residential  
5 buildings have stood out to me.

6 MS. HULNICK: On A-5 and A-6, those are  
7 the two drawings -- well, painting-ish ones.

8 Are those drawn to scale?

9 THE WITNESS: Yes. A-5 and A-6 are  
10 actually my digital model. So it's absolutely  
11 to scale and it's camera correct.

12 MS. HULNICK: I don't know if the parking  
13 questions -- should I hold that for later?

14 MR. TUVEL: I mean --

15 VICE CHAIR ROSEN: Ask the question.  
16 We'll tell you if it's appropriate.

17 MS. HULNICK: The question I have, you  
18 said there's 177 spots and that that exceeds  
19 the mandate.

20 Do you know what the mandate is for that  
21 building? I thought it was 177, but maybe I'm  
22 wrong.

23 VICE CHAIR ROSEN: Mr. Melfi, do you have  
24 that?

25 THE WITNESS: My partner is telling me

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1           that it is 177 so we meet the RSIS. We don't  
2           exceed.

3           MS. HULNICK: This goes back to the  
4           aesthetic in a way, but you described this as a  
5           more urban way of living?

6           THE WITNESS: Yes.

7           MS. HULNICK: And so you also mentioned  
8           that you work a lot in Hoboken, Jersey City,  
9           New York City, parts of South Jersey.

10          Is it more that type building that you  
11          might see in Jersey City building?

12          THE WITNESS: I would actually think that  
13          the ideas from this building came from my  
14          client and his wanting to prepare a building to  
15          meet the needs of the community here,  
16          especially the elderly community who are  
17          selling home and downsizing.

18          I actually think that idea of moving into  
19          a full service building is something I think  
20          that's happening sort of everywhere and  
21          especially in these quasi urban areas. I think  
22          it's becoming very desirable.

23          MS. HULNICK: What percentage of the  
24          building is amenity space, not including the  
25          commercial spots and the parking?

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1 THE WITNESS: I think that's a fantastic  
2 question. I don't know the answer, but I would  
3 like to find out what that answer is.

4 I think a major part of the building is  
5 amenity based. So I can find that out maybe  
6 for the next meeting and I could find out what  
7 those ratios are.

8 MS. HULNICK: That would be great.

9 THE WITNESS: Thank you.

10 MS. HULNICK: Also for the next meeting,  
11 were you going to clarify the building on  
12 Palisade Avenue that's already been built?  
13 There were questions about how -- the relative  
14 height of those two buildings?

15 THE WITNESS: Yes, we were going to  
16 clarify the differential in heights.

17 MS. HULNICK: Okay. I think that's all I  
18 have. Thank you.

19 VICE CHAIR ROSEN: Thank you. Identify  
20 yourself.

21 MS. BLUMBERG: My name is Barbara  
22 Blumberg, B-L-U-M-B-E-R-G. I'm a long-time  
23 resident of Terrace Circle, which is around the  
24 block.

25 So I have a couple of questions. I'm not



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1           sure whether they're appropriate for this time  
2           or if anybody is going to be able to answer  
3           them.

4           VICE CHAIR ROSEN: Ask them and we'll tell  
5           you whether there is someone who can answer.

6           MS. BLUMBERG: Sounds good. You're  
7           talking about commercial space and possible  
8           retail space, but the parking for that use, is  
9           that considered as part of the building?

10          So if people want to come in for the  
11          retail space or the commercial space, they  
12          would be able to use that parking lot  
13          associated with the building?

14          MR. TUVEL: So in the B-2 zone in which  
15          the property is located, there's no parking  
16          requirement for retail or commercial space.

17          MS. BLUMBERG: Okay. The reason why, is  
18          because that area is extremely taxed.

19          Where would people go?

20          MR. TUVEL: So the point is, is that --  
21          and again, this is more of I think a planner  
22          question or a parking traffic question. But  
23          you could build a commercial building on the  
24          site right now and you don't have to provide --  
25          and Mr. Melfi can correct me if I'm wrong --

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1           you don't have to provide any parking.

2                    So in this zone, that doesn't apply to  
3           other zones in Teaneck, but in connection with  
4           this zone.

5                    So our intent, in terms of designing the  
6           project, was to make sure that the residential  
7           for which we do have to provide parking met the  
8           applicable state standards. But in terms of  
9           retail or commercial parking, there's no  
10          parking required at all.

11                   MS. BLUMBERG: Okay. Another question is  
12          the developer of this building, when he  
13          initially thought about it, did he understand  
14          that there was going to be about 800 other  
15          units that are going to be developed before he  
16          even started to think about putting this  
17          building up?

18                   MR. STEINHAGEN: Can we confine the  
19          questions to what the architect testified to?

20                   MS. BLUMBERG: That's what I was asking.  
21          So --

22                   VICE CHAIR ROSEN: This is an appropriate  
23          question for the planner.

24                   MS. BLUMBERG: When does that happen?

25                   VICE CHAIR ROSEN: I believe the

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1 planner --

2 MR. STEINHAGEN: Is going last.

3 MR. TUVEL: The planner typically in these  
4 types of proceedings always testifies last.  
5 And what we typically do is wait -- we try to  
6 address as many comments as we can from the  
7 board and the public and the board's  
8 professionals.

9 So I can't tell you the exact time that  
10 person would be testifying, but I can tell you  
11 it's typically the last witness that we present  
12 before the board.

13 VICE CHAIR ROSEN: I would -- just to  
14 help, I would expect this application to go on  
15 for multiple times, at least three or four.  
16 Consequently, several months. So the planner  
17 might not be here for three or four months.

18 MS. BLUMBERG: Quick question: Who makes  
19 the decision about the approval of this? Is it  
20 just this board?

21 VICE CHAIR ROSEN: Yes.

22 MS. BLUMBERG: Hmmmmm. Okay, thanks.

23 MR. BRANTLEY: My name is Glen Brantley,  
24 B-R-A-N-T-L-E-Y. I'm a resident of Teaneck.

25 You were talking about the parking on The

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1 Plaza. There are businesses on the south side  
2 of The Plaza and there's parking in the middle  
3 of the street.

4 Now your building -- are you going to  
5 widen the street? No, right?

6 THE WITNESS: We're not going to widen the  
7 street, but we're going to indent on our  
8 sidewalk side for a loading zone.

9 MR. BRANTLEY: But what about the spaces  
10 that are already taking up the middle of the  
11 street for the buildings on the south --  
12 businesses on the south side of The Plaza?

13 MR. TUVEL: So it's a good question. And  
14 the traffic engineer for the board brought up  
15 some items in his letter that I think in terms  
16 of circulation, in terms of the loading area  
17 and the parking spaces in The Plaza, in the  
18 middle there, and our traffic engineer -- we'll  
19 provide testimony on that.

20 And if we didn't answer your question,  
21 we'd be happy to answer it. I think it's more  
22 of a traffic engineering question.

23 VICE CHAIR ROSEN: Those spaces are  
24 regulated by the town. Those spaces are  
25 regulated by the township. The applicant

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1 doesn't have the ability to change those  
2 spaces.

3 MR. BRANTLEY: So they're going to stay  
4 there, right?

5 VICE CHAIR ROSEN: As presented unless the  
6 town counsel, I guess, would reconsider it or  
7 change it some way. As it is now, they're not  
8 making any recommendations to change the way  
9 those spaces are configured.

10 MR. BRANTLEY: As The Plaza exists now,  
11 one car has to be very careful as it tries to  
12 navigate that area with cars parked in the  
13 middle of the street. That's not going to  
14 change or --

15 VICE CHAIR ROSEN: Again, this is an  
16 appropriate question and I think that you  
17 should save it for the traffic expert because  
18 he or she would have a lot more expertise in  
19 the flow of traffic and parking and -- that  
20 would be the way to go.

21 MR. BRANTLEY: When will that be?

22 VICE CHAIR ROSEN: I don't know if  
23 tonight. It's probably the next witness,  
24 either tonight or --

25 MR. TUVEL: The traffic expert is the next

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1 person I plan on bringing up.

2 MR. BRANTLEY: Okay.

3 MS. EDWARDS: Good evening. Therise  
4 Edwards, E-D-W-A-R-D-S, Teaneck resident.

5 Mr. Nastasi, when you first opened up your  
6 statement, you said something akin to this is  
7 not a typical site to develop a residential  
8 building such as this.

9 Could you please elaborate and tell us  
10 what would typically be a use of this site?

11 THE WITNESS: What I was saying was when  
12 you develop residential buildings, the majority  
13 of the time they're sitting right in the middle  
14 of residential neighborhoods, while this site  
15 is sort of tucked behind the commercial space  
16 of Queen Anne up against the railroad tracks  
17 and then in between State and the Plaza.

18 So it's sort of a peninsula that we're  
19 developing that's not butting up against other  
20 residential densities.

21 MS. EDWARDS: And then you also mentioned  
22 about your work in Hoboken and Jersey City all  
23 on extremely urban areas.

24 Have you ever done a development like this  
25 in a predominantly suburban area before?

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1           THE WITNESS: I've worked on other  
2 projects like this in other neighborhoods like  
3 this type of density.

4           MS. EDWARDS: You mentioned something  
5 about 380 plantings all together.

6           Does that include the ones that the  
7 residents are responsible for or is that  
8 exclusively the ones that are on the 15-floor  
9 rooftop or -- I'm just trying to decide, or  
10 trying to figure out if the 380 plantings are  
11 the ones that would be the responsibility of  
12 the building owner or if it's the ones that the  
13 residents would also be responsible for?

14          THE WITNESS: I think it's a combination.  
15 The majority of them are quasi public, but then  
16 the ones that are on the private terraces are  
17 maintained by the tenants of those terraces.

18          MS. EDWARDS: If they don't have a green  
19 thumb, what happens?

20          THE WITNESS: I think that's a fantastic  
21 question and I think it's a maintenance  
22 question.

23          MS. EDWARDS: Because I'm thinking, yes,  
24 it would be nice to have the greenery, but if  
25 it's not well maintained, do you know what

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1 the -- what type of plants they plan on putting  
2 in, what the growth rate would be, how they'd  
3 be cut? Are these ones that don't grow very  
4 large? What's the plan?

5 THE WITNESS: I think those are all  
6 fantastic questions. I don't think we've  
7 gotten to that level of detail yet, but I  
8 certainly understand those questions.

9 VICE CHAIR ROSEN: Are you representing  
10 these spaces will be privately maintained and  
11 privately owned as opposed to publicly?

12 THE WITNESS: What I testified is that the  
13 terraces that are off the apartments are going  
14 to be maintained by the tenants of those  
15 apartments. And then the common terraces are  
16 maintained by the building.

17 VICE CHAIR ROSEN: So, Ms. Edwards, is  
18 your question about those four or five terrace  
19 spaces or the common spaces that the building  
20 will maintain?

21 MS. EDWARDS: It's twofold. I have  
22 questions about those that the residents are  
23 responsible for, but then I'm going to get to  
24 some questions about --

25 VICE CHAIR ROSEN: I guess the answer



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1           then -- just to make sure, the answer then is  
2           those spaces that are private, the ownership  
3           management will have no control of. They will  
4           be maintained and theoretically those terraces  
5           owned by private citizens, they could put  
6           whatever they want on those terraces.

7           MR. TUVEL: If the board as a condition of  
8           the approval has -- shows landscaping on  
9           those -- on those terraces, regardless of  
10          whether it's a lease or an owner, the person  
11          who would be using that would be bound by that  
12          and the building management would be bound by  
13          that condition of the approval. It would be  
14          something enforceable.

15          VICE CHAIR ROSEN: Are you glad to accept  
16          those restrictions?

17          MR. TUVEL: Of course. If it's something  
18          we propose on the plan, it's something that we  
19          intend on doing.

20          VICE CHAIR ROSEN: Thank you.

21          MR. STEINHAGEN: The applicant can insert  
22          language into a lease for those four  
23          apartments.

24          MR. TUVEL: That's fine. That's the goal  
25          of the project, to provide the green space.

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1           VICE CHAIR ROSEN: Theoretically, if we  
2           were to say that each of these terrace spaces  
3           have to have two or three trees and shrubs or  
4           hanging flowers, I mean, you would abide -- the  
5           building would abide by that restriction and be  
6           willing to maintain it?

7           MR. TUVEL: That's correct. So long as  
8           they're on the landscaping plan, then yes.

9           VICE CHAIR ROSEN: Okay. Thank you.

10          MS. EDWARDS: Now back to the public space  
11          or terrace space that you mentioned. You said  
12          they're -- I think on the rooftop, that they  
13          will soak up rainwater. And but -- forgive me,  
14          I'm sorry. I'm looking at my notes jumping  
15          back and forth here.

16          So what other areas will the building  
17          maintenance department, for lack of a better  
18          term, be responsible for and how will those --  
19          supposedly the rooftop plants can be taken care  
20          of by the rain, but what about the other areas?

21          THE WITNESS: As the architect, it's my  
22          understanding that the when this building is  
23          built, it will have a maintenance program and  
24          then it will be up to the owner to develop a  
25          maintenance program for the sidewalks, the

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1 lobbies, the common areas, the gardens, the  
2 outdoor terraces so that there's a  
3 comprehensive maintenance so that the building  
4 doesn't fall into disrepair.

5 MS. EDWARDS: I'm thinking if we should go  
6 through a dry season, then how will those -- if  
7 there isn't water from the sky, where would the  
8 water -- how is that going -- what's the upkeep  
9 going to be like?

10 THE WITNESS: I would imagine there would  
11 be a need for an irrigation system for the  
12 gardens.

13 MS. EDWARDS: So it doesn't exist now or  
14 is that for the planner later?

15 BY MR. TUVEL:

16 Q. There are water utility connections  
17 throughout the building, correct?

18 A. Yes. And when we develop a landscaped  
19 plan, we'll have to build in irrigation systems.

20 THE WITNESS: I also think if I'm not  
21 over-speaking, we can submit a landscaped plan  
22 for the township engineer to review.

23 VICE CHAIR ROSEN: I think that would be  
24 helpful.

25 THE WITNESS: I think so, too.

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1 MS. EDWARDS: Now going back to the State  
2 Street side, the commercial space, did you  
3 mention something about a commercial lobby? I  
4 think it's on A-12 or A-13.

5 THE WITNESS: Yeah, there's a second floor  
6 commercial space. So off of State Street,  
7 there's a small lobby to get into -- so you can  
8 get up to that second floor space.

9 MS. EDWARDS: Okay. So there's commercial  
10 space on the State Street level and then one  
11 above?

12 THE WITNESS: Yes.

13 MS. EDWARDS: Now the one on the second  
14 floor, that's open to the general public as  
15 well as the State Street?

16 THE WITNESS: Yes.

17 MS. EDWARDS: Okay. I think that does it  
18 for me.

19 MS. HANNON: Hi, my name is Kaisha Hannon,  
20 H-A-N-N-O-N, K-A-I-S-H-A.

21 I would like to know how long is it going  
22 to take for this building to be built?

23 THE WITNESS: A building like this  
24 typically takes about 18 months to be built  
25 from the day it starts construction to

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1 completion, not counting the time it takes in  
2 the lead up to construction.

3 MS. HANNON: When you're doing this  
4 construction and all these massive trucks are  
5 there, is it going to block off The Plaza?  
6 Will we still be able to park there with these  
7 big trucks and all the equipment that they're  
8 bringing in, all the ground work that has to be  
9 broke and all of these different things?

10 How will I be able to get in my building?

11 MR. STEINHAGEN: I believe that -- correct  
12 me if I'm wrong -- I believe that is all  
13 governed by township regulations about what  
14 could be blocked off and how that -- perhaps  
15 that would be appropriate for you to answer  
16 that question.

17 MR. MELFI: What typically happens,  
18 depending upon the size of deliveries, they  
19 have to be coordinated with the police  
20 department. So, yes, at times some streets  
21 will be blocked off, some streets will be open.  
22 But it has to be coordinated with the police  
23 department so purposely that it doesn't block  
24 off an area that people can't get in and out.  
25 We've done this with the hotel, 1475 Avalon,

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1 all the big buildings with big deliveries.

2 MS. HANNON: When these places -- if  
3 they're bringing in the massive trucks and it  
4 blocks off parking, how do you get in the  
5 building? How do we live as the residents here  
6 on a day-to-day basis with this going on for 18  
7 months?

8 MR. MELFI: I can't answer that. All I  
9 can tell you is most of the deliveries will  
10 have to be coordinated with the police  
11 department if they're going -- if they're going  
12 to block the road, it has to be coordinated  
13 with the police department.

14 MR. TUVEL: So, again, if this is  
15 something that the board would like -- and this  
16 is also typical of large projects and I don't  
17 know if this is something Dan was referring to,  
18 but we could also submit a construction  
19 logistics plan that has traffic control  
20 measures. It takes into account all the people  
21 living in the area, the businesses in the area,  
22 and makes sure that there's no intrusion or  
23 disruption, so that it's looked at by the  
24 police department. It's looked at by the board  
25 engineer or township engineer. And that's

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1 something that's typically coordinated with  
2 fire, police, building, zoning, engineering so  
3 that there's little disruption on the  
4 neighborhood as possible. And we'd be happy to  
5 provide a plan of that nature.

6 MR. MELFI: What typically happens with  
7 these jobs is before the job starts, we have a  
8 precon meeting, a preconstruction meeting, the  
9 owners of the building, their professional  
10 staff, our professional staff, the police  
11 department, fire department, board of health,  
12 basically everybody. And we have a meeting  
13 that we try and coordinate, you know, most of  
14 the events.

15 Now everything doesn't go according to the  
16 letter, but the reason we have these is to stop  
17 any -- or try and prevent, avoid any problems  
18 on the site. So far it's worked out pretty  
19 good on all --

20 VICE CHAIR ROSEN: So, for example, if  
21 there was a crane that needed to be in the  
22 street, I would think, as is now, a Teaneck  
23 patrol car would be on site?

24 MR. MELFI: Correct.

25 VICE CHAIR ROSEN: And that patrol car

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1 would be controlling traffic?

2 MR. MELFI: It would have to control  
3 traffic. Listen, there's going to be instances  
4 no matter what building it is, you're going to  
5 have crane, steel. There's going to be days  
6 where traffic may sort of be sort of an  
7 adventure, but it gets coordinated with all of  
8 the departments of the town.

9 And the idea is to be able to let the  
10 residents be able to come and go to get into  
11 their apartments and their places of business  
12 with the amount of confusion.

13 VICE CHAIR ROSEN: Have you done soil  
14 studies about what's under there in terms of  
15 how far down you can go and what's going to be  
16 that -- what does that look like in terms of --

17 MR. TUVEL: Yes. I believe your  
18 engineer's letter also identifies that, as  
19 well, in terms of where the excavation should  
20 start and stop.

21 VICE CHAIR ROSEN: Do you anticipate  
22 blasting, just for the record?

23 BY MR. TUVEL:

24 Q. John, would that be blasting as part of  
25 construction?



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1 A. There's no blasting, not that I know of.

2 MR. TUVEL: Okay.

3 VICE CHAIR ROSEN: Further questions?

4 MS. HANNON: I don't know if this is for  
5 parking or not, but when they have these  
6 functions, say your kid has a party in one of  
7 these functions, you accommodate a certain  
8 amount of space for the people who live there.

9 Where does the spillover go when they have  
10 these large functions? It now moves into the  
11 parking that is for the limited parking that we  
12 have now, that the residents there can barely  
13 park. Where does the spillover go?

14 MR. TUVEL: So I think that is a question  
15 for the traffic engineer. But the point being  
16 that RSIS does take visitors into  
17 consideration. But our traffic engineer will  
18 testify on those issues. It's a good question  
19 and we'll address it.

20 MS. HANNON: Okay.

21 VICE CHAIR ROSEN: Can I just ask -- that  
22 gentleman behind you hasn't asked his question.

23 You can come back.

24 MR. SAVITZ: Steve Savitz, Alecia Avenue,  
25 S-A-V-I-T-Z.

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1 I'm co-president of the East Votee  
2 Neighborhood Association. I have a couple of  
3 general questions related to the design of the  
4 building.

5 Have you read the Teaneck Master Plan,  
6 several versions of it?

7 MR. TUVEL: I think that's a planning  
8 question.

9 MR. SAVITZ: I'm sorry?

10 MR. TUVEL: I think that's a question for  
11 the planner.

12 MR. STEINHAGEN: That's an appropriate  
13 question for the architect.

14 He can answer "yes" or "no."

15 THE WITNESS: I've referenced the master  
16 plan, but I'm not the planner for the project.

17 VICE CHAIR ROSEN: I'm sorry. I didn't  
18 understand.

19 THE WITNESS: I have referenced the master  
20 plan, but I'm not the planner of record for the  
21 project.

22 MR. SAVITZ: So you're the architect?

23 THE WITNESS: I'm the architect, but not  
24 the planner, yes.

25 MR. SAVITZ: So I don't understand how you

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1 can design a building in a community without  
2 understanding in detail what the master plan  
3 calls for. So maybe I'm -- I'm out of line or  
4 I'm not asking the right question.

5 VICE CHAIR ROSEN: Again, I --

6 MR. SAVITZ: I'm sorry. I can rephrase it  
7 if I have to.

8 VICE CHAIR ROSEN: I'm not trying to play  
9 games here, but it's appropriate for you to  
10 make a statement -- it's inappropriate for you  
11 to make a statement; it's appropriate for you  
12 to ask a question.

13 You can rephrase your question in the form  
14 of a question.

15 MR. SAVITZ: Okay. Let me ask: How does  
16 this building -- how does this building as it's  
17 currently designed fit with our current master  
18 plan?

19 THE WITNESS: As I mentioned and put on  
20 the record, I think this building is responding  
21 to the needs of the community as the community  
22 evolves. And I think it's really responding to  
23 the residents as a building that doesn't  
24 necessarily exist in Teaneck yet, a  
25 full-service, amenity-based residential

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1 building. I think that's something that  
2 there's a real need for. It's been done in  
3 other communities like Teaneck and it's been  
4 successful. There's a successful track record.

5 So what we were proposing through the  
6 ideas of the client, is to provide a building  
7 that might address the needs of the community  
8 and I think that was how I presented the  
9 project.

10 MR. SAVITZ: So it sounds like what you're  
11 saying -- and this is a question -- the  
12 building you designed does not necessarily have  
13 to fit with the spirit of the master plan  
14 because you're designing -- I'm asking why  
15 would you design a building which -- at least  
16 according to the way I read it and which our  
17 township planners says -- is well beyond the  
18 spirit of the current Teaneck Master Plan?

19 MR. TUVEL: Again, I think -- at least now  
20 the questions I think are going to be the  
21 intent of the master plan and how the project  
22 relates to that intent.

23 And as the board knows, as part of any D  
24 variance, we have to get into substantial  
25 impairment of the zone plan and zone ordinance.

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1 And that's something that our planner,  
2 Mr. Burgis --

3 VICE CHAIR ROSEN: I agree with  
4 Mr. Tuvell's answer -- I agree with Mr. Tuvell's  
5 response.

6 You have an appropriate question, just not  
7 for this witness.

8 MR. SAVITZ: Okay. So can I ask a  
9 question about a current zoning law related to  
10 the height of the building?

11 VICE CHAIR ROSEN: I don't think it would  
12 work here. I think, probably for the planner,  
13 you can ask your question. We'll let you know  
14 if it's appropriate.

15 MR. SAVITZ: Are you familiar with the  
16 current zoning law which says 35 feet is the  
17 maximum height of a building which is allowed  
18 and your building is 173 feet?

19 THE WITNESS: Yes, I'm familiar.

20 MR. SAVITZ: I'm trying to understand why  
21 didn't you build a building with 20 stories or  
22 25 stories? You know, why stop at 13 or 15?

23 VICE CHAIR ROSEN: Do you have an answer,  
24 sir?

25 THE WITNESS: I think the answer would be

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1           that this was the height that, working with my  
2           team, we decided would be the appropriate  
3           height to propose to the zoning board.

4           MR. SAVITZ: Even though -- so it doesn't  
5           matter what the zoning law is. You design what  
6           you think the client and you want or you think  
7           fits independent of what I would say is the  
8           master plan and the zoning law. And there are  
9           about nine other -- nine other zoning laws  
10          which I don't understand where this building  
11          fits and how --

12          VICE CHAIR ROSEN: Sir?

13          MR. STEINHAGEN: What I'd rather just say  
14          is: Any applicant is entitled to submit an  
15          application to this board asking for an  
16          adjustment of the zone.

17          The board is The Board of Adjustment and  
18          if an appropriate case is -- and in this case,  
19          if there's a special reason to grant the height  
20          variance, the applicant can get a height  
21          variance. They have to prove they're entitled  
22          to it. And this gentleman has designed a  
23          building. There's other witnesses who are  
24          going to testify as to why they think that  
25          building height is acceptable.

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1 MR. SAVITZ: Right.

2 MR. STEINHAGEN: They are entitled to  
3 submit the application.

4 MR. SAVITZ: No, I understand that.

5 MR. STEINHAGEN: To the same point, you're  
6 entitled to voice your opinion that it's not  
7 appropriate. But the witness is an architect.  
8 He designed the building.

9 I think the question is rather, how it  
10 fits in, about the architecture.

11 MR. SAVITZ: Yeah. So can I -- so I can  
12 only ask questions of the -- sorry. I can only  
13 questions of this witness about --

14 VICE CHAIR ROSEN: About his testimony.

15 MR. SAVITZ: All right. I don't have any  
16 more questions. So at what point -- or who is  
17 the appropriate person or people that I can ask  
18 questions about what is the rationale for  
19 exceeding the current zoning laws by factors  
20 that are so far beyond what I would ever come  
21 to you? If I wanted to put --

22 VICE CHAIR ROSEN: We're not --

23 MR. SAVITZ: -- a 40-story outside my  
24 house, you would throw me out the door.

25 MR. STEINHAGEN: Sir.

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1 AUDIENCE MEMBER: Answer the question.

2 MR. STEINHAGEN: I'm going to answer it.

3 THE BOARD SECRETARY: Please be quiet.

4 MR. STEINHAGEN: Ma'am, I'm answering the  
5 question if we can stop getting interrupted.

6 That would be great -- the appropriate  
7 person is the applicant's planner. The board  
8 has its own planner. If you'd like to bring in  
9 your own planner, you're free to do that. And  
10 your planner could give testimony as to why  
11 it's not appropriate. And any person is free  
12 to do that.

13 MR. SAVITZ: I understand. I'm just  
14 trying to understand when I come back next  
15 time. So when they have their planner, that's  
16 appropriate at that point?

17 MR. STEINHAGEN: Questions about the  
18 intent of the master plan, the zoning  
19 ordinance, that's a question for the planner.  
20 The planner has to given reasons under the  
21 statute, Municipal Land Use Law, and those are  
22 the things that are specifically required to be  
23 considered.

24 MR. SAVITZ: Okay.

25 MR. TUVEL: And I can stipulate, as the



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1 attorney for the applicant, that we have a  
2 planner that's going to be testifying. He's  
3 sitting right here. He'll hear all of the  
4 testimony that all of our witnesses have given  
5 and then it's his job or her job -- in this  
6 case his job, to give an opinion based on the  
7 statutory criteria that we're proposing to  
8 deviate from. And there's a test for that  
9 under the statute and under case law and we  
10 have to demonstrate that to the board.

11 So our last witness will be providing that  
12 testimony and you have the right to, as  
13 Mr. Steinhagen said, ask questions about it or  
14 at the end of the case make statements about  
15 it.

16 MR. SAVITZ: Can I ask one more question  
17 of clarification?

18 VICE CHAIR ROSEN: Sure.

19 MR. SAVITZ: I'm trying to understand at  
20 what point I can ask The Board of Adjustment a  
21 question as to what your limits are as to when  
22 you say: Why are you coming to me with a  
23 variance or a set of variances that are so far  
24 beyond what -- I'm trying to understand that.

25 VICE CHAIR ROSEN: It's inappropriate to

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1 ask that question.

2 MR. SAVITZ: What?

3 VICE CHAIR ROSEN: It's inappropriate for  
4 you to ask the question.

5 MR. SAVITZ: I'm asking when can I ask it?

6 VICE CHAIR ROSEN: You want to keep  
7 speaking?

8 MR. SAVITZ: I'm trying to hear what  
9 you're saying.

10 VICE CHAIR ROSEN: If you'd stop talking  
11 and listen to my answer, there's a procedure I  
12 outlined at the beginning of this process. If  
13 there's a witness, ask the witness his or her  
14 questions. And then we continue to go that  
15 way.

16 At the end of the process of witnesses,  
17 you will have -- will be allowed to have that  
18 mic for as long as you'd like. You can ask  
19 questions, make statements, you could testify,  
20 you can bring in your own experts.

21 But right now, as part of the process, we  
22 are asking questions of this witness about his  
23 testimony.

24 MR. SAVITZ: Okay.

25 VICE CHAIR ROSEN: Thank you.

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1           MS. HULNICK: I just have two follow-up  
2 questions. Again, my name is Pamela Hulnick.  
3 I spoke earlier.

4           Is there any architecturally-based reason  
5 why this building would have to be 15 stories  
6 high? Is there anything specific to the design  
7 of the building that requires a certain height,  
8 for example?

9           THE WITNESS: There's nothing specific to  
10 the design that requires a specific height.

11          MS. HULNICK: The other question I had is:  
12 What is the anticipated occupancy in terms of  
13 the number of people -- not the number of  
14 units -- but approximately the number of people  
15 who will be living as residents in the  
16 building?

17          MR. TUVEL: I think -- I hate to keep  
18 giving these questions away. I want to answer  
19 all of them, but I think it is a more  
20 appropriate question for the planner in terms  
21 of anticipated amount of people. Just like one  
22 of the board members asked about school  
23 children, that's something -- that's more of a  
24 planning expert area. But, obviously, the  
25 occupancy has to comply with all building

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1 codes.

2 MS. HULNICK: But in terms of deciding on  
3 how many three-bedroom apartments he wanted,  
4 how many two-bedroom apartments, et cetera, I  
5 mean, obviously, there's some thought given to  
6 how many people are going to live in those  
7 apartments? He's nodding "yes," so...

8 THE WITNESS: Well, I think I presented  
9 the breakdown that 147 units are proposed and  
10 the distribution of 56 one-bedrooms; 69  
11 two-bedrooms; and 22 three-bedrooms.

12 But I think the planner can dive into the  
13 math of those breakdowns and talk about the  
14 overall occupancy on the building based on the  
15 breakdown.

16 VICE CHAIR ROSEN: It's probably also a  
17 question that I would like to have the owner or  
18 his or her representative testify, as an owner  
19 gives a program to an architect and says design  
20 this building for me and it should look like  
21 this and should have this many people and this  
22 many units. An architect goes ahead and plans  
23 that building.

24 So the question would be -- your question,  
25 that last question would be for the owner I

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1 believe or the owners' representative as to how  
2 many people they anticipate being in the  
3 building.

4 The architect will design a building  
5 according to what his or her client will tell  
6 him to design.

7 MS. HULNICK: Right. No, I understand  
8 that, but, generally, there's some idea.

9 So that's what I was looking for, but  
10 that's okay. The planner will be here. I can  
11 ask then.

12 MR. SELOVE: David Selove, S-E-L-O-V-E,  
13 Teaneck resident.

14 Mr. Nastasi, you've done architectural  
15 work in Hoboken, Jersey City, New York City and  
16 you said you mentioned other towns like  
17 Teaneck. Which towns might they have been?

18 THE WITNESS: We're working on projects  
19 that are similar in nature in other  
20 neighborhoods that are outside of a city like  
21 Teaneck, such as Neptune, Bayonne, Weehawken.  
22 So outside urban areas and into sort of in  
23 between urban and suburban areas.

24 MR. SELOVE: And you sandwiched large  
25 residential buildings in the center of areas

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1 where there are much smaller buildings?

2 THE WITNESS: I don't know if I would have  
3 used the sentence that you just used.

4 MR. SELOVE: Well, what language would you  
5 prefer I use?

6 THE WITNESS: If it's a question, we put  
7 residential where we think neighborhoods could  
8 handle the residential.

9 So in a downtown area, you usually add  
10 density in downtown area and then diminish  
11 let's say outside of the downtown area.

12 MR. SELOVE: So why is Teaneck so  
13 privileged to get a 15-story house when  
14 everything else around is three stories or two  
15 stories high up?

16 THE WITNESS: I think your question -- I  
17 would answer your question in that my client  
18 approached me and believes there's a need in  
19 Teaneck for the community to have a  
20 full-service, amenity-based residential  
21 building of this nature.

22 MR. SELOVE: Uh-huh. Okay. I understand  
23 that there's a Shabbat elevator going up in the  
24 building, yes?

25 THE WITNESS: Yes.

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1           MR. SELOVE: Among the variances that  
2 you're asking for is to cover 97 percent of the  
3 lot that doesn't combine three lots. Instead  
4 of the 25 percent that's now stipulated by  
5 regulation. Why do you need 97 percent?

6           THE WITNESS: I mean --

7           MR. SELOVE: By example, one of the  
8 first -- when I came back from my first trip to  
9 Europe, I discovered that America --

10          VICE CHAIR ROSEN: Let him answer the  
11 question. You asked a question.

12          MR. SELOVE: There's a basis because  
13 there's context behind it. I'd like to make a  
14 point.

15          VICE CHAIR ROSEN: I believe there's a  
16 statement. How about asking your question.  
17 Allow him to answer the question.

18          MR. SELOVE: Okay. Answer the first  
19 question and I'll get back to you.

20          MR. TUVEL: Would you make sure we're  
21 talking -- the facts are right. The lot  
22 coverage requirement -- I just want to make  
23 sure Dan clarifies what the requirement is  
24 versus what's proposed.

25          Right now we're at 100 percent lot of the

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1 building. The property, as it exists today, is  
2 100 percent lot coverage.

3 A building in B-2 zone, Dan, I believe in  
4 the B-2 zone, a building is 80 percent lot  
5 coverage up to 100?

6 MR. MELFI: Correct.

7 MR. TUVEL: So 25 percent is not the  
8 number. I don't know where you got that  
9 number.

10 MR. SELOVE: That's the letter that Dan  
11 wrote on April 2019. He listed all the  
12 variances that were being asked for.

13 So I still don't understand how you go  
14 from 25 percent coverage for the total lot --  
15 80 percent coverage for the total lot,  
16 97 percent.

17 But for the building, it's 25 percent as  
18 opposed to 97 percent, my apologies. I read  
19 the wrong paragraph.

20 MR. TUVEL: Right. Because there's no  
21 off-street parking required, I don't believe  
22 that's the correct requirement. But we can  
23 talk about that later.

24 What's your question about coverage?

25 MR. SELOVE: Yeah. Why does the building



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1           need to be so large to take away all of that  
2           space from the rest of the township, in effect?

3           THE WITNESS:   Sir, what we did is we put  
4           all the parking in the base of the building  
5           which is what occupies all of that building  
6           coverage.  And then we've taken the open space  
7           and made green terraces on top of all the  
8           parking.

9           So the base of the building holds all the  
10          parking as the lot coverage and then the roofs  
11          are converted to terraces.

12          MR. SELOVE:   And how does that affect the  
13          sidewalks that we walk on?  I mean --

14          THE WITNESS:   The sidewalks are outside  
15          the property line and I don't think our  
16          building is affecting the sidewalks in any way.

17          MR. SELOVE:   Okay.  We'll see.  Thank you.

18          THE WITNESS:   Thank you.

19          MS. EDWARDS:   Hi, Therise Edwards again.  
20          Just a couple of follow-up questions.

21          Correct me if I'm wrong, but my  
22          understanding is that this building was  
23          originally proposed for 13 stories and it went  
24          to 15 stories; is that correct?

25          THE WITNESS:   Jason, I don't believe

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1 that's true.

2 MR. TUVEL: No, I think she's correct. It  
3 was initially five and revisions were made  
4 based on some amenity space that a client felt  
5 was important for the building.

6 MS. EDWARDS: So you indicated before that  
7 there's a desire for older people who want to  
8 sell their homes and get away from the upkeep  
9 of the homes.

10 When you were designing this building, did  
11 the developer indicate to you that he had  
12 spoken with the public and that this was their  
13 wishes, that the young graduates wanted this  
14 type of building and the older people in the  
15 town in the surrounding area wanted this type  
16 of building, or was this just his vision and  
17 your vision?

18 VICE CHAIR ROSEN: I think that's probably  
19 a question for the developer again. What the  
20 developer sees as the market rather than --

21 MR. TUVEL: Yeah, I mean, I think in terms  
22 of the target group, again, I think goes to  
23 planning testimony and how you plan a building  
24 or property.

25 But, again, I could have the developer

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1 speak as to what his intent was just as a  
2 developer, that's fine.

3 MS. HONIS: Your current witness testified  
4 that when he started talking, those were his  
5 words that he used.

6 MR. TUVEL: Say that again?

7 MS. HONIS: Your current person who's  
8 testifying, your current expert, used those  
9 words himself that when he thought about it, he  
10 thought about aging Americans here in Teaneck  
11 and he thought about young people.

12 THE WITNESS: These were things -- to sort  
13 of answer both questions, these are things --

14 MS. HONIS: That's why she asked him. She  
15 didn't ask the planner.

16 THE WITNESS: These are things that were  
17 already discussed on the design team between  
18 the owner, the planner, the architects. So it  
19 was openly discussed on our team.

20 But I think it would be a good idea to  
21 bring the owner here and have him say firsthand  
22 what his intentions are.

23 MS. EDWARDS: I was asking you if at any  
24 time during your sessions where you hammering  
25 these things out, if it was ever mentioned that

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1           there were discussions and meetings with the  
2           public and that this is what the public wanted  
3           here?

4           MR. TUVEL:   So I think your question is:  
5           did the developer meet with the public to  
6           discuss the issue, right?

7           MS. EDWARDS:  I'm asking him that  
8           question.

9           MR. TUVEL:  If he met with the --

10          MS. EDWARDS:  No, I'm asking:  If during  
11          the development, during the design phase, if  
12          this was mentioned and discussed?

13          THE WITNESS:  The owner has made it clear  
14          to me that during the design process, which  
15          takes months, that he was constantly talking to  
16          people.  And that's his responsibility as the  
17          owner.

18          So as the owner/developer, he's out  
19          talking to people in the community and bringing  
20          that information back to my office.  So, yes.

21          MS. EDWARDS:  Okay.  Of the 177 parking  
22          spots, how many of them are handicapped  
23          accessible?

24          THE WITNESS:  There are six handicapped  
25          spaces.

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1 MS. EDWARDS: And are any of the units  
2 handicapped accessible?

3 THE WITNESS: Because it's a multifamily  
4 building, they're all handicap accessible.  
5 They have to be.

6 MS. EDWARDS: Bathrooms everything.  
7 They're all ADA compliant?

8 THE WITNESS: One adaptable bathroom per  
9 apartment is handicap accessible. That's the  
10 American Disabilities Act.

11 MS. EDWARDS: Okay, thank you.

12 MR. JAMES: Esworth, E-S-W-O-R-T-H, James.  
13 James is last name.

14 My question is in the 2007 Master Plan,  
15 the entire community had a say in what took  
16 place to set the master plan in motion.

17 I observed the other day the 2017 Master  
18 Plan. And when I looked at it, it coincided  
19 with what the gentleman is saying here, that he  
20 went out and created something to force on us  
21 that --

22 MR. STEINHAGEN: Sir, can you -- is this a  
23 question for the architect?

24 MR. JAMES: I have a question, right.

25 VICE CHAIR ROSEN: You have a good

J. Nastasi

1 question. I'd like to hear the answer.

2 MR. STEINHAGEN: You can ask him a  
3 question about testimony.

4 MR. JAMES: Not about the master plan.

5 Put another way, in building your  
6 building, did you reached out to the rest of  
7 the community to find out if we are in --  
8 coinciding with you in order to put that in  
9 place?

10 Because normally when a building is coming  
11 into our area, the builder or the owners of the  
12 building normally meet with the community  
13 one-on-one or in community groups to talk about  
14 what they're doing. And if we like it we will  
15 accept or if you want to pose something or so  
16 on.

17 So, again, and within the master plan as  
18 well, it has a certain type -- certain height,  
19 35 feet.

20 Do you also plan to work according to the  
21 master plan proper?

22 MR. TUVEL: So I guess I just wanted to  
23 make sure we answer the question. There's a  
24 lot mentioned there.

25 So I guess one of the questions -- you

J. Nastasi

1 correct me if I'm wrong -- trying to make sure  
2 we get all of that.

3 BY MR. TUVEL:

4 Q. John, did you meet -- as the architect,  
5 you personally, did you meet with anybody in the  
6 community?

7 A. No. As the architect, no, I did not meet  
8 with the community. But as I testified, it was the  
9 owner who was meeting with --

10 Q. So he personally did not.

11 MR. JAMES: We have various organizations,  
12 as I explained before, builders normally come  
13 to us to talk about what they want to do.

14 But what irks me more than anything else  
15 is that you're trying to change the  
16 structure --

17 MR. STEINHAGEN: The "what irks me" part  
18 of your statement, whatever follows should  
19 probably be prefaced as a question to this  
20 witness about his testimony. If you have a  
21 question about what he did, that's fine.

22 MR. JAMES: That was my question. If he  
23 met with the community at large?

24 VICE CHAIR ROSEN: I think his answer was  
25 no, but he's representing we'll carry it.

J. Nastasi

1           He personally didn't meet with the public  
2           but the developer and his or her team did. So  
3           we'll ask him when he appears exactly what the  
4           extent of that information given was.

5           MR. JAMES: I don't understand what you're  
6           saying.

7           MR. STEINHAGEN: There's another witness  
8           going to testify exactly about what they did.

9           MR. JAMES: Okay.

10          VICE CHAIR ROSEN: Mr. Rose, before you  
11          start, I just want to give the public a sense  
12          of timing here.

13          We're going to go about another 10 or 15  
14          minutes with this application, then we will  
15          take a 10 or 15-minute break. And then I don't  
16          think your -- Mr. Tuvel, your traffic witness  
17          is going to get here tonight.

18          MR. TUVEL: I felt that way about 15  
19          minutes ago.

20          VICE CHAIR ROSEN: So thank you. Go  
21          ahead.

22          MR. ROSE: Howard Rose. Thank you. I'm a  
23          resident of Teaneck and a business operator of  
24          Teaneck. I'm here not in my capacity as a  
25          member of the Teaneck Board of Education nor as



J. Nastasi

1 a member of the Teaneck Planning Board, but  
2 just as a resident.

3 Remind me please again how many visitor  
4 parking spaces there are in the 177 spaces?

5 THE WITNESS: In the 177 parking space  
6 parking lot, there are 60 unassigned spaces, in  
7 other words flex spaces. Sixty are unassigned.

8 MR. ROSE: They're open to anyone to use,  
9 but with 140 units, how many adults do you  
10 anticipate being there who might need parking  
11 spaces that are limited to 177?

12 And if you subtract the 60 from there, it  
13 doesn't leave a whole lot, at least to my  
14 understanding.

15 THE WITNESS: I think those questions are  
16 better suited for our parking consultant to run  
17 through the metrics with you.

18 MR. ROSE: Okay. So you don't consult any  
19 kind of a chart to determine X amount of  
20 apartments and Y amount of spaces. That would  
21 be your planner?

22 BY MR. TUVEL:

23 Q. Well, as part of your design, just to make  
24 sure we answer his question -- just as part of your  
25 design, you consult with the residential site

J. Nastasi

1 improvement standards, correct?

2 A. Yes, we comply with all the RSIS  
3 standards, yes.

4 MR. ROSE: Thank you. Regarding the two  
5 properties adjacent to this, one is bigger, one  
6 is a little bit smaller.

7 What's the impact on the building that  
8 you're proposing if those two property's owners  
9 determine they'd like to build similar  
10 buildings. Does it impact the viability of the  
11 building you're projecting in terms of space,  
12 air space? Is that the other shadow?

13 What's the impact? Do you take that into  
14 consideration as an architect?

15 VICE CHAIR ROSEN: Did you do a shadow  
16 study?

17 THE WITNESS: Yes, your question was what  
18 hypothetically other properties develop?

19 MR. ROSE: Yes. Visitors on either side  
20 of this property with developmental desires  
21 perhaps in the future. If something similar is  
22 built next to this building that you're  
23 proposing, do you feel that would impact this  
24 building's look, viability, utilitarian,  
25 whatever?

J. Nastasi

1           THE WITNESS: I don't know how to answer  
2           that question because I don't know what the  
3           neighbors would be proposing.

4           What type of building, what the setbacks  
5           would be. It's very hypothetical.

6           MR. ROSE: I'm saying hypothetically if  
7           it's similar to this building. Maybe there's  
8           no way the answer that, but I'm just wondering.  
9           It's a stand alone proposal right now and it  
10          may not always be a stand alone situation.

11          THE WITNESS: I understand.

12          MR. ROSE: Thank you.

13          MR. STEINHAGEN: Was there a shadow study  
14          and do you intend to submit it?

15          THE WITNESS: We can submit a shadow study  
16          for the next meeting.

17          THE BOARD SECRETARY: Please everybody,  
18          speak into the mic.

19          MR. STEINHAGEN: Just for the public, we  
20          asked that they submit a shadow study.

21          VICE CHAIR ROSEN: If you're unfamiliar,  
22          it would be a prediction by the architect based  
23          upon certain angles, the height of the  
24          building, what kind of a shadow would be cast  
25          by this building in various seasons of the

J. Nastasi

1 year.

2 MS. GREEN: Good evening. My name is  
3 Maria Green, like the color. I live in  
4 Teaneck, okay.

5 My question is for not only the lawyer,  
6 the architect or the board here, it's for all  
7 of you.

8 The question is: Is there an access site  
9 that the residents can go to post their  
10 questions? I've been sitting here -- I usually  
11 don't get up and speak at meetings, but the  
12 residents have had such wonderful questions and  
13 they've not been answered because the architect  
14 isn't here, this person isn't here, the  
15 maintenance director isn't here, the safety,  
16 the traffic person isn't here.

17 It would seem to me -- I know it sounds  
18 like -- I'll put it as a question again.

19 Do we have an access site for residents to  
20 go to, to pose their questions. And is there a  
21 person that can be assigned to take those  
22 questions to put them in the -- for the  
23 architect, these questions for the owner, these  
24 questions for the lawyer, these questions for  
25 the maintenance, these questions for the

J. Nastasi

1 traffic?

2 It would seem to me, as a very, very  
3 wonderful town, that Teaneck would have thought  
4 of this.

5 VICE CHAIR ROSEN: It's a great idea.

6 MS. GREEN: Can we do it?

7 MR. STEINHAGEN: The residents are free to  
8 figure out -- the board is not statutorily  
9 authorized to conduct activities outside of the  
10 confines of this meeting. All of the board's  
11 business has to be conducted at a  
12 properly-noticed meeting where the public is  
13 invited. And there isn't an ability for the  
14 board to sort questions based on which witness  
15 the board thinks might be coming in the future.

16 Unfortunately, the way the process works  
17 is that the applicant put on its witnesses and  
18 members of the public are free to come and ask  
19 the questions that they feel they want answers  
20 to. And oftentimes, we've seen it tonight, the  
21 questions are improperly directed to the  
22 witness.

23 The only way to handle that is we have to  
24 come back to a future meeting where the  
25 additional witnesses testify.

J. Nastasi

1 MS. GREEN: It seems like it's an out of  
2 date affair. And I think we as members of  
3 Teaneck deserve better. But thank you for your  
4 comment.

5 (Applause.)

6 VICE CHAIR ROSEN: It's a fantastic  
7 question.

8 MS. ALI: My name is Fatimah Ali. I'm a  
9 resident of Teaneck. F-A-T-I-M-A-H, A-L-I.

10 Let me say the situation is very  
11 intimidating. I think it's purposefully set up  
12 to intimidate the public, for us coming up  
13 here. And that you're supposed to represent us  
14 and you seem to be going on the other side.

15 My question is coming, but I want to set  
16 things up and get that in there because you  
17 certainly get your points in there.

18 As the planner and design of the building,  
19 don't you take into consideration the existing  
20 characteristics of the neighborhood?

21 THE WITNESS: Yes, you do.

22 MS. ALI: You need characteristics and  
23 don't you try to maintain that, the  
24 characteristics, the uniqueness of that  
25 neighborhood?

J. Nastasi

1           How does what you plan, you design, fit  
2 into the unique characteristic of Teaneck in  
3 that neighborhood?

4           THE WITNESS: I think your question is an  
5 excellent question and what I testified was  
6 that we, as an owner and architect and planner,  
7 we really, really, really believe that --

8           MS. ALI: You believe -- you believe.

9           MR. STEINHAGEN: Can you let him answer so  
10 we can get a record of everybody's comments?

11          THE WITNESS: We believe there's a need  
12 for a full-service, amenity-based building in  
13 Teaneck.

14          MS. ALI: You keep repeating that, but  
15 what is the basis of that? It's very vague.  
16 You're very vaguely answering questions. It  
17 could be your need, your opinion. What is it  
18 based on?

19          THE WITNESS: I think it's a good  
20 question. It's based on my client. My client  
21 is taking a risk. Look, if there's no need for  
22 this, he's taking a big risk. He's doing  
23 research. He's talking to the community. He's  
24 doing his outreach, and he's bringing that  
25 information back to my studio.

J. Nastasi

1 MS. ALI: It's still very vague. Who is  
2 that owner -- I'm glad that you understand.  
3 Not that I particularly care. I just want an  
4 answer to my question.

5 You've been very polite, but very vague.  
6 And you have not answered the question about  
7 how, as an architect is supposed to keep or  
8 have in mind when you design a building that  
9 you need to have characteristics of that  
10 neighborhood and of that town.

11 So -- and if I understand correctly, I  
12 want to repeat what he said: That it's your  
13 understanding. But is it based on a study? Is  
14 there a name of the study or someplace I could  
15 go to actually see? Because I would think all  
16 of that is public knowledge.

17 VICE CHAIR ROSEN: Ma'am, it's not the  
18 responsibility of the architect to design the  
19 building in any way unless --

20 MS. ALI: Why are you speaking for him?

21 VICE CHAIR ROSEN: I'm answering the  
22 question.

23 MS. ALI: He can't speak for himself?

24 My question directed -- my question wasn't  
25 directed to you.



J. Nastasi

1           VICE CHAIR ROSEN:  It's not the  
2           responsibility of the architect to design a  
3           building --

4           MS. ALI:  Why don't -- are you speaking  
5           for us?

6           THE BOARD SECRETARY:  Wait, wait.  In  
7           order to get an accurate record, one person has  
8           to speak at a time.  If you ask a question, you  
9           have to let them answer because we won't get a  
10          true transcript.  If you want a copy, you would  
11          say, What is this?

12          MS. ALI:  Okay.  I understand your point.

13          VICE CHAIR ROSEN:  The architect has  
14          represented he has designed a building that he  
15          thinks conforms with his development team.  
16          There is no mandate in this town to develop a  
17          different style of any kind.

18          There are towns that do mandate a  
19          particular style or by ordinance.  But this  
20          town does not have a mandate to design any  
21          property in any particular style at all.  It  
22          just doesn't exist.  And we try --

23          I'm sorry you're not happy with the  
24          answer, but that's the answer.

25          MS. ALI:  I wasn't asking the question of

J. Nastasi

1           you.  So I don't understand why you're  
2           responding.  And, obviously, then you can't  
3           answer the question or give me a concrete  
4           answer without being so vague.

5                   MR. JAMES:  Mr. James again.  I'd like to  
6           make a recommendation.

7                   MR. STEINHAGEN:  Sir, we need to ask  
8           questions.  We're still on questions.

9                   MR. JAMES:  I'll ask a question.

10                   I would like for you to come and present  
11           your planners and builders and so forth, come  
12           and present your plans to the community one  
13           evening.  There are various organizations that  
14           we have, and that's not a recommendation, but  
15           I'm requesting for you to do that if you'd like  
16           to do that.

17                   MR. TUVEL:  I just wanted to clarify  
18           before I respond to you.  I just wanted to  
19           confirm something.  Again -- but I just wanted  
20           to make sure.

21                   So my client, who I just went to speak to,  
22           indicated to me he's met with many members of  
23           the community.  Maybe not every single one and  
24           it's hard to do that, but you make a good  
25           recommendation or suggestion.

J. Nastasi

1           My client is here. He heard that. And he  
2           can take you up on that or not, but he's heard  
3           your recommendation.

4           VICE CHAIR ROSEN: Sir, I really --

5           THE BOARD SECRETARY: Mr. James, one  
6           person at a time, please.

7           VICE CHAIR ROSEN: I won't belabor this  
8           question any further. You've made a valid  
9           statement. Mr. Tuvell has answered the  
10          question. I think it would be appropriate for  
11          the developer to tell us about the process he's  
12          gone through to determine exactly what you're  
13          talking about. But I really want to move on.  
14          There are other questions and I want to -- and  
15          time is running short and we're going to have  
16          to cut this portion of the meeting.

17          MR. VINCE: So --

18          MR. JAMES: I want to make sure I  
19          understand his answer to my question.

20          What did you say?

21          VICE CHAIR ROSEN: His answer was -- his  
22          answer was that the developer, the owner of the  
23          building met with neighbors in Teaneck.

24          Now it will be our responsibility and  
25          yours when the owner comes up to ask details of

J. Nastasi

1           who he met with and what context. That would  
2           be an appropriate question to ask.

3           I just don't want to belabor this point  
4           anymore. The architect is here and we're  
5           asking questions of the architect.

6           You have a very good question and I'd like  
7           to hear about it myself, or his team. We're  
8           not at that point yet.

9           MR. JAMES: I just -- again --

10          VICE CHAIR ROSEN: Sir, I'm sorry the  
11          answer is unacceptable. That's the answer. I  
12          really want to move on. There are other --

13          MR. JAMES: Did I get an answer yes or no?

14          MR. STEINHAGEN: They're going to think  
15          about it.

16          MR. JAMES: They're going to think about  
17          it. Thank you.

18          MS. BROWER: Ruth Brower, B-R-O-W-E-R.

19          My question is about Board Number 3 and  
20          also Board Number 5.

21          These are boards -- as far as I  
22          understand, this building that's proposed to be  
23          built is really out of proportion to the other  
24          structures around it. And you don't have to be  
25          a genius to see that it's really too large for

J. Nastasi

1 that location.

2 VICE CHAIR ROSEN: What's your question,  
3 ma'am?

4 MS. BROWER: I'd like to know if there's  
5 any way this designer or architect can bring  
6 the size of the building down so it's closer to  
7 meeting the standard codes that are in  
8 existence?

9 And my other question --

10 VICE CHAIR ROSEN: One at a time. Let's  
11 answer -- so what's your answer to that  
12 question?

13 THE WITNESS: I think I can bring that  
14 question up with my client at the next meeting  
15 and then we can respond after we meet as a team  
16 when I'm back next meeting.

17 MS. BROWER: Okay. My next question is:

18 Somebody on this board asked if this was a  
19 condo or a residential and also in comparison  
20 to the amount of affordable houses that would  
21 have to be allotted to this building.

22 MR. STEINHAGEN: It was condo or rental.

23 MS. BROWER: Right. And I wanted to know  
24 if it's not being offered as a condo, is  
25 because the increase of affordable houses would

J. Nastasi

1 have to be increased or is this all that you  
2 think that this area would benefit from?

3 MR. STEINHAGEN: The decision as to  
4 whether or not it's a condo or rental should --  
5 I mean the applicant is going to present it as  
6 either or. It's said it's going to be a  
7 rental. They have an opportunity to bring it  
8 as a condo or as a rental.

9 And if the board deems it appropriate to  
10 approve the application -- and we're not saying  
11 that's the case -- because we're not there yet,  
12 the board would approve it as a condo or a  
13 rental. If it was approved as a rental and the  
14 applicant -- then developer wanted to convert  
15 to condominium, it would have to increase the  
16 number of affordable units.

17 The State of New Jersey has determined  
18 through case law, administrative regulations,  
19 that there's a certain set aside appropriate  
20 for rental and certain set aside for sale  
21 buildings based on how many -- generally the  
22 non affordable units drive the cost of the  
23 affordable units.

24 So the board -- I don't know if it's  
25 necessarily within the board's purview to

J. Nastasi

1 consider the differential of the 5 percent,  
2 which is typically what it is based on rental  
3 versus condo in connection with its  
4 consideration of the application.

5 MS. BROWER: Thank you.

6 VICE CHAIR ROSEN: Ma'am, I'm sorry. I  
7 can't take your question after that gentleman.  
8 I'm not talking to you.

9 Miss, I can't take your question tonight.  
10 I've already put a limit. I put a limit on  
11 this gentleman to be the last questioner and we  
12 have to move on. Keep your question for next  
13 time. We will have the architect back.

14 MR. STEINHAGEN: He will be back and you  
15 can ask questions at that point.

16 MR. RYNEARSON: Charles Rynearson,  
17 R-Y-N-E-A-R-S-O-N.

18 I'm a long time resident of Teaneck. My  
19 question for the architect: Can you put all of  
20 these apartments, parking amenities, all this  
21 other swell stuff into something that looks  
22 more like Teaneck and less like something out  
23 of Legoland?

24 VICE CHAIR ROSEN: Sir, you can answer  
25 that question as you see fit.

J. Nastasi

1 THE WITNESS: Excuse me?

2 VICE CHAIR ROSEN: You can answer that  
3 question as you see fit.

4 MR. TUVEL: I think it's somewhat  
5 sarcastic and rhetorical. I don't think he  
6 needs to answer it.

7 VICE CHAIR ROSEN: Okay. The architect --

8 THE WITNESS: I think it's a fair question  
9 and I would say that the answer is I don't  
10 believe it looks like something from Legoland  
11 and I think it's a very elegant modern  
12 building.

13 VICE CHAIR ROSEN: Thank you, sir.

14 I'm going to say this is the end of our  
15 testimony for the evening -- for this evening.  
16 I imagine we want to carry this to --

17 MR. TUVEL: I spoke with Roz. The next  
18 available date I think you said was October 17,  
19 here.

20 MR. STEINHAGEN: Members of the public, if  
21 you're here on the application 189 The Plaza,  
22 Lots 1, 2 and 11, this matter is being carried  
23 without further notice to October 17, 2019,  
24 7:00 p.m. in the Teaneck High School  
25 Auditorium. The applicant agrees to extend the



1 time to the extent necessary.

2 MR. TUVEL: Yes.

3 MR. STEINHAGEN: And no further notice  
4 will be provided.

5 VICE CHAIR ROSEN: We're going to take a  
6 ten-minute break.

7 THE BOARD SECRETARY: Need a motion to  
8 carry.

9 VICE CHAIR ROSEN: Motion to carry.

10 MS. HONIS: Motion.

11 MR. GREEN: Second.

12 VICE CHAIR ROSEN: We'll carry to  
13 October 17. We're going to take a very short  
14 break of no more than ten minutes. We will  
15 reconvene at 9:30 promptly. So don't go far  
16 and we'll hear the next case at 9:30 sharp.

17 (Time noted: 9:18 p.m.)

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C E R T I F I C A T E

I hereby certify that the proceedings herein are from the notes taken by me in this matter of the aforementioned case; and that this is a correct transcription of the same.

---

Angela (Angie) M. Shaw-Crockett  
Certified Court Reporter  
Registered Merit Reporter  
Certified Realtime Reporter  
License No. XI102184