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HUDSON COUNTY
PLANNING BOARD

RE:

REGULAR MEETING : TRANSCRIPT OF
OF THE :
HUDSON COUNTY PLANNING : PROCEEDINGS
BOARD :
:

O P E N S E S S I O N

Bergen Square Center
Floor 9A
830 Bergen Avenue, Suite 6A
Jersey City, New Jersey
Tuesday, December 18, 2018
6:30 p.m.

B E F O R E:

RENEE BETTINGER, Chairwoman
ELIZABETH HERNANDEZ, Commissioner
RUSHABH MEHTA, Commissioner
FLOYD JETER, Commissioner
THOMAS MALAVASI, PE, PP, CME, Commissioner
JOEL TORRES, Freeholder
JERRY WALKER, Freeholder

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

JOHN J. CURLEY, ESQ., Board Counsel
KEVIN FORCE, Assistant Planner
FRANCESCA GIARRATANA, PP AICP, Board Secretary
RANDALL VOINIER, PE
MARIO TRIDENTE, Inspector

Job No. NJ2833378

1 CHAIRWOMAN BETTINGER: Good evening.
2 I would like to call to order the meeting of the
3 Hudson County Planning Board for Tuesday, December
4 18, 2018. Counselor, has this meeting be properly
5 advertised?

6 MR. CURLEY: Yes. Notice of the
7 meeting has been published in the Jersey Journal,
8 and notice was sent to the Star Ledger. In
9 addition, the meeting notice was posted on the
10 County Freeholders' bulletin board and on the County
11 Clerk's bulletin board.

12 CHAIRWOMAN BETTINGER: Madam
13 Secretary, may I have a roll call?

14 MS. GIARRATANA: Commissioner Choffo,
15 absent. Commissioner Cryan, absent. Commissioner
16 Glembocki, absent. Commissioner Hernandez.

17 COMMISSIONER HERNANDEZ: Here.

18 MS. GIARRATANA: Commissioner Jeter.

19 COMMISSIONER JETER: Here.

20 MS. GIARRATANA: Commissioner Lugo,
21 absent. Commissioner Malavasi.

22 COMMISSIONER MALAVASI: Here.

23 MS. GIARRATANA: Commissioner Mehta.

24 COMMISSIONER MEHTA: Here.

25 MS. GIARRATANA: Commissioner Ng,

1 absent. Commissioner Torres.

2 FREEHOLDER TORRES: Here.

3 MS. GIARRATANA: Commissioner Walker,
4 absent. Chairwoman Bettinger.

5 CHAIRWOMAN BETTINGER: Here.

6 MS. GIARRATANA: Chairwoman, we have
7 a quorum. The next item on the agenda is review and
8 adoption of meeting --

9 CHAIRWOMAN BETTINGER: We have to
10 stand and salute the flag.

11 (Flag Salute.)

12 CHAIRWOMAN BETTINGER: Now the next
13 order of business.

14 MS. GIARRATANA: The next item on the
15 agenda is the review adoption of the meeting minutes
16 from the November 20th meeting. Do I have a motion?

17 On a motion made by Commissioner Torres.

18 Second by Commissioner Hernandez.

19 Commissioner Hernandez.

20 COMMISSIONER HERNANDEZ: Aye.

21 MS. GIARRATANA: Commissioner Jeter.

22 COMMISSIONER JETER: Aye.

23 MS. GIARRATANA: Commissioner
24 Malavasi.

25 COMMISSIONER MALAVASI: Aye.

1 MS. GIARRATANA: Commissioner Mehta.

2 COMMISSIONER MEHTA: Aye.

3 MS. GIARRATANA: Commissioner Torres.

4 FREEHOLDER TORRES: Yes.

5 MS. GIARRATANA: Chairwoman

6 Bettinger.

7 CHAIRWOMAN BETTINGER: I'll abstain.

8 I was not present.

9 MS. GIARRATANA: Chairwoman, the
10 minutes have been adopted. The next item on the
11 agenda are matters scheduled for public hearing.
12 The first item is Adoption of the Hudson County
13 Planning Board Schedule of Meetings for 2019. Has
14 everybody reviewed the meeting dates that were sent?
15 As usual, we did take into account holidays and
16 other municipalities and made sure there are no
17 other conflicts. The first meeting of our Site Plan
18 Subdivision Committee meeting is January 2nd. It is
19 Wednesday. So we will be posting these tomorrow to
20 give the proper time for the Open Public Meeting
21 notice on the annual schedule by tomorrow.

22 So do I have a motion? We're starting the
23 year off strong.

24 On a motion made by Commissioner Torres.

25 Seconded by Commissioner Mehta.

1 Commissioner Hernandez.

2 COMMISSIONER HERNANDEZ: Aye.

3 MS. GIARRATANA: Commissioner Jeter.

4 COMMISSIONER JETER: Aye.

5 MS. GIARRATANA: Commissioner

6 Malavasi.

7 COMMISSIONER MALAVASI: Yes.

8 MS. GIARRATANA: Commissioner Mehta.

9 COMMISSIONER MEHTA: Aye.

10 MS. GIARRATANA: Commissioner Torres.

11 FREEHOLDER TORRES: Yes.

12 MS. GIARRATANA: Chairwoman

13 Bettinger.

14 CHAIRWOMAN BETTINGER: I vote aye.

15 MS. GIARRATANA: The meetings have

16 passed. The next item on the agenda is

17 memorialization of resolutions considered at the

18 last meeting. The first is application is

19 2018-59-SP/SD. The applicant is M & J Taffaro,

20 Inc., at 5101-5115 Kennedy Boulevard and 1114 51st

21 Street, Block 193, Lot 5.01 & 9, in North Bergen.

22 CHAIRWOMAN BETTINGER: Do I have a

23 motion?

24 MS. GIARRATANA: On a motion made by

25 Commissioner Mehta and second by Commissioner

1 Torres.

2 Commissioner Hernandez.

3 COMMISSIONER HERNANDEZ: Aye.

4 MS. GIARRATANA: Commissioner Jeter.

5 COMMISSIONER JETER: Aye.

6 MS. GIARRATANA: Commissioner

7 Malavasi.

8 COMMISSIONER MALAVASI: Yes.

9 MS. GIARRATANA: Commissioner Mehta.

10 COMMISSIONER MEHTA: Aye.

11 MS. GIARRATANA: Commissioner Torres.

12 FREEHOLDER TORRES: Yes.

13 MS. GIARRATANA: The motion has

14 passed. The next application is 2018-62-SP; NCR

15 Castle Road, LLC; 650 New County Road; Block 10, Lot

16 12; in Secaucus. Do I have a motion?

17 On a motion made by Commissioner Mehta,

18 and seconded by Commissioner Torres.

19 Commissioner Hernandez.

20 COMMISSIONER HERNANDEZ: Aye.

21 MS. GIARRATANA: Commissioner Jeter.

22 COMMISSIONER JETER: Aye.

23 MS. GIARRATANA: Commissioner

24 Malavasi.

25 COMMISSIONER MALAVASI: Yes.

1 MS. GIARRATANA: Commissioner Mehta.

2 COMMISSIONER MEHTA: Aye.

3 MS. GIARRATANA: Commissioner Torres.

4 FREEHOLDER TORRES: Yes.

5 MS. GIARRATANA: The motion has
6 passed. The next item on the agenda is Site Plans,
7 Subdivisions and Other Matters Scheduled for Public
8 Hearing. Application 2018-67-SP; the applicant is
9 Manhattan Avenue Capital 1300, LLC. The location is
10 1300 Manhattan Avenue; Block 185, Lots 1, 2, 18-27;
11 and Block 187, Lots 1.01, 1.02, 3, 4; in Union City.
12 This is an application for amended site plan
13 approval for a drainage connection to Manhattan
14 Avenue, a County road, per a North Hudson Sewerage
15 Authority requirement, for a multi-family
16 residential development with a multi-level garage.

17 CHAIRWOMAN BETTINGER: I would like
18 to acknowledge for the record that Commissioner
19 Walker has arrived.

20 MR. ALONSO: Good evening, Madam
21 Chair. Alvaro Alonso from the law firm, Alonso &
22 Navarette, on behalf of the applicant. The Board
23 may recall this application, which was before you.
24 We had received site plan approvals from the City of
25 Union City, and came here for the final approvals.

1 The County had some partial modifications to the
2 County road with regard to the modification. That
3 application which was before the Union City Planning
4 Board just to get that approved. In the meantime
5 we're before the Board for the sewer connection. So
6 that's only limited scope of this application.

7 I have to Mr. Costa, the engineer.

8 MR. COSTA: Madam Chair, Members of
9 the Board, good evening. I apologize I'm not
10 dressed. I was freezing to death, and this is as
11 good as it's going to get tonight.

12 (The witness is sworn.)

13 MR. CURLEY: Would you please state
14 your name for the record --

15 MR. COSTA: Absolutely. For the
16 record, Robert Louis Costa, C-o-s-t-a, 325 South
17 River Street in Hackensack, New Jersey.

18 Madam Chair, very quickly. Excuse me, I'm
19 a little sick, like 35 percent. We came here for
20 the approval that you guys graciously granted us.
21 From there we went to North Hudson for the sewer
22 connection. Since that time we designed our pump
23 station. Even though it would fall down the hill
24 into the street facility, and back and forth, we're
25 now going have the pump station on the property. I

1 have chalk lines that run through the bottom of the
2 property. They required us to do test pits. We
3 brought machinery on-site. Weehawken stopped us
4 from going in there. That turned into a whole
5 rigmarole with the Mayor of Weehawken, so on and so
6 forth. Back to the sewer authority, again, designs,
7 and now ultimately they have approved it, obviously
8 subject to this connection.

9 We have designed for a hundred-year storm
10 to capture it on-site, and a six-inch pipe that will
11 connect into your storm drain. What we are also
12 going to put in at the request, do you want to have
13 this marked?

14 MR. ALONSO: A-1.

15 (Exhibit A-1 is received and marked
16 for Identification by the Reporter.)

17 MR. ALONSO: For the record, A-1.
18 For the record it I'm going to ask you to identify.

19 MR. COSTA: Absolutely. Basically
20 this is what the sewer authority requires or
21 requested us to put in, which we will do. This is a
22 computerized valve. So basically, a large pipes are
23 underneath the apartment structure. The storm comes
24 in, the rain is picked up by the roof leaders,
25 drainage on the entire job. All that water is

1 stored in those pipes for a hundred-year storm,
2 one-hundred percent based on the impervious. It
3 might actual be a little bit more. That water gets
4 stored there. In the event that the sewer authority
5 pipes cannot take that, it stays there until the
6 storm passes through, and this is
7 computer-controlled. So there's going to be an
8 actual valve that's controlled by North Hudson that
9 will release the water when it's okay to do so.

10 In the event this fails, there is a fail
11 safe system that there's an overflow. Then you go
12 down to the bottom of the hill to the seepage pit.
13 So basically from what I understand, I'm not sure
14 how many of these are planned. This is, I guess, is
15 going to try to stop.

16 CHAIRWOMAN BETTINGER: Mr. Costa, so
17 I understand, could you explain who is putting this
18 in?

19 MR. COSTA: We will put it in, and
20 when I say "we," the applicant. The contractor will
21 put it in. Once it's installed we hand it off to
22 the sewer authority. We control it. Basically from
23 my understanding, and you can jump in any anytime,
24 Mr. Voinier.

25 MR. VOINIER: It's a pretty good

1 idea.

2 MR. COSTA: Basically, there is a
3 company that monitors storm forecasting, and so this
4 will be monitored by an external company that the
5 data brought back to the sewer authority.
6 Basically, what they're trying to do is trying to
7 stop it. You know, the combined system, the rain
8 comes in and overflows and goes into the Hudson
9 River. If they put enough of these in, they could
10 control that flow and outlet it slowly after the
11 storm passes through. Theoretically, it sounds like
12 a great idea. I think the horse ran around the
13 track quite a few times; when we put enough in, that
14 they should actually see something happen again.

15 COMMISSIONER MALAVASI: The only
16 thing you turn over to them is control of the valve?

17 MR. COSTA: That's it.

18 COMMISSIONER MALAVASI: You will have
19 a maintenance agreement of some sort. The MUA is in
20 control of the valve as part of your application.
21 So that maintenance treatment, we'll maintain just a
22 copy of whatever report.

23 MR. COSTA: No problem.

24 COMMISSIONER MALAVASI: So that we
25 know that's being maintained. One of the concerns I

1 have with a valve is when you put a valve on a
2 stormwater systems, they sit there for five years,
3 and nobody touches them. Then if we need them, they
4 don't open. This is different because this is a
5 computer-controlled valve that will be opened and
6 closed. Even if it's not needed, there will be
7 someone opening and closing on a regular basis so
8 when they need it, it should hopefully work.

9 MR. COSTA: Even if this doesn't work
10 and it's stuck open, the largest pipe that comes
11 into this system is six inches. Your system is
12 twelve inches, so there's even a choke no matter
13 what. If this again jammed there's another system
14 to pond that water.

15 MR. VOINIER: The water builds up,
16 and the MUA through their computer monitor says we
17 will open the flow.

18 COMMISSIONER MALAVASI: Hoboken is
19 doing a lot of this type of thing throughout the
20 city. We put in two chambers on Garden Street.
21 It's not a machine. It's just a small structure to
22 control overflow, but it fill with the water and
23 slowly release into the combined sewer system.
24 There is lot of these planned in Hoboken.

25 MR. COSTA: Again, hopefully. Even

1 if it's a test, it's worth looking at. It's worth
2 investing because of the buzzword because if you're
3 not manually sending somebody to turn the valve or
4 to maintain the valve, this can be done with sensors
5 and everything else, obviously much better. It's a
6 fail safe system.

7 COMMISSIONER MALAVASI: The conflict
8 is it's always open. It shouldn't get open during
9 the storm. If there's a failure, the failure would
10 be it would open.

11 MR. COSTA: Right, right. Even if it
12 fails, it shouldn't fail, but if it fails it will
13 flood the street. The overflow is piped into the
14 bottom of the hill in a series of seepage pits, so
15 there's additional storage capacity at the bottom in
16 the event that that would happen. In the event that
17 it doesn't shut property, the most that you can have
18 is the six-inch choke flow coming out of the system.

19 COMMISSIONER MALAVASI: And that
20 overflow, we never see more than that. The engineer
21 did not review drainage through because drainage,
22 you'll know where it's going to go. The overflow
23 system is the same way. If there's a failure all of
24 the water goes down the hill.

25 MR. VOINIER: The only question I

1 have is if the North Hudson Sewer Authority has you
2 with a six-inch orifice on the County system, you're
3 feeding the six-inch pipe into a flow. I know they
4 say the system we're assuming will always work, even
5 when you're releasing during dry periods. I don't
6 know if you have a six-inch going into twelve. Do
7 have a problem with that?

8 MR. COSTA: No.

9 MR. VOINIER: That's the only
10 remaining question always to overflow. It works in
11 dry conditions, and if anything malfunctions, you
12 want to say it is fixable.

13 MR. COSTA: Really, the technology is
14 that good. You're going to see a lot more of this
15 coming before you.

16 CHAIRWOMAN BETTINGER: And I will be
17 knowledgeable about it.

18 MR. COSTA: I didn't patent this or
19 trademark it, otherwise I wouldn't be here today.

20 CHAIRWOMAN BETTINGER: Do you have
21 any other questions?

22 MR. VOINIER: Not really. You're
23 required to get that deed. You'll submit everything
24 that we asked for. We have no problem with this.
25 He's pretty much addressed all of the comments.

1 CHAIRWOMAN BETTINGER: Any other
2 comments from any other Commissioner?

3 COMMISSIONER MEHTA: Where is the
4 seepage pit?

5 MR. COSTA: At the bottom of the
6 hill. There's a series of seepage pits.

7 COMMISSIONER MEHTA: How many seepage
8 pits? What is the capacity of the pits?

9 MR. COSTA: Twenty 1,500 gallons.
10 It's even more because of the stormwater. It has
11 even more capacity. You're probably talking about
12 close to 50,000 gallons. This system is again way
13 over-designed.

14 COMMISSIONER MALAVASI: It is a
15 closed system. It's not an infiltration system.

16 MR. COSTA: It's a closed system.
17 What I'm told, it's a close system. Originally they
18 wanted an infiltration system on top, a dual system.
19 By tying into this, that's -- I felt better to do it
20 this way.

21 COMMISSIONER MALAVASI: At first I
22 had some concerns about water running along the
23 embankment on the Palisades, then the stability has
24 gone away that.

25 MS. GIARRATANA: Madam Chairwoman, I

1 would just add for the record, you know, all of
2 conditions of approval in your previous resolutions
3 for redevelopment and the Union City approval
4 resolution, if you would send us a copy?

5 MR. ALONSO: Yes.

6 CHAIRWOMAN BETTINGER: Any other
7 questions? Do I have a motion?

8 MS. GIARRATANA: On a motion made by
9 Commissioner Torres, and seconded by Commissioner
10 Walker.

11 Commissioner Hernandez.

12 COMMISSIONER HERNANDEZ: Aye.

13 MS. GIARRATANA: Commissioner Jeter.

14 COMMISSIONER JETER: Yes.

15 MS. GIARRATANA: Commissioner
16 Malavasi.

17 COMMISSIONER MALAVASI: Yes.

18 MS. GIARRATANA: Commissioner Mehta.

19 COMMISSIONER MEHTA: Aye.

20 MS. GIARRATANA: Commissioner Torres.

21 FREEHOLDER TORRES: Yes.

22 MS. GIARRATANA: Commissioner Walker.

23 COMMISSIONER WALKER: Yes.

24 MS. GIARRATANA: Chairwoman

25 Bettinger.

1 CHAIRWOMAN BETTINGER: Aye.

2 MS. GIARRATANA: The motion has
3 passed.

4 MR. COSTA: Happy holidays. Thank.

5 MS. GIARRATANA: Next item on the
6 agenda are Applications to be Exempt. The first
7 application is 2018-72-SP; T-Mobile Northeast, LLC;
8 at 190 Culver Avenue; Block 22101, Lot 28; in Jersey
9 City. It's a telecommunication application not on a
10 County road.

11 The next application is 2018-73-SP/SD.
12 The applicant is Statco Development Group, LLC. The
13 location is 614 Monmouth Street and 255-259 Coles
14 Street. It's at Block 6903, Lots 1, 2, and 3; in
15 Jersey City. It's a site plan and subdivision
16 application not on a County road.

17 The next application is 2018-74-SD. The
18 applicant is PH Urban Renewal, LLC; at 25
19 Christopher Columbus Drive and 100 Montgomery
20 Street; Block 13102, Lots 1.03, 1.04, 1.05; in
21 Jersey City. It's a subdivision application not on
22 a County road.

23 And the final application is 2018-75-SP.
24 The applicant is T-Mobile Northeast, LLC; at 407-421
25 Avenue E; Block 164, Lot 5.01; in Bayonne. And to

1 be clear there was a typo on the agenda. This is
2 actually a telecommunication application not on a
3 County road.

4 CHAIRWOMAN BETTINGER: Do I have a
5 motion?

6 MS. GIARRATANA: On a motion made by
7 Commissioner Mehta and seconded by Commissioner
8 Torres.

9 Commissioner Hernandez.

10 COMMISSIONER HERNANDEZ: Aye.

11 MS. GIARRATANA: Commissioner Jeter.

12 COMMISSIONER JETER: Aye.

13 MS. GIARRATANA: Commissioner
14 Malavasi.

15 COMMISSIONER MALAVASI: Aye.

16 MS. GIARRATANA: Commissioner Mehta.

17 COMMISSIONER MEHTA: Aye.

18 MS. GIARRATANA: Commissioner Torres.

19 FREEHOLDER TORRES: Yes.

20 MS. GIARRATANA: Commissioner Walker.

21 COMMISSIONER WALKER: Yes.

22 MS. GIARRATANA: Chairwoman
23 Bettinger.

24 CHAIRWOMAN BETTINGER: Aye.

25 MS. GIARRATANA: The motion has

1 passed. Chairwoman, there is no old business or new
2 business. Our next meeting date is Tuesday,
3 January 15, 2019.

4 CHAIRWOMAN BETTINGER: Do I have a
5 motion to adjourn.

6 COMMISSIONER WALKER: Motion.

7 COMMISSIONER JETER: Second.

8 CHAIRWOMAN BETTINGER: All right.
9 All in favor.

10 (Whereupon the proceeding is then
11 concluded at 7:08 p.m.)

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C E R T I F I C A T I O N

I, SHARI CATHEY, CCR, RPR, License No. 30XI00234700, and Notary Public of the State of New Jersey, hereby certify that the proceedings herein are from the notes taken by me of a Regular Meeting of the Hudson County Planning Board, held on Tuesday, December 18, 2018; and that this is a correct transcript of the same.



SHARI CATHEY, CCR, RPR
A NOTARY PUBLIC of the
State of New Jersey
I.D. No. 2283786
Commission Expires 2/4/22

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