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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
Jersey City, New Jersey
Tuesday, July 17, 2018
6:30 p.m.

B E F O R E:

RENEE BETTINGER, Chairwoman
JAMES CRYAN, Commissioner
FLOYD JETER, Commissioner
SAMANTHA LUGO, Commissioner
JOSEPH GLEMOCKI, PE, 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
PAUL CRAY, PE

Job No. NJ2833366

1 CHAIRWOMAN BETTINGER: Good evening.
2 I would like to call to order the meeting of the
3 Hudson County Planning Board for Tuesday, July 17,
4 2018. Counselor, has this meeting been properly
5 advertised?

6 MR. CURLEY: The meeting has been
7 properly advertised in accordance with the Open
8 Public Meetings Act. Notice of the meeting was
9 provided to the Jersey Journal and the Star Ledger.
10 Notice of the meeting was posted on the Clerk of the
11 Freeholders' bulletin board, and the County Clerk
12 bulletin and also on the web site.

13 CHAIRWOMAN BETTINGER: Thank you.
14 Madam Secretary, may I have a roll call?

15 MS. GIARRATANA: Commissioner Choffo,
16 absent. Commissioner Cryan.

17 COMMISSIONER CRYAN: Here.

18 MS. GIARRATANA: Commissioner
19 Glembocki.

20 COMMISSIONER GLEMBOCKI: Here.

21 MS. GIARRATANA: Commissioner
22 Hernandez, absent. Commissioner Jeter.

23 COMMISSIONER JETER: Here.

24 MS. GIARRATANA: Commissioner Lugo.

25 COMMISSIONER LUGO: Here.

1 MS. GIARRATANA: Commissioner
2 Malavasi, absent. Commissioner Mehta, absent.
3 Commissioner Ng, absent. Commissioner Torres.

4 FREEHOLDER TORRES: Here.

5 MS. GIARRATANA: Commissioner Walker.

6 FREEHOLDER WALKER: Here.

7 MS. GIARRATANA: Chairwoman
8 Bettinger.

9 CHAIRWOMAN BETTINGER: Here.

10 MS. GIARRATANA: Chairwoman, we have
11 a quorum.

12 COMMISSIONER CHOFFO: Please stand to
13 salute the flag.

14 (Flag Salute.)

15 CHAIRWOMAN BETTINGER: Have all the
16 Commissioners received the minutes of the meeting
17 for May 15th?

18 COMMISSIONER LUGO: Yes.

19 CHAIRWOMAN BETTINGER: May I have
20 motion to approve?

21 MS. GIARRATANA: On a motion made by
22 Commissioner Torres. Second by Commissioner Lugo.

23 Commissioner Cryan.

24 COMMISSIONER CRYAN: Abstain.

25 MS. GIARRATANA: Commissioner

1 Glembocki.

2 COMMISSIONER GLEMBOCKI: Yes.

3 MS. GIARRATANA: Commissioner Jeter.

4 COMMISSIONER JETER: Yes.

5 MS. GIARRATANA: Commissioner Lugo.

6 COMMISSIONER LUGO: Aye.

7 MS. GIARRATANA: Commissioner Torres.

8 FREEHOLDER TORRES: Yes.

9 MS. GIARRATANA: Commissioner Walker.

10 FREEHOLDER WALKER: Yes.

11 MS. GIARRATANA: Chairwoman

12 Bettinger.

13 CHAIRWOMAN BETTINGER: Aye.

14 MS. GIARRATANA: The motion has
15 passed, and the minute have been adopted. The first
16 matter scheduled for public hearing is
17 memorialization of resolutions considered at last
18 meeting. The first is 2017-49-SP, 1811 Kennedy
19 Boulevard, LLC; 1811 Kennedy Boulevard, Block 5401,
20 Lot 17, in Jersey City.

21 Do I have a motion?

22 On a motion made by Commissioner Torres.

23 Seconded by Commissioner Walker.

24 Commissioner Jeter.

25 COMMISSIONER JETER: Yes.

1 MS. GIARRATANA: Commissioner Lugo.

2 COMMISSIONER LUGO: Aye.

3 MS. GIARRATANA: Commissioner Torres.

4 FREEHOLDER TORRES: Aye.

5 MS. GIARRATANA: Commissioner Walker.

6 FREEHOLDER WALKER: Aye.

7 MS. GIARRATANA: The motion has
8 passed. The next application that is for
9 memorialization is Application 2017-82-SP/SD,
10 Hoboken Heights. The applicant is Manhattan Avenue
11 Capital 1300, LLC; the location is 1300 Manhattan
12 Avenue Block 185, Lots 1, 2, and 18 through 27, and
13 Block 187, Lots 1.01, 1.02, 3, and 4; in Union City.

14 Do I have a motion?

15 On a motion made by Commissioner Torres.
16 Seconded by Commissioner Jeter.

17 Commissioner Jeter.

18 COMMISSIONER JETER: Yes.

19 MS. GIARRATANA: Commissioner Lugo.

20 COMMISSIONER LUGO: Aye.

21 MS. GIARRATANA: Commissioner Torres.

22 FREEHOLDER TORRES: Aye.

23 MS. GIARRATANA: Commissioner Walker.

24 FREEHOLDER WALKER: Aye.

25 MS. GIARRATANA: The motion has

1 passed. Before we start the other matters scheduled
2 for public hearing, Site Plans and Subdivisions, I
3 would like to note that we have an agenda change.
4 We would like to have after 2018-16-SP, to go to
5 2018-28-SD. We have the same attorney. So we will
6 have after the 2018-28-SD, and then we'll continue
7 in the same sequence.

8 So the first application is 2018-16-SP;
9 Applicant, 306 Hudson Street, LLC; 306 Hudson
10 Street; Block 214.1, Lot 32; in Hoboken. It's an
11 application to demolish the principle structure on a
12 two-structure lot to construct a five-story
13 building.

14 MR. MATULE: Good evening,
15 Commissioners. Robert Matule, appearing on behalf
16 of the applicant. First of all, thank you for that
17 agenda change. I appreciate that. As you've
18 indicated, this is a request for site plan approval
19 to demolish the existing principle structure, and
20 replace it with a five-story building. The matter
21 was presented to the Hoboken Zoning Board of
22 Adjustment in March 2018, and it was approved at the
23 time so. We can have Mr. McNeight sworn.

24 (The witness is sworn.)

25 MR. CURLEY: Could you please spell

1 your name for the record?

2 MR. McNEIGHT: M-c, capital
3 N-e-i-g-h-t.

4 MR. MATULE: And Mr. McNeight, you're
5 a licensed architect in the state of New Jersey?

6 MR. McNEIGHT: I am.

7 MR. MATULE: And you've appeared
8 before this Board before in the past?

9 MR. McNEIGHT: Many, many times.

10 MR. MATULE: Will he be accepted as
11 an expert in architecture?

12 CHAIRWOMAN BETTINGER: Yes.

13 MR. MATULE: Thank you.

14 Mr. McNeight, if you would, can you just describe
15 the site and walk the Board through what the
16 applicant proposes to do in terms of demoing the
17 existing structure?

18 MR. McNEIGHT: Okay. Referring the
19 site in the First Ward, 306 Hudson Street, is the
20 fourth building off the intersection of 3rd and
21 Hudson. It's smaller, a little three-story brick
22 building, 25 feet wide. We are going to demolish
23 that existing building and replace it with a
24 five-story building that still has four units in it.

25 MR. MATULE: Mr. McNeight, I have you

1 marked that?

2 MR. CURLEY: Was that submitted with
3 the application?

4 MR. McNEIGHT: No, it's not marked.
5 This was actually from the zoning board hearing. It
6 will be dated 7/17. Architecturally, we're in a
7 historic zone. We also went to the Hoboken Historic
8 Commission for their approval prior to going before
9 the zoning board, and basically, we want to
10 replicate and revive the townhouses that were a
11 prevalent part of this particular building.

12 So let's start with the application.
13 Looking at Z-4, is the proposed Hudson Street
14 facade. It's a very, very simplified redesign of a
15 building that has a graduated window, eight feet at
16 the bottom to five-foot-six at the top. It's got a
17 simple red brick facade, simplified, post-revival of
18 granite, limestone windows and sills, and
19 one-over-one double-hung windows.

20 Most importantly, it has stoop that's
21 projected into the right-of-way, and we're aware of
22 the fact that we need a franchise agreement for that
23 to happen because it projects past the property
24 line. But it has a single door with side lights on
25 both sides of the door, and a large window that is

1 reminiscent of all the other buildings on the block.
2 Looking at the buildings' sideways section, it is
3 40 feet deep, fifty feet tall. There's a duplex
4 apartment in basement. There is at the first floor,
5 simplex apartments on the upper three levels, and
6 the top simplex has access to the roof, where they
7 have a roof deck.

8 So as I said, we have a 25-foot-wide site,
9 a hundred feet deep. It has frontage also on Court
10 Street behind it, which is the cobblestone street in
11 Hoboken. There's an existing two-story masonry
12 building in the back that has one unit in it as well
13 as a parking space. But as far as we're concerned,
14 we're here for the 1,000 square foot, 40-by-25-foot
15 new building.

16 On page 3 of 3, which shows the plans, the
17 basement level has the areaway that is the
18 supporting structure for the stoop in front of the
19 building. Within that areaway, behind it is where
20 we have refuse and recycling containers for the
21 people in the building, and the front of that
22 basement level is electric meters, gas meters and a
23 sprinkler room. It's a reconstructed multifamily
24 building. It's going to have an automatic sprinkler
25 system throughout the building. That sprinkler room

1 and the four-inch water connection that to sprinkler
2 system is the only proposed utility dig that we have
3 to do in front of the building. We have to take it
4 across the sidewalk and connect it to the water
5 main.

6 The rear portion of this basement floor,
7 is the lower portion of the duplex apartment that I
8 described before, and it's the living/dining/kitchen
9 area with a bathroom on that level. They have a
10 sunken rear yard, and glass doors, and a lot of
11 windows in the back to a 10-foot deep yard. The
12 main floor of the building is the stoop coming up
13 from the sidewalk to a lobby, and then the stairs
14 runs all the way up to the roof. The upper level of
15 this duplex apartment is three bedrooms and two
16 baths on the upper level.

17 Upstairs, second and third and the fourth
18 floors all are one-bedroom units that are roughly
19 about 900 square feet or so. The only difference is
20 on the top floor, that person had the ability go up
21 to the roof and have a 14-foot square roof deck up
22 on the top, as well as the four condensers for the
23 air conditioning in the building, and also we have a
24 green roof system on the side. You see that roof
25 deck? We have green roof trays in L-shape along the

1 north and western part of the roof deck, and we also
2 have a C-shaped bunch of trays in the front. We
3 have 324 square feet of green roof up on the top as
4 well as that roofline.

5 There's a door in the front of the
6 bulkhead. There's the stairs that comes out of the
7 green roof in the front, and the backdoor allows for
8 the access to the roof deck, and then the roof deck
9 has a gate in the back of it for the green roof in
10 the back. The last page, Z-7, is the before and
11 after version. The existing building encroaches on
12 the County property one-foot-three. When we rebuild
13 it, we're going to push the face of the building
14 back onto its own property so that the projection of
15 this stoop will more or less stay where it's at as
16 far as its projection into the County right-of-way.

17 MR. MATULE: And you will maintain
18 the street trees in front?

19 MR. McNEIGHT: Yes. The street trees
20 in front are going to be maintained. We have a
21 report from Mr. Cray that we have erroneous
22 elevations on our survey that we have to correct.
23 So in the process of putting together that survey
24 for the franchise agreement, I'll have the survey
25 verify that we're going to maintain the two-percent

1 slope in both directions on that existing sidewalk
2 in the front.

3 MR. MATULE: All right. That's all I
4 have. If the Commissioner have any questions?

5 CHAIRWOMAN BETTINGER: Any questions
6 by the Commissioners? Mr. Cray.

7 MR. CRAY: Thank you, Madam Chair.
8 The applicant has submitted revised plans to address
9 the completeness items. So all that remains from my
10 letter of June 4, 2018, is a need double check the
11 ADA slopes. The applicant has agreed to address
12 that. There is also recommendations for the
13 existing slope to remain in place through the entire
14 project and beyond if needed for performing ADA
15 slope transition. Any damaged curbs we have to
16 correct that.

17 We acknowledge that the sidewalk is not in
18 poor shape, but the construction can damage it, and
19 we reserve the right through the County engineer
20 that at points during construction, there's got to
21 be a point in construction approval if we want a
22 replacement. That was our recommendation. Is it
23 the applicant's position to address this comment as
24 written, or do you still want to keep the sidewalk?

25 MR. McNEIGHT: Basically, I want to

1 prove out and I want the survey to prove that we
2 don't have a slope problem. As you said, his
3 numbers aren't on the survey. If we get the correct
4 numbers, and from walking on it, and you know, being
5 there, it appears to be less than a two-percent
6 slope.

7 MR. CRAY: And I understand that's
8 one thing. The other thing is the construction
9 disturbance is cracking the sidewalk, and it needs
10 to be replaced, there's no argument from contractor.
11 So typically, we'll have the plans show it as
12 replacement. If the contractor avoids damaging it
13 and it doesn't need to be replaced because of ADA
14 slopes, the County typically will not make you
15 replace that sidewalk. We don't want to be in
16 position that they have a contract.

17 MR. MATULE: No. The applicant has
18 no issue during the course of construction to review
19 the sidewalk.

20 MR. CRAY: The default, the plan will
21 say it will be replaced. What I'm saying is that
22 you would have the right go back to that note, but
23 the approval to be based on being replaced.

24 MR. MATULE: And then we come back to
25 the County engineer?

1 MR. CRAY: You wouldn't have to come
2 back to this Board. That is subject to their
3 discretion as part of the permit process. We also
4 discussed a temporary circulation plan. You
5 mentioned the franchise agreement already, and
6 that's it. I mean, with those understandings, Madam
7 Chair, I don't have any other questions or concerns.

8 CHAIRWOMAN BETTINGER: Okay. Any
9 other comments? Anything from the County Engineer?

10 COMMISSIONER GLEMBOCKI: No.

11 MS. GIARRATANA: On a motion by made
12 Commissioner Cryan. Seconded by Commissioner Lugo.

13 Commissioner Cryan.

14 COMMISSIONER CRYAN: Yes.

15 MS. GIARRATANA: Commissioner
16 Glembocki.

17 COMMISSIONER GLEMBOCKI: Yes.

18 MS. GIARRATANA: Commissioner Jeter.

19 COMMISSIONER JETER: Yes.

20 MS. GIARRATANA: Commissioner Lugo.

21 COMMISSIONER LUGO: Aye.

22 MS. GIARRATANA: Commissioner Torres.

23 FREEHOLDER TORRES: Yes.

24 MS. GIARRATANA: Commissioner Walker.

25 FREEHOLDER WALKER: Yes.

1 MS. GIARRATANA: Chairwoman
2 Bettinger.

3 CHAIRWOMAN BETTINGER: I vote aye.

4 MS. GIARRATANA: The motion has
5 passed. Thank you very much. The next item on the
6 agenda will be 2018-28-SD; Southwest Development II,
7 LLC; 709-711 First Street; Block 11, Lots 3 & 4; in
8 Hoboken. It's an application to realign the lot
9 lines between Lots 3 and 4 to incorporate a portion
10 of Lot 4 into Lot 3.

11 MR. MATULE: Good evening. Robert
12 Matule, appearing on behalf of the applicant. Yes,
13 the application started out as an application for a
14 minor subdivision in the City of Hoboken for the
15 property at 709-711 First Street, Block 11, Lots 3
16 and 4. By way of background, apparently back in
17 1997, a portion of Lot 4 was sold off to a common
18 ownership to Lots 3 and 4. For whatever reason,
19 they did not the convey the entire lot. The only
20 thing I could surmise is they wanted to make a
21 rectangular lot with a consistent a lot line when
22 they sold it off, and it became this strip of 39
23 feet by whatever, 42 by 39, and it's just been
24 hanging out for the last 30 years.

25 And in anticipation of developing the

1 south end of that block, Lots 1, 2 and 3, we will be
2 coming back here with our application at some point
3 after it goes to the City of Hoboken, we wanted to
4 get the lot line realigned. The tax assessor cannot
5 do it internally, so we applied for a minor
6 subdivision to the City of Hoboken. Because of some
7 technical issues, we needed a variance because we're
8 making an undersized lot smaller. That's a major
9 subdivision. That was now approved by the City of
10 Hoboken on June 20th. Today I'm here to ask your
11 blessing for that minor subdivision. It's
12 approximately 17 square feet, and it's just
13 realigned.

14 CHAIRWOMAN BETTINGER: Anything by
15 Mr. Cray?

16 MS. GIARRATANA: No. This was
17 reviewed internally by Tom Malavasi.

18 COMMISSIONER GLEBOCKI: He had no
19 issues. The lot line we're keeping.

20 MS. GIARRATANA: It's just the
21 condition that apparently when the site plan
22 application was here before.

23 CHAIRWOMAN BETTINGER: Do I have a
24 motion?

25 MS. GIARRATANA: On a motion by

1 Commissioner Torres. Second by Commissioner Walker.

2 Commissioner Cryan.

3 COMMISSIONER CRYAN: Yes.

4 MS. GIARRATANA: Commissioner
5 Glembocki.

6 COMMISSIONER GLEMBOCKI: Yes.

7 MS. GIARRATANA: Commissioner Jeter.

8 COMMISSIONER JETER: Yes.

9 MS. GIARRATANA: Commissioner Lugo.

10 COMMISSIONER LUGO: Aye.

11 MS. GIARRATANA: Commissioner Torres.

12 FREEHOLDER TORRES: Yes.

13 MS. GIARRATANA: Commissioner Walker.

14 FREEHOLDER WALKER: Yes.

15 MS. GIARRATANA: Chairwoman

16 Bettinger.

17 CHAIRWOMAN BETTINGER: Aye.

18 MS. GIARRATANA: The motion has
19 passed.

20 MR. MATULE: Thank you again for your
21 courtesy. I appreciate that.

22 MS. GIARRATANA: Next item on the
23 agenda is Application 018-22-SP. The applicant is
24 Kearny Leasing UE, LLC and Kearny Holding UE, LLC;
25 at 143 & 175 Passaic Avenue; Block 1, Lots 12.01,

1 13, 14, and 15; in Kearny. It's an application to
2 construct a coffee shop, demolish an existing car
3 wash building, construct a retail building, and
4 repave portions of the parking lot.

5 MR. PORTER: Thank you very much.
6 James Porter, attorney for the applicant here
7 tonight. Members of the Board, Mr. Curley, I would
8 just thank Mr. Cray and the Planning Board's team
9 for the spending the time going over this
10 application. We believe this a good improvement for
11 Kearny. That is part of the Passaic Avenue
12 Redevelopment Area.

13 Starting with, there's a residential
14 element going on just south of this property. We
15 worked out a deal with the developer for the front
16 half of Lot 15, which we'll be placing a Starbucks
17 with a drive-through, and the remainder of the
18 shopping center, which most of you are familiar
19 with, that runs between Passaic Avenue and the
20 Passaic River. There's an LA Fitness and a
21 Marshalls, and my client plans to expand that
22 shopping center for an addition of a beauty supply
23 store, as well as expand it for a second floor.

24 I'd like to have Mr. Klein, he's both a
25 civil engineer and a traffic engineer respond to

1 Mr. Cray's comments, specifically traffic questions.

2 (The witness is sworn.)

3 MR. CURLEY: Please state your name
4 for the record and spell your last name.

5 MR. KLEIN: Lee, middle initial D as
6 in Daniel, Klein, K-l-e-i-n.

7 MR. PORTER: Mr. Klein, if you could
8 just give a background of your experience.

9 MR. KLEIN: I'm a professional
10 engineer in New Jersey, and my license is current.
11 I'm also a professional traffic operations engineer.
12 I have appeared before this Board on a couple of
13 occasions, and I also was consultant for this Board
14 a several years ago.

15 CHAIRWOMAN BETTINGER: I'll vouch for
16 his qualifications.

17 MR. KLEIN: Thank you very much.

18 MR. PORTER: Mr. Klein, would you go
19 through this in a little more detail than my cursory
20 overview? Just go over the changes that are going
21 to happen at the site and how the property is going
22 to interact with the site, especially with respect
23 to the Starbucks and the development.

24 MR. KLEIN: Certainly. We'll start
25 at the southern end. The shaded area here is the

1 southern end of the site is a Starbucks with
2 drive-through. This lot adjacent to the south is
3 subdivided, and a portion of that lot is used for
4 the Starbucks parking lot with a drive-through and
5 is dedicated for Starbucks, and then any spillover
6 parking here. There are no changes on either of the
7 driveways here. Starting at the south, there is an
8 unsignalized driveway. As you come up a little
9 further, there's a signalized intersection and
10 another signalized intersection, and to another
11 driveway line up here, and we're not making any
12 changes to those driveways, and we're not impacting
13 any of those driveways.

14 MR. PORTER: And as part of the
15 application, did you review the traffic impact on
16 Passaic Avenue?

17 MR. KLEIN: Yes. We did a traffic
18 impact study and trip generation calculations for a
19 coffee shop with a drive-through and the expansion
20 of the total shopping center by about 19,400 square
21 feet, and the difference in the number of trips and
22 adding those to the existing trips; and in the
23 future a couple years when we anticipate it to be
24 completed, we'll do an analysis once again. For the
25 northern driveway, the existing exit, we have a

1 level of service D with 52 seconds of delay. The
2 cutoff for level of service D is 55 second. In the
3 future building that expansion, we go to 56.1
4 seconds, so we just fit into the level of service E.
5 Then in the future of the development and the
6 additional traffic, we end up also another level of
7 service E. That's with an increase of approximately
8 17 seconds.

9 In order to increase the impervious
10 coverage on the site, what is going to happen, the
11 car wash which is now at the northern end of the
12 site will be demolished. That area will be reworked
13 with some additional landscaping put in there in
14 connection with not only the site itself, but
15 there's a pathway on the river at the end of the
16 site. So that there will be pervious coverage in
17 that area, and the car wash will be knocked down.
18 It's inactive about five years at least, at least.

19 Now, speaking of the greenway, if I could
20 just to give you an overview of the greenway, that
21 is the access from Passaic Avenue. There will be a
22 30-foot dedication for the riverfront walkway along
23 the entire length of the property along the river.
24 You'll end up with a six-foot-wide sidewalk, and I
25 believe there's a drainage and sewer easement that

1 runs underneath the sidewalk, and the northern end
2 of the site connects the public sidewalk and becomes
3 the walkway.

4 Now, just as a condition of our approval
5 with the town, the walkway itself we'll make sure we
6 maintain the impervious and pervious coverage
7 relationship, and that's something that we'll be
8 working on with the town engineer during
9 construction as a condition of our approval with the
10 town. Just for the Board also to note, there's a
11 pitch point as you get to the existing building
12 where the dedication that we have is about 23 feet.
13 That's something we can't really control because of
14 the existing building that's there. So other than
15 that, that area will be a 30-foot walkway to get you
16 from Passaic Avenue down to the river walk.

17 There's a small pitch going through the
18 existing driveway that's we have to maintain, but in
19 order to cure that pitch, we have to discuss with
20 the town and actually grow in some landscape to the
21 parkland to the north of this site. So that may
22 give us a little room and slightly more walkway for.
23 But it will be accessible to pedestrians.

24 So that is in a nutshell the project we
25 proposed here tonight. We reviewed Mr. Cray's

1 letter. We reviewed Ms. Lee's letter as well, and
2 we provided a response. The Board has that. We
3 will provide the dedication for the discussion, and
4 the dedication is going to improve the curbing along
5 Passaic Avenue, up into the Passaic Avenue side of
6 the sidewalk. There's been a determination that we
7 can do that without impacting any variances, and we
8 have agreed to that as a condition of our approval.

9 We will be planting trees, although given
10 the parking layout with the conditions, we have
11 restrictions for what we could do with the parking
12 with respect to the LA Fitness and Marshalls that we
13 can't change, and so we are not going to be able to
14 get all of the trees that are required under the
15 ordinance, but we have already made the contribution
16 into the tree fund that we worked out with the Board
17 experts so we can do that. We understand we have to
18 do the extra work out in the street as part of our
19 permits. We've agreed to that as well. We're here
20 to answer any questions you may have. The package
21 here is in front of you, and anything we can help
22 you out with.

23 CHAIRWOMAN BETTINGER: Any questions
24 so far? Mr. Cray.

25 MR. CRAY: Thank you, Madam Chair.

1 Yes, in referenced to my letter July 6, 2018, and as
2 was just discussed, the July 16th, 2018 letter from
3 the applicant basically agrees to whatever I
4 addressed to the main comments. We'll work out the
5 specifics for the right-of-way dedication with the
6 County engineer, and they've agreed to that. They
7 acknowledge they have to pave and do what is
8 required to prevent seams to mitigate the County
9 requirements for disturbing the road, and there is
10 some items that required testimony which was now
11 provided, so I actually don't have any remaining
12 questions or concerns.

13 CHAIRWOMAN BETTINGER: Yes,
14 Ms. Secretary.

15 MS. GIARRATANA: I would note that
16 the applicant has fulfilled the green techniques.
17 They have providing native landscaping and also
18 decrease in impervious coverage, and the applicant
19 mentioned they fulfilled the shade tree contribution
20 and will plant 15 trees and is contributing for the
21 rest, 19.

22 CHAIRWOMAN BETTINGER: Mr. Glembocki,
23 do you have anything?

24 COMMISSIONER GLEMBOCKI: They
25 addressed the concerns with dedication.

1 CHAIRWOMAN BETTINGER: Any other
2 comments or questions? If not, do I have a motion?

3 MS. GIARRATANA: On a motion made by
4 Commissioner Cryan. Second by Commissioner Walker.
5 Commissioner Cryan.

6 COMMISSIONER CRYAN: Yes.

7 MS. GIARRATANA: Commissioner
8 Glembocki.

9 COMMISSIONER GLEMBOCKI: Yes.

10 MS. GIARRATANA: Commissioner Jeter.

11 COMMISSIONER JETER: Yes.

12 MS. GIARRATANA: Commissioner Lugo.

13 COMMISSIONER LUGO: Aye.

14 MS. GIARRATANA: Commissioner Torres.

15 FREEHOLDER TORRES: Yes.

16 MS. GIARRATANA: Commissioner Walker.

17 FREEHOLDER WALKER: Yes.

18 MS. GIARRATANA: Chairwoman
19 Bettinger.

20 CHAIRWOMAN BETTINGER: I vote aye.

21 MS. GIARRATANA: The motion has
22 passed.

23 MR. PORTER: Thank you for all your
24 part of this process. Enjoy the improvements when
25 they're done.

1 MS. GIARRATANA: Thank you. The next
2 item on the agenda is 2018-25-SP Osborne Capital,
3 LLC; at 232-274 Passaic Avenue, Block 15, Lot 8.02,
4 Kearny. It's an application to construct two
5 commercial spaces and a possible immediate care
6 medical facility.

7 MR. BENNETT: Thank you, Madam
8 Chairwoman, and Members of the Board. Gary Bennett,
9 B-e-n-n-e-t-t, and I am appearing on behalf of
10 Osborne Capital. Quite frankly, you can walk across
11 the street to this application. So if we walk
12 across Passaic Avenue to the other side, you'll see
13 what Osborne Capital is proposing and requesting
14 this Board, the same application that was at the
15 Kearny board, which is to allow the introduction of
16 two new pad sites to an existing shopping center.
17 They're small in nature. One is 2,510 square feet
18 and the other one is 6,610 square feet, and they'll
19 be comprised of two proposed uses that you see in
20 the application.

21 I have Mr. Jaworski of Dynamic Engineering
22 to provide an overview, then answer any questions
23 that you may have. In essence, we're reducing the
24 impervious coverage on the site. Because of the
25 nature of the site, visibility on Passaic Avenue is

1 a little difficult. As a result of that, we will
2 plant a few trees, and they are requesting and
3 consenting to a dedication and a contribution to the
4 street tree fund. The application itself is fairly
5 straightforward. This is something that's needed in
6 the shopping center. I'll have Mr. Jaworski sworn
7 in to answer any questions.

8 (The witness is sworn.)

9 MR. CURLEY: Would you please state
10 your name for the record and spell your last name?

11 MR. JAWORSKI: Joseph Jaworski,
12 J-a-w-o-r-s-k-i.

13 MR. BENNETT: Joseph, you're a
14 professional engineer in the state of New Jersey?

15 MR. JAWORSKI: Yes, I am.

16 MR. BENNETT: Licensed how long?

17 MR. JAWORSKI: Twenty-five years.

18 MR. BENNETT: You've testified before
19 multiple boards in the state of New Jersey, and
20 you've also appeared before this Board?

21 MR. JAWORSKI: Yes, I have.

22 MR. BENNETT: And you've qualified as
23 an expert engineer?

24 MR. JAWORSKI: Yes.

25 CHAIRWOMAN BETTINGER: We accept.

1 MR. BENNETT: Madam Chairwoman, thank
2 you. So if you could just outline the proposal.
3 Use the board to show the plans. This may not be in
4 the record. We'll mark it A-1.

5 MR. JAWORSKI: Good evening, Madam
6 Chair, Members of the Board. Again, Joseph
7 Jaworski, Dynamic Engineering. We served as the
8 civil on the project. As Gary pointed out, this is
9 right across the street on Passaic Avenue. It's on
10 the left side. Bergen Avenue runs right to left at
11 the top of the application that we just heard. An
12 existing shopping center, the proposal is to add two
13 pad sites, one down at the southern end, which is
14 the lower left corner, and then a smaller 2,500
15 square-foot building in the upper left-hand corner.

16 Again, there is ample parking in this
17 site. The required parking that the existing center
18 is 250 spaces. We will have 317 spaces. The
19 parking is there. We were about to fit in the
20 buildings and create the circulation and pretty much
21 keep the parking in the same orientation as it is
22 now. The access point is the main signalized
23 intersection on Passaic in the center. That stays
24 exactly the same, and that driveway goes out to the
25 access.

1 CHAIRWOMAN BETTINGER: Is there a
2 traffic signal there?

3 MR. JAWORSKI: There is a signal,
4 yes. There is an Exit Only driveway on Bergen
5 Avenue, which basically stays in the same location.
6 It's just oriented a little bit better, adding a
7 stop bar and stop sign.

8 FREEHOLDER TORRES: Is that right
9 turn only?

10 MR. JAWORSKI: That is right turn
11 only, yes. We are increasing the impervious
12 coverage as was stated. Basically, we're are
13 putting an additional green area around the
14 buildings as well as a nice green area here. We
15 will have a nice landscaped area there with a sign
16 on that entrance gateway for that intersection.

17 The retaining wall runs right along
18 Passaic Avenue. We have a curb, strip of grass,
19 sidewalk and a small two-foot high retaining wall.
20 That comes into where the dedication, where there's
21 a request for dedication back on Passaic Avenue.
22 We'll push that wall back into the slope. We'll
23 make it very high. There was also several damaged
24 structures in that area. I believe the franchise
25 agreement would be requested for that.

1 MR. BENNETT: Basically for the
2 projection into the County right-of-way, we'll be
3 seeking a franchise agreement from the Freeholders.

4 MR. JAWORSKI: So that will take care
5 of that. There was one additional amenity that is
6 not on this plan, that will be on the final plan.
7 There will be a staircase and an access provided on
8 that side of Passaic Avenue up into that lower left
9 area so that you walk the sidewalk all the way up to
10 the driveway coming down.

11 MR. BENNETT: That's a condition
12 Kearny imposed. One of the board members saw
13 someone crawling over all of the bushes and
14 requested that we put in a stairway there.

15 FREEHOLDER TORRES: Just to clarify,
16 you're not shrinking the length of the sidewalk off
17 Passaic Avenue?

18 MR. JAWORSKI: No. Basically, that
19 will carry all the way up. We've added some benches
20 and some bike racks in the area. The ADA spaces
21 will all be redone and compliant, as well as new
22 striping for all the ADA spaces and restriping the
23 arrows for circulation.

24 MR. BENNETT: Do the Members of the
25 Board or professionals have any questions of

1 Mr. Jaworski?

2 CHAIRWOMAN BETTINGER: Mr. Cray.

3 MR. CRAY: Thank you, Madam Chair.

4 There was reference to my July 2nd, 2018 letter, and
5 the next day, there was a Site Plan and Subdivision
6 Review Committee Meeting, and then after that, the
7 applicant's engineer, Dynamic, issued a letter dated
8 July 5, 2018, and our goal for this site plan and
9 the preliminary site plan application for this, the
10 property to the south wasn't going to get involved.
11 There wasn't a building for development. They
12 weren't sure what to do with the specifics. So the
13 engineer asked for preliminary and the final.

14 One of the things that came from our
15 review was the right-of-way dedication, so some of
16 our comments pertained to that category. In
17 addition the letter of the Dynamic Engineer, if I
18 can ask the applicant's attorney, everything in the
19 letter of July 2nd letter that remains outstanding,
20 is it your position that you will address the
21 comments?

22 MR. BENNETT: Yes.

23 MR. CRAY: And other than the
24 right-of-way, most of them are construction details
25 related to the retaining wall that we had before.

1 The engineer was not the engineer when this site
2 came for preliminary site plan, so it's a very
3 similar design. We just have to confirm some
4 specifics, nothing major, make sure the wall is not
5 in the County right-of-way, and it's not. If it
6 was, you'll need a franchise agreement. We'll work
7 it out so it's not in the right-of-way. Everything
8 else, there's only interruption to paving on
9 Passaic. There is one thing for the fire marshal,
10 right?

11 MR. BENNETT: Yes. We are showing a
12 hydrant in the intersection, which would extend out.
13 We're working with Kearny Fire to get that internal
14 so doesn't have to go on Passaic Avenue or it goes
15 on Bergen.

16 MR. CRAY: Either way, it's fine.
17 That you means you follow up.

18 MR. BENNETT: Right.

19 MR. CRAY: These type of construction
20 details, it's not uncommon to be a condition of
21 approval. So based on that, I don't have any
22 further questions or comments.

23 CHAIRWOMAN BETTINGER: We're looking
24 at the K-Mart?

25 MR. JAWORSKI: Actually, what you're

1 looking at is the building where the Modells is.
2 The K-Mart would be down further south on the other
3 side of that entrance road that comes out.

4 CHAIRWOMAN BETTINGER: Any other
5 comments?

6 MS. GIARRATANA: Chairwoman, I want
7 to mention the applicant will be contributing for 24
8 trees, and they just need to submit a cost estimate.

9 MR. BENNETT: Yes. That's been
10 prepared to be submitted.

11 MS. GIARRATANA: Okay. And they
12 fulfilled the two green techniques, redevelopment
13 and green parking.

14 CHAIRWOMAN BETTINGER: Any other
15 questions or comments. Commissioner Torres?

16 FREEHOLDER TORRES: Just real quick,
17 Bergen Avenue, is there going to be a curb or bump
18 out to prevent vehicles from making the left-hand
19 turn?

20 MR. BENNETT: Yes. We're actually
21 working with the engineers to reorient that more so
22 that it kind of forces you to go right. It kind of
23 slopes to the right. It's going to give a little
24 bit of a curve rather than going straight out.
25 There will be something.

1 MR. JAWORSKI: Yes.

2 CHAIRWOMAN BETTINGER: Commissioner
3 Glembocki.

4 COMMISSIONER GLEMBOCKI: I have no
5 further comments. I agreed with everything the
6 engineer's letter said.

7 CHAIRWOMAN BETTINGER: Do I have a
8 motion?

9 MS. GIARRATANA: On a motion made by
10 Commissioner Lugo. Seconded by Commissioner Torres.
11 Commissioner Cryan.

12 COMMISSIONER CRYAN: Yes.

13 MS. GIARRATANA: Commissioner
14 Glembocki.

15 COMMISSIONER GLEMBOCKI: Yes.

16 MS. GIARRATANA: Commissioner Jeter.

17 COMMISSIONER JETER: Yes.

18 MS. GIARRATANA: Commissioner Lugo.

19 COMMISSIONER LUGO: Aye.

20 MS. GIARRATANA: Commissioner Torres.

21 FREEHOLDER TORRES: Yes.

22 MS. GIARRATANA: Commissioner Walker.

23 FREEHOLDER WALKER: Yes.

24 MS. GIARRATANA: Chairwoman

25 Bettinger.

1 CHAIRWOMAN BETTINGER: Aye.

2 MS. GIARRATANA: The motion has
3 passed. The next item on the agenda is application
4 2018-32-SD. The applicant is PSE&G; 1045 Secaucus
5 Road, Block 101, Lots 2, 3, 5, and 6; in Jersey
6 City. It is a subdivision application on a County
7 Road.

8 MR, TORTORELLA: Good evening, Madam
9 Chair, and Commissioners, Robert Tortorella with the
10 law firm of Connell Foley. I represent the Public
11 Service Electric and Gas company, otherwise known as
12 PSE&G. This is a minor subdivision application.
13 Technically, what is going on what is there is the
14 existing Penhorn Substation that's located at 1045
15 Secaucus Road. It is a County road.

16 PSE&G has a plan to upgrade that existing
17 substation. We will be coming back with a site plan
18 application at a future date. Right now, this is
19 just for the minor subdivision application. This
20 area is primarily under the jurisdiction of the New
21 Jersey Meadowlands Commission, which is now part of
22 the Sports and Exposition Authority. We have
23 received approval from the NJSCA, for a minor
24 subdivision application, and given that this is on a
25 County road, we are also here to make a presentation

1 to the County for the subdivision.

2 Basically what this is is we're taking, we
3 have acquired property from the U.S. Postal Service,
4 which has a large postal facility, which is next to
5 the existing Penhorn Substation. We are taking
6 pieces of Lots 3 and 6, and combining it with our
7 existing property, which are Lots 2 and 5. The
8 resulting lots the Postal Service winds up with are
9 conforming lots, so there are no variances that
10 accompany this subdivision application. Moreover,
11 we are a permitted use in that zone in the
12 Meadowlands area, so we will continue with the
13 existing conforming use.

14 Effectively, what this application is is a
15 glorified lot line adjustment for lack of a better
16 term. We will be acquiring property from USPS,
17 adding it to our existing property. Everything is
18 conforming as a result of that, and then we will be
19 back in next time to do an upgrade to the station.
20 To not belabor the point, that's the primary part of
21 our application. I do have representatives from
22 PSE&G here this evening if there are particular
23 questions that the Commissioner feel need to be
24 addressed. Otherwise, I'll stop at this point.
25 It's fairly self-explanatory.

1 MS. GIARRATANA: Chairwoman, I will
2 mention to the Board, this was also reviewed
3 internally. Again, we're rearranging lots, based on
4 the property acquired and preparing for an updated
5 plan. It's not there yet, and the applicant
6 understands it needs to come before the Board before
7 the actual development takes place.

8 CHAIRWOMAN BETTINGER: This has been
9 approved by the City of Jersey City?

10 MR, TORTORELLA: We do have an
11 application pending with Jersey City. Primary
12 jurisdiction is with the Sports and Exposition
13 Authority. The County gets secondary jurisdiction
14 because it's a County road. Jersey City has final
15 say because it affects their tax map. So we're
16 hoping to get on their agenda. They have the
17 application packet. We have been speaking to the
18 division of planning. We anticipate being on the
19 Jersey City Planning Board agenda for the August
20 14th meeting.

21 CHAIRWOMAN BETTINGER: Any other
22 comments or question? Commissioner Glembocki.

23 COMMISSIONER GLEMBOCKI: They
24 understand they have to come back for the site plan.

25 CHAIRWOMAN BETTINGER: Do I have a

1 motion? On a motion made by Commissioner Cryan.

2 Second by Commissioner Torres.

3 Commissioner Cryan.

4 COMMISSIONER CRYAN: Yes.

5 MS. GIARRATANA: Commissioner

6 Glembocki.

7 COMMISSIONER GLEMBOCKI: Yes.

8 MS. GIARRATANA: Commissioner Jeter.

9 COMMISSIONER JETER: Yes.

10 MS. GIARRATANA: Commissioner Lugo.

11 COMMISSIONER LUGO: Aye.

12 MS. GIARRATANA: Commissioner Torres.

13 FREEHOLDER TORRES: Yes.

14 MS. GIARRATANA: Commissioner Walker.

15 FREEHOLDER WALKER: Yes.

16 MS. GIARRATANA: Chairwoman

17 Bettinger.

18 CHAIRWOMAN BETTINGER: I vote aye.

19 MS. GIARRATANA: The motion has

20 passed.

21 MR, TORTORELLA: Have a good evening.

22 FREEHOLDER TORRES: A quick note,

23 since it's in my district, for future site plans,

24 I'd like to see your future site plans.

25 MR, TORTORELLA: You'll hear from us.

1 MS. GIARRATANA: The next item on
2 agenda are the Applications to be Dismissed.
3 Application 2017-70-SP; the Applicant NCR Castle
4 Road, LLC; at 650 New County Road; Block 10, Lot 12;
5 in Secaucus. It's an application to construction a
6 public parking facility with 1,111 parking space.
7 This is being dismissed without prejudice. They're
8 still working out the details with the town at this
9 time, and instead of going over their allotted time
10 for review, they're just being dismissed for
11 procedurals reasons.

12 Do I have a motion?

13 On a motion by made Commissioner Cryan.
14 Second by Commissioner Walker.

15 Commissioner Cryan.

16 COMMISSIONER CRYAN: Yes.

17 MS. GIARRATANA: Commissioner
18 Glembocki.

19 COMMISSIONER GLEMBOCKI: Yes.

20 MS. GIARRATANA: Commissioner Jeter.

21 COMMISSIONER JETER: Yes.

22 MS. GIARRATANA: Commissioner Lugo.

23 COMMISSIONER LUGO: Abstain.

24 MS. GIARRATANA: Commissioner Torres.

25 FREEHOLDER TORRES: Yes.

1 MS. GIARRATANA: Commissioner Walker.

2 FREEHOLDER WALKER: Yes.

3 MS. GIARRATANA: Chairwoman
4 Bettinger.

5 CHAIRWOMAN BETTINGER: Aye.

6 MS. GIARRATANA: The motion has
7 passed. The next item on the agenda are
8 Applications to Administratively Approved.
9 Application 2018-36-SP; New Cingular Wireless PCS,
10 LLC or AT&T; at 1200-1206 Kennedy Boulevard; Block
11 33, Lots 1 & 2; in Bayonne. It's a
12 telecommunications applications on a County road.

13 CHAIRWOMAN BETTINGER: Motion?

14 MS. GIARRATANA: On a motion made by
15 Commissioner Walker, and seconded Commissioner Lugo.
16 Commissioner Cryan.

17 COMMISSIONER CRYAN: Yes.

18 MS. GIARRATANA: Commissioner
19 Glembocki.

20 COMMISSIONER GLEMBOCKI: Yes.

21 MS. GIARRATANA: Commissioner Jeter.

22 COMMISSIONER JETER: Yes.

23 MS. GIARRATANA: Commissioner Lugo.

24 COMMISSIONER LUGO: Aye.

25 MS. GIARRATANA: Commissioner Torres,

1 not here at the moment. Commissioner Walker.

2 FREEHOLDER WALKER: Yes.

3 MS. GIARRATANA: Chairwoman
4 Bettinger.

5 CHAIRWOMAN BETTINGER: Aye.

6 MS. GIARRATANA: The motion has
7 passed. Finally on the agenda we have Applications
8 to be Exempt. Please bear with. There are quite a
9 few. I will read them and we'll vote on all of them
10 at once.

11 So Application 2018-21-SP/SD; Bayonne
12 Redevelopers URE Block 720, LLC; at Goldsborough
13 Drive; Block 720, Lot 1; in Bayonne. It's a site
14 plan and subdivision application not along a County
15 road.

16 Application 2018-23-SD; Hudson Property
17 Holdings, LLC; 43 West 49th Street, 44, 46-48, 50
18 West 50th Street; Block 57, Lots 4, 42, 43, and 44;
19 in Bayonne, a subdivision application not on a
20 County road.

21 Application 2018-24-SP; Applicant PSE&G;
22 at 90 Duffield Avenue; Block 7404, Lot 1; in Jersey
23 City. A site plan applicant not on a County road.

24 Please let the record show Commissioner
25 Torres is back in the room.

1 FREEHOLDER TORRES: Can you record my
2 vote as a yes?

3 MS. GIARRATANA: We'll just have you
4 for the next round of Applications to be Exempt.

5 Application 2018-27-SP; Applicant PH Urban
6 Renewal, LLC; 25 Christopher Columbus Drive and 100
7 Montgomery Street Block 13102, Lots 1.01 & 1.02; in
8 Jersey. It's an application not on a County road.

9 Application 2018-30-SD; New Level
10 Developers, LLC; 424-432 Palisade Avenue; Block
11 3903, Lots 28, 29, 30, and 32; in Jersey City. This
12 is a subdivision application not located on a County
13 road.

14 Application 2018-33-SP; Davanne Realty
15 Co., at 39 Central Avenue; Block 6603, Lot 29; in
16 Jersey City. A site plan application not located on
17 a County road.

18 Application 2018-37-SD; Roseland/Port
19 Imperial Partners, LP, Roseland/Riverbend Urban
20 Renewal, LLC; at 21-23 Avenue at Port Imperial;
21 Block 168.01, Lots 7.02 and 8; in West New York. A
22 major subdivision not along a County road.

23 Application 2018-38-SP; New Cingular
24 Wireless PCS, LLC, AT&T; at New Hook Road and East
25 22nd Street; Block 452.02, Lot 5; in Bayonne. A

1 telecommunications application not on a County road.

2 Application 2018-39-SP; Hudson Yards West,
3 LLC; at 3309 Hudson Avenue and 3308 Palisade Avenue;
4 Block 200, Lots 5, 6, 24-28, and 40; in Union City.
5 Site plan not along the County road.

6 Application 2018-40-SP; T-Mobile
7 Northeast, LLC; at 172 Culver Avenue; Block 22101,
8 Lot 12; in Jersey City, a telecommunication
9 application not along the County road.

10 CHAIRWOMAN BETTINGER: Do I have a
11 motion?

12 MS. GIARRATANA: On a motion made by
13 Commissioner Torres. Seconded by Commissioner
14 Walker.

15 Commissioner Cryan.

16 COMMISSIONER CRYAN: Yes.

17 MS. GIARRATANA: Commissioner
18 Glembocki.

19 COMMISSIONER GLEMBOCKI: Yes.

20 MS. GIARRATANA: Commissioner Jeter.

21 COMMISSIONER JETER: Yes.

22 MS. GIARRATANA: Commissioner Lugo.

23 COMMISSIONER LUGO: Yes.

24 MS. GIARRATANA: Commissioner Torres.

25 FREEHOLDER TORRES: Yes.

1 MS. GIARRATANA: Commissioner Walker.

2 FREEHOLDER WALKER: Yes.

3 MS. GIARRATANA: Chairwoman
4 Bettinger.

5 CHAIRWOMAN BETTINGER: Aye.

6 MS. GIARRATANA: The motion passed.
7 There is no old business. There is no new business,
8 and the next meeting will be on Tuesday, August 21st
9 at 6:30 p.m.

10 FREEHOLDER WALKER: Motion to
11 adjourn.

12 FREEHOLDER TORRES: Second.

13 (Whereupon the proceeding is then
14 concluded at 7:37 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, July 17, 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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