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HUDSON COUNTY  
PLANNING BOARD

RE:

REGULAR MEETING : TRANSCRIPT OF  
OF THE :  
HUDSON COUNTY PLANNING : PROCEEDINGS  
BOARD :  
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O P E N S E S S I O N

Bergen Square Center  
Floor 9A  
830 Bergen Avenue  
Jersey City, New Jersey  
Tuesday, October 16, 2018  
6:30 p.m.

B E F O R E:

- RENEE BETTINGER, CHAIRWOMAN
- DANIEL CHOFFO, Commissioner
- JAMES CRYAN, Commissioner
- ELIZABETH HERNANDEZ, Commissioner
- RUSHABH MEHTA, Commissioner
- FLOYD JETER, Commissioner
- THOMAS MALAVASI, PE, PP, CME, Commissioner
- KENNEDY NG, Commissioner
- JOEL TORRES, Freeholder

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

- JOHN J. CURLEY, ESQ., Board Counsel
- STEPHANIE LEE, Assistant Planner
- FRANCESCA GIARRATANA, PP AICP, Board Secretary
- ANTONIOS PANAGOPOULOS, PE
- MARIO TRIDENTE, Inspector

Job No. NJ2833374

1 CHAIRWOMAN BETTINGER: Good evening.  
2 I would like to call to order the meeting of the  
3 Hudson County Planning Board, Tuesday, October 16,  
4 2018. Counsel, has this meeting been properly  
5 advertised?

6 MR. CURLEY: Yes. This meeting has  
7 been published in the Jersey Journal and the Star  
8 Ledger. In addition notice of the meeting has been  
9 placed on the County Clerk's bulletin board and the  
10 Clerk of the Freeholders.

11 CHAIRWOMAN BETTINGER: Thank you,  
12 Madam Secretary, may I have a roll call, please.

13 MS. GIARRATANA: Commissioner Choffo.

14 COMMISSIONER CHOFFO: Present.

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

18 COMMISSIONER HERNANDEZ: Aye.

19 MS. GIARRATANA: Commissioner Jeter.

20 COMMISSIONER JETER: Aye.

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

23 COMMISSIONER MALAVASI: Here.

24 MS. GIARRATANA: Commissioner Mehta.

25 COMMISSIONER MEHTA: Here.

1 MS. GIARRATANA: Commissioner Ng,  
2 absent. Commissioner Torres.

3 FREEHOLDER TORRES: Here.

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

6 CHAIRWOMAN BETTINGER: Here.

7 MS. GIARRATANA: Chairwoman, we have  
8 a quorum.

9 CHAIRWOMAN BETTINGER: Will everyone  
10 please rise to salute the flag.

11 (Flag Salute.)

12 CHAIRWOMAN BETTINGER: Have all the  
13 Commissioners received the minutes of September  
14 18th?

15 MS. GIARRATANA: Madam Chairwoman,  
16 may I make a note about the transcript? The  
17 original version that we received from Veritext had  
18 listed Samantha Lugo in the list of Commissioners.  
19 They are sending a revised copy that will be posted  
20 on the web site and everything else. I wanted to  
21 make that note.

22 CHAIRWOMAN BETTINGER: It noted she  
23 was present?

24 MS. GIARRATANA: But she was not  
25 present.

1 CHAIRWOMAN BETTINGER: Do I have a  
2 motion to approve the minutes?

3 MS. GIARRATANA: On a motion made by  
4 Commissioner Torres. Second by Commissioner Choffo.  
5 Commissioner Choffo.

6 COMMISSIONER CHOFFO: Aye.

7 MS. GIARRATANA: Commissioner  
8 Hernandez.

9 COMMISSIONER HERNANDEZ: Aye.

10 MS. GIARRATANA: Commissioner Jeter.

11 COMMISSIONER JETER: Aye.

12 MS. GIARRATANA: Commissioner  
13 Malavasi.

14 COMMISSIONER MALAVASI: Aye.

15 MS. GIARRATANA: Commissioner Mehta.

16 COMMISSIONER MEHTA: Abstain.

17 MS. GIARRATANA: Commissioner Torres.

18 FREEHOLDER TORRES: Yes.

19 MS. GIARRATANA: Chairwoman  
20 Bettinger.

21 CHAIRWOMAN BETTINGER: I'll abstain.  
22 I was not present.

23 MS. GIARRATANA: The motion has  
24 passed. The next item on the agenda are matters  
25 scheduled for public hearing. The first is the

1 adoption of changes to the Hudson County LDR. This  
2 was a clause in reference to our parking standards.  
3 This was introduced at the last meeting. It was  
4 originally discussed at length at our Site Plan  
5 Review Committee. We sent it out for the whole  
6 Planning Board review beforehand, and we received no  
7 comments from any of the Commissioners. We really  
8 feel like that we just put in a better standard what  
9 the practice is and really outlined the Hudson  
10 County Planning Board's jurisdiction of traffic in  
11 terms of parking.

12 CHAIRWOMAN BETTINGER: May I have a  
13 motion?

14 COMMISSIONER CHOFFO: I'll make a  
15 motion.

16 MS. GIARRATANA: On a motion made by  
17 Commissioner Choffo, and second Commissioner Torres.  
18 Commissioner Choffo.

19 COMMISSIONER CHOFFO: Aye.

20 MS. GIARRATANA: Commissioner  
21 Hernandez.

22 COMMISSIONER HERNANDEZ: Aye.

23 MS. GIARRATANA: Commissioner Jeter.

24 COMMISSIONER JETER: Aye.

25 MS. GIARRATANA: Commissioner

1 Malavasi.

2 COMMISSIONER MALAVASI: Aye.

3 MS. GIARRATANA: Commissioner Mehta.

4 COMMISSIONER MEHTA: Aye.

5 MS. GIARRATANA: Commissioner Torres.

6 FREEHOLDER TORRES: Yes.

7 MS. GIARRATANA: Chairwoman

8 Bettinger.

9 CHAIRWOMAN BETTINGER: Aye.

10 MS. GIARRATANA: The motion has

11 passed. The next item on the agenda are

12 memorialization of resolutions considered at the

13 last meeting. The first application is 2017-46-SP,

14 The applicant is 1768-1768.5, LLC; at Kennedy

15 1768-1768.5 Kennedy Boulevard, Block 27005, Lots 43

16 and 44; in Jersey City.

17 CHAIRWOMAN BETTINGER: Please note

18 for the record that Commissioner Cryan just arrived.

19 MS. GIARRATANA: I would note before

20 I take the vote that only Commissioner Choffo,

21 Jeter, Malavasi and Torres can vote on this

22 memorialization. They were present.

23 CHAIRWOMAN BETTINGER: Can I have a

24 motion?

25 MS. GIARRATANA: On a motion made by

1 Commissioner Torres. Second by Commissioner Jeter.

2 Commissioner Choffo.

3 COMMISSIONER CHOFFO: Aye.

4 MS. GIARRATANA: Commissioner Jeter.

5 COMMISSIONER JETER: Aye.

6 MS. GIARRATANA: Commissioner

7 Malavasi.

8 COMMISSIONER MALAVASI: Aye.

9 MS. GIARRATANA: Commissioner Torres.

10 FREEHOLDER TORRES: Yes.

11 MS. GIARRATANA: The motion has  
12 passed. Next application is 2018-04-SP; Georgette  
13 Benmoha, LLC. The location is 1601-1605 Manhattan  
14 Avenue; Block 180, Lots 18 and 19; in Union City.

15 On a motion made by Commissioner Torres,  
16 and second by Commissioner Jeter.

17 Commissioner Choffo.

18 COMMISSIONER CHOFFO: Aye.

19 MS. GIARRATANA: Commissioner Jeter.

20 COMMISSIONER JETER: Aye.

21 MS. GIARRATANA: Commissioner

22 Malavasi.

23 COMMISSIONER MALAVASI: Aye.

24 MS. GIARRATANA: Commissioner Torres.

25 FREEHOLDER TORRES: Yes.

1 MS. GIARRATANA: The motion has  
2 passed. Next item for memorialization is  
3 Application 2018-44-SP; Ridge Crossing I Urban  
4 Renewal, LLC; at 682-686 Schuyler Avenue; Block 134,  
5 Lot 1; in Kearny.

6 On a motion made by Commissioner Torres.  
7 Seconded by Commissioner Jeter.

8 Commissioner Choffo.

9 COMMISSIONER CHOFFO: Aye.

10 MS. GIARRATANA: Commissioner Jeter.

11 COMMISSIONER JETER: Aye.

12 MS. GIARRATANA: Commissioner  
13 Malavasi.

14 COMMISSIONER MALAVASI: Aye.

15 MS. GIARRATANA: Commissioner Torres.

16 FREEHOLDER TORRES: Yes.

17 MS. GIARRATANA: The motion has  
18 passed. The final item for memorialization is  
19 Application 2018-53-SP; Crestpoint Development UC,  
20 LLC; at 511-519 32nd Street, Block 170, Lots 21-25,  
21 43, and 48-50; in Union City.

22 On a motion made by Commissioner Torres.  
23 Seconded by Commissioner Jeter.

24 Commissioner Choffo.

25 COMMISSIONER CHOFFO: Aye.



1 MS. GIARRATANA: Commissioner Jeter.

2 COMMISSIONER JETER: Aye.

3 MS. GIARRATANA: Commissioner  
4 Malavasi.

5 COMMISSIONER MALAVASI: Aye.

6 MS. GIARRATANA: Commissioner Torres.

7 FREEHOLDER TORRES: Yes.

8 MS. GIARRATANA: The motion has  
9 passed. The next item on the agenda are Site Plans,  
10 Subdivisions and other matters scheduled for public  
11 hearing. Application 2018-26-SP; Lukoil North  
12 America; at 3205 Hudson Avenue Union; Block 196, Lot  
13 1 in Union City. It's an application for a proposed  
14 bay conversion to expand an existing convenience  
15 store.

16 MR. KOOL: Good evening, everyone.  
17 My name is Rick Kool. I am an attorney from  
18 Bayonne, and I'm here on behalf of Lukoil North  
19 America, the applicant. The property in question is  
20 an existing gas station located at Block 196, Lot 1  
21 in Union City. The site in question has five  
22 existing driveways, six vehicular fueling stations.  
23 There is a 1,200-square-foot building on-site that  
24 will remain. The applicant seeks to convert the  
25 existing auto repair shop into an expanded

1 convenience store.

2           There is an existing store on the site,  
3 which is approximately a third of the current  
4 building. The application expanding the convenience  
5 store makes further use of existing surface and  
6 furthering your development checklist by using low  
7 impact development. The site plan was revised  
8 October 10, 2018, signed by John B. Anderson,  
9 consulting engineer, and Mr. Anderson is here with  
10 me tonight to provide testimony. We have also  
11 submitted an architectural plan dated October 24th,  
12 2018; and we have submitted a traffic analysis  
13 signed by Deanna Drummond, (ph.) professional  
14 engineer senior project manager, dated August 20,  
15 2018.

16           We received a letter from the Board dated  
17 October 5, 2018, and we have addressed the items  
18 contained in the letter. We submitted plans in the  
19 hopes they be permitted in the zone. The applicant  
20 did not require any variances at the local level.  
21 There are only really two issues based on the plan  
22 that I have seen. The only nonconformities on the  
23 site pertain to one per minimum rear yard setback.  
24 Based upon recommendations from the County Board, we  
25 have increased the maximum lot coverage on the site,

1 98.3 percent. Mr. Anderson is ready to provide  
2 testimony on the site plan for the changes.

3 (The witness is sworn.)

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

6 MR. ANDERSON: Sure. My name is  
7 John, middle initial B for Barry, Anderson,  
8 A-n-d-e-r-s-o-n.

9 MR. KOOL: Thank you. Mr. Anderson,  
10 would you briefly discuss your qualifications?

11 MR. ANDERSON: Sure. I'm a graduate  
12 of Villa Nova University with a bachelor's of  
13 engineering. I am licensed in the state of  
14 Pennsylvania also the state of New Jersey,  
15 practicing in the state of New Jersey as a licensed  
16 engineer for over 14 years. I've done a significant  
17 amount of petroleum work with respect fueling  
18 stations, convenience stores and such, throughout  
19 New Jersey, Pennsylvania, New York, Maryland,  
20 Delaware, Virginia.

21 MR. KOOL: I ask the Board to accept  
22 Mr. Anderson as an expert.

23 CHAIRWOMAN BETTINGER: On behalf of  
24 the Board, your credentials are accepted.

25 MR. KOOL: Mr. Anderson, would just

1 walk through the site plan?

2 MR. ANDERSON: Sure. I know it's  
3 kind of small and a little bit far away. I can also  
4 bring it a little bit closer.

5 MR. CURLEY: Can we have that marked  
6 as A-1?

7 MR. ANDERSON: Sure. That's an  
8 existing Lukoil gas station. It has an auto repair  
9 bay use within it. There are two bays for auto  
10 repair. That portion of the building consists of  
11 about 60 percent of the building, and 40 percent was  
12 for the bathrooms, office, also a convenience store  
13 and a little food bar associated with the existing  
14 building. As our attorney mentioned, the building  
15 is comprised of about 1,240 square feet.

16 Our proposal is not to expand from the  
17 exterior but just interior modification to convert  
18 the two bays for services into an expanded  
19 convenience store. There is an existing fueling  
20 canopy on-site. There's six fueling positions,  
21 three dispensers, and they're located centrally to  
22 the triangle. You can see on our rendering we  
23 represented automobiles in the darker gray shaded  
24 vehicles. The dispensers are located two along 30th  
25 Street and one along 32nd Street.

1           This is a very, very small site. It's  
2     comprised of about 11,200 square feet. It's  
3     triangular in nature. It borders on 30th and 32nd  
4     Street and Hudson Avenue. There are two access  
5     points along 30th Street, none along Hudson and  
6     three existing along 32nd Street. We're not  
7     proposing any changes to the access. The removal of  
8     the auto repair use will take what I will call two  
9     uses, one fueling -- I'm sorry. It will take three  
10    uses down to two, auto fueling, repair and  
11    convenience down to just auto fuel and convenience.

12           So we feel it is going to be a reduction  
13    in some of the conflicting movements that exist  
14    on-site and previously existed on-site to clean up  
15    the area as well by removal of the auto repair of  
16    the vehicles that were staged along the point and  
17    along Hudson Avenue and the 32nd Street corner, and  
18    they were several that were staged on 30th Street.  
19    It will clean up the actual site significantly and  
20    allow for better viewing and access throughout the  
21    facility.

22           Our proposal is not only just to expand  
23    the convenience but also provided parking space  
24    designated striping on the front, on the side, on  
25    the corner of Hudson and 32nd Street, to provide

1 five designated parking spaces. There are no  
2 designated parking spaces today. I will note there  
3 is parking along 32nd Street. Again, we're not  
4 doing any modification to the street access or any  
5 improvements along 30th, Hudson or 32nd, so any  
6 parking on the street is not going to be affected.  
7 Our proposal is also to add the required seven  
8 street trees along 32nd Street, and we're also  
9 proposing a planting area. That's our first green  
10 technique. Our second green technique is to provide  
11 additional bicycle parking.

12 Some comments that were raised from the  
13 staff level concerning turning movements, trip  
14 generation, so forth, the increase of the  
15 convenience store will slightly increase the amount  
16 of traffic that will utilize the site. However, in  
17 the trip-gen letter, it indicated it was just a  
18 slight increase. It will only be about 15 to 20  
19 trips during that a.m. and p.m. peak hours. And  
20 also from the truck turning and delivery standpoint,  
21 Lukoil had contacted the distributors, and the trash  
22 pickup will be scheduled during off-peak hours, and  
23 I will only get into the truck delivery only with  
24 specific questions concerning it.

25 But basically, we're viewing this as a

1 betterment to the site. It's going to clean up the  
2 actual property significantly. I think it has  
3 already reduced a lot of the conflicting turning  
4 movement on-site today, and I think it's a  
5 betterment to this actual property.

6 MR. KOOL: You also have some  
7 photographs that were before and the proposed after.

8 MR. ANDERSON: I just have a before.  
9 I think that it's already been converted. We  
10 inadvertently went ahead. We received building  
11 permits that didn't indicate we needed permits from  
12 the County of Hudson. So Lukoil went ahead with the  
13 conversion. So if you've driven by the site, you'll  
14 see it's already been done. So we're kind of coming  
15 before the Hudson County Planning Division after the  
16 fact to make the good and cleanup that any type of  
17 permits that were required.

18 I can show you some before what the  
19 building looked like, and I can show you a rendering  
20 what it looks like today.

21 CHAIRWOMAN BETTINGER: You have  
22 already started the project before you came?

23 MR. ANDERSON: Unfortunately, yes.  
24 We were issued building permits, and during the  
25 construction, we were notified that we needed to

1     come before the County Planning Board, so that's  
2     what we're here for today.

3                   CHAIRWOMAN BETTINGER:   The City of  
4     Union City did not inform you that you needed to  
5     come before the County Planning Board?

6                   MR. ANDERSON:   No.

7                   MR. TRIDENTE:   Madam Chair, point of  
8     clarification.   Back on May 28th, I had some  
9     correspondence with Mr. Pagano, telling them that  
10    they needed to come before the Board.   This is  
11    before they were complete.   They were in the  
12    process.   I notified the construction department of  
13    Union City.   They kind of fell through the cracks.  
14    They tightened up their process.   So for three  
15    months there was a disconnect.   Mr. Anderson came in  
16    between that disconnect.   He wasn't the original  
17    engineer of record.   He came after another engineer  
18    who was the point of contact, which left the firm.

19                   So being he confirmed that there was a  
20    disconnected from our office, and the reason why  
21    they're here now, once they came back, they still  
22    hadn't been completed.   It took a couple phone calls  
23    with Mr. Pagano.

24                   MR. KOOL:   One small qualification,  
25    we had complied with and included in our site plan,



1 we have essentially agreed to address the traffic  
2 issues. We're doing it through the course of  
3 investigation into the traffic issues.

4 COMMISSIONER CHOFFO: Madam Chair, do  
5 you have the copy of the T & M Associates letter  
6 July 25th? So the July 25th letter, page 2 and 3,  
7 traffic and parking, so in using traffic patterns on  
8 the development site, turning templates have been  
9 provided for the fueling tankers to show the path of  
10 trucks currently traveling through the site, and  
11 turning templates show the truck crossing through  
12 the fueling station and parking spaces. During  
13 deliveries to the convenience store, it is assumed  
14 that parking will be blocked. Testimony shall be  
15 provided regarding the type and hours of delivery  
16 for the fuel, convenience store and trash pickup on  
17 the site at off-peak hours?

18 MR. ANDERSON: We can commit all of  
19 the deliveries will be during off peak hours. It's  
20 a 24-hour facility, so deliveries can be coordinated  
21 with the various vendors that it would be during  
22 off-peak hours. Peak hours is from six a.m. to nine  
23 a.m. It would be before that, and the concern would  
24 be removed and we can schedule it after the morning  
25 peak during Monday through Friday.

1           Fueling delivery, when the truck enters  
2 the site and puts the product within the underground  
3 tank, that is controlled, and that can be  
4 controlled, that it would be between off-peak hours.  
5 There may be an instance once or twice a month where  
6 it may occur during peak hours, but every attempt  
7 will be made that it will be prevented.

8           COMMISSIONER CHOFFO: For the  
9 convenience store, will someone coming in be blocked  
10 in by a tanker on their way to work?

11           MR. ANDERSON: Typically what happens  
12 is the tanker trucks are notifying the actual  
13 managers who work in the store, so the store person,  
14 whoever is on duty will come out and block off  
15 parking spaces for cars. They're notified ahead of  
16 time basically when the distribution sends out the  
17 trucks.

18           COMMISSIONER CHOFFO: It doesn't  
19 benefit the applicant to block parking spots.

20           CHAIRWOMAN BETTINGER: How many  
21 parking spots? Did you say five?

22           MR. ANDERSON: We're proposing to  
23 stripe five. There are three angled parking spaces  
24 along the front of the store. That's what your  
25 engineer indicated. The truck comes out of the

1 middle entrance and stage in this location. That's  
2 what happens today, regardless of the modifications  
3 to the store. The tanks are located between the  
4 actual building and the fueling dispensers today.  
5 So the truck enters in and stages here and unloads  
6 product. We understand that with increase in the  
7 convenience store and the repair facility obviously  
8 controls their lot and where the cars go, we are  
9 showing parking here, but there may be a conflict.  
10 But the people that are working in the store can  
11 control that.

12 CHAIRWOMAN BETTINGER: Will there be  
13 any handicapped spots?

14 MR. ANDERSON: There are handicapped  
15 stripes on the side of the building. There's a  
16 handicap ramp located on the side that complies with  
17 ADA.

18 CHAIRWOMAN BETTINGER: Any other  
19 questions?

20 MR. PANAGOPOULOS: Yes, Madam Chair,  
21 just real quick, I think you touched on it a little  
22 bit, but if you talk a little bit more about  
23 preconstruction and post-construction operation, any  
24 changes? You just said that's how the gas tanker  
25 comes in. That's not changing. What about

1 deliveries?

2 MR. ANDERSON: So trash removal,  
3 there's a designated trash enclosure at the corner  
4 of the property between Hudson and 32nd Street on  
5 our property, and that will be through a commercial  
6 hauler. That's controlled based on their account  
7 that it will be done during off-peak hours.

8 MR. PANAGOPOULOS: Are there any  
9 changes? In that scenario, the operation isn't  
10 changing?

11 MR. ANDERSON: The operation of the  
12 deliveries is not changing. That's is correct.  
13 They get deliveries today, and deliveries in the  
14 future will be by the same vendors, and again, we'll  
15 control them during off-peak hours. But it's the  
16 same delivery trucks delivering to the existing  
17 store today as it is tomorrow. It's just the same  
18 size truck delivering more product to the store.

19 MR. PANAGOPOULOS: And if you could  
20 talk a little bit more about the increase of trips  
21 to the site and passerby trips.

22 MR. ANDERSON: So we hired a traffic  
23 engineer to do a comparison between the before and  
24 after. With the increase in the convenience store,  
25 there's an increase in trips. They're anticipating

1 that the a.m. and p.m. peaks are about 22 trips in  
2 the a.m. increase, and 29 in the p.m. peak, and 27  
3 on Saturday. However, 50 percent of that trip  
4 generation is already on the road today, so they're  
5 anticipating that will be an actual estimated  
6 increase of 15 to 20 trips during the a.m. and p.m.  
7 respectively. So 15 in the a.m. and 20 the p.m.  
8 They're also saying due to the fact that this is a  
9 significantly urban area, some of those trips ITE  
10 doesn't differentiate between vehicular trips and  
11 pedestrian trips. We're saying there should be a  
12 little bit of a reduction due to the fact that a lot  
13 people utilizing the store will come from the  
14 immediate area, pedestrian and people walking or  
15 biking to the store.

16 MR. PANAGOPOULOS: Thank you.

17 COMMISSIONER MEHTA: Madam  
18 Chairwoman, just one quick question. So your  
19 current testimony you're going from sixty percent  
20 repairs to hundred percent 24-hour convenience  
21 store?

22 MR. ANDERSON: Sixty percent is if we  
23 look at the existing floor plan of the building,  
24 60 percent or 780 square feet is comprised of the  
25 two bays. The rest of the building is a restroom

1 facility, a manager's office and convenience. So  
2 the now floor plan still has the restroom  
3 facilities, the manager's office and convenience.  
4 The bays are going. It's an expansion of the  
5 existing building from a convenience store  
6 standpoint by about 50 percent. That consists of a  
7 large reach-in cooler; preprepared, prepackaged  
8 foods. There is no food prep on site. You have  
9 coffee, sinks, things of that nature. It is all  
10 prepackaged foods. To answer your question, it's a  
11 60-percent increase of the convenience store and the  
12 rest of the store into the service bay areas.

13 COMMISSIONER MEHTA: Another  
14 question, if you are converting the repair bays into  
15 the convenience store, are there any EPA issues?

16 MR. ANDERSON: What happens in cases  
17 like this, if there is any underground concrete  
18 vault that may have contained hydraulic fluid, oil  
19 and so forth, all of that gets removed and taken  
20 off-site. So they do an actual floor replacement.  
21 The entire concrete floor service was all removed  
22 and replaced. Any type of contaminant in soil, all  
23 of that is removed and has gotten removed and taken  
24 off site. I don't know specifics of that. I could  
25 find that out if it's a concern, but it's taken care

1 of through licensed contractors and moved to a  
2 facility to handle this type of thing. I don't know  
3 if there was any on-site.

4 COMMISSIONER MEHTA: Just for the  
5 record if you have anything from DEP, just send it  
6 to the Planning Board for their records.

7 MR. ANDERSON: I will definitely  
8 reach out to the engineer who was in charge of that  
9 and send it off to the Planning Board.

10 COMMISSIONER MALAVASI: Thank you,  
11 Madam Chair. We addressed the issue of the  
12 customers parked when the tanker comes. That's  
13 fine. If you block it, they won't get trapped. But  
14 as I look at your truck templates when the operator  
15 gets the call, that first bay on the bottom needs to  
16 be coned off because as much as I am concern about  
17 getting on the site, I can't have a tanker truck  
18 queuing on my street on 32nd Street, because there's  
19 someone at the pump. So when they cone the spaces,  
20 also have them cone off that one bay to get the  
21 truck, you know -- once the truck is on-site, the  
22 County road is fine. That's an internal issue. I  
23 need to make sure you tell your operators to get  
24 that off the County road. You can't have a tanker  
25 truck just sitting there. Cone that off as well.

1 MR. KOOL: The operator can do that.

2 MS. GIARRATANA: Chairwoman, I'll  
3 just mention that the green techniques as they  
4 highlighted, they're adding native landscaping, so  
5 there's a reduction of impervious coverage, and they  
6 will be installing a bike rack, and the shade tree  
7 requirements, they're fulfilling.

8 MR. TRIDENTE: Do you have any idea  
9 when the trees will be planted?

10 MR. ANDERSON: I thought I read in  
11 Planning Board requirements that it will be done  
12 within a 30-day period. I know that Mr. Pagano has  
13 already set that up with the contractor. So I know  
14 there's a permit that's require to obtain through  
15 the County.

16 MR. TRIDENTE: Go to the County  
17 engineer's office, and we ask you to adhere to the  
18 County treatment.

19 MR. ANDERSON: We have detail on the  
20 tree planting. We have scheduled the exact detail.

21 MR. TRIDENTE: The tree grades have  
22 to be ADA compliant.

23 CHAIRWOMAN BETTINGER: Please note  
24 for the record Commissioner Kennedy Ng arrived.

25 MR. PANAGOPOULOS: To follow-up on



1 that, if the Board would allow it, to have them go  
2 in to do this work before they get the  
3 memorialization because the planting season is  
4 coming to a close pretty quickly. They've done  
5 everything else.

6 MR. ANDERSON: I will file for the  
7 permit to open the street up tomorrow.

8 MR. PANAGOPOULOS: Just go to the  
9 County engineer's office. They have already started  
10 the process.

11 CHAIRWOMAN BETTINGER: Do I have a  
12 motion to approve?

13 MS. GIARRATANA: On a motion made by  
14 Commissioner Jeter, and seconded by Commissioner  
15 Choffo.

16 Commissioner Choffo.

17 COMMISSIONER CHOFFO: Aye.

18 MS. GIARRATANA: Commissioner  
19 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 vote aye.

8 However, in the future you need to come before us  
9 before you work on County roads to get the proper  
10 permits from this Planning Board.

11 MR. KOOL: Thank you.

12 MS. GIARRATANA: Commissioner Cryan.

13 COMMISSIONER CRYAN: Aye.

14 MS. GIARRATANA: The motion has  
15 passed. The next item on the agenda is Application  
16 2018-42-SP; the applicant, 128 JFK, LLC; 128 Kennedy  
17 Boulevard; Block 335, Lot 12; in Bayonne. It's an  
18 application to construct a three-story, four-unit  
19 residential building with three parking spaces.

20 This is an application was Adjourned at the  
21 September meeting and was carried over, and we  
22 received confirmation from the City of Bayonne,  
23 their license administrator, that they had no issue  
24 with it being carried over.

25 CHAIRWOMAN BETTINGER: Before you

1 start, please note for the record Commissioner  
2 Choffo had to leave.

3 MR. ZUCKER: Good evening, Chairwoman  
4 and Commissioners, my name is John Zucker, attorney  
5 for the applicant, 128 JFK, LLC. This is an  
6 application in an R-2 zone to build a four-unit  
7 residential structure. This is a section on the  
8 Boulevard in Bayonne from 4th Street to 5th Street.  
9 We went before the zoning board in Bayonne and  
10 received approval in March of this year, and we made  
11 the application adjourn. I have the planner on the  
12 project to answer any questions you may have.

13 (The witness is sworn.)

14 MR. CURLEY: Please state your name  
15 for the record and spell your last name.

16 MR. SAMBADE: Al Sambade,  
17 S-a-m-b-a-d-e.

18 MR. ZUCKER: Mr. Sambade, just state  
19 your credentials.

20 MR. SAMBADE: Commissioners, I am the  
21 principal of DAL Design Services. I have been in  
22 the business for 32 years now. I'm a registered  
23 architect, licensed in the state of New Jersey, and  
24 licensed professional planner in the state of New  
25 Jersey. I have appeared before local planning and

1 zoning boards and county planning boards. Prior to  
2 this when I was much younger, I worked for municipal  
3 government as a municipal engineer.

4 CHAIRWOMAN BETTINGER: Your  
5 qualifications are accepted.

6 MR. SAMBADE: Thank you.  
7 Commissioners, this is a modest application. The  
8 property is very odd-shaped, very shallow, only  
9 28 feet to 50 feet in depth, and it is located in  
10 the R-2 zone, which is one or two-family homes. The  
11 argument we made before the Bayonne Board of  
12 Adjustment is we couldn't fit a two-family home on  
13 this property. So we made presentation for the use  
14 variance and the bulk variance for the building with  
15 three parking spaces on JFK Boulevard.

16 The latest plan, Commissioners and Mr.  
17 Panagopoulos, we've abated the kind of cross path as  
18 an exit, but I believe that we've addressed the  
19 reports of the Board. We addressed all the  
20 requirements of the County regulations, and if I can  
21 go through and clear this up, the letter of  
22 September 4th, just address some of the comments and  
23 requests for information. So Mr. Panagopoulos  
24 suggests that we discuss how the parking spaces  
25 would be assigned and the need for an ADA, if we

1 need an ADA space.

2 The spaces will be assigned I presume on a  
3 first come, first serve basis. If there is not a  
4 handicapped family in the building, that space will  
5 not be formally assigned. In the future once a  
6 handicapped tenant comes in, that space will have to  
7 be vacated so the handicapped person can utilize it.  
8 The driveway curb cut will eliminate one space on  
9 Kennedy Boulevard. We show that, and in my  
10 experience there is sufficient availability in this  
11 part of Bayonne. Our office is located not far from  
12 this site. The parking availability on this stretch  
13 of Kennedy Boulevard is readily available at almost  
14 all times of day. So I hope if there is not an  
15 issue with parking. That is the presentation I also  
16 made to the zoning board and they tended to agree.

17 We provided on the amended plan the sight  
18 triangle. This was submitted after we contacted  
19 Mr. Panagopoulos. We spoke about the detail. It's  
20 revised on the plans. There is one comment we  
21 addressed is in this as well, that the County  
22 standards require driveways to make turns so you  
23 don't have to back out onto the County road. In  
24 this situation, we have a 2,300 square foot lot.  
25 It's wide and very, very shallow to be able to make

1 those sort of maneuvers certainly within the  
2 property before we head out onto the county  
3 right-of-way, and obviously, we are not able to  
4 comply with that.

5 Mr. Panagopoulos wishes for us to address  
6 trash. This will be picked up curbside and placed  
7 by building management. There are no encroachments  
8 on the County's right-of-way, and we agree that  
9 moving forward we will apply for the road opening  
10 permits. We will submit a point-by-point indication  
11 how we have addressed those comments. I think the  
12 expert reports and the Board's Planner indicated  
13 that we have addressed it. I think the sight  
14 triangle has been addressed. Thank you.

15 MR. PANAGOPOULOS: Mr. Sambade has  
16 addressed my comments in the letter. One thing that  
17 he did not, when you're doing the sewer repair, that  
18 there be one hatch not two hatches. You are  
19 connecting to sanitary and storm sewer, so it's one  
20 hatch, not individual hatches.

21 MR. SAMBADE: Do you want me to show  
22 that?

23 MR. PANAGOPOULOS: I would like you  
24 to put a hatch. That's it.

25 CHAIRWOMAN BETTINGER: Commissioner

1 Malavasi.

2 COMMISSIONER MALAVASI: Yes, I have  
3 two questions. I'm looking at your driveway. There  
4 is a driveway and sidewalk, and you're showing that.  
5 I want to confirm that that will be a different  
6 color than the rest of the sidewalks to  
7 differentiate when folks are backing, they'll have a  
8 visual line.

9 MR. SAMBADE: In addition, it may not  
10 be shown on the plan, but at the edges of the garage  
11 door, they'll be a compass mirror so you get some  
12 better visibility as you're backing out.

13 COMMISSIONER MALAVASI: The only  
14 other question, I'm looking at your sheet -- I don't  
15 have the sheet number on my copy, but your sheet is  
16 showing three cars parked under the building. Just  
17 I'm not really clear on where the handicapped person  
18 or whoever will be there can get out of their  
19 vehicle in the hashed area. I'm not quite sure how  
20 they will get out. It almost looks like incoming  
21 traffic. What will be your accessible route to get  
22 out of that hashed area?

23 MR. SAMBADE: On the architectural  
24 plan, the first floor plan that's the layout, and we  
25 had a connection between the parking area and the

1 main building stair as well as a small elevator.

2 COMMISSIONER MALAVASI: So if you're  
3 parked, and if you get out of the striped area,  
4 there is a dot there. It looks like an open area.

5 MR. SAMBADE: That is open. That  
6 actually is bollards so the car doesn't drive.

7 COMMISSIONER MALAVASI: And you go  
8 through the door and take the stairs to the  
9 elevator. Thank you. I'm okay.

10 COMMISSIONER MEHTA: So architectural  
11 plan, you have two two-bedroom apartments and two  
12 one-bedroom apartments?

13 MR. SAMBADE: I believe so. Bear  
14 with me. Two and two.

15 COMMISSIONER MEHTA: I see the  
16 elevator goes to the second floor only?

17 MR. SAMBADE: The residential  
18 elevator goes to Apartment 202, and provides  
19 accessibility. That is the handicapped  
20 accessibility.

21 MS. GIARRATANA: Madam Chairwoman,  
22 the applicant has fulfill the green techniques,  
23 where they have facilities on the ground floor, and  
24 they are fulfilling the shade tree requirement.  
25 They only have to plant one tree. They're actually



1 planting two. They get that credit for that  
2 additional tree.

3 CHAIRWOMAN BETTINGER: Thank you.

4 MR. TRIDENTE: No comment.

5 CHAIRWOMAN BETTINGER: Any other  
6 comments? Do I have a motion?

7 MS. GIARRATANA: On a motion made  
8 Commissioner Cryan. Seconded by Commissioner Mehta.

9 Commissioner Choffo is absent.  
10 Commissioner Cryan.

11 COMMISSIONER CRYAN: Aye.

12 MS. GIARRATANA: Commissioner  
13 Hernandez.

14 COMMISSIONER HERNANDEZ: Aye.

15 MS. GIARRATANA: Commissioner Jeter.

16 COMMISSIONER JETER: Aye.

17 MS. GIARRATANA: Commissioner  
18 Malavasi.

19 COMMISSIONER MALAVASI: Aye.

20 MS. GIARRATANA: Commissioner Mehta.

21 COMMISSIONER MEHTA: Aye.

22 MS. GIARRATANA: Commissioner Ng.

23 COMMISSIONER NG: Aye.

24 MS. GIARRATANA: Commissioner Torres.

25 FREEHOLDER TORRES: Yes.

1 MS. GIARRATANA: Chairwoman  
2 Bettinger.

3 CHAIRWOMAN BETTINGER: Aye.

4 MS. GIARRATANA: The next item on the  
5 agenda are applications to be exempt. The first  
6 application is 2018-57-SP; the applicant, Equinix,  
7 Inc., 275 Hartz Way; Block 22, Lot 2; 755 & 800  
8 Secaucus Road, Block 30, Lot 4.03 and Block 23, Lot  
9 4.02; in Secaucus. This is a site plan application  
10 not along a County road.

11 The next application is 2018-58-SP;  
12 T-Mobile Northeast, LLC; 143 Morgan Street; Block  
13 13002, Lot 14; in Jersey City. It's a  
14 telecommunication application not along a County  
15 road.

16 The next application is 2018-60-SP/SD.  
17 The applicant is Chairman of the Board Corp., at  
18 415-417 & 419 Monroe Street; Block 58, Lots 8, 9, 10  
19 in Hoboken. It's a site plan and subdivision  
20 application not on a County road.

21 The final application is 2018-61-SD; Park  
22 Plaza Urban Renewal, LLC; at 100 Park Plaza Drive;  
23 Block 227, Lots 4.03, 4.04; in Secaucus. It's a  
24 minor subdivision application not on a County road.

25 CHAIRWOMAN BETTINGER: Do I have a

1 motion?

2 MS. GIARRATANA: On a motion made by  
3 Commissioner Torres, and second by Commissioner  
4 Mehta.

5 Commissioner Cryan.

6 COMMISSIONER CRYAN: Aye.

7 MS. GIARRATANA: Commissioner  
8 Hernandez.

9 COMMISSIONER HERNANDEZ: Aye.

10 MS. GIARRATANA: Commissioner Jeter.

11 COMMISSIONER JETER: Aye.

12 MS. GIARRATANA: Commissioner  
13 Malavasi.

14 COMMISSIONER MALAVASI: Aye.

15 MS. GIARRATANA: Commissioner Mehta.

16 COMMISSIONER MEHTA: Aye.

17 MS. GIARRATANA: Commissioner Ng.

18 COMMISSIONER NG: Aye.

19 MS. GIARRATANA: Commissioner Torres.

20 FREEHOLDER TORRES: Yes.

21 MS. GIARRATANA: Chairwoman  
22 Bettinger.

23 CHAIRWOMAN BETTINGER: Aye.

24 MS. GIARRATANA: The motion has  
25 passed. Chairwoman, there is old business or new

1 business, and our next meeting date is Tuesday,  
2 November 20th.

3 CHAIRWOMAN BETTINGER: Do I have a  
4 motion to adjourn?

5 FREEHOLDER TORRES: Motion.

6 COMMISSIONER CRYAN: Motion.

7 CHAIRWOMAN BETTINGER: All in favor.

8 (Whereupon the proceeding is then  
9 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 Caucus Meeting of the Hudson County Planning Board, held on Tuesday, October 16, 2018; and that this is a correct transcript of the same.



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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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