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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, August 16, 2022  
5:30 p.m.

V I A Z O O M:

- SAMANTHA LUGO, Chairwoman
- RUSHABH MEHTA, Vice Chairman
- YRAIDA APONTE-LIPSKI, Commissioner
- FLOYD JETER, Commissioner
- FRANCIS KENNY, Commissioner
- KENNEDY NG, Commissioner
- JOSEPH GLEMBOCKI, PE, Commissioner

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

- AMANDA M. CURLEY, ESQ., Board Counsel
- FRANCESCA GIARRATANA, PP, AICP, Secretary
- MARCELLA TRAINA, Assistant Planner
- MARIO TRIDENTE, Inspector
- PAUL CRAY, PE, PP, CME
- GREGORY GITTO, PE

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1 CHAIRWOMAN LUGO: Good evening,  
2 everybody. I would like to call the August 16, 2022  
3 Hudson County Planning Board meeting to order. Has  
4 the meeting been properly advertised?  
5 MS. CURLEY: Yes. The meeting was  
6 properly noticed pursuant to the Open Public  
7 Meetings Act and ran in the Jersey Journal on  
8 August 11th, 2022.  
9 CHAIRWOMAN LUGO: Thank you. May I  
10 have a roll call, please?  
11 MS. GIARRATANA: Yes. Commissioner  
12 Aponte-Lipski.  
13 COMMISSIONER APONTE-LIPSKI: Here.  
14 MS. GIARRATANA: Commissioner Choffo,  
15 absent. Commissioner Glembocki.  
16 COMMISSIONER GLEMBOCKI: Here.  
17 MS. GIARRATANA: Commissioner Jeter,  
18 absent. Commissioner Kenny.  
19 COMMISSIONER KENNY: Present.  
20 MS. GIARRATANA: Commissioner  
21 Malavasi, absent. Commissioner Mehta.  
22 COMMISSIONER MEHTA: Here.  
23 MS. GIARRATANA: Commissioner Ng,  
24 absent. Commission Walker, absent. And Chairwoman  
25 Lugo.

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1 CHAIRWOMAN LUGO: Here.  
2 MS. GIARRATANA: Chairwoman, we have  
3 a quorum.  
4 CHAIRWOMAN LUGO: May we place stand  
5 for the flag salute.  
6 (Flag Salute.)  
7 CHAIRWOMAN LUGO: Commissioners, has  
8 everyone had the opportunity to read the minutes  
9 from our last meeting, and if so, can I get a motion  
10 to approve them?  
11 MS. GIARRATANA: On a motion made by  
12 Commissioner Kenny and seconded Commissioner  
13 Aponte-Lipski.  
14 Commissioner Aponte-Lipski.  
15 COMMISSIONER APONTE-LIPSKI: Aye.  
16 MS. GIARRATANA: Commissioner  
17 Glembocki, on the adoption of the minutes.  
18 COMMISSIONER GLEMBOCKI: Yes.  
19 MS. GIARRATANA: Thank you.  
20 Commissioner Kenny.  
21 COMMISSIONER KENNY: Aye.  
22 MS. GIARRATANA: Commissioner Mehta.  
23 COMMISSIONER MEHTA: Aye.  
24 MS. GIARRATANA: And Commissioner  
25 Lugo.

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1 CHAIRWOMAN LUGO: Aye.  
2 MS. GIARRATANA: Thank you. The  
3 motion has passed, and the minutes have been  
4 adopted. The next item on the agenda is Matters  
5 Scheduled for Public Hearing. The first is Site  
6 Plans, Subdivisions and Other Matters Scheduled for  
7 Public Hearing. We'll be going out of order on the  
8 applications.  
9 The first application to be heard is  
10 2022-048-SP. This is the Town of Harrison. It's  
11 Cape May Street Park, Block 143, Lot 7.05, in  
12 Harrison. It's a site plan application to develop a  
13 vacant property along the Passaic River into a park  
14 consisting of walking paths, seating areas, a  
15 playground, an interactive fountain, lawn areas,  
16 pedestrian promenade, natural vegetated areas,  
17 landscaped areas, amphitheater and a parking lot  
18 across from the Red Bull Stadium.  
19 Okay. I believe we have Rocco Russomanno  
20 from the town present, and do you have a consultant,  
21 do you know?  
22 MR. RUSSOMANNO: Yes, Robert Gregoria  
23 is here from Suburban.  
24 MR. GREGORIA: Yes, I am here as  
25 well.

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1 MS. GIARRATANA: Okay. Great. You  
2 have screen sharing capabilities. Can you go  
3 through the plans and walk the Board through it?  
4 MR. GREGORIA: For me it says its  
5 disabled. Oh, there it is, okay.  
6 CHAIRWOMAN LUGO: Did you swear him  
7 in?  
8 (The witness is sworn.)  
9 MS. CURLEY: Can you give some  
10 credentials to the Board?  
11 MS. GREGORIA: Sure. My name is  
12 Robert Gregoria. I am a licensed professional  
13 engineer in New Jersey and New York. I'm working  
14 for Suburban Consulting Engineers. I've been a  
15 licensed engineer since 1987, and I have over 37  
16 years of experience.  
17 CHAIRWOMAN LUGO: Okay. Unless I  
18 have any objections by the other Commissioners,  
19 we'll accept Mr. Gregoria. You can continue, sir.  
20 MR. GREGORIA: Thank you. Okay. Can  
21 everybody see the plan I have here?  
22 CHAIRWOMAN LUGO: Yes.  
23 MR. GREGORIA: This is a rendering of  
24 the site. I'll enlarge it little bit and I'll just  
25 walk through it. Here is the intersection of Frank

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1 E. Rodgers Boulevard South, and Cape May Street  
 2 right here. The project involves as you said  
 3 earlier the renovation of a passive recreational  
 4 park in the property here that currently is vacant.  
 5 There is some wooded area or weeded area along the  
 6 border, and then most of it is just a stone vacant  
 7 lot.  
 8 The proposed park includes an entrance  
 9 here, entrance plaza right at the corner of Frank E.  
 10 Rodgers Boulevard and Cape May Street, and it would  
 11 entail an asphalt walkway that would continue from  
 12 that park and go around and in the main part of the  
 13 park. This area right here, this is a PSE&G station  
 14 right here which would remain. That's not part of  
 15 the project. Along this front area, this corner  
 16 lot, the intent if there's a -- if the funds are  
 17 available they would like -- the town would like to  
 18 build a dog park for small dogs and large dogs. If  
 19 the funding is not available they may also just  
 20 plant this with meadow grass on both sides and have  
 21 a walkway come through here.  
 22 Then you would continue down the walkway  
 23 and turn to a main plaza area, which will have an  
 24 interactive plaza in the center, pavers across here  
 25 and seating areas and areas with benches and tables

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1 and everything, concrete sidewalk as well on either  
 2 side, all extending into the sidewalk along Cape May  
 3 Street. Everything within here is handicapped  
 4 accessible and then it would continue along, the  
 5 walkway would continue along Cape May Street with  
 6 some lawn areas and a lot of landscaping. Then when  
 7 you get over here, there is another large area  
 8 walkway area that's tree-lined, and at the end of it  
 9 near the water would be a paver area which would  
 10 have seating, custom seating such that you can look  
 11 out over the Passaic River, then the walkways would  
 12 continue along the park and into this final area  
 13 here as you get closer to Red Bull Stadium. They'll  
 14 be some additional walkways here, lawn areas and  
 15 seating areas.  
 16 This area down here would be a fitness  
 17 station, and this would be a playground area here  
 18 with the walkway extending into it with some seating  
 19 also around it, and at the very end here will be a  
 20 parking lot, this parking lot will be of course  
 21 pavement parking lot so it will collect the water  
 22 here and then the water would be discharged into the  
 23 basins which should surround the playground so that  
 24 we can treat the water properly in accordance with  
 25 DEP regulations, and there is an existing inlet in

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1 this area here where water would eventually go into  
 2 it and into the existing stormwater system. The  
 3 site itself we've gotten permits from DEP, the  
 4 Waterfront Development individual permit, Army Corp.  
 5 of Engineers, nationwide permit, and our Hudson,  
 6 Essex Passaic Soil Conservation Certification as  
 7 well.  
 8 I think that's pretty much it. The site  
 9 generally currently grades towards the river and  
 10 drains into the river. We are not changing the  
 11 grades much on the site as far as the way stormwater  
 12 currently goes. Everything will remain the same.  
 13 Like I said here, we will collect and treat the  
 14 water from the parking lot and stormwater areas  
 15 before it gets -- before it enters into the existing  
 16 stormwater system. The site also contained  
 17 pedestrian lighting along the walkway throughout the  
 18 park, and also matching fixtures along Cape May  
 19 Street. Does anybody have any questions or?  
 20 CHAIRWOMAN LUGO: It looks beautiful.  
 21 MR. GREGORIA: Thank you.  
 22 MS. GIARRATANA: Chairwoman, if I may  
 23 just so the Board knows, the County Open Space Trust  
 24 Fund has contributed a little over \$2 million to  
 25 this project. It was awarded for acquisition about

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1 a million, and a little over a million for park  
 2 development. So the County's been involved with  
 3 this project for a really long time, so like 2017.  
 4 We are also getting money from the State. It's  
 5 really exciting, you know, a park along the Passaic  
 6 which really don't have much waterfront access along  
 7 the Passaic, and it would mirror what's going on as  
 8 well across the river as well.  
 9 COMMISSIONER MEHTA: Chairwoman.  
 10 CHAIRWOMAN LUGO: Yes.  
 11 COMMISSIONER MEHTA: Yes, I have a  
 12 couple of questions. You just -- Mr. Gregoria just  
 13 mentioned that they are not changing any of the land  
 14 grade, the topography of park?  
 15 MR. GREGORIA: Yes, the general  
 16 topography of the land will remain the same. We are  
 17 adding a little bit, for instance, this great lawn  
 18 area. We'll create a little bit of a high point  
 19 here in the middle and grade it, but the general,  
 20 the general grading on the site will remain  
 21 relatively the same.  
 22 COMMISSIONER MEHTA: My only concern  
 23 is during a flood, it is a flood zone area, and that  
 24 area during a flood zone?  
 25 MR. GREGORIA: It is in the flood

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1 hazard area. The site is going to be -- while the  
 2 direction of the stormwater runoff is still going to  
 3 be the same which is toward the river, the site is  
 4 going to be a little bit higher than what it  
 5 currently is, and that's because most of the site  
 6 has been capped previously, and we are trying to  
 7 build up the cap as opposed to build -- to remove  
 8 the cap and build it.

9 COMMISSIONER MEHTA: And you did not  
 10 mention anything about the restroom area.  
 11 Hopefully, you will have restroom near the parking  
 12 lot at the entrance or some type of facility?

13 MR. GREGORIA: At this time the town  
 14 has designated an area right here by the parking lot  
 15 for portable restrooms, but there's no permanent  
 16 building at this point.

17 COMMISSIONER MEHTA: Okay. I see the  
 18 great improvement, and I guess you're coming to the  
 19 Planning Board. It's something that's a shared area  
 20 in a rundown area. I'm not complaining about that.  
 21 You definitely improved a lot. But I would try to  
 22 find a way of putting, if you can have a permanent  
 23 restroom area, it would be appreciated.

24 MR. GREGORIA: Okay. I guess I can  
 25 get back to the town.

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1 MS. GIARRATANA: Chairwoman, we have  
 2 just one comment from the County Engineer.

3 COMMISSIONER GLEMBOCKI: Yeah. From  
 4 the Engineer's office, the status of the completion  
 5 letter that we have, the Town of Harrison shall  
 6 coordinate with the Hudson County Engineer to ensure  
 7 proper pedestrian safety measures at the  
 8 intersection of Frank E. Rodgers Boulevard and Cape  
 9 May Street as the project progresses. You know our  
 10 only comments that it's ADA compliant at the park on  
 11 the waterfront.

12 MR. GREGORIA: Yes.

13 COMMISSIONER GLEMBOCKI: Okay.  
 14 Great.

15 CHAIRWOMAN LUGO: Okay. Any other  
 16 Commissioners? Any other comments or questions or  
 17 comments from the public? Sir, do you have anyone  
 18 else speaking on behalf of this project?

19 MR. GREGORIA: I know that Rocco  
 20 Russomanno is on. I don't know if he wants to say  
 21 something.

22 MR. RUSSOMANNO: I really don't have  
 23 much else to add. The only thing with regard to  
 24 restroom facilities is, just so everybody is aware,  
 25 the public sewers, they stop somewhere around the

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1 intersection of South 5th Street, and they only  
 2 extend like from halfway like down the block on  
 3 Crucible, goes towards Cape May Street. So there is  
 4 a little bit of a technical feasibility with regard  
 5 to providing normal public restrooms, and one other  
 6 technical issue that we have also which it's not  
 7 insurmountable, but there is a gas pipeline which  
 8 runs from east to west which is in -- in line with  
 9 the north curb line of Cape May, and I'm not sure  
 10 what the exact depth of that pipe is, so as far as  
 11 running new sewers for a public restroom, it may be  
 12 difficult and costly to attain at this point. That  
 13 would be the only thing I have to add.

14 CHAIRWOMAN LUGO: Okay.

15 MR. RUSSOMANNO: I think Bob covered  
 16 everything with regard to the entire park layout.  
 17 We're in the bidding process looking to award as  
 18 soon as possible to get shovels in the ground and  
 19 the work started.

20 CHAIRWOMAN LUGO: Okay. Anyone else?  
 21 Do I have a motion?

22 MS. GIARRATANA: On a motion made by  
 23 Commissioner Kenny and seconded by Commissioner  
 24 Aponte-Lipski.  
 25 Commissioner Aponte-Lipski.

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1 COMMISSIONER APONTE-LIPSKI: Aye.  
 2 MS. GIARRATANA: Commissioner  
 3 Glembocki.

4 COMMISSIONER GLEMBOCKI: Yes.  
 5 MS. GIARRATANA: Commissioner Kenny.  
 6 COMMISSIONER KENNY: Aye.  
 7 MS. GIARRATANA: Commissioner Mehta.  
 8 COMMISSIONER MEHTA: Aye.  
 9 MS. GIARRATANA: Chairwoman Lugo.  
 10 CHAIRWOMAN LUGO: Aye.  
 11 MS. GIARRATANA: The motion has  
 12 passed. Thank you so much.

13 CHAIRWOMAN LUGO: Good luck.  
 14 MR. RUSSOMANNO: Thank you. Have a  
 15 good night.

16 COMMISSIONER APONTE-LIPSKI:  
 17 Beautiful project.

18 MS. GIARRATANA: The next item on the  
 19 agenda is 2022-008-SP; Applicant is 803 Kennedy LLC;  
 20 803 Kennedy Boulevard, Block 16, Lot 32, in North  
 21 Bergen. It's a site plan application to construct a  
 22 multi-family residential building with two levels of  
 23 parking and three residential floors containing 23  
 24 units.  
 25 MS. PERIERA: Good evening, everyone.

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1 COMMISSIONER MEHTA: Wait a minute,  
 2 Madam Chairwoman. I have already heard the  
 3 application at the Board of Adjustment so I'm going  
 4 to recuse myself, so I'm not sure that when I sign  
 5 out, it's fine. There is only going to be four  
 6 people. Does it work that we have a quorum?  
 7 MS. GIARRATANA: We do not. We are  
 8 expecting another Commissioner, so I think that we  
 9 should move onto the next application and try to get  
 10 another Commissioner on at this point in time.  
 11 Thank you for pointing that out, Commissioner Mehta.  
 12 COMMISSIONER MEHTA: You're welcome.  
 13 MS. GIARRATANA: So we'll move onto  
 14 2022-017-SPSD; Block A Partners Urban Renewal I,  
 15 LLC; at 1000 Frank E. Rodgers Boulevard; Block  
 16 138.01, Lot 1; in Harrison. It's a site plan and  
 17 subdivision application to redevelop two blocks with  
 18 construction of multistory multifamily residential  
 19 buildings on both blocks with the establishment of a  
 20 retail corridor.  
 21 MR. MACLEOD: Good evening, everyone.  
 22 My name is Cameron MacLeod I'm an attorney with the  
 23 beginnings on law firm. I'm here on behalf of the  
 24 applicant. That is Block A Partners Urban Renewal  
 25 I, LLC, which is also designated the redeveloper of

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1 these properties on the north side of the River Bend  
 2 District. We're excited tonight, you know, the park  
 3 on the south side there adjacent to the water moving  
 4 forward and this applicant -- this application  
 5 rather kind of bookends the development on the River  
 6 Bend District there, so the timing there is somewhat  
 7 gratuitous.  
 8 Just by way of background this application  
 9 is for site plan and subdivision approval, seeking  
 10 approval of, it's a four lot subdivision effectively  
 11 from two and as mentioned, it ends with a  
 12 development of approximately 1,998 units, as well as  
 13 a 61000-square-foot retail corridor and the creation  
 14 of a new retail right-of-way that will extend  
 15 between Frank E. Rodgers on the left and Pete  
 16 Higgins on the east. We have just by way of  
 17 background, received approval from the Town of  
 18 Harrison Planning Board and now proceeding with all  
 19 others.  
 20 MS. GIARRATANA: Chairwoman, I'm  
 21 sorry. I want the record to reflect that  
 22 Commissioner Jeter arrived, and we will have a  
 23 quorum for the next application once yours is done.  
 24 MR. MACLEOD: We'll keep this tight  
 25 so they can get back. So we have two review

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1 letters, both dated August 11th, one from  
 2 Ms. Traina, one from Mr. Cray, and I've got two  
 3 witnesses with me this evening to kind of give the  
 4 Board a bit of background about the application, and  
 5 overview of it and to address the few areas where  
 6 additional testimony was requested. Those are Paul  
 7 Mulch who is in the lovely salmon shirt, and we have  
 8 Matt Seckler who is hiding somewhere. There he is.  
 9 So Amanda I don't know if you want to  
 10 swear --  
 11 MS. CURLEY: Let's swear them both in  
 12 at the same time. Hi Paul. Hi Matt.  
 13 (The witnesses are sworn.)  
 14 MR. MACLEOD: And Paul, if you would  
 15 give the Board the benefit of a site plan overview,  
 16 a couple minute walk through just what the  
 17 application is. I know most of the comments are  
 18 traffic-related, but we'll let you get that out of  
 19 the way.  
 20 MR. MULCH: Yes. Certainly, I'll  
 21 give a brief overview and hand it over to Matt, and  
 22 he'll give you all of the traffic side of the  
 23 testimony requested. So just north of the project  
 24 that you saw this evening, the first application,  
 25 the park, which again is an exciting bookend to this

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1 development, we are taking Block A and B, which are  
 2 the lots that are between Guyon Drive and River Bend  
 3 Drive. We're subdividing these into four smaller  
 4 equal sized lot somewhat similar to the development  
 5 in the street layout you see so the south, and we'll  
 6 also be establishing that new retail corridor, a new  
 7 roadway that bisects that lot, that kind intersects  
 8 with South 5th Street. So this is generally where  
 9 the project is. Then I'll swoop over to the  
 10 rendering.  
 11 And this is generally where the project is  
 12 going to be, the green blocks, the large squares you  
 13 saw on the previous layout, are replaced by the  
 14 these four smaller lots that look similar to the  
 15 ones to the south. There will be a retail corridor  
 16 which is signified by the pink area in the middle,  
 17 very pedestrian friendly area here raised  
 18 pedestrians area at the intersection of South 5th  
 19 and a new road at the center of the site and the  
 20 amenities will certainly bring the development from  
 21 the south, street trees, streetscape and all of the  
 22 amenities that you see along Frank E. Rodgers were  
 23 added to this project. We are adding that right-in/  
 24 right-out access, to Frank E. Rodgers. We'll get  
 25 more into the traffic in a second, but generally

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1 providing to bring a pedestrian corridor from the  
 2 PATH Station to Red Bull Stadium and the park that  
 3 facilitates there, and a lot of public amenities as  
 4 well as part of this project. So I'm excited to  
 5 bring it to the area, and if there's any questions  
 6 I'm glad to answer them.

7 MR. MACLEOD: So, Paul, I know in  
 8 Paul Cray's letter, there was two areas that I was  
 9 hoping you can touch on. One relates to just an  
 10 overall quick update to permits and approvals, which  
 11 I know you briefly touched on, and then the other is  
 12 kind of the construction phasing time line, you  
 13 know, what we're anticipating and when those County  
 14 improvements along Frank E. Rodgers will be done,  
 15 that maybe actually a good segue to hand that off to  
 16 Matt as well.

17 MR. MULCH: Yes. We are all moving  
 18 all outside agency approvals forward, the water, the  
 19 sewer, SCD, most importantly the NJDEP applications.  
 20 We are in a flood zone. We are working through that  
 21 process with the DEP now. We're into that process.  
 22 It's in progress and it will be wrapped up over the  
 23 next few months. As far as phasing and what we're  
 24 planning to do, really the County improvements are  
 25 going to occur on Frank E. Rodgers, is going to come

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1 in later phases as part of this application, right  
 2 now we are moving forward with the southeast corner  
 3 of this bisected area. That will be the first  
 4 building that goes up, and we'd likely move at a  
 5 counterclockwise layout. I don't have the exact  
 6 phasing laid out yet but at the outset the initial  
 7 building and retail corridor connecting to Peter  
 8 Higgins will go first and then we'll eventually move  
 9 to the Frank E. Rodgers side over time.

10 MR. MACLEOD: Okay. Matt, I think  
 11 will be able to talk through and give an update and  
 12 what the proposed improvements look like and the  
 13 traffic impact?

14 MR. SECKLER: Absolutely. Again,  
 15 Matt Seckler from Stonefield Engineering. I had  
 16 prepared an extensive traffic impact study as part  
 17 of this project. The traffic impact study included  
 18 studying all of the intersections from Cape May  
 19 Street to the south, all the way to Bergen Street  
 20 which is just north of the 280 bridge. The report  
 21 was requested by Paul Cray. Mr. Cray's letter, in  
 22 his review letter, included counts that dated back  
 23 to 2013, and also we supplemented the counts in  
 24 2019, so we have an understanding of how traffic  
 25 volumes have changed in area over the last ten years

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1 or so.

2 It's actually interesting to note that  
 3 2019 counts were slightly less than the 2013 counts,  
 4 which while this area has seen a lot of development,  
 5 it seems like development is clearly being utilizing  
 6 the mass transportation options in the area, the  
 7 PATH station is not adding significant roadway  
 8 volume or at least we're not seeing a significant  
 9 increase in roadway volumes going back into the 2013  
 10 data. That said, we account for not only background  
 11 growth percentages provided to us and utilized by  
 12 New Jersey Department of Transportation, and the  
 13 NJTPA, the North Jersey Transportation Planning  
 14 Authority to project future volumes of roadways like  
 15 this that go all the way out to 2029, you can check  
 16 those if you would like.

17 We also accounted for final development  
 18 that have been opposed and approved since 2013, so  
 19 even though our counts date back almost nine years  
 20 now, we're supplementing 2019, we went back to kind  
 21 of capture those approvals near the site for  
 22 developments that are either a portion of the  
 23 construction or are under construction and will be  
 24 occupied sometime between now and 2029. In doing so  
 25 we ran the capacity analysis for all of those

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1 intersections along Frank E. Rodgers Boulevard. The  
 2 intersection closest to our site, we did identify as  
 3 a location that can utilize -- that would benefit  
 4 from some traffic signal optimization, basically  
 5 changing the signal timing slightly at the  
 6 intersection of Guyon Drive and Frank E. Rodgers  
 7 Boulevard mainly because Guyon Drive doesn't see a  
 8 whole lot of traffic making a left turn on that  
 9 intersection in the morning during the peak hour  
 10 which we expect our residents to use on our way  
 11 home, and obviously, in the morning leaving the site  
 12 from Guyon to Frank E. Rodgers, there's not a lot of  
 13 traffic that utilizing that today.

14 Upon the full build out that we saw  
 15 earlier, there will be some traffic volume entering  
 16 the roadway network at that point. The traffic  
 17 signal timing changes would not change the green  
 18 time on Frank E. Rodgers Boulevard in the  
 19 north-south direction at all. We will modify the  
 20 side street, the Guyon Drive green time, and the  
 21 left turn green time on Frank E. Rodgers, but not  
 22 the through traffic. So the through traffic on  
 23 Frank E. Rodgers will operate just like they do  
 24 today. They achieve acceptable levels of service.  
 25 One of the interesting thing about this development

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1 and Paul, you can put up the site plan again, is  
 2 that all the access to the parking garage are on  
 3 River Bend Drive or Guyon Drive. There is no access  
 4 to parking garages along Frank E. Rodgers. The only  
 5 new let's say access point would be the  
 6 right-in/right-out retail roadway that is located  
 7 again, cutting through the site in the center in an  
 8 east-west fashion. Again, that roadway we  
 9 anticipate is to be generally a retail or pedestrian  
 10 style roadway.

11 As you notice there is no access to the  
 12 parking garages through that retail street. So any  
 13 of the residents of the site wouldn't be cutting  
 14 through that roadway, and the traffic calmness is a  
 15 nice experience for pedestrian and the residents  
 16 walking through that area frequenting the retail  
 17 stores or walking from the PATH to the Red Bull  
 18 Stadium. So just to reiterate that Frank E. Rodgers  
 19 Boulevard one new I would say curb cut is just a  
 20 right-in/right-out driveway, for limited volume of  
 21 the retail roadway there, does not provide any  
 22 access to any of the structured parking. That only  
 23 has access via River Bend Drive and Guyon Drive.

24 So the overall traffic impact study that  
 25 was submitted shows that the traffic impacts on

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1 Frank E. Rodgers proximate to the site can be  
 2 mitigated. There has been discussions that was  
 3 alluded to in Mr. Cray's letter about the  
 4 intersection at Bergen and Frank E. Rodgers which  
 5 was is located just north of the 280 bridge. That  
 6 intersection is under the jurisdiction of the town,  
 7 and the applicant, the County and town obviously  
 8 have been working on and having discussions dating  
 9 back to last week on potential improvements at that  
 10 intersection that is per Mr. Cray, something that's  
 11 going to be settled with the town and not the County  
 12 because it is a town intersection or town signal.  
 13 Other than that, the site does meet the required  
 14 parking with the town required and the access points  
 15 again have been designed accessible.

16 MR. MACLEOD: That's our  
 17 presentation, Madam Chairwoman.

18 CHAIRWOMAN LUGO: Sir, I assume you  
 19 don't know the retail as of yet, right?

20 MR. MACLEOD: No, we don't.

21 CHAIRWOMAN LUGO: Okay.

22 Commissioners, anyone have any questions?

23 COMMISSIONER MEHTA: Yes. Just for  
 24 the record, can you give the breakdown 1,998  
 25 apartments, how many are one-bedroom or two-bedroom

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1 or something like that. And what about the parking?  
 2 Is the parking designated for the residents in a  
 3 painted area?

4 MR. SECKLER: I'll start with the  
 5 second question as the traffic engineer. That's  
 6 probably more in my boat. Yes, the park under the  
 7 structure in the buildings themselves will be for  
 8 the residents. We are creating on street parking  
 9 along the retail corridors along with the 5th Street  
 10 corridor so there is a large number of additional  
 11 on-street parking spaces that will be utilized by  
 12 the retail, and again, this level of retail, they  
 13 expect to be utilized by people already coming to  
 14 the area for the Red Bull Stadium, living in the  
 15 community either above or adjacent to this site.

16 So the retail, so the retail drawing here  
 17 will be mainly serviced by the on-street parking.  
 18 Mr. Mulch will share the screen again showing the  
 19 on-street parking that will exist along all of our  
 20 site frontages which the exception of Frank E.  
 21 Rodgers. So that will be the main use for the  
 22 retail parking. There is a potential that some  
 23 employees will be parking in the garage but the  
 24 garage will be secured for the residential tenants  
 25 themselves.

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1 Paul, I don't know if you have off the top  
 2 of your head the unit mix broken down.

3 COMMISSIONER MEHTA: How much  
 4 availability of parking do you have? And has the  
 5 Township approved the parking? And do you meet the  
 6 requirement of the Township for parking?

7 MR. MULCH: We have, yes. So this  
 8 has I believe it's just over 1,800 parking spaces  
 9 which is consistent with the obligation of the  
 10 redevelopment plan. This fulfills those  
 11 obligations, and it's been approved as I mentioned  
 12 by the planning board.

13 MR. SECKLER: And just to emphasize  
 14 the on-street parking in front of the retail would  
 15 utilize, there is 187-parking spaces along the site  
 16 frontages. Again, obviously not exclusive, you  
 17 know, retail customers don't have those spaces  
 18 reserved for them, but there are 187 spaces to  
 19 support the retail.

20 MR. MULCH: And I have the unit mix  
 21 if you want me to run that down.

22 MR. MACLEOD: Yeah, if you could,  
 23 Paul?

24 MR. MULCH: Yes. The total unit  
 25 count is nearly 2,000 units here, 1,998, I believe

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1 and, just to give some rough percentages, it will be  
 2 about 15-percent studio, 35-percent one-bedroom,  
 3 45-percent two-bedroom, and five-percent  
 4 three-bedroom units spread throughout the  
 5 development.  
 6 COMMISSIONER MEHTA: Okay. Another  
 7 question is for the parking, as for the new State  
 8 requirement, they have nearly ten percent of the  
 9 parking should be electric vehicle charging station  
 10 accessible. Do you have that?  
 11 MR. MULCH: We do. That was actually  
 12 part of how the parking we were looking at evolved  
 13 as well. We've got, I think it's 15 percent as  
 14 make-ready spaces, yes.  
 15 COMMISSIONER MEHTA: Currently  
 16 requirement ten percent, and they have production up  
 17 to fifteen percent. Okay. Thank you.  
 18 CHAIRWOMAN LUGO: Any other  
 19 Commissioners?  
 20 COMMISSIONER GLEMBOCKI: Yeah, the  
 21 Engineer's office has a comment, an additional  
 22 comment with it the roadway that splits through the  
 23 center of the site, and intersects with Frank E.  
 24 Rodgers. The County Engineer's office would like  
 25 the applicant to look at putting an island in there

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1 to try to discourage the left-hand turns. I know  
 2 that the trucks with the wider turning radius is  
 3 something -- as a condition of approval, have them  
 4 look at it to see if that's something, to see what  
 5 they can do to try to discourage it.  
 6 MR. SECKLER: That's seems acceptable  
 7 to us.  
 8 MR. MULCH: We can take a look.  
 9 MR. CRAY: Madam Chair, this is Paul  
 10 Cray.  
 11 CHAIRWOMAN LUGO: Yes.  
 12 MR. CRAY: Thank you. Speaking about  
 13 that, we had discussed it before. It's been a  
 14 while. We've had a few meetings with the applicant  
 15 team so when Tom gets back, I'll set something up  
 16 with Jeff. We'll speak with Paul Mulch and Matt and  
 17 work that out. If it is needed, that would be  
 18 something that would be tough to restrict to any  
 19 trucks, but it isn't just right in, people come  
 20 right-in/right-out the way it's designed. It's not  
 21 going to get a majority of this traffic for this  
 22 site. But just to circle back and make sure, it  
 23 seems it's not a problem for the applicant as they  
 24 mentioned, and it wouldn't compromise any vehicle  
 25 traffic or emergency traffic.

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1 Aside from that I reference my August 11th  
 2 letter, which was my second review letter. We had a  
 3 few meetings with the applicant team, worked through  
 4 a lot of things. The last meeting we had actually  
 5 with the Town of Harrison as well about the Bergen  
 6 Street intersection which is -- it's on a County  
 7 road. It's our road, but it's a town owned and  
 8 maintained traffic signal. So it was agreed that  
 9 whatever may or may not happen there, there's some  
 10 changes on one of the lanes, that would be between  
 11 the town and the applicant, and then the town of  
 12 course would keep the County informed.  
 13 So that being resolved, if you look at the  
 14 rest of my letter, everything else has been  
 15 addressed. So with the exception of the one  
 16 suggestion as a condition of approval since the  
 17 County Engineer mentioned it, I don't have any other  
 18 review concerns or questions, so unless the Board  
 19 have any questions of me?  
 20 CHAIRWOMAN LUGO: Thank you. Anyone  
 21 else from the public or the Commissioners for this  
 22 witness? Mr. MacLeod, do you have someone else that  
 23 would like to speak on this project?  
 24 MR. MACLEOD: No. Again, you've  
 25 heard everybody.

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1 CHAIRWOMAN LUGO: All right. If  
 2 there is no other Commissioners or anybody from the  
 3 public with any questions or comments, I'm going to  
 4 ask for a motion.  
 5 MS. GIARRATANA: On a motion made by  
 6 Commissioner Aponte-Lipski, and seconded by  
 7 Commissioner Mehta.  
 8 Commissioner Aponte-Lipski.  
 9 COMMISSIONER APONTE-LIPSKI: Aye.  
 10 MS. GIARRATANA: Commissioner  
 11 Glembocki.  
 12 COMMISSIONER GLEMBOCKI: Yes.  
 13 MS. GIARRATANA: Commissioner Jeter.  
 14 COMMISSIONER JETER: Yes.  
 15 MS. GIARRATANA: Commissioner Kenny.  
 16 COMMISSIONER KENNY: Aye.  
 17 MS. GIARRATANA: Commissioner Lugo.  
 18 CHAIRWOMAN LUGO: Aye.  
 19 MS. GIARRATANA: The motion has  
 20 passed.  
 21 CHAIRWOMAN LUGO: Thank you so much.  
 22 MR. MACLEOD: Thank you all very  
 23 much.  
 24 COMMISSIONER MEHTA: You didn't ask  
 25 me. I say aye.



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1 MS. GIARRATANA: Oh, my apologies.  
 2 Commissioner Mehta.  
 3 COMMISSIONER MEHTA: Its okay. I say  
 4 aye.  
 5 MS. GIARRATANA: Commissioner Ng, I  
 6 know that you entered midway through the  
 7 presentation, so we'll get you on the next call.  
 8 COMMISSIONER NG: Okay. No problem.  
 9 MS. GIARRATANA: The next item on the  
 10 agenda, we'll go back to 803 Kennedy LLC  
 11 Commissioner Mehta? Will you sign off for now?  
 12 COMMISSIONER MEHTA: Yes. I will  
 13 sign off. Okay.  
 14 MS. GIARRATANA: All right. Thank  
 15 you. All right. So the next we'll bring up  
 16 2022-008-SP; 803 Kennedy LLC; at 803 Kennedy  
 17 Boulevard, Block 16, Lot 32, in North Bergen.  
 18 MS. PEREIRAS: Good evening, Members  
 19 of the Board. May it please the Board, Bianca  
 20 Pereiras on behalf of the applicant. This is for  
 21 approval to construct multifamily building  
 22 consisting of five stories, 24 residential units  
 23 over parking. This application was before the North  
 24 Bergen Board of Adjustment in September of 2021, and  
 25 it was approved. A resolution memorializing that

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1 decision was finalized in February of 2022. We have  
 2 three experts to testify before the Board this  
 3 evening, and I'd like to begin the presentation with  
 4 the architect, Mr. Manuel Pereiras.  
 5 MS. CURLEY: I'll go ahead and swear  
 6 in your three witnesses all at once. So who are the  
 7 other two?  
 8 MS. PEREIRAS: Edwin Reimon and Craig  
 9 Peregoy.  
 10 (The witnesses are sworn.)  
 11 MS. PEREIRAS: And Mr. Pereiras has  
 12 testified before this Board in the past as an expert  
 13 in the field of architecture. Mr. Pereiras, are you  
 14 familiar with the property at 803 Kennedy boulevard?  
 15 MR. PEREIRAS: I am.  
 16 MS. PEREIRAS: And did you prepare  
 17 the drawings before the Board this evening?  
 18 MR. PEREIRAS: I have.  
 19 MS. PEREIRAS: And would you kindly  
 20 give the Board a brief overview of the proposal?  
 21 MR. PEREIRAS: I'll be very happy to.  
 22 I'll just share my screen if that's okay. You can  
 23 see this is Kennedy Boulevard in this direction and  
 24 we have Paterson Plank Road along this direction.  
 25 We have 8th along here. And our building is

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1 situated right in between that block in this  
 2 fashion. Kennedy Boulevard goes here. Paterson  
 3 Plank Road goes this way, and 8th Street over here.  
 4 We're proposing the building from Kennedy Boulevard  
 5 and Paterson Plank Road, it's look like a four-story  
 6 building. From the other end of 8th Street, it  
 7 looks like a five-story building. We're proposing  
 8 three residential stories over two parking stories.  
 9 This site a hundred feet along the back,  
 10 59 along the east 111 along the west and then here  
 11 along the front there is a little bit shy of  
 12 40 feet. What we're looking to do we're providing a  
 13 pedestrian entrance on Paterson Plank Road from here  
 14 and what we did is we moved all vehicular entry  
 15 points away from the Paterson Plank Road and Kennedy  
 16 Boulevard and kept them both on 8th Street, one for  
 17 each level of parking, one located here, and one  
 18 located here and individually for the two parking  
 19 areas.  
 20 At the lower level, there is a topography  
 21 to 8th Street, so we're inhibited by the topography  
 22 at the location point. You have enter the building  
 23 through a small ramp that leads you to the first set  
 24 of vehicles. And the higher level of 8th closer to  
 25 Kennedy Boulevard, you have another ramp that brings

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1 you to the other set of vehicles for a total of 33  
 2 parking spaces.  
 3 Above we have our typical apartment  
 4 layout. It's the same for all of the floors. We  
 5 have one two-bedroom unit per floor so there is a  
 6 total of three two-bedroom units, and the rest are  
 7 one bedroom units, all different sizes. The core  
 8 locate here are roughly the same size, they're about  
 9 745 square feet each, and they're one bedrooms. The  
 10 rear units of G is 1,000, a little bit over a  
 11 thousand square feet, and then 1-H is 760 square  
 12 feet. They implement an open floor plan layout.  
 13 And finally we have a roof plan. We have  
 14 the center portion of the building significantly  
 15 setback from all of the mechanicals of the building.  
 16 It's rooftop is for the tenants of the building.  
 17 And then this area along here, this is a stormwater  
 18 management green roof that we're proposing, and then  
 19 the remaining area of the roof are for mechanical  
 20 equipment, and this roof is accessed from both an  
 21 elevator with its own vestibule and two stairs for  
 22 emergency egress.  
 23 The aesthetic of the building, this is the  
 24 aesthetic along 8th, and then the look of it along  
 25 Kennedy Boulevard and Paterson Plank Road is this

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1 right here, which is a mixture of brick, metal,  
 2 windows and 25 panels to create the look that we  
 3 were looking to do at this building, and we really  
 4 wanted to bring some human scale to it, and it  
 5 didn't look like a mass, especially the fact that we  
 6 were using the road for the design.  
 7 That concludes my testimony and I'm open  
 8 for questions and ready to hand it off to the  
 9 other -- the other presenters.  
 10 MS. GIARRATANA: Chairwoman.  
 11 CHAIRWOMAN LUGO: Yes.  
 12 MS. GIARRATANA: We have two  
 13 comments.  
 14 COMMISSIONER GLEMOCKI: The County  
 15 Engineer's office just want to let the applicant  
 16 know next year we're going to be paving 5th Street,  
 17 18th and JFK. We're finishing up the plans now.  
 18 We're just making you aware for the you utilities  
 19 because there a five-year moratorium on the paving.  
 20 MR. PEREIRAS: We'll be prepared.  
 21 COMMISSIONER GLEMOCKI: Yes. You've  
 22 been made aware for the road opening permit.  
 23 CHAIRWOMAN LUGO: All right. Thank  
 24 you.  
 25 MR. TRIDENTE: Also Madam Chair, if

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1 the applicant hasn't proposed any shade trees along  
 2 the County right-of-way. Maybe they need to make a  
 3 contribution in lieu of one shade tree on Kennedy  
 4 Boulevard.  
 5 MR. PEREIRAS: We have several shade  
 6 trees. I'll show them.  
 7 MR. TRIDENTE: Have you proposed the  
 8 requirement for Kennedy Boulevard also?  
 9 MS. GIARRATANA: In our letter you'll  
 10 see what you need for the Board.  
 11 MR. PEREIRAS: Okay. We're providing  
 12 trees at this point, this point, this point, this  
 13 point and this point.  
 14 MS. GIARRATANA: Could you provide  
 15 those updated plans showing those trees?  
 16 MR. PEREIRAS: Absolutely. I believe  
 17 they're on the plans that the Board has.  
 18 MS. GIARRATANA: The most recent  
 19 plans that we have show three trees in total along  
 20 Paterson Plank Road only. Okay. Great. Thank you.  
 21 MR. REIMON: Manuel, can you bring my  
 22 drawings up?  
 23 MR. PEREIRAS: I wasn't prepared to  
 24 bring your drawings up.  
 25 MR. REIMON: I sent them to you.

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1 MR. PEREIRAS: Board Members, I'm  
 2 sorry. I'll take care of it in one second.  
 3 MR. PEREGOY: Do you want me to just  
 4 touch on the traffic real quick, Bianca?  
 5 MS. PEREIRAS: Sure. If the Board  
 6 has no issue, then Mr. Peregoy, please if you can  
 7 address traffic concerns?  
 8 MR. PEREGOY: Yes. So obviously  
 9 we're looking at own a 24 unit building so we're not  
 10 a big traffic generator. We're looking on the order  
 11 of ten trips on the peak hour, morning and evening  
 12 peak hours. You know, typically you wouldn't do a  
 13 full traffic impact study for something this size.  
 14 We did start a little bit larger so we did actually  
 15 do a full traffic study looking at that multifaceted  
 16 intersection. We did find that we do not impact the  
 17 level of services at the intersection. In fact, the  
 18 larger project didn't so the certainly the  
 19 scaled-down version doesn't either.  
 20 I think the real key to this is, right now  
 21 this used to be a used car lot with a driveway, the  
 22 stop bar on Paterson Plank Road and the County road  
 23 which is not an ideal condition. Obviously, we'll  
 24 be getting rid of that. The access is to the very  
 25 much lower volume 8th Street, which is a one-way

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1 street and not a County road. I think that's the  
 2 big improvement in terms of the accesses. And again  
 3 no traffic generated impacting that big  
 4 intersection. That's the summary.  
 5 MS. PEREIRAS: Mr. Reimon, now that  
 6 you're drawings are up, you can move onto the site  
 7 plan? Thank you.  
 8 MR. REIMON: Can we go to the first  
 9 drawing? This is similar to the drawing which was  
 10 is Sheet 3. This was similar to the drawing that  
 11 was described by the architect. If we go to the  
 12 second drawing, so in this drawing you can see that  
 13 we have the property of Block 16, Lots 30, 31 and  
 14 32. Parcel is about 9,431 square feet. It has  
 15 .216 acres. The site is fully impervious. It's  
 16 covered with asphalt, and a one-story building.  
 17 There are two county roads fronting the  
 18 property, one is Paterson Plank Road; the second is  
 19 Kennedy Boulevard, and then we have 8th Street which  
 20 is a local road. The entire intersection is  
 21 signalized. 8th Street is going west. Paterson  
 22 Plank Road is going east-west and JFK Boulevard is  
 23 also a two-way street. There are ADA accessibility  
 24 ramps at the intersection of 8th Street and also at  
 25 the intersection of Paterson Plank Road and Kennedy

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1 Boulevard.

2 If you go to the existing conditions for

3 the utilities. We have underground facilities on

4 8th Street and Paterson Plank Road servicing sewer

5 water and gas, and then overhead is service for

6 electric and communications of 8th Street.

7 Everything else on Paterson Plank Road as far as

8 electric is also underground. The site is fairly

9 flat. Because there is a retaining wall that's

10 south of the property which is facing 8th Street,

11 that retaining wall extends the entire length of the

12 property.

13 As the architect has mentioned, because of

14 this slope he was able to provide a two-level

15 parking garage on the property on 8th Street, one

16 closer to Kennedy Boulevard is one driveway, one is

17 at the end of the property on 8th. The difference

18 in elevation is about five feet between the two, so

19 that was an advantage to parking and to provide a

20 two-level parking in that area. Moving to the

21 proposed conditions, the site plan, you can see that

22 we're going start talking about the trees. We have

23 two trees on 8th Street, and we have three trees on

24 Kennedy Boulevard.

25 MR. TRIDENTE: It would be the

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1 requirement to put four trees.

2 MR. REIMON: All right. So we are

3 deficient with one tree on Paterson Plank Road and

4 Kennedy Boulevard, and we agree to provide funding

5 on the fund for the County for the deficiency of one

6 tree. We don't believe that we should provide that

7 tree number four because of the obstructions to

8 traffic signal at the intersection. So I think it's

9 safer to just, you know, put the money down and not

10 create a property that's unsafe. And that is what

11 we're doing as far as the trees.

12 We are also providing some landscaping

13 along Kennedy Boulevard site and around Paterson

14 Plank Road. This landscaping did not go into a

15 stormwater management retention because this is a

16 small area, and you can see from the stormwater

17 management report we have about 1,400 square feet in

18 green roof. So we are going to talk about that in a

19 little bit too. So the sidewalk is going to be

20 replaced for the entire frontage, 8th and Paterson

21 Plank Road and Kennedy Boulevard.

22 It's going to meet ADA requirements,

23 two-percent cross slope maximum. We are replacing

24 also handicapped ramps. We have provided in

25 response to comments from T & M Associates, the

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1 engineers, we have provided spot elevations for

2 those handicapped ramps. We have provided

3 additional information for spot elevations for the

4 sidewalk also. We also included a note. As the

5 County Engineer just mentioned for the paving on

6 Paterson Plank Road, we added a note to our site

7 plan with regards to milling and paving from the

8 curb to the center of the road because there is a

9 moratorium for Paterson Plank Road, and I'm sure

10 it's going to happen because the County is going to

11 inspect that area, so we were prepared to do that if

12 this project goes up, and the servicing takes place.

13 So those are the improvements for the county

14 right-of-way.

15 We also have utilities coming from mainly

16 from the Kennedy Boulevard site, but Kennedy and

17 Paterson Plank Road so we have water, two lines

18 coming in brought by Suez, and we also have gas

19 coming in and it's going to be cutting into the

20 street. The sewer is going also to Paterson Plank

21 Road on the right-of-way, but it's going to be under

22 the sidewalk so there is no impact on the roadway.

23 Then communication and electric service is coming

24 from a pole at the western end of the property on

25 8th Street. We're going to have a riser coming from

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1 the wall that is on outside of the street and coming

2 underground into the building along that roadway

3 that we have on this site. Those are the services

4 that we're providing for the building.

5 Now we're going to move onto talk about

6 the one of the most important items which is

7 stormwater management. The stormwater management as

8 I mentioned before includes the green roof for 1,200

9 square feet. We -- you know, always we use the

10 National Resource Conservation Services Methodology

11 to calculate the big flows for stormwater management

12 based on the calculations that we need for this

13 project and taking into account the 1,400 square

14 feet of green roof, we are reducing the big flows

15 for the three storms that are qualified; the

16 three-year storm is reduced by 79 percent, the

17 ten-year storm is reduced by 80 percent and the one

18 hundred year storm is reduced by 81 percent.

19 I would like to say because this is not

20 knew development, all we need to do is meet or not

21 to exceed the existing conditions big flows, so I

22 think that because of the calculation of the green

23 roof in addition to the stormwater management plan

24 provided we are able to reduce the big flows from

25 this project. So the reductions are 15 percent,

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1 17 percent for the ten and 15 percent for the one  
 2 hundred year storm.  
 3 And then last but not at least important,  
 4 we have addressed all of the comments from T & M,  
 5 including the signing that was requested along  
 6 Paterson Plank Road and Kennedy Boulevard. As you  
 7 can see on the site plan, we show all of the signs  
 8 that are on the public right-of-way along these two  
 9 roads. Also we call out what is going to be there  
 10 for replacement. There was is one sign that was on  
 11 the wrong post. We corrected that and we're going  
 12 to provide two posts for a combination of signs  
 13 because the already the sign is meeting the maximum  
 14 required allowed for one post, and that is it. I  
 15 think I covered everything that we have as far as  
 16 the improvements on in the public right-of-way, the  
 17 stormwater management.  
 18 MR. TRIDENTE: Madam Chair --  
 19 MR. REIMON: Oh, lighting. There is  
 20 lighting. We're also doing lighting on the project.  
 21 The lighting is to the standard. We're not  
 22 polluting on the adjacent property. We're using a  
 23 sconce and we're using an LED lighting with the  
 24 aperture that has amber light.  
 25 MR. TRIDENTE: Madam Chair, if I may.

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1 I just have a question for Reimon.  
 2 MR. REIMON: Yes, sir.  
 3 MR. TRIDENTE: The total linear  
 4 footage is 117 feet combined between Paterson Plank  
 5 Road and Kennedy Boulevard; isn't that correct?  
 6 MR. REIMON: These are the existing  
 7 conditions. If you go back to the first drawings,  
 8 you're going to see the dimensions in there, yeah.  
 9 MR. TRIDENTE: So you're only  
 10 required three trees, not four?  
 11 MR. REIMON: Uh-huh, I just had a  
 12 number, 77.  
 13 MR. TRIDENTE: If you could squeeze  
 14 trees in there --  
 15 MR. REIMON: I only have three. I  
 16 only have three.  
 17 MR. TRIDENTE: No more.  
 18 MR. REIMON: Thank you very much. I  
 19 appreciate that.  
 20 MR. TRIDENTE: You're welcome.  
 21 CHAIRWOMAN LUGO: Thank you. Is that  
 22 the best conversation you ever heard? Anyone else  
 23 have any questions?  
 24 MR. REIMON: Any other questions?  
 25 CHAIRWOMAN LUGO: Either from the

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1 Commissioners or the public? Okay. I believe you  
 2 have one more?  
 3 MS. PEREIRAS: You heard from our  
 4 three experts.  
 5 CHAIRWOMAN LUGO: Oh, okay. All  
 6 right. Commissioners, any other questions for this  
 7 project?  
 8 MR. TRIDENTE: Madam Chair, one more.  
 9 Just to confirm, there are ADA compliant tree grates  
 10 around the tree grates on Kennedy Boulevard?  
 11 MR. REIMON: Yes, Mario. They are on  
 12 the construction details. I have the tree grate  
 13 detail.  
 14 MR. TRIDENTE: Just to confirm. A  
 15 couple of applications have been forgetting to put  
 16 the ADA compliant tree grates in.  
 17 MR. REIMON: Yeah, thank you.  
 18 CHAIRWOMAN LUGO: Mr. Cray, nothing?  
 19 MR. GITTO: Madam Chair, this was  
 20 actually my review application.  
 21 CHAIRWOMAN LUGO: Okay. Great.  
 22 MR. GITTO: I just wanted to let you  
 23 know, the applicant came to several review meetings,  
 24 and over the course of the application, they  
 25 addressed all of the comments in our review letter.

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1 We have no further issues with anything.  
 2 CHAIRWOMAN LUGO: Thank you so much.  
 3 Any other Commissioners or the public? If not then  
 4 I need a motion.  
 5 COMMISSIONER NG: I make a motion to  
 6 approve the application.  
 7 COMMISSIONER JETER: I second it.  
 8 MS. GIARRATANA: On a motion made by  
 9 Commissioner Ng, and seconded by Commissioner Jeter.  
 10 Commissioner Aponte-Lipski.  
 11 COMMISSIONER APONTE-LIPSKI: Aye.  
 12 MS. GIARRATANA: Commissioner  
 13 Glembocki.  
 14 COMMISSIONER GLEMBOCKI: Yes.  
 15 MS. GIARRATANA: Commissioner Jeter.  
 16 COMMISSIONER JETER: Aye.  
 17 MS. GIARRATANA: Commissioner Kenny.  
 18 COMMISSIONER KENNY: Aye.  
 19 MS. GIARRATANA: Commissioner Mehta  
 20 -- my apologies. Abstain. Commissioner Ng.  
 21 Commissioner Ng.  
 22 COMMISSIONER NG: Yes. I'm sorry.  
 23 That's okay. And Chairwoman Lugo.  
 24 CHAIRWOMAN LUGO: Aye.  
 25 MS. PEREIRAS: Thank you very much.

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1 Have a good night.

2 MS. GIARRATANA: Commissioner Mehta,

3 would you like to rejoin the meeting?

4 COMMISSIONER MEHTA: Yes, I'm here.

5 MS. GIARRATANA: The next item on the

6 agenda is 2022-029-SP; the applicant is 936 Passaic

7 Avenue, Kearny LLC; at 936-940 Passaic Avenue in

8 Kearny; Block 112, Lot 3. A site plan application to

9 raze the existing structure and construct a

10 three-unit shopping plaza consisting of a one-story

11 building with a basement level.

12 MR. BENNETT: Thank you. Appearing

13 on behalf of the applicant Gary Bennett.

14 B-E-N-N-E-T-T. The property is the building located

15 at 936-940 Passaic Avenue in the Town of Kearny. It

16 is a site that we're proposing to construction upon

17 it a 725-square feet, three-unit shopping area, and

18 it currently has an antiquated building that was

19 formerly used as a Stewarts Root Beer. It hasn't

20 been occupied for many years, and the site is 20,063

21 square feet which accommodates the proposed use.

22 We have, in fact, received the approval of

23 Kearny Planning Board, and the approval was granted

24 in February. I do have several witnesses this

25 evening, but I'm going to ask the Board to have

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1 William Stimmel sworn in. Mr. Stimmel is our

2 traffic engineer, and he has a conflict with a seven

3 o'clock meeting. If I could have him sworn in I

4 would like to, if there is no questions. I know

5 Mr. Stimmel and my office and the engineer dealt

6 with Mr. Cray, and I think satisfied most of the

7 comments, including contributions with the Passaic

8 Avenue Trust Fund, as well as some mechanical

9 movements throughout the site. And also some

10 calculations he utilized in conjunction with those

11 numbers. If the Board would indulge me and have

12 Mr. Stimmel sworn in, I would appreciate it.

13 (The witness is sworn.)

14 MR. BENNETT: Mr. Stimmel, you are a

15 professional engineer with an expertise in the area

16 of traffic engineering, are you not?

17 MR. STIMMEL: Yes, I am.

18 MR. BENNETT: And you've testified

19 before numerous boards in the state of New Jersey?

20 MR. STIMMEL: Yes, I have.

21 MR. BENNETT: Including this Board?

22 MR. STIMMEL: Including this Board,

23 yes, sir.

24 MR. BENNETT: And you've been

25 qualified as an expert. If you would, Bill, I know

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1 that you've been in close contact with the planner

2 in an effort to come to an agreeable number with

3 regard to the contribution as a result of this

4 property being along Passaic Avenue, and doing so

5 you prepared an updated traffic impact study. Would

6 you just give us a brief overview of that study?

7 MR. STIMMEL: Sure. We have

8 submitted a traffic study to the municipal board in

9 Kearny in July of 2021, based on technical comments

10 from Mr. Cray and other County staff. We submitted

11 a revised traffic study on August 11th of this year,

12 2022. I'll just briefly touch on the existing and

13 proposed site conditions.

14 The site is currently occupied by and

15 1,100-square-foot building, which has previously

16 housed the Stewart Root Beer, which was a

17 fast-food-type restaurant with no drive-through.

18 The way the site was layed out, it had two full

19 movement driveways, one 32 feet wide; one 36 feet

20 wide. The applicant's proposal is to demolish

21 everything on the subject property replace it with a

22 4,725-square-foot building which is going to have

23 three commercial tenants in it. The two full

24 movement driveways will be removed an access is

25 proposed via one right-in driveway and one right-out

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1 driveway, both of which are 18 feet in length.

2 The reason the change in access

3 configuration was made was both in anticipation of

4 concerns from the Town of Kearny Land Use Board, as

5 well as from the County Planning Board. Also

6 because of the fact that traffic from the adjoining

7 intersection at Passaic Avenue and Belleville

8 Turnpike, backs up past the site, making it

9 difficult to make left turns in and out of the

10 property.

11 Traffic counts were performed at the

12 intersection of Passaic avenue and Belleville

13 Turnpike in May of 2021. We reviewed those counts

14 using Stewart data and verified and clarified by

15 NJDOT and increased accordingly to account for

16 COVID-related reductions in traffic volumes and

17 projected site generated traffic volumes based on

18 data published by the Institute of Transportation

19 Engineers and came up with an anticipated peak hour

20 volume of 31 trips during both the weekday evening

21 and Saturday midday peak period. We applied those

22 traffic volumes to the future volumes at the study

23 intersection and found no change in levels of

24 service comparing the future volumes with and

25 without the proposed development and in fact the

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1 overall delay at the intersection only showed an  
 2 increase of two seconds of delay for the average  
 3 vehicle with the additional site traffic.  
 4 Movements at the driveway  
 5 right-in/right-out in nature, graded level of  
 6 service B. The adequate parking is provided on-site  
 7 to satisfy the municipal ordinance requirement. As  
 8 Mr. Bennett has noted, we had gone to the committee  
 9 with the comments with Mr. Cray's office mostly  
 10 technical in nature providing a revised trip  
 11 generation analysis growth rate, heavy vehicle  
 12 percentages, things of nature. We submitted the  
 13 revised traffic study to address that, and I believe  
 14 that all of the comments of Mr. Cray have been  
 15 satisfied as far as traffic is concerned.  
 16 MR. BENNETT: Yes. You have had a  
 17 chance to review that, would you concur with  
 18 Mr. Stimmel?  
 19 MR. CRAY: Yes, Madam Chair, can I  
 20 comment? I'll discuss my letter later, but with  
 21 regards to Mr. Stimmel, yes, all of the  
 22 traffic-related comments have been satisfactorily  
 23 addressed.  
 24 MR. BENNETT: And the calculations  
 25 with regard to the contribution to the trust fund

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1 were agreed upon?  
 2 MR. CRAY: Yes. My August letter, my  
 3 second letter regarding that, the contribution my  
 4 letter is now consistent with the County Planning  
 5 letter as well as with the established amount, and  
 6 in fact, it's all been agreed to and we're all on  
 7 the same page. That's consistent with Mr. Stimmel's  
 8 computation.  
 9 MR. BENNETT: Are there any question  
 10 specifically to Mr. Stimmel? Again, I apologies  
 11 based upon the fact that you haven't heard the  
 12 entire site overview by our engineer, but I did want  
 13 to get Mr. Stimmel's testimony in and provide him a  
 14 brief opportunity to answer any questions before he  
 15 has to scoot off? If there are none, thank you,  
 16 Bill. I appreciate you hanging in and drive safely.  
 17 MR. STIMMEL: Thank you everyone.  
 18 Take care.  
 19 MR. BENNETT: My next witness will be  
 20 Babatunde Adewunmi, and he is the engineer from Babs  
 21 Engineering who prepared the plan, the site plan  
 22 before you and has consistently been involved in  
 23 this project in the municipal level and here before  
 24 the County level, also making modifications based  
 25 upon meetings we've had with the engineering staff

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1 as well as direct contact with Mr. Cray. So Babs if  
 2 you could be sworn in, please.  
 3 (The witness is sworn.)  
 4 MR. BENNETT: Mr. Adewunmi, you are,  
 5 in fact, a professional licensed engineer in the  
 6 state of New Jersey?  
 7 MR. ADEWUNMI: Correct, yes.  
 8 MR. BENNETT: And what other licenses  
 9 do you hold?  
 10 MR. ADEWUNMI: I have a license --  
 11 the only license, I'm an architect in the New  
 12 Jersey, an engineer in the state of New Jersey and  
 13 also in the state of New York.  
 14 MR. BENNETT: And you've been  
 15 qualified, have you not, before boards in the state  
 16 of New Jersey as an expert in the area of  
 17 engineering?  
 18 MR. ADEWUNMI: That's correct.  
 19 MR. BENNETT: And I don't know if  
 20 you've personally testified before this Board  
 21 before?  
 22 MR. ADEWUNMI: Not this County  
 23 Planning Board, but the towns within the County.  
 24 MR. BENNETT: I offer him in that  
 25 capacity as a professional engineer.

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1 CHAIRWOMAN LUGO: Unless there is an  
 2 objection by another Commissioner, he's accepted.  
 3 MR. BENNETT: And you have the  
 4 capability, do you not, of sharing your screen?  
 5 MR. ADEWUNMI: I would like to share  
 6 my screen. Can everybody see the screen now?  
 7 CHAIRWOMAN LUGO: Yes.  
 8 MR. BENNETT: If you would just kind  
 9 of walk the Board through the location of the  
 10 property in relation to Passaic Avenue on the  
 11 Belleville Turnpike, and also the site itself.  
 12 MR. ADEWUNMI: The property is  
 13 located on the southeast side of Passaic Avenue.  
 14 This is the property in question and Passaic Avenue  
 15 is on the left side. As you can see on the key map,  
 16 this is the information on the property. That's the  
 17 Passaic Avenue in relation to the property. Pretty  
 18 much as you go through this, we have been gone  
 19 through the Town of Kearny regarding this project,  
 20 and there was some suggestions for this project, and  
 21 the key issue was making parking spaces for the  
 22 proposal, the proposed minimum.  
 23 As you can see we're proposing -- 27 and  
 24 we're proposal 29, and that would be the required  
 25 parking space for the proposed project, and that's

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1 one of the things on the project with the town of  
 2 Kearny.  
 3 MR. BENNETT: The compliance with the  
 4 parking was as a result of reduction in the size of  
 5 building, so there was some confusion with the size  
 6 of the building, and the building in fact is 4,725  
 7 square feet, is it not?  
 8 MR. ADEWUNMI: Yes, that's correct.  
 9 MR. BENNETT: And by shrinking the  
 10 building a little bit, it provided some additional  
 11 parking on-site and eliminated any request for  
 12 parking waiver?  
 13 MR. ADEWUNMI: That's correct. That  
 14 was based on conversation with the Town of Kearny.  
 15 And then we actually eliminate the parking  
 16 requirement. And then you can see on the sheet C1,  
 17 I pretty much have the key map and the radius map,  
 18 the 500-foot radius map, the -- easterly view of the  
 19 property, right here, right here, and then and  
 20 pretty much, there's some drawings. The next  
 21 drawings pretty much shows the existing property as  
 22 it is today. The plan is to knock down to the  
 23 building and build three new stalls in the minimum.  
 24 MR. BENNETT: Just by way of  
 25 dimensions, the property is slightly over 150 feet

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1 along Passaic, and then because of its irregular  
 2 shape, 140 on the northerly side, 127 and on the  
 3 southerly side and 150 approximately across the  
 4 rear?  
 5 MR. ADEWUNMI: That's correct. And  
 6 the next page which is sheet C3, pretty much shows  
 7 the existing -- existing grading plan and then the  
 8 proposed grading plan, and then as you can see in  
 9 these, we pretty much addressed all of the comments  
 10 from the town planning, planning board, the comments  
 11 from County Planning Board and the comments of the  
 12 County Engineers because there were some comments  
 13 which I will address later, and the additional  
 14 comments on the construction that we do for the  
 15 construction.  
 16 The traffic engineer described the egress  
 17 into the premises, and you can see, we have all of  
 18 the parking areas and then the proposed three units  
 19 is right here. So there are three tenants, proposed  
 20 tenants. Additional parking is also provided on the  
 21 right side depending which street from the building  
 22 on the site side. You can from the traffic arrows  
 23 see that the traffic all coming, right turn in and  
 24 right turn out. We have all of the requirements in  
 25 regard to sign, the Stop sign, Right Turn Only sign,

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1 Do Not Enter sign and the No Left Turn sign to make  
 2 sure that --  
 3 MR. BENNETT: Just before you leave  
 4 that, I think there was a comment during the meeting  
 5 we had with the engineering staff. I think the only  
 6 sign they wanted was No Left Turn. So I think there  
 7 was a request in Mr. Cray's most recent letter to  
 8 eliminate that reference to a right turn only. They  
 9 just want it to say "no left turn," and that is that  
 10 sign is available. That's the one.  
 11 MR. ADEWUNMI: We can take that out.  
 12 And then the next page which is really the same  
 13 thing is Sheet 3 with is exception of trying make  
 14 these scales so that somebody can see what's being  
 15 proposed. One is at a scale of one to 20 and the  
 16 other is at a scale of one to ten.  
 17 And then the next plans shows the proposed  
 18 lighting; on the left side, on the right side, the  
 19 proposed landscape. That's all of the requirements  
 20 for the landscape. That's all in the letter from  
 21 the engineer, the County Engineers and the town  
 22 engineers. The street trees that is required along  
 23 the property.  
 24 MR. BENNETT: Given the 150 feet  
 25 across Passaic Avenue, it was sufficient to satisfy

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1 the requirements?  
 2 MR. ADEWUNMI: Yes. We are required  
 3 to put five trees total. And there is also a  
 4 requirement to provide an EV lane. Electric  
 5 vehicles, and then also we have that.  
 6 The next drawing pretty much shows the  
 7 construction entrance and then all of the details  
 8 that go with it, including construction entrance  
 9 detail, the site plan detail for the construction  
 10 and also proposed an existing inlets.  
 11 Next drawing pretty much shows in terms of  
 12 the site. What was done in this case is we have  
 13 blown up the site, all of pictures of the property  
 14 to the left of the subject property right here, and  
 15 200 feet to the right, and that's what this picture  
 16 is all about.  
 17 MR. BENNETT: There is to the north  
 18 of the property the car wash, to the south of the  
 19 property is a Dunkin Donuts, correct?  
 20 MR. ADEWUNMI: That's correct. Here  
 21 is the Dunkin Donuts to the right and to the left a  
 22 car wash. The next drawing is the standard details  
 23 that encompasses the handicapped details for  
 24 crossing and the park installation, the concrete  
 25 details and these satisfy the County's requirement,

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1 and also the detail that shows the requirements of  
 2 the town and also the County's stormwater management  
 3 issues. Going back to the page 2, I would like to  
 4 go back to page 2.  
 5 The last page is which is Sheet 9 shows  
 6 the construction of the wall along the rear and the  
 7 side of the property. And then the reason for that  
 8 we have to maintain the -- this side is higher and  
 9 we have to manage the interior area. The same thing  
 10 with the right side of the property. That's the  
 11 detail for the walls and the cross section of the  
 12 wall.  
 13 MR. BENNETT: The most recent  
 14 renovations that have been submitted have been in  
 15 response to comments from the County Board and the  
 16 County Engineer and from Remington Vernick, and you  
 17 have now satisfied those requirements and they kind  
 18 of come together with what the town was looking for  
 19 as well?  
 20 MR. ADEWUNMI: Yes. It met all of  
 21 the requirements because of some of the pre-meetings  
 22 with the County, and we agreed with all of the  
 23 comments, and we sent a letter sheet by sheet all of  
 24 the comments that we addressed, and the last page  
 25 shows that we met the requirements to have this

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1 thing submitted.  
 2 MR. BENNETT: Again, this is a very  
 3 small building involved, 4,725 square feet. There  
 4 is plenty of room for parking and maneuvers because  
 5 it only houses three small units. The three small  
 6 units that are there, one of those units is going to  
 7 be occupied by principal of the applicant, which is  
 8 a dentist, and he's going to use that as a small  
 9 satellite office, and use the parking to the left  
 10 where the employees for his dental facility will be  
 11 able to pull in and park there so they won't take up  
 12 any of the parking in front of the building,  
 13 correct?  
 14 MR. ADEWUNMI: That's correct.  
 15 MR. BENNETT: And that's going to be  
 16 occupied. I'll represent to you, the Board, on a  
 17 very limited basis, three to four days maximum, with  
 18 limited hours, no weekends hours. So that reduces  
 19 traffic all around the site, correct?  
 20 MR. ADEWUNMI: That's correct.  
 21 MR. BENNETT: And the centerpiece of  
 22 it is a franchise known as Bubbakoos Burrito, which  
 23 is starting to I guess branch throughout the state  
 24 of New Jersey. They started in southern New Jersey,  
 25 and that fits nicely in the middle, and the third

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1 location is slightly over 1,200 square feet is not  
 2 occupied, right?  
 3 MR. ADEWUNMI: That's correct.  
 4 MR. BENNETT: So there's two  
 5 1,500-square-foot office areas or spaces for  
 6 commercial space and one that's slightly over 1,200.  
 7 So if the Board has questions of Mr. Adewunmi,  
 8 please by all means, feel free to ask them. I do  
 9 have a very brief testimony by the architect who  
 10 prepared the plans, and I think that will set for  
 11 you the stage of how nicely this takes a very  
 12 antiquated site of an abandoned building that  
 13 updates and upgrades, and it provides a nice  
 14 landscape. If you have questions of the engineer,  
 15 by all means, please.  
 16 MR. ADEWUNMI: Before they question,  
 17 one of the comments from the town engineer also was  
 18 that to make sure that we integrate into the design  
 19 the proposed lighting of on the County right-of-way  
 20 which we did.  
 21 MR. BENNETT: And French drains?  
 22 MR. ADEWUNMI: French drains and this  
 23 is the proposed County right-of-way we're utilizing,  
 24 and you can see the French drains behind the line,  
 25 and so everything is in place. So once the

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1 construction comes in, we're going to reconstruct  
 2 the right-of-way.  
 3 MR. BENNETT: That was in direct  
 4 reply to the recommendation by the County engineer?  
 5 MR. ADEWUNMI: That's correct.  
 6 MR. BENNETT: Any questions?  
 7 COMMISSIONER GLEMBOCKI: Yeah. For  
 8 the County Engineer's office, the only comment we  
 9 had was we would like as a condition of approval for  
 10 seepage pits, for soil analysis for permeability and  
 11 seepage pits.  
 12 MR. ADEWUNMI: Yes. We did submit --  
 13 what do you call? The soil investigation report to  
 14 your office, and that was in response to comments.  
 15 Again, the one of the questions there was high water  
 16 table which is 2.20, and one of them specifically  
 17 was two feet higher than the table. That was sent  
 18 to your office also.  
 19 COMMISSIONER GLEMBOCKI: So Paul, do  
 20 you see that analysis? Because I think there was  
 21 only I think soil borings done around the building?  
 22 MR. CRAY: Yeah, right. Madam Chair,  
 23 this is Paul Cray. The geotechnical work on the  
 24 building was provided which doesn't reference those  
 25 seepage pits. Speaking with Joe and also the County



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1 Engineer, we think it would be good to have a plan  
 2 to require the contractor to do permeability tests  
 3 in the location of the seepage pits prior to the  
 4 building installation to confirm that the soils are  
 5 consistent with the rest of the site. That way no  
 6 surprises before the tanks are installed in case the  
 7 soil is very different where the building is  
 8 proposed. I think that's probably the best way to  
 9 approach. That way the contractor knows upfront  
 10 that's something that has to be verified. I think  
 11 your position as the site civil engineer that the  
 12 soil information you referenced for the geotechnical  
 13 addressed the permeability perspective of the  
 14 seepage.  
 15 MR. ADEWUNMI: That's correct, yes.  
 16 MR. CRAY: Right. What so we're  
 17 suggesting that permeability tests be done prior to  
 18 the --  
 19 MR. ADEWUNMI: Yeah, at the location.  
 20 MR. CRAY: Yeah, just to confirm  
 21 because you know sometimes soils can change from one  
 22 location to another, but just as a point of  
 23 confirmation.  
 24 MR. ADEWUNMI: We'll do that as a  
 25 condition of approval.

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1 MR. CRAY: Thank you. On the comment  
 2 No. 3B, something else that could be verified during  
 3 construction, your response to 3B, checking the  
 4 pipes in the manholes, if you could also add that as  
 5 a plan, at the actually construction site?  
 6 MR. ADEWUNMI: That's correct, yes.  
 7 MR. CRAY: And Madam Chair, it's up  
 8 to you if you want me to summarize the rest of my  
 9 review regarding the engineering?  
 10 CHAIRWOMAN LUGO: Yes.  
 11 MR. CRAY: Okay. So my review letter  
 12 number two, dated August 11th, reflects that the  
 13 applicant team, you know, worked with us and met  
 14 with us. They've addressed all of the comments.  
 15 The only thing remaining is we have asked for is  
 16 additional set of updated architectural as a  
 17 formality. We spoke about other items. We spoke  
 18 about the traffic engineer, and we're on the same  
 19 page in relation to the calculation to the  
 20 contribution, and basically that's it. Anything  
 21 else in the letter reflected is typical formality  
 22 which are typically a condition of approval if  
 23 approval a granted. So based on that I have no  
 24 additional comments or concerns.  
 25 CHAIRWOMAN LUGO: Thank you,

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1 Mr. Cray.  
 2 MR. CRAY: You're welcome.  
 3 COMMISSIONER GLEMBOCKI: You're  
 4 discouraging left turns out of the driveway.  
 5 They've addressing it putting in a No Left-Hand Turn  
 6 sign and also eliminated the radius on both the  
 7 right-in and the right-out on the opposite side,  
 8 correct?  
 9 MR. ADEWUNMI: Yeah.  
 10 COMMISSIONER GLEMBOCKI: Okay.  
 11 Thanks.  
 12 MR. BENNETT: Thank you. I do have  
 13 one additional witness. Again, that would be  
 14 Lawrence Johnson, and I believe he's here. If you  
 15 could just drop the screen down, Bob, that would  
 16 allow him to be sworn in and provide some brief  
 17 testimony and just show some elevations.  
 18 (The witness is sworn.)  
 19 MR. BENNETT: Good evening,  
 20 Mr. Johnson. You're a licensed architect in the  
 21 state of New Jersey, correct?  
 22 MR. JOHNSON: Yes, licensed in New  
 23 Jersey and Pennsylvania.  
 24 MR. BENNETT: License is in good  
 25 standing. You have testified at boards throughout

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1 the state, correct?  
 2 MR. JOHNSON: Correct.  
 3 MR. BENNETT: I would offer him in  
 4 this capacity, Madam Chairwoman.  
 5 CHAIRWOMAN LUGO: Any Commissioners  
 6 with objections, they can let us know, but otherwise  
 7 he's accepted.  
 8 MR. BENNETT: Thank you. Larry, you  
 9 can share your screen and show the elevation and  
 10 layout how this shopping area is set up?  
 11 MR. JOHNSON: I should be able to  
 12 share it. I'm logged in on my cell phone and on my  
 13 computer, so we'll see how this works.  
 14 MR. BENNETT: You're double dipping.  
 15 MR. JOHNSON: Okay. So you should be  
 16 able to see on the screen a rendering that we  
 17 prepared of the concept of the building. As was  
 18 indicated it's three units -- excuse me. And as the  
 19 attorney indicated, we're dealing with the first  
 20 unit as the dentist office, the second unit as the  
 21 burrito shop, and the third is speculative tenant to  
 22 be named. For the purpose of the rendering just to  
 23 have a sign, a nail salon was selected. It's a  
 24 one-story building. We tried to keep the motif  
 25 modern and kind of reflective of what's going on in

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1 the Boulevard there and similar kind of malls, you  
 2 know, if you want to look at the floor plans.  
 3 MR. BENNETT: It's a relatively small  
 4 shopping area with three small units, correct?  
 5 MR. JOHNSON: Correct. You know, the  
 6 proposed dentist office would be Store No. 3. It's  
 7 1,200 square feet, almost 1,300 square feet. The  
 8 burrito shop would be Store No. 2 at approximately  
 9 1,500 square feet, and then the third store to be  
 10 leased would be another 1,500 square feet.  
 11 And we have services coming out the back  
 12 for service entrance, handicapped accessible toilet  
 13 facilities and then a stairs down to the basement  
 14 which will primarily be used for storage for each  
 15 unit. Here is the basement plan. We'll have, you  
 16 know, utilities in the basement and a sprinkler in  
 17 Unit No. 3. The sprinkler basically manages the  
 18 entire building so we're putting it in the primary  
 19 space so that the primary owner has access to it at  
 20 all times.  
 21 MR. BENNETT: And given the limited  
 22 size and the proposed use, there will be no loading  
 23 dock, but there is more than sufficient room to have  
 24 very limited deliveries that might take place for a  
 25 burrito shop?

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1 MR. JOHNSON: Correct. The burrito  
 2 shop and most fast food places nowadays, there is a  
 3 limited supply of incoming deliverables in the  
 4 morning or late at night before they're closed or  
 5 before they open, and they use that in the stores  
 6 they have on-site to operate throughout the day.  
 7 MR. BENNETT: And the proposed  
 8 building the facade has been designed to  
 9 dramatically enhance the aesthetic appearance of the  
 10 site which now houses a delapidated building?  
 11 MR. JOHNSON: Yes. I think this  
 12 makes a marked improvement not just to the site, but  
 13 also it will enhance the general area as well.  
 14 MR. BENNETT: I have no further  
 15 questions of Mr. Johnson. If the Board has  
 16 questions?  
 17 COMMISSIONER MEHTA: Madam  
 18 Chairwoman?  
 19 CHAIRWOMAN LUGO: Yes.  
 20 COMMISSIONER MEHTA: Regarding the  
 21 restaurant, the burrito place, are they going to do  
 22 any cooking there because I don't see anything like  
 23 a kitchen in the architectural plan? It will be  
 24 takeout or sitting? What type of a restaurant are  
 25 you building?

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1 MR. JOHNSON: So at the time the  
 2 plans were originally prepared, we understood the  
 3 burrito place would be there, but it's a chain  
 4 operation and so until we get final approval ready  
 5 to go, we don't have the actually layout that the  
 6 chain is going to be providing to us to fit out the  
 7 store.  
 8 MR. BENNETT: Commissioner, I can say  
 9 it's going to be very limited seating, primarily a  
 10 takeout, no drive-through, and once again,  
 11 relatively limited hours, but if you need full  
 12 clarification on that, Mr. Gupta is here. He's done  
 13 most of the negotiations directly with the  
 14 franchisee so I could have him sworn in to answer  
 15 any questions?  
 16 COMMISSIONER MEHTA: Some type of  
 17 restaurants like a burger place or something they do  
 18 the cooking in the kitchen and/or like a burrito  
 19 place is usually like a microwave or those type of  
 20 facilities just for the fryer and to keep the  
 21 warming system. If you have any more information or  
 22 detail that would be good.  
 23 MR. BENNETT: Okay. Dr. Gupta --  
 24 Mr. Johnson, if want to drop your screen and just  
 25 have Dr. Gupta briefly sworn in and he can provide a

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1 little bit more insight into that because I know  
 2 he's visited several of the locations. Doctor, if  
 3 you could just be sworn in please.  
 4 (The witness is sworn.)  
 5 MR. BENNETT: Dr. Gupta, you've  
 6 negotiated directly with the Bubbakoos Burrito  
 7 franchisee. If you could just explain to  
 8 Commissioner Mehta's question as to exactly what the  
 9 nature of their inside cooking facility layout is  
 10 for a facility of this size.  
 11 DR. GUPTA: Yes. Actually it's like  
 12 any fast food franchise, anything like that. They  
 13 do have mostly from frying because most of the food  
 14 comes processed. It's nothing much being prepared  
 15 there, a very small cooking, if any, there, and when  
 16 I was talking to franchisee or franchisor, they  
 17 mentioned that they would -- make their own  
 18 architect or architecture, and they would follow-up.  
 19 MR. BENNETT: And clearly, they would  
 20 have to be subject to whatever construction permits  
 21 are necessary or whatever inspections are necessary,  
 22 fire department approval within the Town of Kearny  
 23 to ensure that the site is both safe and up to  
 24 standards of the current fire code and construction  
 25 code, correct?

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1 DR. GUPTA: Definitely, they would.  
 2 MR. BENNETT: And they've been  
 3 waiting in the wings for sometime too in hopes that  
 4 this project gets approved, and then they will come  
 5 in retrofit it to fit their facility, correct?  
 6 DR. GUPTA: Yes, they indicated they  
 7 have waiting for approval for the engineer and  
 8 architect also has been identified, and they would  
 9 follow up with the registrations required by the  
 10 county and the town.  
 11 MR. BENNETT: Mostly it's frying  
 12 there is no open flame?  
 13 DR. GUPTA: No, no. It's very  
 14 minimal cooking. They do have mostly processed  
 15 food, but they have very minimal cooking and it's a  
 16 fast food with not much eating. It's carry out,  
 17 carry out.  
 18 MR. BENNETT: Commissioner, hopefully  
 19 that answers your question, and if it doesn't, I  
 20 would be happy to have some further testimony.  
 21 COMMISSIONER MEHTA: Is this  
 22 applicant been approved by the Kearny --  
 23 MR. BENNETT: By the Town of Kearny  
 24 yes, absolutely, yes. It was approved in February,  
 25 the resolution memorialized February 2, 2022.

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1 COMMISSIONER MEHTA: Okay. Thank  
 2 you.  
 3 MR. BENNETT: Thank you. I have no  
 4 further questions for or further witness. No  
 5 further input. That's basically outlined it. All I  
 6 can tell you is that this was a site that was in  
 7 desperate need of restoration, renovation, and we  
 8 believe that's what proposed here will ideally fit  
 9 there, and the Town of Kearny believes that as well.  
 10 MR. TRIDENTE: Madam Chair, may I  
 11 just ask Mr. Johnson a couple of questions regarding  
 12 the shade street requirements?  
 13 CHAIRWOMAN LUGO: Absolutely.  
 14 MR. TRIDENTE: Mr. Johnson, if you  
 15 could go over the location of the shade trees and  
 16 the quality, please. It seems like eight shade  
 17 trees is quite a bit, and 150 feet of frontages; if  
 18 you would just?  
 19 MR. BENNETT: I think rather than  
 20 Mr. Johnson, it may be more appropriate for  
 21 Mr. Adewunmi.  
 22 MR. TRIDENTE: Okay.  
 23 MR. BENNETT: If you could unmute  
 24 yourself and provide the location of the shade trees  
 25 for Mr. Tridente.

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1 MR. ADEWUNMI: This is one, two,  
 2 three, four, five.  
 3 MR. TRIDENTE: So the County requires  
 4 that the trees be planted along the curb line, and  
 5 we understand there was a dedication here on Passaic  
 6 Avenue. So at this time, we will allow the  
 7 locations of the trees to be planted where they are.  
 8 Just for future reference, shade tree requirements  
 9 of one shade tree for every 30 feet of frontage, be  
 10 placed in a tree pit with an ADA compliant tree  
 11 grate along the curb line. If there is a dedication  
 12 we'll make an exception to the -- we'll make a  
 13 waiver to the design of where these trees are  
 14 planted.  
 15 MR. BENNETT: Yes, there is a five  
 16 foot dedicated right-of-way. That's why they put  
 17 them further back than usual.  
 18 MR. TRIDENTE: Yes. We'll take that  
 19 into account, Mr. Bennett, and we'll let the plan  
 20 stand as presented.  
 21 MR. BENNETT: Thank you. You can  
 22 drop that screen again. I believe that that  
 23 represents the sum and substance of our  
 24 presentation. Hopefully, we've answered your  
 25 questions and laid out for you the facts in as much

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1 details as necessary.  
 2 CHAIRWOMAN LUGO: Thank you so much.  
 3 Any other questions Commissioner or anyone from the  
 4 public? If not, do I have a motion?  
 5 MS. GIARRATANA: On a motion made by  
 6 Commissioner Jeter, and seconded by Commissioner  
 7 Aponte-Lipski.  
 8 Commissioner Aponte-Lipski.  
 9 COMMISSIONER APONTE-LIPSKI: Aye.  
 10 MS. GIARRATANA: Commissioner  
 11 Glembocki.  
 12 COMMISSIONER GLEMBOCKI: Yes.  
 13 MS. GIARRATANA: Commissioner Jeter.  
 14 COMMISSIONER JETER: Yes.  
 15 MS. GIARRATANA: Commissioner Kenny.  
 16 COMMISSIONER KENNY: Aye.  
 17 MS. GIARRATANA: Commissioner Mehta.  
 18 COMMISSIONER MEHTA: Aye.  
 19 MS. GIARRATANA: Commissioner Ng.  
 20 Commissioner Ng.  
 21 COMMISSIONER NG: I say aye.  
 22 MS. GIARRATANA: Thank you. And  
 23 Chairwoman Lugo.  
 24 CHAIRWOMAN LUGO: Aye.  
 25 MR. BENNETT: Thank you very much.

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1 MS. GIARRATANA: The next item on the  
 2 agenda are applications to be exempt. There are  
 3 three of them. Application 2022-046-SP; Public  
 4 Service Electric and Gas Company; at 90 Duffield  
 5 Avenue; Block 7404, Lot 1; in Jersey City. A site  
 6 plan application not along a County road.  
 7 Application 2022-049-SD; Ocean Avenue  
 8 Developers of New Jersey LLC; at 93 Ocean Avenue;  
 9 Block 29301, Lot 20; In Jersey City. It's a  
 10 subdivision application not along a County road.  
 11 Application 2022-050-SD; Kevin and Joyce  
 12 Worthington; 313-315 Lembeck Avenue; Block 27901,  
 13 Lot 14; in Jersey City. A subdivision application  
 14 not along a County road.  
 15 Do I have a motion?  
 16 On a motion made by Commissioner Jeter and  
 17 seconded by Commissioner Mehta.  
 18 Commissioner Aponte-Lipski.  
 19 COMMISSIONER APONTE-LIPSKI: Aye.  
 20 MS. GIARRATANA: Commissioner  
 21 Glembocki.  
 22 COMMISSIONER GLEMOCKI: Yes.  
 23 MS. GIARRATANA: Commissioner Jeter.  
 24 COMMISSIONER JETER: Yes.  
 25 MS. GIARRATANA: Commissioner Kenny.

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1 COMMISSIONER KENNY: Aye.  
 2 MS. GIARRATANA: Commissioner Mehta.  
 3 COMMISSIONER MEHTA: Aye. Abstain.  
 4 MS. GIARRATANA: Commissioner Ng.  
 5 Commissioner Ng.  
 6 COMMISSIONER NG: Aye.  
 7 MS. GIARRATANA: Chairwoman Lugo.  
 8 CHAIRWOMAN LUGO: Aye.  
 9 MS. GIARRATANA: The motion has  
 10 passed. The next items on the agenda Public Hearing  
 11 for the Draft 2020-2024 Comprehensive Economic  
 12 Development Strategy, abbreviated, CEDS. I would  
 13 just like to let the Board know that the  
 14 Commissioners aren't required to stay for this  
 15 portion. There will be no other votes for this  
 16 meeting. So I just wanted to make you aware of  
 17 that. And our assistant planner is here to make  
 18 that presentation, and we'll open it up to the  
 19 public for comment.  
 20 MR. SERRANO: Okay. I can take over  
 21 Francesca?  
 22 MS. GIARRATANA: Yes.  
 23 MR. SERRANO: Sounds good. Good  
 24 evening, everyone. I'm going to present a little  
 25 presentation I have here for everyone. This is the

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1 Hudson County Comprehensive Economic Development  
 2 Strategy 2020 -- 2024. There is a board for you of  
 3 what we're going to talk about today, cover some  
 4 background, stakeholders, pre-COVID information,  
 5 post-COVID information, recovery impact, SWOT  
 6 analysis, goals and strategies and next steps.  
 7 So just a quick overview of the status for  
 8 those who aren't informed or aren't aware of it, is  
 9 the Comprehensive Economic Development Strategy is a  
 10 strategic plan for regional economic development and  
 11 regional resiliency in the County. The County has  
 12 originally done two of these. The first one was in  
 13 2010, where the CEDS focused more attracting the  
 14 FIRE Industry, so finance, insurance and real  
 15 estate, and also setting up a plan to clean up  
 16 contaminated sites throughout the County.  
 17 The second -- the update on that one was  
 18 the 2015 version of it, which focused mostly on  
 19 tourism and increased representation of women and  
 20 peak of color in skilled trades. So those are some  
 21 County regional CEDS. It's a very important piece  
 22 in the County Administration because it needs to be  
 23 updated every five years in order to be in good  
 24 standing with the United States Economic Development  
 25 Administration, and it's important to be in good

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1 standing with them because this ensures  
 2 municipalities and agencies in the County to be  
 3 eligible for future U.S. EDA grants.  
 4 So we have a couple of stake holders some  
 5 of them are listed here, the 12 municipalities, the  
 6 Hudson County Division of Housing and Community  
 7 Development, the Hudson County Office of Business  
 8 Opportunity, the North Jersey Transportation  
 9 Planning Authority, and the New Jersey Office of  
 10 Small Business Advocacy, and we have pending  
 11 meetings with universities in the County as well as  
 12 the Hudson County Jersey City Workforce Development  
 13 Board and the Hudson County Economic Development  
 14 Corporation.  
 15 So here's just some more findings that we  
 16 have collected in the pre-COVID data collection  
 17 portion of the report. We saw there to be a 14.3  
 18 percent increase in population in the decade; a  
 19 16-percent housing unit increase in the decade as  
 20 well. Unemployment before COVID was around  
 21 three percent. Commercial office vacancy rate was  
 22 about 12 percent. Retail vacancy rate was a little  
 23 bit above two percent, and the industrial vacancy  
 24 rate was at four percent.  
 25 And then we started collecting data

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1 post-COVID just to see the trends that were  
 2 happening in the economy. So unemployment  
 3 skyrocketed 16 percent in the County, and then it  
 4 leveled off at eight percent during January 2021,  
 5 which is around the time that vaccinations started  
 6 being released and given to the public. A lot of  
 7 businesses were able to keep afloat by funding from  
 8 the CARES Act, and different programs that were  
 9 carried out by the Hudson County Economic  
 10 Development Corporation to help facilitate this and  
 11 as well as the County allowing businesses to use the  
 12 County right-of-way for outdoor seating to practice  
 13 social distances.

14 The trend that we saw as well was that  
 15 Hudson County single-family homes saw a big increase  
 16 in median sales price compared to the State average,  
 17 and that's not much of a surprise. As well,  
 18 79 percent of all rail cancellations were caused by  
 19 New Jersey transit employees testing positive for  
 20 COVID. So it really impacted the public transit  
 21 sector. Fortunately, the State had a shield for  
 22 eviction and foreclosures, so this helped people  
 23 stay in their homes and shelter in place. The  
 24 County also had a rental assistance program to help  
 25 out as well, and we also have a recovery impact

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1 section.

2 So just some trends that we saw here was  
 3 that the median sales price of property continued to  
 4 go up all the way to March 2022. I believe that we  
 5 are all aware of inflation is at 8.6 percent. The  
 6 federal government just recently passed the  
 7 Inflation Reduction Act, so it's something that  
 8 going to be better than at the moment, and many  
 9 people stayed out home and tried to practice social  
 10 distancing. There was an increased demand for  
 11 e-commerce, and it is projected e-commerce will just  
 12 continue increasing which will increase demand of  
 13 industrial warehouse space in the County, and yeah,  
 14 we all know as well the Infrastructure Investment  
 15 and Jobs Act of 2021, which will tackle  
 16 infrastructure needs around the country and in the  
 17 County, and this is something that the county should  
 18 take advantage of going forward.

19 So we did a SWOT analysis for real estate  
 20 and in other sectors, so I would like to highlight  
 21 the top points here. A strength that we noted in  
 22 real estate was a majority of authorized housing to  
 23 be built included five or more units throughout 2008  
 24 to 2019. The weakness was that in 2019, 46 percent  
 25 of household paid more than 30 percent of income on

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1 housing. An opportunity as we just mentioned,  
 2 e-commerce is projected grow which will create a  
 3 greater demand for industrial space, and a threat  
 4 increasing real estate prices, industrial and retail  
 5 use may outprice a majority of the current residents  
 6 and businesses.

7 We also did a SWOT in labor workforce an  
 8 industry. Again, I'll just go over the top points.  
 9 One of the strengths that the County has a big  
 10 workforce populations making up 70 percent of the  
 11 total County population or about 500,000 people. A  
 12 weakness is that it is difficult for county  
 13 residents who lack college degree to obtain a living  
 14 wage sector job in the top industries in the county.  
 15 An opportunity is the top projected growth jobs such  
 16 as wind and solar renewable energy technicians align  
 17 with the State energy goals which we can use this to  
 18 our advantage and set up workforce development  
 19 training for this. And the threat is that pandemic  
 20 caused industries to consider adopting automation  
 21 and artificial intelligence, which may decrease  
 22 demand for human labor.

23 In the social economic as well, the  
 24 strength that we have is that the County continues  
 25 to have a diverse population with enclaves

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1 throughout Hudson County, and weakness is that the  
 2 County has a higher poverty rate than the nation and  
 3 state average. An opportunity is that the number of  
 4 residents with college degrees has increased by  
 5 six percent from 2012 to 2019, and the threat is  
 6 that the County is expected to see a population  
 7 growth between ages 55 and up, which will increase  
 8 the need for senior and health care. Just something  
 9 to consider moving forward as well.

10 And the last SWOT analysis we did was a  
 11 location and transportation analysis. The strengths  
 12 is that the Hudson Bergen Light Rail has one of the  
 13 highest New Jersey Transit customer service  
 14 satisfaction, with new stations in the works, so  
 15 that is a continuing trend. A weakness is that  
 16 there are transit deficits within the county which  
 17 makes it difficult to access certain locations. An  
 18 opportunity is that the demand for electric vehicles  
 19 will increase in the upcoming decade. A threat is  
 20 that the threat of climate change will disrupt and  
 21 damage transportation systems throughout the County.

22 And we also did goals and strategies which  
 23 are just recommendations that the Division of  
 24 Planning does not have any power to actually  
 25 implement. So the topics we covered were

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1 transportation, workforce development,  
 2 sustainability, resiliency, equity, community needs  
 3 and industry businesses. Here are the Hudson County  
 4 CEDS goals, and I will provide a link as well so  
 5 anyone who would like to read them can take their  
 6 time and go through it.  
 7       The next steps is that we're going to  
 8 continue meeting with stakeholders to get more  
 9 feedback on the report and make it more complete,  
 10 and in 2022, we are hoping that the Planning Board  
 11 adopts the 2020-2024 Hudson County CEDS Report in  
 12 September. We are also looking for an endorsement  
 13 by a board that has a majority of private sector  
 14 members, so this could be either the Workforce  
 15 Development Board or the Hudson County Economic  
 16 Development Corporation, and we'll submit the report  
 17 to U.S.A. EDA, and then we'll resolve any comments  
 18 from the U.S. EDA to our report.  
 19       And also we have the opportunity to  
 20 reconvene the committee. For those who are aware  
 21 that CEDS committee is the entity that endorsed the  
 22 CEDS report, so we're looking to reconvene that  
 23 moving forward. Any questions or comments?  
 24       CHAIRWOMAN LUGO: That was very  
 25 informative. Thank you.

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1       COMMISSIONER MEHTA: Just one quick  
 2 question. You mentioned engaging the one of the  
 3 stakeholders committee right now. I saw that there  
 4 is New Jersey City University?  
 5       MR. SERRANO: Right now we have that  
 6 pending. We'll still waiting for that. I guess at  
 7 this point, we're just waiting to see if we can get  
 8 a meeting with them, but they're still a university  
 9 in the County, so we would like their input if  
 10 possible. But like I stated, it's still pending.  
 11 It's not affirmed that they can or will give us any  
 12 input.  
 13       COMMISSIONER MEHTA: Yes, I was just  
 14 making the point. I'm not sure how much of them is  
 15 able to do because of it.  
 16       MS. GIARRATANA: Commissioner Mehta,  
 17 we're really looking for workforce development that  
 18 they do, so we're looking for feedback. So we're  
 19 confident we'll be able to get that. In terms of  
 20 their larger economic status right now, we don't  
 21 think that will impact that much.  
 22       MR. SERRANO: Any other questions or  
 23 comments?  
 24       COMMISSIONER NG: Yes. My name is  
 25 Kennedy, and I used to represent the City of Union

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1 City for many years, and I think that the last that  
 2 I did participate was back in 2016, '17, probably.  
 3 And I never heard back about it. Was anyone in  
 4 Union City in that committee?  
 5       MS. GIARRATANA: Commissioner Ng, we  
 6 actually haven't met since that time, probably the  
 7 last meeting that you were at. But as we were  
 8 saying through this plan, we have an opportunity to  
 9 reconvene the committee. That committee was part of  
 10 the plan --  
 11       COMMISSIONER NG: Okay.  
 12       MS. GIARRATANA: For feedback, but  
 13 you know, we'll be working to reconvene the  
 14 committee for feedback on the plan for adoption, and  
 15 of course, we will include the City of Union City  
 16 and look for representatives, and we'll make sure  
 17 your testimony is on there.  
 18       COMMISSIONER NG: Okay. Thank you.  
 19 I used to be a part of the committee. I was in the  
 20 group and everything stopped. That's why I was  
 21 asking.  
 22       COMMISSIONER MEHTA: Same thing with  
 23 me. I was remember attending a couple of meetings  
 24 at the Hudson County Community College, and then  
 25 there used to be like a quarterly meeting, and then

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1 I thought something happened, and that's why I was  
 2 wondering the situation with the project.  
 3       MS. GIARRATANA: Yeah. You all  
 4 haven't missed out on any meetings. That was  
 5 combination of factors. We started a committee  
 6 involved with all of the municipalities, with all of  
 7 the municipalities, and we discuss economic  
 8 development initiatives within the municipalities.  
 9 We never had a forum like that, so it was positive.  
 10       COMMISSIONER NG: Just please keep us  
 11 informed about that, please.  
 12       MS. GIARRATANA: Absolutely.  
 13       COMMISSIONER NG: Thank you.  
 14       MR. SERRANO: Thank you. Any other  
 15 questions comments? Thank you.  
 16       MS. GIARRATANA: Thanks, Mark. We  
 17 have no old business on the agenda. And for new  
 18 business, we're going to push this off to next  
 19 meeting for the intro to the LDR. And our next  
 20 meeting is September 20th at 5:30.  
 21       CHAIRWOMAN LUGO: Thank you,  
 22 everybody. Do I have a motion to adjourn?  
 23       COMMISSIONER NG: Motion.  
 24       COMMISSIONER KENNY: Motion.  
 25       CHAIRWOMAN LUGO: All in favor?

1 Thank you, guys. Have a great evening. Bye.  
2 (Whereupon the proceeding is then  
3 concluded at 7:41 p.m.)

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1 CERTIFICATION

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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 an Regular Meeting  
of the Hudson County Planning Board, held on  
Tuesday, August 16, 2022; and that this is a correct  
transcript of the same.

*Shari Cathey*  
SHARI CATHEY, CCR, RPR  
A NOTARY PUBLIC of the  
State of New Jersey  
I.D. No. 2283786  
Commission Expires 2/4/27

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