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HUDSON COUNTY
PLANNING BOARD

RE:

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

O P E N S E S S I O N

Bergen Square Center
Floor 9A
830 Bergen Avenue
Jersey City, New Jersey
Tuesday, January 17, 2023
6:30 p.m.

V I A Z O O M:

- FRANCIS KENNY, Chairman
- YRAIDA APONTE-LIPSKI, Commissioner
- FLOYD JETER, Commissioner
- FRANCIS KENNY, Commissioner
- SAMANTHA LUGO, Commissioner
- PAMELA LAYSON, Commissioner
- THOMAS MALAVASI, PE, Commissioner
- RUSHABH MEHTA, 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

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1 CHAIRWOMAN LUGO: Good evening,
2 everybody. I would like to call the Tuesday,
3 January 17th, 2023 Hudson County Planning Board to
4 order. Has the meeting been properly advertised?
5 MS. CURLEY: Yes. The meeting was
6 properly noticed in accordance with the Open Public
7 Meetings Act. The date of the meeting, time and
8 place were placed on the annual schedule. In
9 addition they were noticed by the Jersey Journal and
10 the Star Ledger as to date, time and location.
11 CHAIRWOMAN LUGO: Thank you. Can we
12 have a roll call?
13 MS. GIARRATANA: Commissioner
14 Aponte-Lipski.
15 COMMISSIONER APONTE-LIPSKI: Here.
16 MS. GIARRATANA: Commissioner Choffo.
17 COMMISSIONER CHOFFO: Present.
18 MS. GIARRATANA: Commissioner
19 Glembocki, absent. Commissioner Jeter.
20 COMMISSIONER JETER: Present.
21 MS. GIARRATANA: Commissioner Kenny.
22 COMMISSIONER KENNY: Present.
23 MS. GIARRATANA: Commissioner
24 Malavasi.
25 COMMISSIONER MALAVASI: Here.

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1 MS. GIARRATANA: Commissioner Mehta.
2 COMMISSIONER MEHTA: Here.
3 MS. GIARRATANA: Commissioner Ng.
4 Absent. Commissioner Walker. Absent. Commissioner
5 Layson.
6 COMMISSIONER LAYSON: Present.
7 MS. GIARRATANA: And Chairwoman Lugo.
8 CHAIRWOMAN LUGO: Present.
9 MS. GIARRATANA: The motion has
10 passed.
11 CHAIRWOMAN LUGO: Please stand for
12 the flag salute.
13 (Flag Salute.)
14 CHAIRWOMAN LUGO: Commissioners, has
15 everyone had the opportunity to read the minutes
16 from our last meeting, and if so, can I have a
17 motion to approve them?
18 MS. GIARRATANA: On a motion made by
19 Commissioner Jeter, and seconded by Commissioner
20 Kenny.
21 Commissioner Aponte-Lipski.
22 COMMISSIONER APONTE-LIPSKI: Aye.
23 MS. GIARRATANA: Commissioner Choffo.
24 COMMISSIONER CHOFFO: Aye.
25 MS. GIARRATANA: Commissioner Jeter.

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1 COMMISSIONER JETER: Aye.
2 MS. GIARRATANA: Commissioner Kenny.
3 COMMISSIONER KENNY: Aye.
4 MS. GIARRATANA: Commissioner
5 Malavasi.
6 COMMISSIONER MALAVASI: Yes.
7 MS. GIARRATANA: Commissioner Mehta.
8 COMMISSIONER MEHTA: I think I wasn't
9 here.
10 MS. GIARRATANA: So would you like to
11 abstain?
12 COMMISSIONER MEHTA: Yes.
13 MS. GIARRATANA: Okay. Commissioner
14 Layson.
15 COMMISSIONER LAYSON: Aye.
16 MS. GIARRATANA: And Chairwoman Lugo.
17 CHAIRWOMAN LUGO: Aye.
18 MS. GIARRATANA: The motion has
19 passed and the minutes have been adopted. The next
20 item on the agenda are matters scheduled for public
21 hearing, and the first item are the selection of
22 officers. So at this time we turn the meeting over
23 to our Board Attorney, Amanda Curley.
24 MS. CURLEY: The first order of
25 business is to ask for a nomination for the position

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1 of Board Chair.
2 COMMISSIONER CHOFFO: I would like to
3 nominate Francis Kenny as Board Chair.
4 COMMISSIONER MEHTA: Second.
5 MS. CURLEY: We'll do a vote on that.
6 Any nays? For the position of Chairperson we have a
7 nominee. Do we have those in favor? Any opposed?
8 (The Board votes unanimously in favor
9 of the nomination.)
10 MS. CURLEY: You know, we never voted
11 aye on closing nominations, so can I have an aye on
12 closing nominations?
13 (The Board votes unanimously in favor
14 of the motion.)
15 MS. CURLEY: So I believe that we
16 should now entertain a nomination for Vice
17 Chairperson. We have Chairperson.
18 COMMISSIONER LUGO: I nominate
19 Commissioner Rushabh.
20 COMMISSIONER CHOFFO: I second.
21 MS. CURLEY: Do we have any motion to
22 close nominations?
23 COMMISSIONER CHOFFO: I make a motion
24 to close nominations.
25 COMMISSIONER LUGO: Second.

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1 MS. CURLEY: So all in favor say aye?
 2 (The Board votes unanimously in favor
 3 of the motion.)
 4 MS. CURLEY: Any opposed? So our
 5 nomination is closed. So we have one nominee. All
 6 in favor of making that nomination for Vice Chair
 7 say aye? Any opposed?
 8 (The Board votes unanimously in favor
 9 of the nomination.)
 10 MS. CURLEY: The position of Vice
 11 Chair has been filled. The next nomination I will
 12 take is for Chair Pro Tempore of the Board.
 13 COMMISSIONER MALAVASI: I make a
 14 motion to nominate Jeter.
 15 CHAIRWOMAN LUGO: Second.
 16 MS. CURLEY: All in favor? Any nays?
 17 (The Board votes unanimously in favor
 18 of the nomination.)
 19 MS. CURLEY: If there are no other
 20 nominations, motion to close nominations.
 21 COMMISSIONER MALAVASI: Motion.
 22 COMMISSIONER CHOFFO: Motion.
 23 MS. CURLEY: All in favor?
 24 (The Board votes unanimously in favor
 25 of the motion.)

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1 MS. CURLEY: So we have one
 2 nomination for position of Chair Pro Tempore. All
 3 in favor?
 4 (The Board votes unanimously in favor
 5 of the nomination.)
 6 MS. CURLEY: I don't think we have
 7 any nays. Yep. So now we have to move onto
 8 nomination of committees.
 9 MS. GIARRATANA: So the next phase,
 10 the assignment of Committee Members, and we have two
 11 to be filled. We have our Site Plan and Subdivision
 12 Review Committee. We need two members for that.
 13 Tom? I'll volunteer for those two slots. Would you
 14 be interested in a signing to that committee?
 15 CHAIRWOMAN LUGO: Sure.
 16 MS. GIARRATANA: We're required to
 17 have two Members on the committee. We have to have
 18 at least one County Planning Board Commissioner
 19 Member present, but Tom is always present so we're
 20 okay.
 21 And then the other committee is for the
 22 evaluation of professional contracts for counsel and
 23 engineering people. We usually have three
 24 volunteers. Okay. Great. So Commissioner
 25 Malavasi, Commissioner Kenny and Commissioner Lugo

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1 will be on the Evaluation Committee.
 2 The next item on the agenda is the
 3 adoption of the 2023 Hudson County Planning Board
 4 Bylaws. We did not pass new bylaws this year, but
 5 you know, just practice to annually readoption.
 6 On a motion made by Commissioner Choffo,
 7 and seconded by Commissioner Jeter.
 8 Commissioner Aponte-Lipski.
 9 COMMISSIONER APONTE-LIPSKI: Aye.
 10 MS. GIARRATANA: Commissioner Choffo.
 11 COMMISSIONER CHOFFO: Aye.
 12 MS. GIARRATANA: Commissioner Jeter.
 13 COMMISSIONER JETER: Aye.
 14 MS. GIARRATANA: Commissioner Kenny.
 15 CHAIRMAN KENNY: Aye.
 16 MS. GIARRATANA: Commissioner
 17 Malavasi.
 18 COMMISSIONER MALAVASI: Aye.
 19 MS. GIARRATANA: Commissioner Mehta.
 20 COMMISSIONER MEHTA: Aye.
 21 MS. GIARRATANA: Commissioner Layson.
 22 COMMISSIONER LAYSON: Aye.
 23 MS. GIARRATANA: And Commissioner
 24 Lugo.
 25 COMMISSIONER LUGO: Aye.

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1 MS. GIARRATANA: The next item on the
 2 agenda is the adoption of an amendment to our
 3 professional contract for professional services for
 4 outside counsel. Just by way of background, our
 5 current counsel, has left her previous firm at
 6 Wilentz, Goldman & Spitzer, and she moved to the
 7 firm -- and they agreed she was the lead on this
 8 account that she could take the account with her to
 9 her new firm, which is Day Pitney LLP, so we're
 10 asking for an amendment to that contract through
 11 April which will be when we will award contracts
 12 again for counsel. Does anyone have any questions
 13 about that? Okay. If not.
 14 CHAIRMAN KENNY: Can I have a motion?
 15 MS. GIARRATANA: On a motion made by
 16 Commissioner Lugo and seconded by Commissioner
 17 Jeter.
 18 Commissioner Aponte-Lipski.
 19 COMMISSIONER APONTE-LIPSKI: Aye.
 20 MS. GIARRATANA: Commissioner Choffo.
 21 COMMISSIONER CHOFFO: Aye.
 22 MS. GIARRATANA: Commissioner Jeter.
 23 COMMISSIONER JETER: Aye.
 24 MS. GIARRATANA: Commissioner Lugo.
 25 COMMISSIONER LUGO: Aye.

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1 MS. GIARRATANA: Commissioner
2 Malavasi.
3 COMMISSIONER MALAVASI: Aye.
4 MS. GIARRATANA: Commissioner Mehta.
5 COMMISSIONER MEHTA: Aye.
6 MS. GIARRATANA: Commissioner Layson.
7 COMMISSIONER LAYSON: Aye.
8 MS. GIARRATANA: And Chairman Kenny.
9 CHAIRMAN KENNY: Aye.
10 MS. GIARRATANA: Thank you. The
11 motion has passed. The next item on the agenda are
12 the memorialization of resolutions considered at the
13 previous meeting. There was one. 2021-053-SP;
14 Echevarria Industries; at 6600 River Road; Block
15 167, Lot 1; in West New York.
16 On a motion made by Commissioner Lugo.
17 Seconded by Commissioner Aponte-Lipski.
18 Commissioner Aponte-Lipski.
19 COMMISSIONER APONTE-LIPSKI: Aye.
20 MS. GIARRATANA: Commissioner Jeter.
21 COMMISSIONER JETER: Aye.
22 MS. GIARRATANA: Commissioner Lugo.
23 COMMISSIONER LUGO: Aye.
24 MS. GIARRATANA: Commissioner
25 Malavasi.

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1 COMMISSIONER MALAVASI: Aye.
2 MS. GIARRATANA: Commissioner Mehta.
3 COMMISSIONER MEHTA: Aye.
4 MS. GIARRATANA: Commissioner Layson.
5 COMMISSIONER LAYSON: Aye.
6 MS. GIARRATANA: And Chairman Kenny.
7 CHAIRMAN KENNY: Aye.
8 MS. GIARRATANA: The motion has
9 passed. The next item on the agenda are
10 applications to be administratively approved. We
11 have not had many of these applications come up
12 recently, but this is how we procedurally work
13 through at the communication applications that are
14 along County roads. So the other ones like I said,
15 they weren't on County roads. So there's two. We
16 do need to vote on them separately.
17 So first is 2022-068-SP; Verizon Wireless;
18 1225 Kennedy Boulevard; Block 24, Lot 1; in Bayonne.
19 A telecommunications application along a County
20 road. My apologies. I should have mentioned that
21 the Planning and Engineering staff does review this
22 and if they're putting any equipment in the County
23 right-of-way, they go through the Law Department for
24 an access agreement. So again, all of that is
25 handled internally. You know, we review it for any

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1 issues.
2 CHAIRMAN KENNY: Can I have a motion?
3 MS. GIARRATANA: On a motion made by
4 Commissioner Mehta, and seconded by Commissioner
5 Lugo.
6 Commissioner Aponte-Lipski.
7 COMMISSIONER APONTE-LIPSKI: Aye.
8 MS. GIARRATANA: Commissioner Jeter.
9 COMMISSIONER JETER: Aye.
10 MS. GIARRATANA: Commissioner Lugo.
11 COMMISSIONER LUGO: Aye.
12 MS. GIARRATANA: Commissioner
13 Malavasi.
14 COMMISSIONER MALAVASI: Aye.
15 MS. GIARRATANA: Commissioner Mehta.
16 COMMISSIONER MEHTA: Aye.
17 MS. GIARRATANA: Commissioner Layson.
18 COMMISSIONER LAYSON: Aye.
19 MS. GIARRATANA: And Chairman Kenny.
20 CHAIRMAN KENNY: Aye.
21 MS. GIARRATANA: The motion has
22 passed. The other application is 2022-070-SP. It's
23 also Verizon Wireless, at 680 Kennedy Boulevard,
24 Block 117, Lot 55; in Bayonne. It's a
25 communications application along a County road.

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1 On a motion made Commissioner Choffo and
2 seconded by Commissioner Jeter.
3 Commissioner Aponte-Lipski.
4 COMMISSIONER APONTE-LIPSKI: Aye.
5 MS. GIARRATANA: Commissioner Jeter.
6 COMMISSIONER JETER: Aye.
7 MS. GIARRATANA: Commissioner Lugo.
8 COMMISSIONER LUGO: Aye.
9 MS. GIARRATANA: Commissioner
10 Malavasi.
11 COMMISSIONER MALAVASI: Aye.
12 MS. GIARRATANA: Commissioner Mehta.
13 COMMISSIONER MEHTA: Aye.
14 MS. GIARRATANA: Commissioner Layson.
15 COMMISSIONER LAYSON: Aye.
16 MS. GIARRATANA: And Chairman Kenny.
17 CHAIRMAN KENNY: Aye.
18 MS. GIARRATANA: The motion has
19 passed. The next item on the agenda is old
20 business. There is none. For new business we have
21 two items. One is the introduction to the change of
22 fee schedule. We had to make another correction to
23 the fee schedule before -- there was some discussion
24 with the Law Department for telecommunications
25 applications. We have very strict guidelines from

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1 the FCC for what we can charge, and the Law
 2 Department had started working with companies when
 3 the 5G technology came out, so we're just catching
 4 up in terms of making sure our fees schedule are up
 5 to date so we could handle a little of this on the
 6 front end. They still continue to do the access
 7 agreements, but it's going to be organized this way.
 8 So for new poles, it's going to be 1,000
 9 for the initial fee. For small wireless facilities,
 10 it's a hundred for each one; and then for the poles
 11 it's \$270 annually for use of our right-of-way. And
 12 we'll send that around. Let us know if you have any
 13 questions. We'll be looking for an adoption at the
 14 next meeting. We will come to the Commissioner
 15 Board for final approval.
 16 The other item is the introduction of the
 17 County's Land Development Regulations for the River
 18 Road Contribution Fund. The Board has seen a few of
 19 these adopted recently. We are pulling from our LDR
 20 what we have as a right of the Board to ask for
 21 off-track improvements for the impact of traffic
 22 along County roads, and we are putting together a
 23 final cost estimate in conjunction with the County
 24 Engineer's office for identifying improvements of
 25 traffic safety, signal upgrades, intersections.

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1 So we'll have that find number and the
 2 final formula similar to the other ones that we've
 3 done. And it's going to try to capture the surface
 4 area of North Bergen along River Road for
 5 applications that fall into the contribution.
 6 Again, we'll send around the more information, and
 7 if anyone has any questions and we're going to look
 8 for an adoption at the next meeting.
 9 And the next meeting is date Tuesday,
 10 February 21st at 6:30. That's it. I'll turn it
 11 over to Commissioner Choffo.
 12 COMMISSIONER CHOFFO: I just want to
 13 let everyone know that this is going to be my last
 14 meeting. I've been on the Planning Board since
 15 2003, with Rushabh. That was 20 years ago. I want
 16 to say what a wonderful job to have for the last 20
 17 years.
 18 CHAIRMAN KENNY: It's been a
 19 pleasure. I just got to meet you today.
 20 COMMISSIONER CHOFFO: It's been a
 21 pleasure. I really appreciated the time I spent
 22 with the Board. I learned a lot. It's been great
 23 working with your staff, Mario, and all of your
 24 people.
 25 MS. GIARRATANA: Yes. I'm sad you're

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1 leaving us.
 2 COMMISSIONER CHOFFO: Mr. Pettigrew
 3 is coming on. He has a wealth, a wealth of
 4 knowledge. I just wanted to let you know.
 5 COMMISSIONER LUGO: Yes. Thank you
 6 so much for everything, for your service, your time,
 7 your patience, for being my mentor, my advocate.
 8 We're going to miss you.
 9 MS. GIARRATANA: Thank you so much,
 10 Dan. I wouldn't have been able to take over
 11 Division Chief of the Planning Board without you
 12 having my back, and we've been together for so long,
 13 and we're really going to miss you, and you're
 14 really a mentor I think for the whole Board. You
 15 kept it together.
 16 COMMISSIONER CHOFFO: Thank you.
 17 CHAIRMAN KENNY: I would like to
 18 follow up by saying, Dan, you're not going to get
 19 off scot-free. Thank you for continuing for serve
 20 as my mentor. You've all served as my mentor, and
 21 I've been your mentee, I've looked to you for
 22 wonderful information and knowledge. You have so
 23 much experience in the area, and I look forward to
 24 working everyone.
 25 And Chairwoman Lugo, you've done an

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1 amazing job, and my days, I've been here throughout
 2 COVID, and this is the first meeting in person, and
 3 you have really been a great shepherd for this
 4 Board, and I really appreciate everything that
 5 you've done. It's been a pleasure to work you.
 6 (Applause.)
 7 CHAIRMAN KENNY: With that I guess we
 8 can move forward with a motion to close out the
 9 meeting.
 10 COMMISSIONER LUGO: Motion.
 11 COMMISSIONER CHOFFO: Second.
 12 CHAIRMAN KENNY: Thank you.
 13 COMMISSIONER LUGO: Thank you.
 14 (Whereupon the proceeding is then
 15 concluded at 6:47 p.m.)
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CERTIFICATION

I, SHARI CATHEY, CCR, RPR, License No. 30XI00234700, and Notary Public of the State of New Jersey, hereby certify that the proceedings herein are from the notes taken by me of a Regular Meeting of the Hudson County Planning Board, held on Tuesday, January 17, 2023; 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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