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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, November 21, 2023  
6:30 p.m.

B E F O R E:

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

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

BYRON NICHOLAS, PP, AICP, Secretary  
MARCELLA TRAINA, Assistant Planner  
AMANDA CURLEY, ESQ., Board Attorney  
SAMUEL SCHROEDER, PP, AICP  
MARIO TRIDENTE, Inspector

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1 CHAIRMAN KENNY: Good evening,  
 2 everyone. I'd like to call to order the November  
 3 21st, 2023, Hudson County Planning Board  
 4 Meeting. Has the meeting been properly advertised?  
 5 MS. CURLEY: Yes. The meeting has  
 6 been properly advertised in accordance with the Open  
 7 Public Meetings Act, and it ran in the newspaper,  
 8 the Jersey Journal on Thursday, November 16th, 2023.  
 9 CHAIRMAN KENNY: Thank you. Can we  
 10 have a roll call, please?  
 11 MR. NICHOLAS: Sure. Commissioner  
 12 Aponte-Lipski.  
 13 COMMISSIONER APONTE-LIPSKI: Here.  
 14 MR. NICHOLAS: Commissioner  
 15 Glembocki, not present. Commissioner Jeter, not  
 16 present. Commissioner Layson.  
 17 COMMISSIONER LAYSON: Here.  
 18 MR. NICHOLAS: Commissioner Lugo.  
 19 COMMISSIONER LUGO: Here.  
 20 MR. NICHOLAS: Commissioner Malavasi.  
 21 COMMISSIONER MALAVASI: Here.  
 22 MR. NICHOLAS: Commissioner Mehta,  
 23 not present. Commissioner NG, not present.  
 24 Commissioner Walker, not present. And Chairman  
 25 Kenny.

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1 CHAIRMAN KENNY: Present.  
 2 MR. NICHOLAS: Chairman, we have a  
 3 quorum.  
 4 CHAIRMAN KENNY: Thanks. Can we  
 5 please stand and salute the flag?  
 6 (Flag salute.)  
 7 CHAIRMAN KENNY: Commissioners, has  
 8 everyone had an opportunity to review the minutes  
 9 from the last meeting? And if so, can we have a  
 10 motion, please?  
 11 COMMISSIONER LUGO: Motion.  
 12 COMMISSIONER APONTE-LIPSKI: Second.  
 13 MR. NICHOLAS: On a motion made by  
 14 Commissioner Lugo, seconded by Commissioner Layson.  
 15 Commissioner Aponte-Lipski. Commissioner  
 16 Aponte-Lipski.  
 17 COMMISSIONER APONTE-LIPSKI: Aye.  
 18 MR. NICHOLAS: Commissioner Layson.  
 19 COMMISSIONER LAYSON: Aye.  
 20 MR. NICHOLAS: Commissioner Lugo.  
 21 COMMISSIONER LUGO: Aye.  
 22 MR. NICHOLAS: Commissioner Malavasi.  
 23 COMMISSIONER MALAVASI: Aye.  
 24 MR. NICHOLAS: And Chairman Kenny.  
 25 CHAIRMAN KENNY: Aye.

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1 MR. NICHOLAS: Chairman, the motion  
 2 has passed.  
 3 CHAIRMAN KENNY: Okay.  
 4 MR. NICHOLAS: All right. So next on  
 5 the agenda are public -- it is a public hearing for  
 6 the updated Recreational and Open Space Inventory,  
 7 also known as the ROSI. We will have Marcella  
 8 Traina provide more details.  
 9 MS. TRAINA: So at this time, the  
 10 Hudson County Planning Board would like to open the  
 11 floor for public comments.  
 12 All right. Thanks, everyone. Written  
 13 comments may be submitted to the Division of  
 14 Planning during a public comment period that will  
 15 close two weeks from today on December 5th, 2023.  
 16 E-mail comments should be sent to  
 17 countyplanning@hcnj.us or write to the Division of  
 18 Planning at 830 Bergen Avenue, Suite 6A, Jersey  
 19 City, New Jersey 07306. Any written comments should  
 20 also be sent to the New Jersey Department of  
 21 Environmental Protection Green Acres Program, Bureau  
 22 of Legal Services and Stewardship, P.O. Box 412 in  
 23 Trenton, New Jersey 08625.  
 24 MR. NICHOLAS: All right. Thank you,  
 25 Ms. Traina. Next on the agenda is Item B, Site

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1 Plans, Subdivisions, and Other Matters Scheduled for  
 2 Public Hearing. The first application to be heard  
 3 is application 2023-43-SP, Applicant Legend  
 4 Management, located at 8800 Kennedy Boulevard, Block  
 5 395.13 Lot 1 in North Bergen, and this is a site  
 6 plan application to construct a five-story building  
 7 with 30 residential units, one commercial space, and  
 8 43 parking spaces. You may take it away.  
 9 MR. ALAMPA: Thank you. Good  
 10 evening, everybody. For the record, my name is  
 11 Santo Alampa. I am the attorney for the applicant,  
 12 Legend Management. This is a site plan application  
 13 for 8800 Kennedy Boulevard.  
 14 We have received the municipal approval  
 15 from the Zoning Board of North Bergen. And with  
 16 that, we've been involved in the subcommittee  
 17 meetings here in the County. I believe we had two  
 18 subcommittee meetings back in September and  
 19 October. And we have made some revisions to the  
 20 plan.  
 21 This evening, I do have my full team with  
 22 me, our architect, our engineer, and our traffic  
 23 engineer. In light of the nature of the  
 24 application, my intention was to have our civil  
 25 engineer testify, deal with any of the comments and

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1 issues within primarily the team and the comment  
 2 letter, and then have our traffic engineer provide  
 3 testimony to the Board. The architect is available,  
 4 should anybody have any questions. But in light of  
 5 the nature, I didn't think it was necessary to have  
 6 him provide any affirmative testimony at this point.  
 7       So with that, if we can have our civil  
 8 engineer sworn in? His plan is up on the screen.  
 9 And we can begin his testimony.  
 10       MS. CURLEY: Great. Can I just see  
 11 your engineer? Can he just move over? All right.  
 12 Great. Can you raise your right hand?  
 13       (The witness is sworn.)  
 14       MS. CURLEY: And can you state your  
 15 name?  
 16       MR. KHAN: Ednan Khan. E-D-N-A-N  
 17 K-H-A-N.  
 18       MS. CURLEY: Thank you so much.  
 19       MR. KHAN: You're welcome.  
 20       MR. ALAMPA: So Mr. Khan, we have had  
 21 two review letters from T&M based on the site plan.  
 22       CHAIRMAN KENNY: Excuse me? I  
 23 apologize. Can you just provide your qualifications  
 24 before we start? Thank you.  
 25       MR. KHAN: Sure, sure. Yeah. I have

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1 a bachelor's degree in civil engineering, master's  
 2 degree in construction management; testified before  
 3 hundreds of boards, including federal court and  
 4 superior court as an expert witness, and worked 35  
 5 years of experience.  
 6       CHAIRMAN KENNY: Thank you very much.  
 7       MR. KHAN: You're welcome.  
 8       CHAIRMAN KENNY: Accepted.  
 9       MR. ALAMPA: Thank you. I apologize  
 10 for that. So, Mr. Khan, we did receive T & M review  
 11 letters specific to engineering, and you made some  
 12 changes prior to this evening that were submitted to  
 13 address those comments most recently in October. So  
 14 if you could take us through the site plan? And  
 15 then address --  
 16       MR. KHAN: Yeah. I just want to give  
 17 a brief overview. It's an old gas station site.  
 18 What we are proposing is a five-story, 30-unit  
 19 building. It's a two-level parking, one is  
 20 subsurface parking, which has the driveway entrance  
 21 from 88th Street, and then the first-floor parking  
 22 or ground-level parking from JFK. A total of 43  
 23 spaces are between the ground floor and -- the  
 24 sub-basement floor and the first floor. I believe  
 25 21 parking spaces I proposed in the basement and 23

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1 -- or 22 on the first floor.  
 2       We are also proposing EV as required by  
 3 the law. EV parking spaces. There are four EV  
 4 stations that are proposed for this project, and of  
 5 course, grading and drainage. We attended a few  
 6 technical review committee meetings and there were  
 7 some comments, and we modified our plans based on  
 8 those comments. One of the comments most recently  
 9 was about the drive rig and the garage door rig,  
 10 which we -- which we widened to -- to --  
 11       MR. ALAMPA: So we're previously  
 12 showing that it's 16 and now made an 18-foot?  
 13       MR. KHAN: Made it 18 feet. And the  
 14 curb cut is 21 feet. Both on the 88th Street, as  
 15 well as on JFK. So -- and also, the side walls,  
 16 another comment that we had in the sight  
 17 triangle. We added as many trees as we can add.  
 18 Considering like -- we can add one more, but it  
 19 could be too close to the intersection, so we  
 20 decided not to put, and the applicant is okay to  
 21 provide a contribution related to that -- create  
 22 that -- it's probably not safe to put it right at  
 23 the intersection.  
 24       Then also, we are proposing a stormwater  
 25 system, and that is something we are going to get

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1 with Mr. Gitto's office, and now, I think we have a  
 2 strategy nailed down. We still have to update our  
 3 plans to -- basically, based on the decision that we  
 4 agreed to. However, it will be a pipe detention  
 5 system that will connect all the roof leaders into  
 6 the system. It will have an outflow control  
 7 structure that will be discharged into the storm  
 8 sewer only at 88th Street.  
 9       So that's the plan. There were some green  
 10 infrastructure requirements, and what we originally  
 11 did is actually we have a paver area on the first  
 12 floor right here, and we were originally proposing  
 13 an infiltration system to take care of the green  
 14 infrastructure. However, based on the soil  
 15 condition and the subsurface conditions, we decided  
 16 that -- actually, that based on our conversation  
 17 with T & M, that it's better to have a closed pipe  
 18 system, so we're going to eliminate the infiltration  
 19 system and convert that into a closed pipe system as  
 20 part of the conditions for approval.  
 21       Also, all the utilities are new. They are  
 22 going to be all-new utilities. Lighting in both the  
 23 parking areas, both on the ground floor, as well as  
 24 the basement floor, is ceiling laundered light  
 25 fixtures, all LED downward fixtures, that we are

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1 proposing here.

2 MR. ALAMPA: Mr. Khan, the prior site

3 was a gas station and there was a depressed curb

4 pretty much the entire length of Kennedy Boulevard;

5 is that accurate?

6 MR. KHAN: That is correct. Yes.

7 MR. ALAMPA: And now, we have

8 proposed to install new curbing and sidewalks along

9 Kennedy Boulevard, and there will be a drop curb for

10 the driveway entrance?

11 MR. KHAN: That is correct. Yeah.

12 Originally, like this whole area, both on the JFK as

13 well as the 88th Street, there are like this

14 depressed curb all around. But however, we are

15 eliminating all of those curbs, converting them into

16 full length, except for our drive-in entrance on

17 88th Street and JFK.

18 MR. ALAMPA: But as a result, we do

19 need a design waiver for the location of that

20 driveway from the intersection along Kennedy?

21 MR. KHAN: That is correct.

22 MR. ALAMPA: And we've pushed it as

23 far north on the site as possible?

24 MR. KHAN: That is correct.

25 MR. ALAMPA: At one point, we had

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1 conversation regarding parking along Kennedy

2 Boulevard, the applicants agreed to provide whatever

3 signage and other requests of the county, there's no

4 parking along Kennedy Boulevard, that's actually a

5 travel lane; is that correct?

6 MR. KHAN: That is correct.

7 MR. ALAMPA: Mr. Khan, there was a

8 comment regarding lighting along Kennedy coming from

9 the site. Can you just provide some testimony as

10 far as exterior lighting and how it's going to be

11 contained within the site?

12 MR. KHAN: Yeah. As far as the

13 parking area lighting, as I mentioned, they are all

14 ceiling-mounted fixtures downward. They are meant

15 to only provide lighting for the parking areas.

16 However, there would be some decorative lighting

17 along the facade of the building, and those lighting

18 fixtures will be typical residential-type fixtures

19 that are contained. And they are not like something

20 that can glow or shine the light beyond certain,

21 which will be contained within the sidewalk and that

22 will meet the safety requirement for any pedestrians

23 utilizing the sidewalk.

24 MR. ALAMPA: Thank you, Ms. Khan.

25 Chairman?

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1 CHAIRMAN KENNY: Do any of the

2 Commissioners have any questions?

3 COMMISSIONER LUGO: I have a

4 question. The parking garage. Is it a garage? Is

5 it outdoor parking? Is it underneath parking?

6 MR. KHAN: It's all -- everything is

7 underneath the building.

8 COMMISSIONER LUGO: It's underneath

9 the building.

10 MR. KHAN: Under the building. Yes.

11 MS. CURLEY: And then the first floor

12 is commercial?

13 MR. KHAN: Portion of the first

14 floor. Yes.

15 MR. ALAMPA: There is no commercial

16 on the first floor of this.

17 MR. KHAN: No.

18 MR. ALAMPA: So there is no internal

19 ramp.

20 MR. KHAN: Yeah. Let's see.

21 MR. ALAMPA: So the second level of

22 the garage is really parallel to the subfloor and

23 then what you call the first floor.

24 COMMISSIONER LUGO: Oh, okay.

25 MR. ALAMPA: There is no internal

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1 connection.

2 COMMISSIONER LUGO: Okay. And you

3 can go in and out from 88th or from Kennedy?

4 MR. KHAN: Correct.

5 MR. ALAMPA: To the designated

6 level. So if you're on the bottom level, you can

7 only access 88th. If you're on the -- what they

8 call the first floor, you can only access it from

9 Kennedy.

10 COMMISSIONER LUGO: And only making a

11 right out of there?

12 MR. ALAMPA: Yes.

13 MR. KHAN: Yes.

14 CHAIRMAN KENNY: Any other questions

15 from the commissioners?

16 COMMISSIONER MALAVASI: It's not a

17 question. I found out earlier that there's some

18 work going on on the site already. Is that

19 demolition work for the gas station?

20 MR. ALAMPA: So the gas station has

21 been demolished. The canopy has come down. I

22 believe remediation and removal of tanks.

23 COMMISSIONER MALAVASI: The reason I

24 ask is there's new County policy that any demolition

25 adjacent to the County road needs a permit from us.

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1 So if you reach out for the engineering department,  
 2 Marcella can send you the link to get a permit.  
 3 MR. ALAMPA: Absolutely.  
 4 COMMISSIONER MALAVASI: This is the  
 5 result of something that happened on Kennedy  
 6 Boulevard recently where a developer demolished a  
 7 building and caused half the road to collapse. So I  
 8 just wanted to make sure that there's insurance and  
 9 things are covered so nothing happens -- anything  
 10 happens once you start excavating. I'm assuming  
 11 you're excavating on-site to remove the tanks.  
 12 Anything happens, then the County is protected.  
 13 So you can get a road permit from Marcella  
 14 and file for a permit. The work is already started,  
 15 but just really important that we get our insurance  
 16 to make sure if something happens the County is  
 17 covered.  
 18 MR. ALAMPA: Very good.  
 19 COMMISSIONER MALAVASI: But other  
 20 than that, I think all my questions have been --  
 21 from the subdivision meetings really have been --  
 22 have been addressed. And yeah, this is one of those  
 23 cases where you can't make a left in, left out  
 24 because there's a concrete barrier in the middle.  
 25 CHAIRMAN KENNY: Okay. Do we have

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1 any more comments? Questions?  
 2 MR. GITTO: I just have a few.  
 3 CHAIRMAN KENNY: Sure.  
 4 MR. GITTO: So as far as the waivers,  
 5 you need three; correct? So you have the one waiver  
 6 for the driveway location, one waiver for the  
 7 driveway onto Kennedy Boulevard since you have  
 8 access to a municipal street. Can you just explain  
 9 the second waiver and the reasoning why you have the  
 10 request? Why you can't just only solely have access  
 11 from 88th?  
 12 MR. KHAN: Because I -- there are a  
 13 couple of things. One is the number of parking that  
 14 we want to -- we're going to provide or as required  
 15 by the North Bergen Ordinance. So there goes one of  
 16 their reasons. And then there's -- their  
 17 requirement that they are looking for is that we  
 18 have garbage areas and other utility rooms, and  
 19 things of that nature that we want to separate. So  
 20 it's basically the utility of the building and areas  
 21 that are required for those -- I mean those -- for  
 22 the functionality for the building.  
 23 MR. GITTO: Now, the third waiver is  
 24 the stormwater, which you touched on. It's  
 25 technically a waiver because the County's

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1 requirement is that you have to treat -- or I'm  
 2 sorry, mitigate 50 percent of the disturbance area  
 3 with a green infrastructure. They are proposing  
 4 detention, which is not technically one of the green  
 5 infrastructure systems that you're allowed to use.  
 6 However, given the circumstance that this  
 7 was a gas station previously, the soil conditions  
 8 that are on-site, I agree, and I have no objection  
 9 to them utilizing a detention system rather than an  
 10 infiltration system here. It's one of those rare  
 11 cases where it just doesn't make sense for the site.  
 12 So you're going to be utilizing detention and you're  
 13 going to be using a pump to pump out?  
 14 MR. KHAN: That is correct. Because  
 15 of the inverts, we need to have a pump lift station  
 16 to take the water to infiltration.  
 17 MR. GITTO: Okay. And that will be  
 18 tied into which road?  
 19 MR. KHAN: 88th Street.  
 20 MR. GITTO: 88th?  
 21 MR. KHAN: Yeah.  
 22 MR. GITTO: Okay.  
 23 MR. KHAN: Yeah. We have these sewer  
 24 lines here and the sewer line on 88th Street. And  
 25 the manholes in the intersection. So we are

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1 proposing to place our infrastructure somewhere  
 2 close to the entrance and then just move the pipe.  
 3 MR. GITTO: And then overflow? What  
 4 kind of overflow protection do you have?  
 5 MR. KHAN: The way we usually design  
 6 it is like you have a lift station that will lift  
 7 the water into a manhole. And then from manhole, it  
 8 will go gravity to the thing so that it's not  
 9 forcing -- starting to become a force made to the  
 10 existing sewer system. The storm sewer.  
 11 MR. GITTO: Okay. And -- but there's  
 12 going to be -- there's relief points, like roof  
 13 leader, downspout?  
 14 MR. KHAN: Yes.  
 15 MR. GITTO: So if it does overflow,  
 16 it will come out the roof leaders and --  
 17 MR. KHAN: That is correct. Yes.  
 18 MR. GITTO: Okay. And then I had one  
 19 other comment in our letter. It's B10. It was just  
 20 a minor comment related to ADA grading. And I don't  
 21 have any -- I think you can fix the issue. It's  
 22 just one of those things you agree to fix that?  
 23 MR. KHAN: Yeah. We can add some  
 24 more grades to make sure that we are compliant with  
 25 the ADA requirements. Yes.

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1 MR. GITTO: Okay. And then you had  
 2 discussed the street trees. You didn't have all of  
 3 the street trees that are required, so you're  
 4 willing to post a contribution for the remaining  
 5 trees?  
 6 MR. KHAN: Yes. That's my  
 7 understanding, the applicant will do that.  
 8 MR. GITTO: Okay. That's all I've  
 9 got.  
 10 COMMISSIONER LUGO: Do you happen to  
 11 know the breakdown of the 30 residential units? In  
 12 other words, studio, one-bedroom, two-bedrooms?  
 13 MR. ALAMPA: Twenty-two one-bedroom.  
 14 Eight 2-bedrooms.  
 15 COMMISSIONER LUGO: I was just  
 16 curious for school system purposes.  
 17 CHAIRMAN KENNY: Do we have any more  
 18 comments or questions from anyone here? And anyone  
 19 in the public? Any comments or questions from the  
 20 public? If not, we can proceed with the next  
 21 witness.  
 22 MR. KHAN: Thank you very much.  
 23 MR. ALAMPA: Thank you, Mr. Khan.  
 24 Chairman, our next witness is Joe Staigar, who is  
 25 our traffic engineer. Once we get him sworn in, we

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1 can --  
 2 MS. CURLEY: Great. Can you state  
 3 your name for the record?  
 4 MR. STAIGAR: Joseph Staigar.  
 5 S-T-A-I-G-A-R.  
 6 (The witness is sworn.)  
 7 MS. CURLEY: Great. Thank you.  
 8 MR. ALAMPA: All right. Mr. Staigar,  
 9 could you give the Board the benefit of your  
 10 professional background?  
 11 MR. STAIGAR: Yes. I have a bachelor  
 12 of science and master of science degree, civil  
 13 engineering from the New Jersey Institute of  
 14 Technology, and that includes professor of traffic  
 15 engineering courses at NJIT. I hold a professional  
 16 engineer's license, a professional planner's license  
 17 in the State of New Jersey.  
 18 I've appeared before this Board on  
 19 numerous occasions. A lot of new faces since, I  
 20 guess, pre-COVID time, but it's been a while since  
 21 I've been here. But I've testified in that capacity  
 22 as a traffic engineer before this Board, and  
 23 throughout Hudson County, throughout the State of  
 24 New Jersey, well over a thousand occasions.  
 25 CHAIRMAN KENNY: Thank you very much,

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1 Mr. Staigar.  
 2 MR. STAIGAR: Thank you.  
 3 CHAIRMAN KENNY: Please proceed.  
 4 MR. ALAMPA: So Joe, we're here  
 5 because we are seeking county approval, obviously,  
 6 and we had submitted your traffic impact statement  
 7 from when we presented to the North Bergen Zoning  
 8 Board. Can you give the Board the benefit of the  
 9 findings of that report and any new information?  
 10 MR. STAIGAR: Yes. And the aspect  
 11 that we take a look at is trip generation. How much  
 12 traffic would be generated? And the net difference  
 13 between what operated -- what the site operated  
 14 formerly versus what the proposal is, and that was a  
 15 pretty simple calculation.  
 16 A gas station, as everybody should be  
 17 aware of, is quite an active trip generator. In  
 18 terms of the volume of traffic that a gas station of  
 19 this size with three -- three pumps and six fueling  
 20 positions, would generate about 60 trips during the  
 21 morning peak hour. That's an hourly rate. Half of  
 22 that in, half of that out, and 83 in the evening  
 23 rush hour time period peak hour. Again, half of  
 24 that in, half of that out.  
 25 There is a pass-by component to gasoline

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1 stations. People really don't go out of their way  
 2 unless the price is really low and it's attractive.  
 3 But it's drawn off of the main -- main street. So  
 4 the majority of traffic would indeed be diverted  
 5 from JFK and/or 88th Street traffic volume in the  
 6 order of about 60 percent. The pass-by volume would  
 7 be about 60 percent.  
 8 So if you take a look at those numbers, in  
 9 terms of new traffic that would be attracted to the  
 10 previous gas station, it's in the order of about 24  
 11 trips in the morning and 32 trips in the evening.  
 12 The remainder would be pass-by trips, not new  
 13 traffic to the area. And I make this point because  
 14 it was one of T & M's comments, making note that the  
 15 net difference between what you had before and  
 16 what's being proposed. There's a factor of pass-by  
 17 traffic, not new traffic. But still, we're talking  
 18 in the order of 24 or 32 trips as new traffic as the  
 19 gas station.  
 20 In terms of the multi-family development,  
 21 using the Institution of Transportation Engineer's  
 22 Trip Generation Rates, the 30 units would generate  
 23 eight trips during morning peak hour. And the  
 24 evening peak hour. So you can see that the relative  
 25 difference between what you had versus what's being

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1 proposed is a significant decrease in the intensity  
 2 of trip generation of the site. Even if you take  
 3 into consideration the pass-by component. And  
 4 again, the 60 and 80 trips per hour of total traffic  
 5 is certainly movements that are in and out of JFK  
 6 and/or through 88th Street that would have -- I'll  
 7 call it a fraction in terms of traffic flow. And  
 8 again, that's a big difference between the eight in  
 9 the morning and evening peak hour. Presumably, four  
 10 -- four of them coming in and out of 88th Street.  
 11 Four of them off JFK Boulevard. So relatively light  
 12 traffic.

13 So in terms of potential impact of  
 14 traffic, you can see that just the sheer numbers  
 15 themselves show you that this is a far better  
 16 situation in terms of less impact on the roadway  
 17 network. In terms of -- other points I'd like to  
 18 bring out, we do have 15 bus line stops within a  
 19 half-mile walking distance of the site. So we're  
 20 relying upon mass transit for the -- for a good  
 21 portion of the trip generation that's -- that would  
 22 be generated by the site.

23 The site plan, as Mr. Khan has pointed out  
 24 and described, we have access off of 88th Street, as  
 25 well to the one level, and then the lower level.

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1 And then on JFK, which would be a right turn in,  
 2 right turn out only, to the ground level or the  
 3 upper level itself. We do have 43 parking spaces  
 4 for 30 units. And again, I believe that that's  
 5 going to be more than sufficient in terms of the  
 6 amount of parking. And since we do have separate  
 7 access points, those parking spaces, my  
 8 recommendation, is that they be reserved for  
 9 specific tenants. So that someone doesn't, you  
 10 know, go into one level, can't find a spot, and then  
 11 have to go back out and go to the second level. So  
 12 in terms of order of traffic flow, the parking  
 13 spaces should be reserved for specific tenants.

14 Other than that, I believe the site plan  
 15 -- we analyzed the site plan in terms of  
 16 circulation, in terms of parking maneuvering, and  
 17 the site works well in terms of safety and  
 18 efficiency of flow.

19 MR. ALAMPA: Mr. Staigar, do you  
 20 agree that the majority of the traffic should be  
 21 routed in between -- off Kennedy Boulevard as much  
 22 as possible?

23 MR. STAIGAR: Yes. And I think  
 24 that's going to be inherent. Because you won't be  
 25 able to make a right turn in, right turn out. So if

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1 you're coming from, let's say the north, you utilize  
 2 -- from the north -- an example, coming from the  
 3 north, you'd be accessing the site utilizing 88th.  
 4 But it all depends, again, where your parking space  
 5 is. On the upper level versus the lower level, you  
 6 would be using the JFK driveway.

7 MR. ALAMPA: Mr. Staigar, there was a  
 8 question regarding deficiency. It is technically  
 9 three spaces deficiency when taking in the balance  
 10 under the RSIS, which is how the county regulation  
 11 reads. Did you have a chance to review that county  
 12 regulation and those RSIS items?

13 MR. STAIGAR: Yes. Yes. And one of  
 14 the -- I'm on the Site Improvement Advisory Board of  
 15 the DCA, Consumer Affairs, we make recommendations  
 16 for changes to RSIS as we go along. One of the  
 17 misconceptions of -- of many boards is that the  
 18 numbers that you pull out of RSIS, the 1.8 spaces  
 19 for one bedroom and 2.0 for two bedrooms, those were  
 20 developed back in 1997, when RSIS was enacted so  
 21 that there would be a uniform consistency throughout  
 22 the state. Those are numbers are maximum numbers  
 23 that any board or regulatory entity can impose upon  
 24 the developer. So those are essentially just the  
 25 maximum numbers, not requirements.

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1 There's further language in RSIS that says  
 2 that alternate number of parking spaces shall be  
 3 approved by the reviewing entity if it's shown that  
 4 the lesser number is more appropriate. And they  
 5 even point out the factors that will lower parking  
 6 requirements as mass transit, urban environment  
 7 versus suburban or rural environment, household  
 8 characteristics, and so forth. But here, we have  
 9 excellent mass transit. As I pointed out, we have  
 10 15 bus lines within reasonable walking distance of  
 11 the site. And we are in an urban environment. So  
 12 the demand of parking would be less.

13 So I believe that the relatively small  
 14 amount of -- of less parking that's being provided  
 15 over what the maximum should be. And the maximum  
 16 number really fits into Hunterdon County, Somerset  
 17 County, Warren County, where you have to rely upon  
 18 privately owned vehicles. Here we do not. We have  
 19 excellent mass transit, walkability of the -- of the  
 20 area. And certainly, it's justification for that  
 21 amount of parking would be more than sufficient for  
 22 what's being proposed.

23 MR. ALAMPA: Mr. Staigar, just real  
 24 quick. You've had the opportunity to analyze the  
 25 site, meet with the client, and discuss operations

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1 of the building. It's my understanding that  
2 testimony in front of the local was there is one  
3 commercial unit within the building to serve as a  
4 manager's office. Do you recall that?  
5 MR. STAIGAR: Yes.  
6 MR. ALAMPA: And the purpose of that  
7 office would be to have a present on-site for  
8 purposes of managing the building?  
9 MR. STAIGAR: Maintenance and so  
10 forth. Yes.  
11 MR. ALAMPA: And one of the things  
12 that was testified to at the local was with respect  
13 to 88th Street being the control point for things,  
14 such as deliveries and ride share, do you recall  
15 that testimony?  
16 MR. STAIGAR: Yes.  
17 MR. ALAMPA: And is it your opinion  
18 that 88th would probably be the best place for those  
19 activities to take place?  
20 MR. STAIGAR: It would be the safer  
21 and logical place for that to occur. So we are  
22 providing, I'll call it an area that is currently an  
23 open curb cut on 88th Street, as well as on JFK.  
24 But specifically, on 88th Street. Almost the entire  
25 frontage is a curb cut. Obviously, when you get to

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1 the easterly portion, it becomes a full curb, but  
2 for the vast majority of that is an open curb.  
3 That will be closed off, as Mr. Khan had mentioned  
4 before, to allow for that ability for someone, an  
5 Uber driver or an Amazon delivery, for a staging  
6 area for that truck to find refuge along the curb.  
7 And then -- and do what needs to be done, either to  
8 pick up a passenger, drop off a passenger, or make a  
9 delivery.  
10 MR. ALAMPA: Thank you, Mr. Staigar.  
11 MR. STAIGAR: Thank you.  
12 COMMISSIONER LUGO: You're reading my  
13 notes. Two more questions. 88th Street, was it  
14 considered -- and I don't know if you're the person  
15 to ask. It's a two-way?  
16 MR. STAIGAR: Yes.  
17 COMMISSIONER LUGO: So was it every  
18 considered -- wouldn't that be a one-way now?  
19 Because everyone is going to be going down that  
20 street?  
21 MR. STAIGAR: Well, we don't have the  
22 ability to do it. I think the city council or  
23 township of North Bergen that would mandate that  
24 type of --  
25 COMMISSIONER LUGO: It's fairly

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1 narrow.  
2 MR. STAIGAR: Yeah. But there is a  
3 parking lane on the northerly side of 88th Street,  
4 you can park, but you can't park closer to the  
5 intersection within 50 feet let's say. So that's  
6 that refuge area that I talked about that a truck or  
7 a car could find refuge for a quick delivery and/or  
8 pick up or drop off in that area.  
9 COMMISSIONER LUGO: Okay. And the  
10 garage, is it going to be open access? Or people  
11 have like a card or something in order to get in and  
12 out?  
13 MR. STAIGAR: During -- most likely  
14 -- well, the purpose -- it will have a gate. It  
15 will have a door for security purposes. We don't  
16 want people randomly walking through here at all.  
17 It may be open during the day rather than it going  
18 up and down all day long. So during certain hours,  
19 let's say from seven to eight, seven a.m. to eight  
20 p.m., something like that order, the gate may be up  
21 all the time. But during the nighttime, it will be  
22 closed. But -- and it will be activated by a key  
23 fob or some other means. Maybe even a punch keypad  
24 as well.  
25 COMMISSIONER LUGO: Thank you.

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1 CHAIRMAN KENNY: So in terms of the  
2 commercial space, the only thing that's going to be  
3 operating is a management --  
4 MR. ALAMPA: Correct.  
5 CHAIRMAN KENNY: Are there any  
6 parking spaces reserved for the employees of the  
7 management company?  
8 MR. STAIGAR: It's -- it will be part  
9 of the 43 spaces that we're providing. But there is  
10 one or two employees there at any one time, that  
11 will be the max.  
12 CHAIRMAN KENNY: Okay.  
13 MR. ALAMPA: So that unit is pretty  
14 small. It's up on the top floor. I want to say  
15 it's under 400 square feet. It's just the presence  
16 of management. It's not going to have too many  
17 personnel.  
18 CHAIRMAN KENNY: Do we have any other  
19 questions or comments from Board members? Any  
20 questions?  
21 MR. GITTO: No. I don't disagree  
22 with any of his testimony. I think it was  
23 consistent with what we found.  
24 CHAIRMAN KENNY: Anything from the  
25 public? Nothing further. Thank you. I think, at

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1 this point, I feel comfortable if we want to move  
 2 forward with a motion. Do we have a motion?  
 3 COMMISSIONER LUGO: Motion.  
 4 CHAIRMAN KENNY: Second? Anyone?  
 5 COMMISSIONER MALAVASI: I'll second.  
 6 MR. NICHOLAS: On a motion made by  
 7 Commissioner Lugo, seconded by Commissioner  
 8 Malavasi.  
 9 MR. ALAMPA: Chairman, that's to  
 10 approve?  
 11 COMMISSIONER LUGO: Yes.  
 12 CHAIRMAN KENNY: Yes. Sorry.  
 13 MR. ALAMPA: Thank you.  
 14 MR. NICHOLAS: Shall we continue?  
 15 CHAIRMAN KENNY: We have a motion to  
 16 approve.  
 17 MR. NICHOLAS: And that was made by  
 18 Commissioner Lugo, seconded by Commissioner  
 19 Malavasi.  
 20 Commissioner Aponte-Lipski.  
 21 COMMISSIONER APONTE-LIPSKI: Aye.  
 22 MR. NICHOLAS: Commissioner Layson.  
 23 COMMISSIONER LAYSON: Aye.  
 24 MR. NICHOLAS: Commissioner Lugo.  
 25 COMMISSIONER LUGO: Aye.

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1 MR. NICHOLAS: Commissioner Malavasi.  
 2 COMMISSIONER MALAVASI: Aye.  
 3 MR. NICHOLAS: And Chairman Kenny.  
 4 CHAIRMAN KENNY: Aye.  
 5 MR. NICHOLAS: Chairman, the  
 6 application has been approved.  
 7 MR. ALAMPA: Thank you, everybody.  
 8 MR. NICHOLAS: Thank you. All  
 9 right. So the next two items on the agenda are  
 10 applications that have -- or applications in which  
 11 the applicants have requested to postpone due to  
 12 their absence based off of, I'm assuming, the  
 13 holiday season. So a motion will be needed to --  
 14 for the Board to postpone for the December --  
 15 December 19th meeting.  
 16 COMMISSIONER LUGO: Individually or  
 17 together?  
 18 MR. NICHOLAS: We can do it  
 19 together. Yes.  
 20 CHAIRMAN KENNY: Can you read the --  
 21 MR. NICHOLAS: Oh, sure. I'm sorry.  
 22 All right. The first --  
 23 MR. ALAMPA: Thank you, everybody.  
 24 Goodnight.  
 25 MR. NICHOLAS: Thank you. The first

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1 -- the first application is 2023-64-SP. The  
 2 applicant is BASF Corporation located at 1 Central  
 3 Avenue, Block 17, Lot 2 in East Newark. It's a site  
 4 plan application to construct a five-acre park on  
 5 the eastern bank of the Passaic River.  
 6 The second application for postponement is  
 7 2023-67-SP. Applicant Parkway Generation, LLC,  
 8 located at 200 Pennsylvania Avenue, Block 298, Lot  
 9 19.01, in the Municipality of Kearny. It's a  
 10 subdivision application to divide one lot into two  
 11 lots.  
 12 Before we go -- before we call a vote. I  
 13 do want to add that both attorneys have provided  
 14 written requests for postponement.  
 15 CHAIRMAN KENNY: Have they requested  
 16 just postponement? Or dismissal without prejudice?  
 17 Just the postponement?  
 18 MR. NICHOLAS: Just postponement.  
 19 Correct. Yeah.  
 20 CHAIRMAN KENNY: Okay. All right.  
 21 Do we have a motion to postpone two applications to  
 22 the next hearing?  
 23 COMMISSIONER LUGO: Motion.  
 24 COMMISSIONER APONTE-LIPSKI: Second.  
 25 MR. NICHOLAS: On a motion made by

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1 Commissioner Lugo, seconded by -- I believe,  
 2 Commissioner Aponte-Lipski?  
 3 COMMISSIONER APONTE-LIPSKI: Yes.  
 4 MR. NICHOLAS: Yes. Commissioner  
 5 Aponte-Lipski.  
 6 COMMISSIONER APONTE-LIPSKI: Aye.  
 7 MR. NICHOLAS: Commissioner Layson.  
 8 COMMISSIONER LAYSON: Aye.  
 9 MR. NICHOLAS: Commissioner Lugo.  
 10 COMMISSIONER LUGO: Aye.  
 11 MR. NICHOLAS: Commissioner Malavasi.  
 12 COMMISSIONER MALAVASI: Aye.  
 13 MR. NICHOLAS: And Chairman Kenny.  
 14 CHAIRMAN KENNY: Aye.  
 15 MR. NICHOLAS: All right. Chairman,  
 16 the two applications have been moved to the December  
 17 19th meeting. All right. Next on the agenda are  
 18 applications to be exempt. Again, I will read out  
 19 -- I believe it's one, two, three -- three  
 20 applications and then we'll go for a vote towards  
 21 the end; all right?  
 22 The first application is 2023-65-SP,  
 23 applicant Epstone, Inc., located at 520  
 24 Secaucus Road, Block 558, Lot 3, in Secaucus. It's  
 25 a site plan application not along a County road.

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1 The second application is 2023-66-SP,  
 2 applicant PSE&G, located at 17-29 Evergreen Street,  
 3 Block 306, Lot 1, in Bayonne. It's a site plan  
 4 application not along a County road.  
 5 And lastly, for applications to be exempt  
 6 is 2023-074-SD, Applicant GreenVest Holdings, LLC,  
 7 located at 2400 Penhorn Avenue, Block 451, Lot  
 8 20.01, in North Bergen. It's a subdivision  
 9 application not along a County road. Sorry.  
 10 CHAIRMAN KENNY: Do we have a motion  
 11 on the applications to be exempt?  
 12 COMMISSIONER LUGO: Motion.  
 13 COMMISSIONER APONTE-LIPSKI: Second.  
 14 MR. NICHOLAS: On a motion made by  
 15 Commissioner Lugo, seconded by Commissioner  
 16 Aponte-Lipski. Commissioner Aponte-Lipski.  
 17 COMMISSIONER APONTE-LIPSKI: Aye.  
 18 MR. NICHOLAS: Commissioner Lugo.  
 19 COMMISSIONER LUGO: Aye.  
 20 MR. NICHOLAS: Commissioner Layson.  
 21 COMMISSIONER LAYSON: Aye.  
 22 MR. NICHOLAS: Commissioner Malavasi.  
 23 COMMISSIONER MALAVASI: Aye.  
 24 MR. NICHOLAS: And Chairman Kenny.  
 25 CHAIRMAN KENNY: Aye.

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1 MR. NICHOLAS: Chairman, the  
 2 applications are now exempt. Next on the agenda is  
 3 an -- well, the next item on the agenda, rather, is  
 4 applications to be dismissed without prejudice, and  
 5 it is one application. It is an application in  
 6 which the timeframe has not been -- has not been  
 7 steadily -- essentially, the applicant has not met  
 8 the requirements for the timeframe to proceed; all  
 9 right?  
 10 So this application is 2022-066-SP.  
 11 Applicant, Windsor Eden, LLC, located at 601-619  
 12 Newark Street, Block 3, Lot 3, in the  
 13 Municipality of Hoboken. It's a site plan  
 14 application to construct a seven-story mixed-use  
 15 building with 60 residential units. It has  
 16 approximately 6,950 square feet of commercial space  
 17 and 40 off-street parking spaces.  
 18 CHAIRMAN KENNY: Do we have a motion  
 19 to dismiss the application without prejudice?  
 20 COMMISSIONER LUGO: Motion.  
 21 COMMISSIONER LAYSON: Second.  
 22 MR. NICHOLAS: On a motion made by  
 23 Commissioner Lugo, seconded by Commissioner Layson.  
 24 Commissioner Aponte-Lipski.  
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1 COMMISSIONER APONTE-LIPSKI: Aye.  
 2 MR. NICHOLAS: Commissioner Lugo.  
 3 COMMISSIONER LUGO: Aye.  
 4 MR. NICHOLAS: Commissioner Layson.  
 5 COMMISSIONER LAYSON: Aye.  
 6 MR. NICHOLAS: Commissioner Malavasi.  
 7 COMMISSIONER MALAVASI: Aye.  
 8 MR. NICHOLAS: And Chairman Kenny.  
 9 CHAIRMAN KENNY: Aye.  
 10 MR. NICHOLAS: Chairman, the  
 11 application has been dismissed without prejudice.  
 12 Next on the agenda are -- or is old business. There  
 13 is no old business to be discussed.  
 14 Next is new business. And I do have one  
 15 announcement in which we have our staff here,  
 16 Marcella Traina, who has just passed her AICP exam,  
 17 which means she is now a member of the American  
 18 Institute of Certified Planners.  
 19 MS. TRAINA: Thank you, everyone.  
 20 MR. NICHOLAS: Any other new business  
 21 for discussion? All right. And the last item on the  
 22 agenda is the meeting date for the next Planning  
 23 Board meeting, which is December 16th at 6:30 p.m.  
 24 MS. TRAINA: December 19th.  
 25 MR. NICHOLAS: I'm sorry. I'm so

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1 sorry. It's December 19th.  
 2 CHAIRMAN KENNY: Do we have a motion  
 3 to adjourn until December 19th?  
 4 COMMISSIONER APONTE-LIPSKI: Motion.  
 5 COMMISSIONER LUGO: Second.  
 6 CHAIRMAN KENNY: All right. Thank  
 7 you.  
 8 MR. NICHOLAS: Thank you.  
 9 (Whereupon the proceeding is then  
 10 concluded at 7:31 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, November 21, 2023; and that this is a correct transcript of the same.



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

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