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HUDSON COUNTY  
PLANNING BOARD

RE:

REGULAR MEETING : TRANSCRIPT OF  
: PROCEEDINGS  
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- - - - -  
Hudson County Freeholders Chambers  
Third Floor  
567 Pavonia Avenue  
Jersey City, New Jersey  
Wednesday, February 19, 2014  
6:30 p.m.

BEFORE:

- JAMES CRYAN, Chairman
- DEMETRIO ARENCIBIA, P.E., P.P. County Engineer
- RENEE BETTINGER, Commissioner
- ALAIN GOMEZ, Alternate Commissioner
- MICHAEL HOLLOWAY, Commissioner
- RUSHABH MEHTA, Commissioner
- DOREEN DiDOMENICO, Freeholder
- ANTHONY ROMANO, Freeholder

ALSO PRESENT:

- JOHN J. CURLEY, ESQ., Board Attorney
- PAUL CRAY, P.E.
- MASSIEL M. FERRARA, PE, ACIP, Board Secretary
- MARIO TRIDENTE, Inspector
- JACKIE FLOR, P.E.

Job No. NJ1795138

1                   CHAIRMAN CRYAN: Good evening. I  
2 would like to called to order the meeting of the  
3 Hudson County Planning Board. Today is February  
4 19th, 2014. Counselor, has this meeting been  
5 properly advertised?

6                   MR. CURLEY: Yes, the meeting has  
7 been advertised in accordance with the Open Public  
8 Meetings Act. Notice of the meeting was published  
9 in the Jersey Journal and the Star Ledger. In  
10 addition, notice had been sent by posting notice at  
11 the Clerk of Hudson County and the Clerk of the  
12 Freeholders.

13                   CHAIRMAN CRYAN: Could I have a roll  
14 call, please?

15                   MS. FERRARA: Commissioner Arencibia.

16                   COMMISSIONER ARENCIBIA: Here.

17                   MS. FERRARA: Commissioner Bettinger.

18                   COMMISSIONER BETTINGER: Here.

19                   MS. FERRARA: Commissioner Choffo,  
20 absent. Commissioner DiDomenico.

21                   FREEHOLDER DiDOMENICO: Here.

22                   MS. FERRARA: Commissioner Glembocki,  
23 absent. Commissioner Gomez.

24                   COMMISSIONER GOMEZ: Here.

25                   MS. FERRARA: Commissioner Holloway.

1 COMMISSIONER HOLLOWAY: Here.

2 MS. FERRARA: Commissioner Mehta,  
3 absent. Commissioner Ng, absent. Commissioner  
4 Peralta, absent. Commissioner Romano, absent.  
5 Chairman Cryan.

6 CHAIRMAN CRYAN: Here.

7 MS. FERRARA: Mr. Chairman, we have a  
8 quorum.

9 CHAIRMAN CRYAN: Please stand to  
10 salute the flag.

11 (Flag Salute.)

12 CHAIRMAN CRYAN: Did all  
13 Commissioners have a chance to review the meeting  
14 minutes from the January 15th meeting?

15 COMMISSIONER HOLLOWAY: Yes.

16 COMMISSIONER BETTINGER: I'll make a  
17 motion.

18 COMMISSIONER HOLLOWAY: I second.

19 MS. FERRARA: On a motion made by  
20 Commissioner Bettinger. Second by Commissioner  
21 Holloway.

22 Commissioner Arencibia.

23 COMMISSIONER ARENCIBIA: Aye.

24 MS. FERRARA: Commissioner Bettinger.

25 COMMISSIONER BETTINGER: Aye.

1 MS. FERRARA: Commissioner  
2 DiDomenico.

3 FREEHOLDER DiDOMENICO: Abstained. I  
4 wasn't present at that meeting.

5 MS. FERRARA: Commissioner Gomez.

6 COMMISSIONER GOMEZ: Aye.

7 MS. FERRARA: Commissioner Holloway.

8 COMMISSIONER HOLLOWAY: Aye.

9 MS. FERRARA: Chairman Cryan.

10 CHAIRMAN CRYAN: Aye.

11 MS. FERRARA: The motion has passed.

12 CHAIRMAN CRYAN: The next item on the  
13 agenda is the award of professional services  
14 contracts for outside counsel.

15 MS. FERRARA: Mr. Chairman and Board,  
16 we receive one submission for outside counsel. The  
17 provider was John J. Curley, LLC, located at  
18 Harborside Financial Center at 1202 Plaza 10 in  
19 Jersey City, New Jersey. The Site Plan Committee  
20 did review the RFQ, and we recommend that outside  
21 counsel be awarded to John J. Curley, LLC.

22 On a motion made by Commissioner  
23 Bettinger. Second by Commissioner Gomez.

24 Commissioner Arencibia.

25 COMMISSIONER ARENCIBIA: Aye.

1 MS. FERRARA: Commissioner Bettinger.

2 COMMISSIONER BETTINGER: Aye.

3 MS. FERRARA: Commissioner

4 DiDomenico.

5 FREEHOLDER DiDOMENICO: Aye.

6 MS. FERRARA: Commissioner Gomez.

7 COMMISSIONER GOMEZ: Aye.

8 MS. FERRARA: Commissioner Holloway.

9 COMMISSIONER HOLLOWAY: Aye.

10 MS. FERRARA: Chairman Cryan.

11 CHAIRMAN CRYAN: Aye.

12 MS. FERRARA: The motion has passed.

13 MR. CURLEY: Thank you, Chairman and  
14 Commissioners.

15 CHAIRMAN CRYAN: Keep up the good  
16 work. It was tough competition too.

17 MS. FERRARA: The next items, B and  
18 C, award of professional service contract to a  
19 professional engineering firm, as well as the  
20 alternative professional engineering services.  
21 Mr. Curley has some information.

22 MR. CURLEY: The bids that were due  
23 were due Tuesday, the 4th of February at 11 a.m.  
24 Unfortunately, there was one bidder who had  
25 difficulty in getting a bid package to the County to

1 make that bid opening. The bid packet was e-mailed  
2 to the County and was received. However, the hard  
3 copy did not arrive until approximately 12:15 that  
4 same day.

5 In order to in -- this was due to the  
6 severe winter storm conditions if you recall on  
7 February 3. The Governor declared a state of  
8 emergency on Monday, and the roads were not cleared  
9 out until sometime after that. There was difficulty  
10 getting courier services to deliver. There was an  
11 effort made by the RFQ respondents to get the  
12 package delivered, although it could not be  
13 delivered by courier until later in the day, and for  
14 that reason, we recommended that that submission be  
15 considered.

16 We'll set a date so, and we'll open it at  
17 a public meeting, at which any other respondents to  
18 the RFQ would be invited to attend. These are  
19 unusual circumstances but otherwise despite of being  
20 unusual, there is no impact. They are in the same  
21 position. So that's my recommendation that we carry  
22 that out. It would be necessary to extend the  
23 professional services contracts for approximately  
24 one month in order to do that process.

25 COMMISSIONER BETTINGER: I'll make a

1 motion.

2 MR. CURLEY: The motion is made to  
3 extend the professional contracts for the consulting  
4 engineers for a period of one month so that the  
5 Board could review the submissions that were  
6 received.

7 COMMISSIONER HOLLOWAY: I second.

8 MS. FERRARA: On a motion made by  
9 Commissioner Bettinger, and second by Commissioner  
10 Holloway.

11 Commissioner Arencibia.

12 COMMISSIONER ARENCIBIA: I abstain.

13 MS. FERRARA: Commissioner Bettinger.

14 COMMISSIONER BETTINGER: Aye.

15 MS. FERRARA: Commissioner

16 DiDomenico.

17 FREEHOLDER DiDOMENICO: Aye.

18 MS. FERRARA: Commissioner Gomez.

19 COMMISSIONER GOMEZ: Aye.

20 MS. FERRARA: Commissioner Holloway.

21 COMMISSIONER HOLLOWAY: Aye.

22 MS. FERRARA: Chairman Cryan.

23 CHAIRMAN CRYAN: Aye.

24 MS. FERRARA: The motion has passed.

25 Mr. Chairman, the next item on the agenda is

1 memorialization of resolutions considered at the  
2 previous meeting. I will reminded the Board, I will  
3 only be calling Commissioners who voted on the  
4 application that was presented.

5 CHAIRMAN CRYAN: I need a motion to  
6 memorialize the resolution.

7 MS. FERRARA: On a motion made by  
8 Commissioner Bettinger. Second by Commissioner  
9 Gomez.

10 Commissioner Bettinger.

11 COMMISSIONER BETTINGER: Aye.

12 MS. FERRARA: Commissioner Choffo,  
13 not present. Commissioner Glembocki, not present.  
14 Commissioner Gomez.

15 COMMISSIONER GOMEZ: Aye.

16 MS. FERRARA: Commissioner Holloway.

17 COMMISSIONER HOLLOWAY: Aye.

18 MS. FERRARA: Commissioner Mehta, not  
19 present.

20 COMMISSIONER MEHTA: Here.

21 MS. FERRARA: Oh, I'm wrong.

22 Commissioner Mehta has joined the meeting.

23 Commissioner Mehta, would you like to vote on for  
24 the memorialization of Goya?

25 COMMISSIONER MEHTA: Yes.

1 MS. FERRARA: Chairman Cryan.

2 CHAIRMAN CRYAN: Aye.

3 MS. FERRARA: The motion has passed.  
4 The next item on the agenda, Site Plan Applications,  
5 Subdivisions and Other Matters Scheduled for Public  
6 Hearing. The first application is 2013-063-SP;  
7 Applicant, Al Hoda Community Center; located at 3424  
8 Kennedy Boulevard; Block 2605, Lot 53, in Jersey  
9 City.

10 MR. SHALJIAN: Good evening,  
11 Mr. Chairman, Members of the Board. My name is  
12 Ronald Shaljian. I'm with the firm of Schumann  
13 Hanlon in Jersey City, and I represent the applicant  
14 in this matter. We're here this evening for a site  
15 plan approval. I would like to point out that our  
16 client purchased this property from the Harley Rod  
17 Company back in 2010. I'm sure all of you are  
18 familiar with that location because it was there for  
19 many, many years, a long history.

20 The building which he purchased takes up  
21 to the entire lot. It's 25 by 100. The plan of the  
22 applicant was to move their previous location of  
23 their congregation which was at 324 Central Avenue,  
24 two blocks west to this location once they found a  
25 location that they can purchase. At the Central

1 Avenue location the mosque in question has  
2 approximately a hundred members. Predominantly  
3 people walk. It's a neighborhood mosque. I'm  
4 saying that because I have a traffic engineer who is  
5 going to testify in few moments. I wanted to  
6 introduce those facts into the record before I  
7 introduce him to provide some testimony.

8 What has taken place is the previous  
9 location has now been substituted by this location.  
10 They have -- they've done the interior renovations  
11 to the building. They've done the exterior  
12 renovations to the building, and they've applied for  
13 a permanent TCO. Because of the weather, they  
14 haven't finished some of the exterior work.

15 The application that's before us this  
16 evening requests in sum, two waivers. One is a  
17 waiver of green elements, and the architect is here  
18 to request and provide some background as to that,  
19 and another is for the parking requirement. The  
20 applicant went before the zoning board of the City  
21 of Jersey City and obtained a use variance for this  
22 property at a public hearing, and subsequently,  
23 getting the use variance and submitting plans and  
24 began the construction, which it did over the past  
25 two years.

1 I have three witnesses available. I have  
2 one of the trustees of the congregation, who can  
3 describe how the operation works, the hours of  
4 operation. I have a traffic engineer. His name is  
5 Bahman. He's here from Ace Engineering in Wayne.  
6 He's the same project architect who has carried this  
7 project through the zoning board up until the  
8 present time. So I would like to call the architect  
9 first to ask him some questions about the green  
10 waiver that is in the letter that I received  
11 yesterday from the planning director.

12 MR. ALMUKHTAR: Good evening.

13 MR. SHALJIAN: Can you tell us your  
14 name and your credentials, please?

15 MR. CURLEY: I must swear the witness  
16 first, Mr. Shaljian.

17 (The witness is sworn.)

18 MR. CURLEY: State your name for the  
19 record and spell your last name.

20 MR. ALMUKHTAR: Nassir Almkhtar,  
21 N-a-s-s-i-r, last name, A-l-m-u-k-h-t-a-r. I'm a  
22 principal at Heritage Architecture. I'm a licensed  
23 architect in the state of New Jersey. I hold a  
24 current license in New Jersey as well as New York,  
25 Pennsylvania and Virginia, and I have testified in

1 front of numerous boards, zoning boards and been  
2 accepted as a expert witness in the field of  
3 architecture.

4 MR. SHALJIAN: If I call may you  
5 Nassir?

6 MR. ALMUKHTAR: Sure.

7 MR. SHALJIAN: Nassir, you were the  
8 architect that was involved in the project from the  
9 beginning; is that correct?

10 MR. ALMUKHTAR: That's correct.

11 MR. SHALJIAN: When you received the  
12 checklist -- strike that. You attended the informal  
13 conference that the County Planning Division had?

14 MR. ALMUKHTAR: Yes, I had.

15 MR. SHALJIAN: And as a result of  
16 attending that conference, you did receive a  
17 checklist of items that needed to be addressed?

18 MR. ALMUKHTAR: Yes, that's correct.

19 MR. SHALJIAN: One of the checklist  
20 items is a request to provide some green portions to  
21 this project?

22 MR. ALMUKHTAR: Yes.

23 MR. SHALJIAN: Would you address that  
24 issue?

25 MR. ALMUKHTAR: Sure. We tried to

1 address this item. We found out that we will need  
2 to ask for a waiver from the Board because of the  
3 difficulty associated with providing with the  
4 hardship trying to provide that request, mainly  
5 because the existing building occupies the entire  
6 site. We did some research on the green techniques  
7 and providing bike racks outside, bike racks in  
8 order to provide some green means of transportation.

9 This is virtually impossible because the  
10 building occupies the entire lot. Other techniques  
11 are providing some green landscaping. That's also  
12 not possible. On-site stormwater management is not  
13 possible. We don't have any space. As I mentioned,  
14 the existing building occupies the entire site.  
15 We're not changing anything to the drainage system  
16 that currently exists inside the building. So we  
17 are essentially asking for a waiver of the item.

18 MR. SHALJIAN: Does the Board have  
19 any questions?

20 MS. FERRARA: Mr. Chairman, given the  
21 applicant's testimony as well as in the site plan,  
22 because it's an existing building and because the  
23 building is taking up the majority of the lot, I  
24 would recommend to the Board that we grant the  
25 waiver from the green techniques.

1 MR. SHALJIAN: I'd like to call a  
2 traffic engineer at this time.

3 (The witness is sworn.)

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

6 MR. IZADMEHR: Good evening. My name  
7 is Bahman Izadmehr. The first name is B-a-h-m-a-n,  
8 last name is I-z-a-d-m-e-h-r. I work at Ace  
9 Engineering at 550 Colifax Road, Wayne, New Jersey.

10 MR. SHALJIAN: And are you a licensed  
11 professional engineer?

12 MR. IZADMEHR: Yes. I am a licensed  
13 professional engineer. I have appeared before this  
14 Board at least on two occasions.

15 MR. SHALJIAN: And are you a traffic  
16 engineer and trained as a traffic engineer?

17 MR. IZADMEHR: Yes.

18 MR. SHALJIAN: And were you requested  
19 by the architect to address one of the comments in  
20 the Planning Division's letter concerning the  
21 parking at the site, concerning traffic and parking?

22 MR. IZADMEHR: Traffic and parking,  
23 yes.

24 MR. SHALJIAN: You did submit an  
25 abbreviated traffic statement, did you not, dated

1 February 12, 2014?

2 MR. IZADMEHR: That's correct.

3 MR. SHALJIAN: This is the same  
4 report that was submitted to the Planning Division;  
5 is that correct?

6 MR. IZADMEHR: Yes.

7 MR. SHALJIAN: And now, in this  
8 report, you referenced some of the statistics that  
9 you utilized to reach some of the conclusions that  
10 you mentioned. I would like you to look at the  
11 report, and I would like you to explain to the Board  
12 the operation of this particular mosque as opposed  
13 to the statistics that we utilize in the report.

14 MR. IZADMEHR: Sure. Basically, this  
15 is an existing building, which received a use  
16 variance from Jersey City, and they're utilized as a  
17 community mosque. As it was mentioned earlier, the  
18 mosque used to be on Central Avenue, so it basically  
19 moved two blocks to its new location, and the reason  
20 I say that, a neighborhood mosque is a different  
21 type of mosque in New Jersey.

22 There are mosques, for example, in  
23 Paterson, in Edison, in Teaneck, South Brunswick  
24 that are basically in the middle of nowhere, and  
25 people have to drive to get there. Basically, there

1 are parishioners from 50 miles away. This  
2 particular mosque sits in the middle of a  
3 residential mixed-use commercial district of Jersey  
4 City. So it basically attracts its worshipers from  
5 the neighboring residential dwellings.

6 So therefore, commuting to this mosque is  
7 not an issue. There are really no -- basically  
8 almost no one drives to this particular mosque, so  
9 traffic should not be an issue. But we still have  
10 to compare the traffic generation for the prior use  
11 as opposed to the new use. In order to do that, we  
12 used the latest ITE. Now, the previous version of  
13 the ITE Handbook did not have a mosque as a separate  
14 use. So in this ninth edition they have a use  
15 dedicated specifically for a mosque. So we used to  
16 use churches in previous editions.

17 If you use the latest ITE numbers based on  
18 the square footage of the prayer room, we get  
19 basically four cars in the morning using this  
20 mosque, this one. If it was a typical regional  
21 mosque, the ITE has collected data. The p.m., it  
22 was would be 19 in and nine out of the site, a total  
23 of 28 cars. Now, mosques, if you're familiar with a  
24 mosque, usually their highest visitors are the  
25 worshipers during the Friday prayer, which in this

1 particular mosque, occurs about one to three p.m. to  
2 about 1:45, 1:50 p.m. And that's virtually occurs  
3 in the non-peak traffic hours, seven to nine a.m.,  
4 or four to six p.m.

5 So now as opposed to the prior use of the  
6 building which was commercial, that particular store  
7 had five cars in the morning, as well as about 19  
8 cars. So the numbers are less than what the mosque  
9 would generate, but the reality of this particular  
10 mosque would not generate anything in cars at all.  
11 If you go by ITE numbers, the differences are very  
12 minimal. We're talk about ten more cars during  
13 the -- nine more cars during the p.m. hour.

14 During the p.m. peak hours, there are no  
15 sessions in the mosque, there are no activities,  
16 there are no prayers, there are no congregations  
17 coming to the mosque. So from a traffic point of  
18 view, this mosque does not generate I should say any  
19 traffic at all.

20 MR. SHALJIAN: Is there public  
21 transportation nearby?

22 MR. IZADMEHR: Sure. As a matter of  
23 fact, right in front of the mosque, the curb is  
24 painted yellow indicating that there is a bus stop  
25 in front of the mosque itself.

1 MR. SHALJIAN: There is no curb,  
2 there is no curb cut services this particular lot;  
3 is that correct?

4 MR. IZADMEHR: No, there is no curb  
5 cut.

6 MR. SHALJIAN: And the main entrance  
7 to the mosque is from the sidewalk on JFK, so most  
8 of the people if not all, will be walking to this  
9 place of worship. Is that the basis for which  
10 you're requesting a waiver?

11 MR. IZADMEHR: Yeah. I'm not sure if  
12 the County requires parking because Jersey City  
13 approved this site plan as it is presented to this  
14 Board, and if that is governed by the Hudson County  
15 Planning Board, then we are requesting a waiver of  
16 the parking requirements.

17 COMMISSIONER BETTINGER: What is the  
18 cross street?

19 MR. IZADMEHR: Lincoln Street, which  
20 is sort of an offset crossroad at a signalized  
21 intersection, and I believe the last part of the leg  
22 of the intersection is one way to towards JFK, and  
23 the eastbound leg is a two-way road, and parking is  
24 permitted on all streets neighboring the area of the  
25 mosque except in front of the mosque, which is

1 designated as a bus stop.

2 CHAIRMAN CRYAN: I would like to make  
3 a note that Freeholder Romano is present.

4 COMMISSIONER HOLLOWAY: Mr. Chairman,  
5 I have a question. Are you familiar with the mosque  
6 on West Side Avenue off of Sip Avenue?

7 MR. IZADMEHR: No, I'm not.

8 COMMISSIONER HOLLOWAY: Being the  
9 Chairman of the Jersey City Parking Authority for  
10 about ten years, one of the complaints from  
11 residents about mosques, when I went to the mosque,  
12 they were double-parked on West Side, not only  
13 double-parking, but parking on the sidewalk. Is  
14 that the same thing here?

15 MR. IZADMEHR: I don't believe it  
16 will happen here because if you received complaints  
17 about Central Avenue mosque, because they were  
18 located on Central Avenue, the prior congregation.

19 COMMISSIONER HOLLOWAY: What's that  
20 address?

21 MR. SHALJIAN: Central Avenue, 392.

22 COMMISSIONER HOLLOWAY: Oh, okay. I  
23 know where it is.

24 MR. SHALJIAN: I was just informed  
25 that the West Side Avenue mosque has at least 200

1 congregants, twice the size of this.

2 COMMISSIONER HOLLOWAY: Why would you  
3 say about the other congregation? What do you have  
4 now? What is it now, how many people?

5 MR. IZADMEHR: Maximum a hundred, a  
6 hundred people.

7 MR. SHALJIAN: Because it's  
8 determined by the size of the prayer area.

9 MR. IZADMEHR: You can't physically  
10 fit more than a hundred people inside the prayer  
11 area.

12 COMMISSIONER HOLLOWAY: I noticed  
13 that you said hardly no traffic, and I'm sure that  
14 people that go to that mosque on West Side Avenue  
15 live in the neighborhood too, but they still bring  
16 their vehicle.

17 MR. IZADMEHR: Yeah, but that mosque  
18 attracts people from neighboring towns as well as  
19 from Jersey City. This particular mosque is  
20 executively for the residents.

21 COMMISSIONER HOLLOWAY: The reason  
22 I'm bringing it up, I've had complaints about that  
23 mosque.

24 MR. IZADMEHR: It's impossible in  
25 this particular location to park on JFK sidewalks.

1 It's more doable from the West Side from the  
2 different mosque itself.

3 COMMISSIONER HOLLOWAY: Thank you.

4 COMMISSIONER BETTINGER: Mr. Chair, I  
5 did have a concern that there is a bus stop, as you  
6 testified, that they can park at the bus stop.

7 MR. IZADMEHR: I don't believe so  
8 because there is a good bit of enforcement by Jersey  
9 City on that section of JFK as well as by the  
10 County. I have see people getting tickets there.  
11 So again, I haven't been there 24 hours a day, but  
12 this has been my experience.

13 COMMISSIONER ARENCIBIA: Mr.  
14 Chairman, is this the building on the corner, I  
15 think the northwest corner?

16 MR. IZADMEHR: And it's on the  
17 northeast corner.

18 COMMISSIONER ARENCIBIA: Northeast  
19 corner.

20 MR. IZADMEHR: It's basically the  
21 second lot north of Lincoln Street.

22 COMMISSIONER ARENCIBIA: Is there  
23 like a hobby shop right there?

24 MR. IZADMEHR: It used to be a hobby  
25 shop and sporting goods.

1 COMMISSIONER ARENCIBIA: It's a very  
2 small building.

3 MR. IZADMEHR: Yeah, it 25 x 100, 25  
4 x 99.

5 COMMISSIONER ARENCIBIA: And the  
6 parking lot next to it is not part of you?

7 MR. IZADMEHR: No, it is not.

8 COMMISSIONER ARENCIBIA: The mosque,  
9 do your worshipers, where they live in order for you  
10 to they're walking? Does the mosque know all of the  
11 worshipers?

12 MR. SHALJIAN: Yeah, the trustee  
13 could basically answer that question. He's right  
14 here.

15 COMMISSIONER HOLLOWAY: I'm sorry.  
16 Is there any documentation or planning or anything  
17 like that? Thank you.

18 MR. SHALJIAN: I have a survey.

19 CHAIRMAN CRYAN: Do you have more of  
20 those?

21 COMMISSIONER HOLLOWAY: Mr. Chairman,  
22 maybe rather than trying to grant waiver, can we  
23 request to know what it's a waiver of?

24 MR. CURLEY: The parking requirements  
25 of our land development ordinance incorporates a

1 parking requirements on the City where they take  
2 action on it. The City did not take action on the  
3 parking requirement in its zoning resolution. They  
4 left it to the County Board to defer the off-street  
5 parking requirements.

6 We generally follow the ITE and national  
7 traffic engineering standards in that regard, and  
8 those standards can be relaxed if the circumstance  
9 arises. That's the waiver that's being requested.  
10 The basis for the waiver is the literal enforcement  
11 is impractical or impossible to perform. It's an  
12 unnecessary hardship, which is traditionally the  
13 hardship standard that this Board has to find.

14 COMMISSIONER MEHTA: Mr. Chairman,  
15 this memorandum, it says something like we can get  
16 eight cars parking spaces for the employees of the  
17 mosque?

18 MR. SHALJIAN: The applicant entered  
19 into a license agreement with a property owner that  
20 owned the lot that's occupied solely by an  
21 advertising company. So the advertising company  
22 owns the lot, and they have a sign on a lot that  
23 they can accommodate the parking. However,  
24 apparently he did not enter into a long-term license  
25 agreement. It's a license agreement that was

1 terminable on 30 days notice by either side. Beyond  
2 that, it could be a substitute to say there is the  
3 guaranteed parking and offer that as off-street  
4 parking.

5 The memorandum that you have received, you  
6 received the memorandum from my office. I'm  
7 recommending that that the adjacent property owner  
8 provide some employee parking for them. It should  
9 not actually be termed "long-term" and "guaranteed."  
10 Jersey City took up this issue, and they didn't make  
11 a decision.

12 COMMISSIONER HOLLOWAY: Thank you.  
13 So they made no decision.

14 MR. CURLEY: I read the resolution,  
15 and it doesn't deal with it.

16 COMMISSIONER MEHTA: Okay. On the  
17 resolution your argument that once he's going have  
18 their meeting and find out, why don't you send that  
19 letter to the mosque? The Al Hoda, Community  
20 Center, it's a community center. What type of  
21 activities or what time and how many people might be  
22 waiting for something? I think the letter is  
23 something that would be more informational.

24 MR. SHALJIAN: May I call my client?  
25 Thank you.

1 (The witness is sworn.)

2 MR. CURLEY: Could you spell your  
3 last name for the record?

4 MR. EL SHANAWANY: E-l-s-h-a-n-a-w-a-n  
5 -y.

6 MR. SHALJIAN: Perhaps you can answer  
7 the Commissioner's question by describing what the  
8 operations of the mosque are on a weekly basis if  
9 you know.

10 MR. EL SHANAWANY: The operation of  
11 the mosque, as we said before, it takes 45 minutes,  
12 about 15 to two -- actually, ten minutes to two.  
13 People who come for prayer don't come together. One  
14 comes in the first minutes, and one comes in the  
15 last minute. They come to walk in and we have  
16 prayer. During the week we don't have any  
17 activities at all. The only day for us is Friday.

18 MR. SHALJIAN: What staff are there,  
19 if any?

20 MR. EL SHANAWANY: Occasionally like  
21 three people.

22 COMMISSIONER MEHTA: Can you give us  
23 more information on that, focus on how big is the  
24 area and how many people there are, and what type of  
25 activities you are doing, and at the same time, I

1 think I saw on the survey, it doesn't have a drawing  
2 or picture or anything in terms of any activities.

3 MR. EL SHANAWANY: Are you talking  
4 to --

5 MR. SHALJIAN: We have the whole  
6 building.

7 MR. EL SHANAWANY: We bought the  
8 whole building, and it's on the first floor. There  
9 is part that's just for prayer and the rest is  
10 bathrooms and stuff like that. The second floor has  
11 an office for us, and we have -- we have like a  
12 meeting room. Occasionally, we will use it if it's  
13 too big. The prayers are only on the first floor.

14 COMMISSIONER HOLLOWAY: Mr. Chairman,  
15 he did mention that the mosque is a community  
16 center.

17 MR. EL SHANAWANY: Community center  
18 is just the name. There is no activities. There is  
19 no sports.

20 COMMISSIONER HOLLOWAY: It's not  
21 going to be, for my edification, it's not going to a  
22 facility where you have activities for kids after  
23 school?

24 MR. EL SHANAWANY: No, no, we don't  
25 have. It's just a name, community center.

1 COMMISSIONER HOLLOWAY: Is there a  
2 reason why you're saying it's a community center?

3 MR. EL SHANAWANY: It's a legal name.

4 COMMISSIONER HOLLOWAY: It says  
5 mosque slash community center. Something like that  
6 you think it's a community center. The one I know,  
7 there's activities in there. So down the road after  
8 this is approved a year from now, you can open up a  
9 community center. My concern is not because of the  
10 mosque. It's the traffic and parking.

11 That's my concern. Being chair of the  
12 Parking Authority for ten years, people have brought  
13 things in front of this Board, and all of a sudden a  
14 year or two down the road, it's something different,  
15 and they're double-parking because they have more  
16 people going the facility. That's all I have.  
17 That's the reason I'm asking.

18 MR. EL SHANAWANY: We've been in the  
19 neighborhood 14 years and never had a complaint; in  
20 14 years, never have one complaint about  
21 double-parking. There we have a very good  
22 communication with the neighbors. We never have a  
23 problem.

24 COMMISSIONER HOLLOWAY: All right.  
25 Do we have a traffic engineer?

1 MS. FERRARA: Mr. Chairman, this  
2 project wasn't assigned. We did it in house.

3 COMMISSIONER ARENCIBIA: Maybe the  
4 neighbors, maybe he can answer the question about  
5 the worshipers that are using it because you're  
6 saying basically that they're all going to be  
7 traveling by foot.

8 MR. SHALJIAN: Yes, the current  
9 worshipers on Central Avenue will be going to this  
10 mosque, and it's closed on Central Avenue?

11 MR. EL SHANAWANY: It's closed  
12 already. We're not there anymore.

13 MR. SHALJIAN: So that all the ones  
14 that used to go there will be coming here?

15 MR. EL SHANAWANY: It was closed  
16 already. We've been here for four months.

17 COMMISSIONER ARENCIBIA: This new  
18 mosque has all the worshipers that went to Central  
19 Avenue?

20 MR. EL SHANAWANY: Yes.

21 COMMISSIONER ARENCIBIA: And they all  
22 -- you know them already and basically, you're going  
23 to do the same thing. And just to note to the Board  
24 that it's a very small building, and the worshipers  
25 can fit in there. You're saying a hundred

1 worshipers just from the community. You really  
2 don't have people from outside from the neighborhood  
3 coming to the mosque?

4 MR. EL SHANAWANY: No, only for the  
5 neighborhood because when you look at the Jersey  
6 City map, you find on Pavonia, you find on  
7 Montgomery, you find on Sip Avenue, in Journal  
8 Square. You know, we're only in this neighborhood,  
9 and we've been there 14 years. We know all of our  
10 people.

11 FREEHOLDER ROMANO: So I think with  
12 regard to traffic, number one, I think no matter who  
13 it is, there's no double-parking allowed, and I  
14 don't think it's going to happen. I don't think the  
15 Jersey City Police Department or the Sheriff's  
16 Department will tolerate it.

17 Another point also, I have an  
18 understanding of that. I celebrate Ramadan every  
19 year down on Communipaw, the second mosque slash  
20 community center, but it's a not a community center.  
21 The name "community center" connotes one thing to  
22 us. In reality, it's not. I know that one also on  
23 Communipaw is a community center that is not a  
24 community center also.

25

1 MR. EL SHANAWANY: What street?

2 FREEHOLDER ROMANO: The street  
3 leading down into Communipaw. We have Ramadan every  
4 year.

5 MR. EL SHANAWANY: Market Street,  
6 it's not a community center there. That's the  
7 Islamic Center of Jersey City.

8 FREEHOLDER ROMANO: And they call it  
9 the Islamic Community Center.

10 MR. EL SHANAWANY: I think they are  
11 more than the neighborhood.

12 COMMISSIONER ARENCIBIA: Mr.  
13 Chairman, the mosque is a small establishment. So I  
14 think if this was a larger mosque, it would attract  
15 more people, then I would be concerned about parking  
16 but it's not a factor. It's community-oriented, and  
17 that seem to be the kind of thing you want anyway,  
18 occupants that are more pedestrian-oriented.

19 CHAIRMAN CRYAN: So it's not going to  
20 be an issue?

21 COMMISSIONER ARENCIBIA: There are a  
22 number of other smaller buildings over there. So  
23 your service is one day a week. What happens is  
24 they don't operate there seven days a week.  
25 Obviously, if they know they're going to have people

1 driving, they're going to have to provide parking on  
2 the street. They're not allowed to double-park  
3 anywhere. Especially, I think there is a school a  
4 block away, the public school on the street, other  
5 side of the street so.

6 COMMISSIONER BETTINGER:

7 Commissioner, which school was that?

8 COMMISSIONER ARENCIBIA: Offhand, I  
9 can't think of the name of the school. It's an  
10 elementary school. I think it's a block down in  
11 this area. The school has a lot too on the other  
12 side of the street so.

13 CHAIRMAN CRYAN: Jersey City didn't  
14 have any issues with this?

15 MR. SHALJIAN: Jersey City approved  
16 it.

17 MS. FERRARA: I actually just wanted  
18 add something to what the County engineer just  
19 stated about the traffic issue, and more  
20 importantly, it's actually meant to be a community  
21 center for pedestrians or for people within the  
22 general area, and I would recommend that the County  
23 consider waiver its requirement, our land use  
24 requirement, for parking.

25 COMMISSIONER ARENCIBIA: I concur.

1 MS. FERRARA: On a motion made by  
2 Commissioner Romano. Second by Commissioner  
3 Arencibia.

4 Commissioner Arencibia.

5 COMMISSIONER ARENCIBIA: Aye.

6 MS. FERRARA: Commissioner Bettinger.

7 COMMISSIONER BETTINGER: I just have  
8 concerns about parking, and I just want to make it  
9 clear that you strongly suggest to your congregants  
10 not to park at the bus stop, of course. I vote aye.

11 MS. FERRARA: Commissioner  
12 DiDomenico.

13 FREEHOLDER DiDOMENICO: Aye.

14 MS. FERRARA: Commissioner Gomez.

15 COMMISSIONER GOMEZ: Aye.

16 MS. FERRARA: Commissioner Holloway.

17 COMMISSIONER HOLLOWAY: I vote aye.

18 For the record my concern is noted.

19 MS. FERRARA: Commissioner Mehta.

20 COMMISSIONER MEHTA: I have the same  
21 concern that there is a very vague line between a  
22 community center, and I have concerns that because  
23 it's called a community center, it can be used for  
24 something else. I will vote aye also.

25 MS. FERRARA: Commissioner Romano.

1 FREEHOLDER ROMANO: Aye.

2 MS. FERRARA: Chairman Cryan.

3 CHAIRMAN CRYAN: Aye.

4 MS. FERRARA: The motions has passed.  
5 Thank you.

6 MR. SHALJIAN: For clarification, Mr.  
7 Curley, does that include the green waiver?

8 MR. CURLEY: Yes, green waiver.

9 MR. SHALJIAN: Thank you.

10 MS. FERRARA: They had earlier  
11 requested a waiver from the two green techniques,  
12 and given the fact that this building is built out,  
13 I recommend to the Board that we grant the waiver.

14 The next application is to be heard is  
15 2013-079-SP; Applicant, 98 Adams Street, LLC,  
16 located at 98 Adams Street, Block 18, Lot 25, in  
17 Hoboken.

18 MR. ARMOMOTE: Is it possible that  
19 you go with the other group before us that's after  
20 me. My attorney had an emergency, and he's on his  
21 way. Thank you.

22 MS. FERRARA: So the next item under  
23 Applications to be heard 2013-080-SP; Applicant,  
24 Christopher Schluender Realty, LLC; located at 1957  
25 Kennedy Boulevard, Jersey City.

1 MR. WEINBERG: Good evening, ladies  
2 and gentlemen. My name is Robert Weinberg. I'm an  
3 attorney in New Jersey. I have an office in  
4 Bayonne. I am here to represent the applicant, and  
5 I have with me, Raul Cabato, who is a licensed  
6 architect in New Jersey. I have Mr. Schluender, who  
7 is the applicant. He'll be here to address certain  
8 issues.

9 Now, there was a formal planning meeting  
10 before this that went over the plans so on and so  
11 forth, and generated a letter from Ms. Giarratana  
12 directly, and I don't know to what detail you want  
13 me to go into. This an applicant to erect a  
14 three-unit dwelling on 1957 Kennedy Boulevard.

15 My suggestion, of course, we will do  
16 whatever the Board prefers, is to maybe work from  
17 the January 24th from the planner, which was revised  
18 February 12th, and possibly swear in Mr. Cabato, and  
19 if there are any questions, we can get to it, if the  
20 Board is happy with that, to address any questions  
21 or issue that the Board might be concerned with.

22 CHAIRMAN CRYAN: Proceed.

23 MR. WEINBERG: I'm going to call Mr.  
24 Cabato to be sworn in.

25 (The witness is sworn.)

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

3 MR. CABATO: Sure. It's Raul Cabato.  
4 C-a-b-a-t-o.

5 MR. WEINBERG: Mr. Cabato, you're  
6 licensed in state of New Jersey?

7 MR. CABATO: Yes, I am.

8 MR. WEINBERG: And you're a  
9 practicing architect?

10 MR. CABATO: Yes, I am.

11 MR. WEINBERG: And you've appeared  
12 before this Board?

13 MR. CABATO: I have appeared before  
14 this Board once, and I have appeared in other Boards  
15 in other municipalities.

16 MR. WEINBERG: I would request that  
17 the Board accept Mr. Cabato as an expert witness.

18 CHAIRMAN CRYAN: That's fine.

19 MR. WEINBERG: Mr. Cabato, you read  
20 this letter of January 24th, revised February 12th,  
21 2014, from the Division of Planning?

22 MR. CABATO: Yes I have.

23 MR. WEINBERG: And you prepared the  
24 plan?

25 MR. CABATO: Yes, I did.

1 MR. WEINBERG: For the applicant,  
2 okay. Now, the angled driveway which is the first  
3 general comment was not in alignment with the curb  
4 cut, what did you do to soften that up?

5 MR. CABATO: We revised it have  
6 advised that according to the comments of the  
7 County.

8 MR. WEINBERG: And on the Comment No.  
9 2, about the sidewalks being replaced, No. 7, is  
10 that that a sidewalk detail sheet?

11 MR. CABATO: That's correct. We  
12 provided the details for the sidewalk replacement.  
13 We are not going to replace the curb.

14 MR. WEINBERG: Is there a curb cut  
15 there?

16 MR. CABATO: There is an existing  
17 curb cut.

18 MR. WEINBERG: That could be left the  
19 way it is, there is no new curb cut or modification?

20 MR. CABATO: No.

21 MR. WEINBERG: And there was an issue  
22 which was raised by the engineering firm by Mr. Cray  
23 from Remington & Vernick, with regard to the sewer  
24 line; if you can explain how you approached that.

25 MR. CABATO: That's correct. We got

1 a comment from the engineer, and we immediately went  
2 to JCMUA to discuss this with them, and basically,  
3 what they told us is that we could tap into the  
4 existing sewer, and there was no mention of  
5 providing any detention system.

6 MR. WEINBERG: Was that memorialized  
7 in a letter?

8 MR. CABATO: I believe so, yes.

9 MR. WEINBERG: And was that letter  
10 from the staff engineer at the Jersey City MUA?

11 MR. CABATO: That's correct.

12 MR. WEINBERG: And that was submitted  
13 to the Board. It should be part of the record. I  
14 think these were the issues that were raised in the  
15 commentary letter. I don't know if the Board has  
16 any question for Mr. Cabato.

17 MR. CRAY: Thank you, Mr. Chairman.  
18 Just for the record, the engineering review comments  
19 from February 7, 2014 letter, since the client had  
20 meet with the Site Plan and Subdivision Review  
21 Committee, we addressed many of those items. Since  
22 then, the applicant submitted information to both  
23 the Division of Planning and Remington & Vernick,  
24 and have since addressed all of the review comments,  
25 and have attached plan revisions or documents. For

1 the record, the applicant does not propose any  
2 connection to the County storm sewer system?

3 MR. CABATO: That's correct.

4 MR. CRAY: You'll be connecting to  
5 JCMUA system, both as a combined sewer, so it's your  
6 drainage as well as your sanitary. Because of the  
7 size of your site, they not requiring off-site  
8 detention?

9 MR. CABATO: That's correct.

10 MR. CRAY: That being the case,  
11 everything else has been satisfactorily addressed.

12 MS. FERRARA: Mr. Chairman, the two  
13 items in the Division of Planning letter dated  
14 January 24th, revised February 12th, the applicant  
15 is compliant with the two green techniques. They  
16 are providing native landscaping as well as the  
17 trees. I think you have 34 feet of frontage, so  
18 they are required to plant two trees.

19 MR. WEINBERG: If I may, there is an  
20 existing tree there, and I think we're compliant  
21 with the requirement.

22 MS. FERRARA: They have met the shade  
23 tree requirement.

24 CHAIRMAN CRYAN: Anybody from the  
25 public want to say anything?

1                   COMMISSIONER ARENCIBIA: Mr.  
2 Chairman, the driveway is existing, you're going to  
3 use that same driveway?

4                   MR. CABATO: It's going to be in the  
5 same location because it lines up with the curb cut  
6 that's existing. It's not going to be the same  
7 driveway.

8                   COMMISSIONER ARENCIBIA: You're going  
9 to build a new driveway in the same location and put  
10 in a sidewalk?

11                  MR. CABATO: That's correct. That's  
12 correct.

13                  COMMISSIONER ARENCIBIA: One thing,  
14 when you're ready to do that, come to the County  
15 Engineer's office for a permit.

16                  MR. CABATO: Of course.

17                  COMMISSIONER MEHTA: Looking at the  
18 drawing, you're going to have an apartment on the  
19 first and second floor?

20                  MR. CABATO: That's correct. It's a  
21 duplex apartment. The kitchen is going to be at  
22 garage level. Above that, there is going to be  
23 stairs to the bedroom above.

24                  COMMISSIONER MEHTA: That would be a  
25 one-bedroom apartment, a two-bedroom apartment and

1 one three-bedroom apartment?

2 MR. CABATO: That's correct. The  
3 one-bedroom duplex, there is going to be a  
4 two-bedroom on the second floor and a three-bedroom  
5 on the third floor.

6 COMMISSIONER HOLLOWAY: I'll make a  
7 motion to approve.

8 FREEHOLDER DiDOMENICO: I'll second.

9 MS. FERRARA: On a motion made by  
10 Commissioner Holloway. Second by Commissioner  
11 DiDomenico.

12 Commissioner Arencibia.

13 COMMISSIONER ARENCIBIA: Aye.

14 MS. FERRARA: Commissioner Bettinger.

15 COMMISSIONER BETTINGER: Aye.

16 MS. FERRARA: Commissioner  
17 DiDomenico.

18 FREEHOLDER DiDOMENICO: Aye.

19 MS. FERRARA: Commissioner Gomez.

20 COMMISSIONER GOMEZ: Aye.

21 MS. FERRARA: Commissioner Holloway.

22 COMMISSIONER HOLLOWAY: Aye.

23 MS. FERRARA: Commissioner Mehta.

24 COMMISSIONER MEHTA: Aye.

25 MS. FERRARA: Commissioner Romano.

1 FREEHOLDER ROMANO: Aye.

2 MS. FERRARA: Chairman Cryan.

3 CHAIRMAN CRYAN: Aye.

4 MS. FERRARA: The motion has passed.

5 MR. WEINBERG: Thank you. Thank you.

6 MR. ARMOMOTE: We are still without  
7 counsel. I don't know if we can proceed without  
8 them. It's up to the Commissioners whether or not  
9 need an attorney to proceed or not.

10 MS. FERRARA: We have items to be  
11 exempt.

12 CHAIRMAN CRYAN: Why don't we do that  
13 first?

14 MS. FERRARA: The next item on the  
15 agenda is Applications to be Exempt. Commissioners,  
16 in your packets there is a note as to why we are  
17 exempting the applications. All of these  
18 application's site plans and subdivisions do not  
19 affect the County.

20 The first application is 2014-002-SD,  
21 Applicant TRFDP-Ocean Avenue LLC, located at 719-721  
22 Ocean Avenue, Block 226062, Lots 8, 9, 10, 11;  
23 located in Jersey City.

24 The next application is 2014-003-SD;  
25 Applicant TRFDP-Jackson Green LLC, located at

1 659-661 Ocean Avenue, and 8-10 Orient Avenue; Block  
2 22602, Lots 8, 9, 10 and 11; Jersey City.

3 Next application, 2014-004-SD; Applicant.  
4 TRFDP-Jackson Green, LLC, located at 59-67 Virginia  
5 Avenue, Block 21102, Lots 43, 44, 45, 46, 47; Jersey  
6 City.

7 The last application is 2014-050-SP;  
8 applicant 1061 Broadway, LLC; located at Broadway  
9 and West 53rd Street; Block 40, Lot 24, in Bayonne.

10 On a motion made by Commissioner  
11 Bettinger. Second by Commissioner Gomez.

12 Commissioner Arencibia.

13 COMMISSIONER ARENCIBIA: Aye.

14 MS. FERRARA: Commissioner Bettinger.

15 COMMISSIONER BETTINGER: Aye.

16 MS. FERRARA: Commissioner

17 DiDomenico.

18 FREEHOLDER DiDOMENICO: Aye.

19 MS. FERRARA: Commissioner Gomez.

20 COMMISSIONER GOMEZ: Aye.

21 MS. FERRARA: Commissioner Holloway.

22 COMMISSIONER HOLLOWAY: Aye.

23 MS. FERRARA: Commissioner Mehta.

24 COMMISSIONER MEHTA: On the first  
25 two, the block and lot numbers are the same, and I

1 think that's very unusual. So can you just check it  
2 out in the records? I vote aye.

3 MS. FERRARA: Commissioner Romano.

4 FREEHOLDER ROMANO: Aye.

5 MS. FERRARA: Chairman Cryan.

6 CHAIRMAN CRYAN: Aye.

7 MS. FERRARA: The motion has passed.

8 MR. ARMOMOTE: He said he's parking.  
9 I'm assuming we should just wait.

10 (At this point in the proceeding, a  
11 brief recess is taken.)

12 MR. CURLEY: Mr. Chairman, my  
13 recommendation would be to dismiss the application,  
14 with the understanding that the applicant will  
15 refile, and the applicant can request a waiver of  
16 the 45 days.

17 MS. FERRARA: On a motion made by  
18 Commissioner Holloway to dismiss Application  
19 2013-078-SP. Second by Commissioner Romano.

20 Commissioner Arencibia.

21 COMMISSIONER ARENCIBIA: Aye.

22 MS. FERRARA: Commissioner Bettinger.

23 COMMISSIONER BETTINGER: Aye.

24 MS. FERRARA: Commissioner

25 DiDomenico.

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FREEHOLDER DiDOMENICO: Aye.  
MS. FERRARA: Commissioner Gomez.  
COMMISSIONER GOMEZ: Aye.  
MS. FERRARA: Commissioner Holloway.  
COMMISSIONER HOLLOWAY: Aye.  
MS. FERRARA: Commissioner Mehta.  
COMMISSIONER MEHTA: Aye.  
MS. FERRARA: Commissioner Romano.  
FREEHOLDER ROMANO: Aye.  
MS. FERRARA: Chairman Cryan.  
CHAIRMAN CRYAN: Aye.  
MS. FERRARA: The motion passes.  
(Whereupon the proceeding is then  
concluded at 8:06 p.m.)

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C E R T I F I C A T I O N

I, SHARI CATHEY, CCR, RPR, License No.  
30XI00234700, and Notary Public of the State of New  
Jersey, hereby certify that the proceedings herein  
are from the notes taken by me of a Regular Meeting  
of the Hudson County Planning Board, held on  
Wednesday, February 15, 2014; 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 2/4/17

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