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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, May 16, 2012
6:30 p.m.

BEFORE:

- RENEE BETTINGER, Chairman
- DEMETRIO ARENCIBIA, PE, PP, County Engineer
- MARY AVAGLIANO, Commissioner
- MICHAEL HOLLOWAY, Vice Chair
- HON. DOREEN DiDOMENICO, Freeholder
- ALAIN GOMEZ, Commissioner
- JAMES CRYAN, Commissioner
- HON. ANTHONY ROMANO, Freeholder

ALSO PRESENT:

- MASSIEL FERRARA, PP, AICP, PLANNING DIRECTOR
- MARIO TRIDENTE, Building Inspector
- DANIELA CIAMMARUCONI, Planning Aide
- MEGAN MASSEY, P.E., AICP, PRINCIPAL PLANNER
- JACLYN J. FLOR, R.E., P.P., CME
- PAUL D. CRAY, P.E., P.P., CME
- JOHN CAMPBELL, Board Attorney

Job No. NJ387311

1 CHAIRWOMAN BETTINGER: I'd like to
2 call to order the meeting of the Hudson County
3 Planning Board, May 16th, 2012. Counsel, has this
4 meeting been properly advertised?

5 MR. CURLEY: Yes, the meeting has
6 been properly noticed in accordance with the Public
7 Meetings Act. Notice has been published in the
8 Jersey Journal and the Star Ledger. Notice of the
9 meeting has been posted with the County Clerk and
10 the Board of Freeholders.

11 CHAIRWOMAN BETTINGER: May I have a
12 roll call, please.

13 MS. FERRARA: Commissioner Arencibia.

14 COMMISSIONER ARENCIBIA: Here.

15 MS. FERRARA: Commissioner Avagliano.

16 COMMISSIONER AVAGLIANO: Here.

17 MS. FERRARA: Commissioner Choffo.

18 Commissioner Cryan.

19 COMMISSIONER CRYAN: Here.

20 MS. FERRARA: Commissioner

21 DiDomenico.

22 FREEHOLDER DiDOMENICO: Here.

23 MS. FERRARA: Commissioner Gomez.

24 COMMISSIONER GOMEZ: Present.

25 MS. FERRARA: Commissioner Holloway.

1 COMMISSIONER HOLLOWAY: Here.

2 MS. FERRARA: Commissioner Mehta,
3 absent. Commissioner Ng, absent. Commissioner
4 Romano.

5 FREEHOLDER ROMANO: Here.

6 MS. FERRARA: Chairwoman Bettinger.

7 CHAIRWOMAN BETTINGER: Here.

8 MS. FERRARA: Madam Chair, we have a
9 quorum.

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

12 (Flag salute.)

13 CHAIRWOMAN BETTINGER: Have all the
14 Commissioners received the Meeting Minutes of
15 April 18th, 2012. Do I have a motion to approve?
16 Motion to accept.

17 COMMISSIONER AVAGLIANO: Second.

18 MS. FERRARA: On a motion to accept
19 the Meeting Minutes of April 18th, 2012.

20 Commissioner Arencibia.

21 COMMISSIONER ARENCIBIA: Aye.

22 MS. FERRARA: Commissioner Avagliano.

23 COMMISSIONER AVAGLIANO: Aye.

24 MS. FERRARA: Commissioner Cryan.

25 COMMISSIONER CRYAN: Aye.

1 MS. FERRARA: Commissioner
2 DiDomenico.

3 FREEHOLDER DiDOMENICO: Aye.

4 MS. FERRARA: Commissioner Gomez.

5 COMMISSIONER GOMEZ: Aye.

6 MS. FERRARA: Commissioner Holloway.

7 COMMISSIONER HOLLOWAY: Abstained.

8 MS. FERRARA: Commissioner Romano.

9 FREEHOLDER ROMANO: Aye.

10 MS. FERRARA: Chairwoman Bettinger.

11 CHAIRWOMAN BETTINGER: I vote aye.

12 MS. FERRARA: Madam Chair, the motion
13 passes. Madam Chair, the next item on the agenda is
14 the acceptance of the Hudson Community Indicator
15 Report, to accept the Hudson 2012 Community
16 Indicator Report.

17 CHAIRWOMAN BETTINGER: Do I have a
18 motion?

19 FREEHOLDER ROMANO: Motion.

20 FREEHOLDER DiDOMENICO: Second.

21 MS. FERRARA: On a motion put forth
22 by Commissioner Romano. Second by Commissioner
23 DiDomenico.

24 Commissioner Arencibia.

25 COMMISSIONER ARENCIBIA: Abstained.

1 MS. FERRARA: Commissioner Avagliano.

2 COMMISSIONER AVAGLIANO: Aye.

3 MS. FERRARA: Commissioner Cryan.

4 COMMISSIONER CRYAN: Aye.

5 MS. FERRARA: Commissioner

6 DiDomenico.

7 FREEHOLDER DiDOMENICO: Aye.

8 MS. FERRARA: Commissioner Gomez.

9 COMMISSIONER GOMEZ: Aye.

10 MS. FERRARA: Commissioner Holloway.

11 COMMISSIONER HOLLOWAY: Aye.

12 MS. FERRARA: Commissioner Romano.

13 FREEHOLDER ROMANO: Aye.

14 MS. FERRARA: Chairwoman Bettinger.

15 CHAIRWOMAN BETTINGER: I vote aye.

16 MS. FERRARA: The motion has passed.

17 CHAIRWOMAN BETTINGER: Thank you.

18 MS. FERRARA: The next item on the
19 agenda is memorialization of resolutions considered
20 at the last meeting, starting with application
21 2012-016-SP, Applicant Jeff White, location 259
22 First Street, 258 Newark Street and 256 Newark
23 Street, Block 22, Lots 25.1, 5.2 and 6;
24 Municipality, in Hoboken.

25 CHAIRWOMAN BETTINGER: Do I have a

1 motion?

2 COMMISSIONER AVAGLIANO: Motion.

3 COMMISSIONER CRYAN: Second.

4 MS. FERRARA: On a motion put forth
5 by Commissioner Avagliano. Second by Commissioner
6 Cryan.

7 Commissioner Arencibia.

8 COMMISSIONER ARENCIBIA: Aye.

9 MS. FERRARA: Commissioner Avagliano.

10 COMMISSIONER AVAGLIANO: Aye.

11 MS. FERRARA: Commissioner Cryan.

12 COMMISSIONER CRYAN: Aye.

13 MS. FERRARA: Commissioner

14 DiDomenico.

15 FREEHOLDER DiDOMENICO: Aye.

16 MS. FERRARA: Commissioner Gomez.

17 COMMISSIONER GOMEZ: Abstained.

18 MS. FERRARA: Commissioner Holloway.

19 COMMISSIONER HOLLOWAY: Aye.

20 MS. FERRARA: Commissioner Romano.

21 FREEHOLDER ROMANO: Aye.

22 MS. FERRARA: Chairwoman Bettinger.

23 CHAIRWOMAN BETTINGER: Aye.

24 MS. FERRARA: Madam Chair, the motion
25 has passed. Next item on the agenda are site plans,

1 subdivisions and other matters scheduled for public
2 hearing. First application 2011-091-SP, Joe
3 Slusarczyk; Location, 1811-1911 Paterson Plank Road,
4 Block 27, Lots 24A, 28A, 28B, in the municipality of
5 North Bergen.

6 MR. ALONSO: Good evening, Madam
7 Chair, Members of the Board. For the record, Alvaro
8 Alonso, Alonso & Navarrete, on behalf of the
9 applicant, Joseph Slusarczyk. This is an
10 application to add an addition to an existing car
11 wash. The car wash has been closed for quite some
12 time. It is his intention to reopen the car wash,
13 put an addition on it. There is some office space
14 associated with it, but associated with the car wash
15 business.

16 I have four professional witnesses here
17 this evening, two engineers, an architect and
18 traffic engineer, all of which reviewed their
19 submissions with your engineers and your
20 professionals, and I believe that almost all of the
21 issues have been addressed. With that I'm go call
22 my first witness, David Fantina.

23 (The witness is sworn.)

24 MR. CURLEY: Please state your name
25 for the record and spell your last name.

1 MR. FANTINA: My name is David
2 Fantina, F-a-n-t-i-n-a.

3 MR. ALONSO: Mr. Fantina, can you
4 please review your qualifications in engineering?

5 MR. FANTINA: Yes, I'm a professional
6 engineer in the state of New Jersey, licensed since
7 1987. I'm also licensed New York State. I've been
8 the proprietor of Fantina Engineering since 2001,
9 and I've practiced engineering since 1984. I hold a
10 bachelor and masters degree in civil and
11 environmental engineering at Rutgers University.

12 MR. ALONSO: Have your qualifications
13 been accepted by other boards?

14 MR. FANTINA: Yes.

15 MR. ALONSO: And you've testified in
16 North Bergen with respect to this application as an
17 engineer?

18 MR. FANTINA: I was there. My
19 testimony was not necessary.

20 MR. ALONSO: Madam Chair, I'd like to
21 offer Mr. Fantina as an expert in engineering.

22 CHAIRWOMAN BETTINGER: Thank you.

23 MR. ALONSO: Mr. Fantina, as part of
24 the work you performed on this application, did you
25 have an opportunity to review --

1 CHAIRWOMAN BETTINGER: Mr. Alonso,
2 could you please speak into the mic. It's very
3 difficult to hear.

4 MR. ALONSO: I'm sorry. As part of
5 the scope of the work that you performed on this
6 application, did you have an opportunity to review
7 the latest report of T & M Associates, dated May
8 16th?

9 MR. FANTINA: Yes, I did.

10 MR. ALONSO: And I'm going to address
11 specifically No. 3, 3.1, and 3.2 and 3.3, are those
12 conditions, all of those conditions ready to be met?

13 MR. FANTINA: Yes, we have no
14 concerns with any of them; 3.1, T & M has asked that
15 we replace some of the sidewalk out in front of the
16 property, it's a tripping hazard, and grouting an
17 existing retaining wall, we agreed to that. Item
18 No. 3.2, simply indicates that they want to see a
19 copy of all municipal and other approvals. We'll
20 get that to them. We have them all. Item 3.3 has
21 been address. They had previously submitted a cost
22 estimate for trees. We're going to make a \$5,000
23 donation in lieu of planting trees because there is
24 no place in front to plant them.

25 MR. ALONSO: Item No. 3.4, the County

1 has green infrastructure low impact development
2 requirements, can you tell us whether or not those
3 have been addressed?

4 MR. FANTINA: Yes, we have addressed
5 them. As a matter of fact, the letter dated
6 April 12th, from the County's Principal Planner,
7 Megan Massey, indicates that they're addressed. The
8 way we addressed them is we have to incorporate two
9 low impact development strategies, and we've
10 incorporated Strategy No. 1, which is minimizing
11 site disturbance. In meeting with your
12 professionals a couple months ago, we determined
13 that the way to do that was to take the area of the
14 site that was not being disturbed and placing a
15 conservation easement. The applicant has agreed to
16 do that, and that's shown on the plans.

17 And Strategy No. 17 is recharging ground
18 water, and we're taking all of the water from the
19 impervious surfaces and taking it into a dry well
20 and recharging it into the ground. So there are two
21 strategies that we are incorporating into the plans.

22 MR. ALONSO: With respect to 3.5, we
23 have the steep slope ordinance. As part of this
24 application, we're requesting a waiver. Can you
25 provide testimony with respect to the request?

1 MR. FANTINA: Yes, if the County
2 is -- my plans are up here in front of you. The
3 County is familiar with the site. Can you hear me?

4 CHAIRWOMAN BETTINGER: We have this
5 overhead sound of the air conditioning.

6 MR. FANTINA: Can you hear me better
7 now?

8 CHAIRWOMAN BETTINGER: Yes.

9 MR. FANTINA: As far as that's
10 concerned, on the waiver request for steep slopes,
11 all of the existing car wash and existing pavement
12 on the site is on relatively flat ground. As soon
13 as you go beyond that, the ground is excessively
14 sloped. There is no way to make use of the property
15 without disturbing steep slopes. That being said,
16 we tried to minimize -- we are going back into that
17 area for additional parking lanes and access lanes
18 and what have you, so we are requesting waivers from
19 the County.

20 Again, we met with your staff about this,
21 and that was part of the genesis of providing the
22 conservation easement in that portion. That portion
23 is wooded. We'll kept that area wooded and
24 untouched in the conservation easement. The
25 property itself presents a hardship in that there is

1 no way to enlarge the existing facility without
2 disturbing the steep slopes.

3 MR. ALONSO: And 3.7 indicates that
4 the plan shows a sanitary lines located in the back
5 of the property. Can you testify with respect to
6 whether or not there actually is a sanitary line in
7 the back rear of the property?

8 MR. FANTINA: Yeah, I think this may
9 have been a misunderstanding. There is no sanitary
10 line shown on my plan or architectural plan. I
11 checked the survey. There is no sanitary sewer line
12 in this property. The sanitary sewer is actually to
13 the front. It doesn't go to the rear.

14 MR. ALONSO: And finally, I see you
15 have conformed your plans with the architect's
16 plans?

17 MR. FANTINA: Yes, certainly.

18 MR. ALONSO: Madam Chair, I have no
19 other questions.

20 CHAIRWOMAN BETTINGER: Is there any
21 Commissioners that have any comments or questions?

22 FREEHOLDER ROMANO: Clarify for me as
23 far as what you were saying about the slope, it will
24 not be affected?

25 MR. FANTINA: No, the existing

1 parking area right now is relatively flat. As soon
2 as you go beyond that, it's exclusively slopes. So
3 we don't have the ability to expand our facilities
4 at all without disturbing the slope. That's the
5 reason for the waiver request.

6 COMMISSIONER ARENCIBIA: Madam Chair,
7 the slopes pass on the property lines, has anyone
8 evaluated that condition that was at the fence?

9 MR. FANTINA: Yes, we have structural
10 engineer who has looked at that, and he's here
11 tonight.

12 CHAIRWOMAN BETTINGER: Any other
13 comments? I guess we'll proceed.

14 (The witness is sworn.)

15 MR. CURLEY: State your name for the
16 record, and please spell your last name for the
17 record.

18 MR. GOLDMAN: G-o-l-d-m-a-n.

19 MR. ALONSO: Mr. Goldman, can you
20 review your professional qualifications in
21 engineering?

22 MR. GOLDMAN: I'm a professional
23 engineer, licensed in New Jersey and several other
24 states. I was first licensed in 1979. I have a
25 bachelors degree in engineering and masters degree

1 in civil engineer. I have been a practicing
2 engineer since 1975.

3 MR. ALONSO: Thank you, Madam Chair
4 Mr. Goldman, were you hired with respect to this
5 application pertaining to the retaining wall?

6 MR. GOLDMAN: Yes, I was.

7 MR. ALONSO: Can you review the
8 design of the retaining wall?

9 MR. GOLDMAN: Yes, the wall is four
10 to five feet at the highest point on the west side.
11 The site slopes as it go to the east, so the wall
12 gets shorter. The Board will see three details.
13 There's a geotechnical report prepared by a
14 geotechnical engineering service that did bores on
15 the site on the rock elevation and made
16 recommendations for the wall design. It will be a
17 gravity retaining wall, where the weight of the soil
18 behind the wall will provide any overturning
19 resistance necessary to retain the soil.

20 For sliding resistance, what we're going
21 to do is dowel the footing into the rock, and the
22 report indicated that we'll bury the rock at the
23 base of the wall, expose the rock and pour concrete
24 directly on the rock to prevent sliding if
25 necessary. In the packet with the details, we have

1 two potential designs. One has out-rigors to
2 strengthen the wall and make it so the thickness of
3 the cantilever portion is thinner by buttressing the
4 wall. The other one is a straight cantilever wall
5 that the wall gets shorter, as in a typical
6 cantilever wall. It will all be constructed with
7 reinforced concrete.

8 MR. ALONSO: I have no further
9 questions.

10 CHAIRWOMAN BETTINGER: Ms. Flor, did
11 you have any comments?

12 MS. FLOR: No, as long as the wall
13 was designed by professional engineers, we're
14 satisfied. They submitted calculations -- they
15 haven't submitted calculations but they submitted
16 plans sealed by the engineer. We are satisfied with
17 that. They also submitted a visual reports for the
18 wall behind. We recommended the wall be regouted,
19 and the applicant agreed to do so.

20 CHAIRWOMAN BETTINGER: Any other
21 comments? Thank you.

22 MR. ALONSO: Mr. Staigar.

23 (The witness is sworn.)

24 MR. CURLEY: Please spell your last
25 name for the record.

1 MR. STAIGAR: S-t-a-i-g-a-r.

2 MR. ALONSO: Mr. Staigar, would you
3 review your professional qualifications as a traffic
4 engineer.

5 MR. STAIGAR: Yes, I have bachelors
6 of science and master of science in civil
7 engineering, New Jersey Institute of Technology. I
8 have also been an adjunct professor of traffic
9 engineering at NJIT. I'm a professional engineer,
10 licensed in the state of New Jersey, as well as
11 other states in the northeast. I've appeared before
12 this Planning Board on numerous occasions.

13 MR. ALONSO: Thank you, Madam Chair.
14 Mr. Staigar, did you prepare a traffic impact
15 analysis in connection with this application?

16 MR. STAIGAR: Yes, it was submitted
17 to the Planning Board.

18 MR. ALONSO: Did you meet with the
19 Planning Board professionals with respect to the
20 contents of your report?

21 MR. STAIGAR: Yes, we had a TRC
22 meeting, yes.

23 MR. ALONSO: Did you review any
24 comments or concerns with the engineers?

25 MR. STAIGAR: Well, there was a

1 comment letter. The last one is dated May 16th, and
2 there are a few comments that were related to
3 traffic impact and layout, and I'm happy to address
4 those comments as necessary.

5 MR. ALONSO: Could you please
6 identify which comments you're referring to?

7 MR. STAIGAR: On page 2 of that May
8 16th report, there is an item. I'll start off with
9 one, a traffic impact and layout. Comment No. 1.1,
10 site proposes to utilize existing driveway on
11 Paterson Plank Road. Yes, we agree, and there's a
12 statement, 1.2, deals with a description of the
13 property that we submitted a traffic impact
14 assessment dated December 28th of 2011, and then
15 there are three comments related to the traffic
16 impact.

17 Comment No. 1.21, is the level of service
18 analysis of driveways calculated to be Level of
19 Service C or better. We have a Level of Service A
20 coming in. The left turn coming in is at Level of
21 Service A. The lefts and rights out will be a Level
22 of Service C. These are acceptable levels of
23 service. They relate to delay. Level of Service A
24 is zero to ten seconds. That left turn coming in is
25 going to be fairly free-flow movement. Level of

1 Service C is more than 20 seconds. I believe it's
2 20 to 35 seconds, acceptable levels of service. So
3 coming out of the site will be minimal delay.

4 1.22 analysis shows no delay issues
5 particularly relating to the left-turn vehicles into
6 the site. As I said that was Level of Service A.
7 It also indicated removing parking spaces along
8 Paterson Plank Road adjacent to the site would be
9 warranted, to allow through-vehicles to pass. I
10 think we can as, I said, Level of Service A shows
11 that it's not warranted, but there are two parking
12 spaces that are opposite our driveway that if a
13 vehicle were stationed there to make a left-hand
14 turn, if those two parking spaces were removed,
15 other northbound vehicles would be able to more
16 easily get around them.

17 I've made a number of surveys, I would say
18 observation surveys of parking on Paterson Plank
19 Road, minimal need for those two parking spaces.
20 The elimination of those parking spaces would not
21 have an impact on a demand for parking in that area.
22 So we'd be happy to remove those spaces, remove the
23 pavement, put up a new parking sign or No Parking
24 sign I should say, remove the existing parking sign
25 to allow for better movement at the driveway. I'd

1 defer to the engineer if they want that or not.

2 And 1.2.3 deals with testimony related to
3 site cuing that we spill over onto Paterson Plank
4 Road. If you take a look at our site, we have dual
5 lanes that come into the site and wrap around the
6 building. We have the entire site that allows for
7 stacking on the site. We have up to 30 or 40 cars
8 that could be stacked on this site. There is also a
9 third lane, which is a by-pass lane that typically
10 would not be used by customers. If there were an
11 additional need for stacking beyond 30 vehicles,
12 which I don't believe that ever would be the
13 occasion, we're able to increase it by another 14 or
14 15 cars stacking as well.

15 So I think we have more than ample
16 stacking on that site. When you get to a point
17 where customers see and observe a number of parked
18 cars or stacked cars on the site, their indication
19 or thought process is maybe the wait is too long,
20 and they'll just bypass the site. In essence, it's
21 almost a self-policing attribute out of car washes
22 to do that. I don't believe we'll be anywhere near
23 backing out onto Paterson Plank Road at all.

24 1.3, the proposed additional to reduce the
25 travel lane from the site to less than 12 feet,

1 multiple lanes feed into this one lane. Additional
2 stop signs obstructs the lane where the lane
3 intersects cars entering the site. There does not
4 appear to be adequate maneuvering space for vehicles
5 to make the turn to exit the site from this bypass
6 lane. The applicant should provide a turning
7 template that shows that cars can make the turn out
8 the bypass lane without obstructing entering cars.
9 I'm sorry, I can skip right to the end where we
10 addressed that. That comment has been addressed as
11 well; 1.4 has been addressed as well.

12 We did meet with your professionals. We
13 did do some major modifications to the driveway, I
14 believe big improvements of what originally was
15 proposed, but certainly over existing conditions as
16 well. That driveway has -- the geometrics depicted
17 on the site plan will operate safely and
18 efficiently.

19 MR. ALONSO: I have nothing further,
20 Madam Chair.

21 CHAIRWOMAN BETTINGER: Ms. Flor, do
22 you have any comment?

23 MS. FLOR: The only comment I have,
24 which I'll defer to Demetrio whether he wants those
25 two spaces removed, it would increase the level of

1 service, but they are on the County road, Paterson
2 Plank Road.

3 COMMISSIONER ARENCIBIA: And the
4 reason is to make the left turn without the lane?

5 MR. STAIGAR: It will provide the
6 ability for other northbound vehicles to get around
7 the left-turning vehicle if one was waiting there to
8 make that left turn, make it a little bit easier.
9 I've never seen those spaces occupied anyway. It
10 provides that ability.

11 COMMISSIONER ARENCIBIA: But we need
12 to do a resolution to put no parking there on the
13 County road. That would be part of your approval.
14 We also need a resolution to make a left-turn lane.

15 MR. STAIGAR: No, we're not adding
16 the left-turn lane. The road is wide enough to
17 allow a person making a left-hand turn and other
18 vehicles to bypass that. Because they're parked
19 cars, and they're right opposite in the front of our
20 driveway, those through cars really can't make it
21 through. If you remove those parking spaces, then
22 they'll be able to bypass that left-turning vehicle,
23 just an as ease of allowing northbound vehicles to
24 proceed northbound. That's all.

25 What I've seen there, Demetrio, is that

1 there is really no need for those parking spaces.
2 There is a sea. The whole east side of Paterson
3 Plank Road is parking spaces. They're 95 percent
4 empty all the time that I've seen them.

5 COMMISSIONER ARENCIBIA: It seems
6 that maybe we can eliminate that because the spaces
7 are empty during the day when the car wash would be
8 in operation.

9 MR. STAIGAR: They're empty anyway.
10 I agree.

11 CHAIRWOMAN BETTINGER: Is that area a
12 large residential?

13 MR. STAIGAR: There are residences
14 across the street, and I believe they have on-site
15 parking. I think just the off-site parking is there
16 if they need it, but I've never seen it used.

17 COMMISSIONER ARENCIBIA: Madam Chair,
18 if it is used, and anybody is making a left turn,
19 obviously is traffic is going to have to wait for
20 this person.

21 MR. STAIGAR: Yeah, that's the only
22 consequence of it, but I think as you pointed out,
23 it's a great use because it's going to be busy
24 during the day when the residents are not parking
25 there, and the reverse happens at night. To keep

1 those two spaces, I think that wouldn't be a
2 detriment at all. They can always be removed at a
3 later time. It's no big deal to do it now.

4 CHAIRWOMAN BETTINGER: So we're going
5 to keep the spaces?

6 COMMISSIONER ARENCIBIA: Yes.

7 CHAIRWOMAN BETTINGER: Any other
8 comments or any other questions? No, okay.

9 MR. ALONSO: Madam Chair, the last
10 witness that's here this evening is the architect.
11 His testimony will not add anything to what's
12 already been testified to the engineers. Do you
13 want to see the plans? We can show the plans, I
14 don't think it's necessary to address any issues
15 with respect to drainage or ingress and egress onto
16 the County road.

17 MS. FLOR: Madam Chair, the only
18 comment we had for the architect was he showed a
19 light fixture that was in the entrance drive, if
20 that could be removed from the plans, and if
21 engineer was going to add it to his plans.

22 MR. ALONSO: I'll have Mr. Staigar
23 address that.

24 MR. STAIGAR: Yeah, what we were
25 doing, you're right, they're depicted in the

1 pavement, actually in the enter lane. Those light
2 fixtures, there is going to be a retaining wall, so
3 they'll be removed in line or top of the retaining
4 wall so they'll be out of the path of the vehicles
5 coming in.

6 CHAIRWOMAN BETTINGER: Do you have a
7 rendering on the project?

8 MR. ALONSO: Yes, I'll call
9 Mr. Martin.

10 (The witness is sworn.)

11 MR. CURLEY: Could you spell your
12 last name for the record?

13 MR. MARTIN: M-a-r-t-i-n.

14 MR. ALONSO: Mr. Martin, can you
15 state your qualifications as an architect?

16 MR. MARTIN: Sure. I have a
17 bachelors of architecture from NJIT. I am a
18 licensed architect in the state of New Jersey. I've
19 been working in field of civil engineering
20 architecture for the last 12 years.

21 MR. ALONSO: Thank you. I see that
22 you've placed two boards. We will have to mark them
23 A-1 and A-2 because they have not been submitted as
24 part of the application. Could you review what the
25 renderings show.

1 MR. MARTIN: I guess the first one
2 would be A-1, and the second one will be A-2. I'll
3 mark them in the back. The first one you're seeing
4 is A-1, and that is a rendering showing the proposed
5 car wash. The bottom two images are from Paterson
6 Plank Road and the top image is from the rear of the
7 lot.

8 Now I've placed A-2 in front. The top
9 image is the existing car wash as seen from Paterson
10 Plank Road. The middle one is the front view from
11 the road during the day, and the bottom one is the
12 view -- same view but in the evening.

13 CHAIRWOMAN BETTINGER: Okay. Any
14 comments or questions?

15 MS. FERRARA: Madam Chair, are these
16 buildings illuminated?

17 MR. MARTIN: Yes.

18 MS. MASSEY: Madam Chair, what are
19 the hours of operation?

20 MR. MARTIN: Seven in the morning
21 until ten in the evening.

22 CHAIRWOMAN BETTINGER: Okay. I'm
23 just curious, what's that part of the building
24 that's like on an angle?

25 MR. MARTIN: What you're actually

1 seeing here, this is the second-story addition to
2 the building, and there is actually an office in
3 here. Back in here is the condensing unit for the
4 HVAC.

5 CHAIRWOMAN BETTINGER: Any other
6 comments or questions? Thank you.

7 MR. ALONSO: Madam Chair, I have
8 nothing further.

9 CHAIRWOMAN BETTINGER: Anything else
10 from any other Commissioners? Before we go further,
11 has this been approved by the Township of North
12 Bergen?

13 MR. ALONSO: Yes, it has. I believe
14 the resolution was provided.

15 CHAIRWOMAN BETTINGER: Thank you.

16 COMMISSIONER HOLLOWAY: I'll make a
17 motion to approve.

18 CHAIRWOMAN BETTINGER: Do I have a
19 second?

20 COMMISSIONER GOMEZ: Second.

21 MS. FERRARA: On a motion put forth
22 by Commissioner Holloway. Second by Commissioner
23 Gomez.

24 Commissioner Arencibia.

25 COMMISSIONER ARENCIBIA: Aye.

1 MS. FERRARA: Commissioner Avagliano.

2 COMMISSIONER AVAGLIANO: Aye.

3 MS. FERRARA: Commissioner Cryan.

4 COMMISSIONER CRYAN: Aye.

5 MS. FERRARA: Commissioner

6 DiDomenico.

7 FREEHOLDER DiDOMENICO: Aye.

8 MS. FERRARA: Commissioner Gomez.

9 COMMISSIONER GOMEZ: Abstained.

10 MS. FERRARA: Commissioner Holloway.

11 COMMISSIONER HOLLOWAY: Aye.

12 MS. FERRARA: Commissioner Romano.

13 FREEHOLDER ROMANO: Aye.

14 MS. FERRARA: Chairwoman Bettinger.

15 CHAIRWOMAN BETTINGER: Aye.

16 MR. ALONSO: Thank you very much.

17 Have a good evening.

18 CHAIRWOMAN BETTINGER: Good luck.

19 MS. FERRARA: Madam Chair, the motion

20 has passed. Madam Chair, I would like to request a

21 change to the agenda. There is an applicant here

22 from Weehawken, who is a homeowner coming in for a

23 curb cut on Boulevard East. I want to know if we

24 can make that change and have her come up first.

25 So the next application to be heard is

1 2012-18-SP, Applicant, Ani Litt; location, 807
2 Boulevard East, Block 49, Lots 1 and 44 in
3 Weehawken, New Jersey.

4 MS. LITT: Good evening. I'm Ani
5 Litt. My husband and I, Jeff Litt, own this home.

6 MR. CURLEY: Ms. Litt, you have to be
7 sworn.

8 (The witness is sworn.)

9 MR. CURLEY: Could you please spell
10 your last name for the record?

11 MS. LITT: L-i-t-t.

12 CHAIRWOMAN BETTINGER: And your
13 husband would be?

14 MS. LITT: No, this is my brother who
15 is like a project manager, and our architect could
16 not be here today, and we think that we'll able to
17 answer your questions.

18 CHAIRWOMAN BETTINGER: Will he be
19 testifying? We have to swear him in.

20 (The witness is sworn.)

21 MR. CURLEY: Spell your last name for
22 the record.

23 MR. DELGADO: D-e-l-g-a-d-o.

24 MS. LITT: So we have this lovely
25 home on Boulevard East in Weehawken. It's a house

1 built in the 1920s. We have be restoring it for our
2 family, we have four kid, and the house at one point
3 had a garage and driveway through another yard.
4 Right now we have a foundation for that garage but
5 no driveway, no access. As we bought the home last
6 year, the entire backyard was paved along with
7 pavement on the side, and I think my brother can
8 better describe what we're planning on doing or what
9 we're requesting.

10 MR. DELGADO: Well, primarily, it's a
11 curb cut so that we can -- they park their cars off
12 the street, and they have two cars, and we've
13 removed a lot of pavement on the sides, most of the
14 pavement in the back. There will be a small patio
15 and parking pad, and the parking pad as designed is
16 large enough to provide a turn-around, so they can
17 exit.

18 CHAIRWOMAN BETTINGER: It's difficult
19 to hear.

20 MR. DELGADO: We've removed a lot of
21 the pavement on the sides of the house, and most of
22 the backyard, about half of the backyard will no
23 longer be paved. There will be a turn-around for
24 the cars in the backyard, and they have a small
25 patio to use. The curb cut will eliminate one

1 parking space on the street, but it will allow two
2 cars to be parked off the street.

3 CHAIRWOMAN BETTINGER: Ms. Massey,
4 any comments?

5 MS. MASSEY: I have no
6 recommendations. For the record the applicant is
7 planting one shade tree, and they just have to
8 adhere to the County curb cut standard.

9 CHAIRWOMAN BETTINGER: Demetrio, any?

10 COMMISSIONER ARENCIBIA: Madam Chair,
11 how wide is the driveway?

12 MR. DELGADO: The driveway will be
13 nine feet wide.

14 COMMISSIONER ARENCIBIA: Well, you
15 need to get a road opening permit from the
16 engineer's office. Have the contractor come in for
17 that and present a plan and insurance. It would be
18 a small fee.

19 MS. LITT: Certainly.

20 CHAIRWOMAN BETTINGER: Do I have a
21 motion?

22 FREEHOLDER ROMANO: Motion.

23 CHAIRWOMAN BETTINGER: Second?

24 MS. LITT: Thank you.

25 CHAIRWOMAN BETTINGER: No, we have to

1 take a vote yet.

2 MS. FERRARA: On a motion put forward
3 by Commissioner Romano. Second by Commissioner
4 DiDomenico.

5 Commissioner Arencibia.

6 COMMISSIONER ARENCIBIA: Aye.

7 MS. FERRARA: Commissioner Avagliano.

8 COMMISSIONER AVAGLIANO: Aye.

9 MS. FERRARA: Commissioner Cryan.

10 COMMISSIONER CRYAN: Aye.

11 MS. FERRARA: Commissioner

12 DiDomenico.

13 FREEHOLDER DiDOMENICO: Aye.

14 MS. FERRARA: Commissioner Gomez.

15 COMMISSIONER GOMEZ: Abstained.

16 MS. FERRARA: Commissioner Holloway.

17 COMMISSIONER HOLLOWAY: Aye.

18 MS. FERRARA: Commissioner Romano.

19 FREEHOLDER ROMANO: I would just like
20 to say I passed the house. You're doing a great
21 job. I wish you and your family the best. It's
22 important that you do have a driveway to your house
23 that meet the requisites of the County. I know it's
24 difficult in Turnerville in Weehawken. I gladly and
25 proudly vote aye.

1 MS. FERRARA: Chairwoman Bettinger.

2 CHAIRWOMAN BETTINGER: I vote aye.

3 Just please make sure you get all the necessary
4 permits that our County engineer recommended.

5 FREEHOLDER ROMANO: Tell Mayor Turner
6 we took care of you.

7 MS. LITT: Thank you, good night.

8 MS. FERRARA: Madam Chair, the motion
9 has passed. Madam Chair, the next application to be
10 heard is 2012-013-SP, Advance at Harrison, LLC, 900
11 Frank E. Rodgers Boulevard, Block 138.05 and Block
12 38.06 and Lots 1 and 1 in Harrison, New Jersey.

13 MR. TUVEL: Good evening, Madam
14 Chairwoman, Members of the Board. My name is Jason
15 Tuvell, T-u-v-e-l, from the law firm of Gibbons PC,
16 attorney for the applicant, Advance at Harrison,
17 LLC. As your planner just indicated, we are here
18 for the property located at Block 138.05, Lot 1, and
19 Block 138.06, Lot 1, which are generally bounding by
20 Frank E. Rodgers Boulevard, 5th Street, Crucible
21 Drive, and Cape May Street in the Town of Harrison.

22 I'm sure the Board is very much aware of
23 this property, but just for the record, the property
24 we're here for tonight is Parcel E of the overall
25 development of the bunch of blocks and lots that are

1 adjacent to the Red Bull Stadium between Frank E.
2 Rodgers Boulevard. This property has been before
3 this Board several times, I'm sure the Board and
4 staff is aware, so starting back in November of
5 2007, all the way up to November of 2011. Most
6 recently, we did receive a temporary certificate of
7 compliance. We got that in February 22nd, 2012, for
8 the improvements associated with the resolution that
9 was passed in December of 2009 for many of the
10 improvements along Frank E. Rodgers Boulevard.

11 The application that we're here for
12 tonight is a site plan application to construct a
13 five-story building with 296 multifamily units, a
14 parking deck, related site amenities, as well as a
15 park. We reviewed the County engineer's report, the
16 County planner's report, and we will address those
17 comments in testimony. I believe that our
18 professionals have also reached out to the Board's
19 professionals to discuss some of those comments.

20 Just so the Board is also aware, just for
21 procedural history, the Town of Harrison did approve
22 this application, granting preliminary and final
23 site plan approval with de minimis exceptions from
24 the RSIS standards, as well as other forms of relief
25 by resolution dated April 18th, 2012. That

1 resolution has been forwarded to the Board for their
2 review. They should have gotten that a couple weeks
3 ago, and they should have that with them.

4 This evening I plan to call Fred Worstell
5 from Dresdner Robin, who is our site engineer, as
6 well Nicholas Verderese from Dynamic Traffic as our
7 traffic expert. I do have a project architect,
8 Lance Blaine, as well as a representative from
9 Advance, but I don't intend to call them unless the
10 Board has any specific questions that the other two
11 witnesses can't answer. If it's okay with the
12 Board, I would like to proceed with my first
13 witness.

14 CHAIRWOMAN BETTINGER: Please.

15 MR. TUVEL: My first witness is Fred
16 Worstell from Dresdner Robin.

17 (The witness is sworn.)

18 MR. CURLEY: Can you please just
19 spell your last name for the record.

20 MR. WORSTELL: W-o-r-s-t-e-l-l.

21 MR. TUVEL: Mr. Worstell, can you
22 just give the Board, I believe you testified in
23 connection with this property several times before,
24 but for the record, the benefit of your occupation
25 experience, education and professional licenses

1 held?

2 MR. WORSTELL: Yes, I'm a registered
3 professional engineer in the state of New Jersey as
4 well as several other states. I have a bachelor of
5 science from Duke University in engineering, civil
6 engineering. I have appeared before this Board and
7 many other boards around the state over the last 25
8 to 30 years.

9 CHAIRWOMAN BETTINGER: Thank you.

10 MR. TUVEL: Does the Board accept
11 Mr. Worstell's qualifications as an expert?

12 CHAIRWOMAN BETTINGER: On behalf of
13 the Board, yes, they do.

14 MR. TUVEL: Thank you. Mr. Worstell,
15 if you could just get the Board oriented to the site
16 and the existing conditions currently out there?

17 MR. WORSTELL: Sure, what I had put
18 up first here, I hope you could hear me without the
19 mic, this is a plan sheet MS-1.0. It's not part of
20 the application. It is has been previously approved
21 by this Board and signed by the County engineer.
22 This was, in fact, the subdivision plan used to
23 break up the larger Harrison project into the
24 development plots.

25 MR. TUVEL: Mr. Curley, would you

1 want to mark since it was previously submitted?

2 MR. CURLEY: I would mark it since it
3 was not part of this package.

4 MR. WORSTELL: A-1. Just as a point
5 of reference this is Frank E. Rodgers, which is on
6 the west side of the property. Cape May Street
7 bounds the southern boundary of the property, Guyon
8 Drive, the northern. The property was previously
9 subdivided into seven lots. Tonight we're talking
10 138.05, Lot 1 which is in the -- which is in the
11 southwest corner of the property, and it consists
12 2.067 acres. Also, part of the application is Block
13 138.6, Lot 1, which is a quarter-acre parcel, which
14 is proposed as a public park, and we have stated
15 previously, just as a form of context, we received
16 an approved application by Russo on that 138.03,
17 which is located immediately north of this subject
18 property.

19 CHAIRWOMAN BETTINGER: In
20 relationship to the application, where is Red Bull
21 Stadium?

22 MR. WORSTELL: Red Bull Stadium is
23 this area on the western side of this map, which is
24 Block 174, Lot .02.

25 MR. TUVEL: Mr. Worstell, if you

1 could now go into the orientation of the proposed
2 building, the height of the structure and how many
3 units are proposed?

4 MR. WORSTELL: This sheet I'm
5 referring to is SB-10.1, which is an existing
6 condition of this site. The site is presently
7 undeveloped. It has been completed on its perimeter
8 Frank E. Rodgers Boulevard. The roadway
9 improvements are final on Frank E. Rodgers Boulevard
10 with the exception of the sidewalk, which was
11 installed as asphalt. The overall plan of the
12 project was to have asphalt sidewalks replaced on
13 all of the parcels with the idea of not putting in a
14 permanent improvement and then coming in with
15 reconstruction of those sites, you just tear up
16 permanent sidewalk. So as each block is developed,
17 the plan is to put in permanent and improvements
18 finalized on the perimeter. Anyway, so it is a
19 vacant lot with sidewalks, lighting, curb and
20 finished streets on all four sides.

21 This is Sheet CS-10.1, which I'm referring
22 to. This is a rendering of the project, which I
23 don't think has been submitted as part of the
24 application. So we can mark this.

25 MR. TUVEL: Mr. Curley, that will be

1 A-2.

2 MR. CURLEY: Okay.

3 MR. WORSTELL: So the project is for
4 a residential building, 296 units. It is a
5 five-story building, and it has 307 parking places
6 that in our development are in a structured parking
7 deck, which is interior to the block. Access to the
8 parking deck is on Crucible Drive, which is on the
9 north side of the property. There is the building
10 entrance vestibules on Crucible Street, and we also
11 talked about the quarter-acre landscaped park on the
12 west side of the property, and it is, you know, to
13 be a finished urban space with pavers, landscaping
14 and those two architectural focal points to be
15 placed at either end of the park.

16 The exterior of the building is all of
17 these sidewalks are finished in accordance with the
18 landscape standards that were established for the
19 River Bend Redevelopment Area. All of the streets
20 are furnished with a street-lighting by PSE&G. We
21 are providing street trees and other furniture,
22 benches, trashcans, et cetera.

23 One of the changes from that plan, which
24 is unique to Frank E. Rodgers Boulevard is that the
25 lighting is setback from the street. Frank E.

1 Rodgers Boulevard has some high pressure gas mains
2 located on the east side of the Boulevard. So that
3 is affecting placement of in-ground trees, as well
4 as streetlights around the edge of the right-of-way.
5 We are proposing streetlights that are back off the
6 right-of-way, scaled slightly down to fit more
7 against the property of the residential building,
8 but at the same time, meeting the lighting standards
9 for the street, and the landscaping along Frank E.
10 Rodgers Boulevard will be in large pots to hold the
11 trees. It is a continuation of landscaping
12 treatment proposed on the site to the north. It's
13 the same type and same style of tree.

14 MR. TUVEL: Mr. Worstell, I think one
15 of the comments in Ms. Massey's letter was to
16 confirm that the species the applicant picked out
17 for the planter boxes will thrive. Can you confirm
18 that?

19 MR. WORSTELL: The species of plant
20 is suitable to be within a box. Almost any tree
21 placed within a box with soil will have some growth
22 with proper maintenance. It will service the area
23 quite well.

24 The parking as we've indicated is internal
25 to the garage. It's on multi-floors entering off

1 Crucible Drive. The parking is completely screened
2 by housing except for a small portion or small
3 section, which is located on Crucible Drive. There
4 was questions that were raised about bicycle
5 parking. There is not shown in this drawing, but
6 there is architectural plans that we have bicycle
7 parking on elevated ramps.

8 MR. TUVEL: So in connection with the
9 County's green initiative checklist, the two items
10 being incorporated is we have the bike racks, as you
11 just mentioned. I believe the other one was
12 redevelopment of a non-residential lot that was
13 previously contaminated into a residential use; is
14 that correct?

15 MR. WORSTELL: That's correct. The
16 original site was a site of an industrial steel
17 factory plant and has received environmental
18 remediation prior to redevelopment.

19 MR. TUVEL: One of the other
20 comments, I believe Comment 3B from the Board
21 engineer's comments was timing of improvements, and
22 I believe you did address this, just to be clear,
23 that it's going to be done parcel by parcel in
24 connection with the right-of-way improvements; is
25 that correct?

1 MR. WORSTELL: That's correct.
2 That's the general agreement that's been reached
3 with Harrison, Town of Harrison Planning Board, and
4 the same principle had been presented to this Board
5 previously with the subdivision improvement for the
6 roadways.

7 MR. TUVEL: Thank you.

8 MR. WORSTELL: Talking about the
9 parking garage, it is 307 spaces. We did request a
10 variance from the RSIS standards for the parking,
11 and the traffic engineer will talk to you more about
12 the parking that is suitable for this project. We
13 talked about lighting, street trees, all the curbs.
14 There's basically no exterior other than utility
15 connections which will all go into Crucible Street
16 or internal roads that are planned as part of the
17 project. The existing roadways as far as Frank E.
18 Rodgers Boulevard is concerned have already been
19 completed for traffic signal work, and street trees,
20 finishes, except for the temporary sidewalks.

21 MR. TUVEL: I think this was in the
22 County engineer's letter and the County Planning
23 Board has that, but just for the record, this
24 development won't negatively impact any County
25 drainage facilities; is that correct?

1 MR. WORSTELL: No, all of the
2 drainage of this site actually go into Crucible or
3 Cape May, and is directed to a culver and that is on
4 Pete Higgins Boulevard. In fact, as part of the
5 original design, all of the drainage from Frank E.
6 Rodgers Boulevard, which formerly flowed to the west
7 and out through a culver on the PSE&G side, has all
8 been brought back in and improved the County roads.

9 MR. TUVEL: Thank you.

10 MR. WORSTELL: We talked about the
11 green initiative issues, and unless there are
12 questions from the Board or perhaps the site
13 engineer, or if you have questions on the finish on
14 the buildings, it's a very handsome building.

15 CHAIRWOMAN BETTINGER: Are they going
16 to be condominiums or rental?

17 MR. WORSTELL: It's a rental.

18 CHAIRWOMAN BETTINGER: Will there be
19 any type of a doorman or concierge?

20 MR. WORSTELL: There is an entry.

21 MR. TUVEL: I don't know if it that
22 has been determined yet in connection with the
23 application.

24 CHAIRWOMAN BETTINGER: I guess my
25 question is or what I was leading up to, if there

1 are going to be deliveries for takeout, where would
2 that be?

3 MR. WORSTELL: The servicing to the
4 building all comes off of the interior streets,
5 primarily Crucible Drive. There is loading. There
6 is off-street loading provided on the project
7 interior to the building, which is off the Crucible,
8 which can handle medium-sized trucks. Large tractor
9 trailers would be loading off the street, but again,
10 all of the servicing to the project is not on Frank
11 E. Rodgers Boulevard.

12 CHAIRWOMAN BETTINGER: Thank you.

13 MR. TUVEL: I have no further
14 questions for this witness, unless of course the
15 Board does.

16 CHAIRWOMAN BETTINGER: Mr. Cray, do
17 you have any comments?

18 MR. CRAY: Yes, I understand there
19 will be testimony provided from the traffic
20 engineer. For the record, one item that was not
21 covered by testimony was to ADA ramps. I have a
22 comment. I asked if the applicant demonstrated
23 compliance with ADA requirements, and I could ask
24 the engineer to elaborate on that. It's my
25 understanding that their position is because of the

1 timing of when it was installed, and then there was
2 interaction between them and the County to have it
3 modified, and when it was done at the time, it was
4 compliant with the design standards. ADA at the
5 federal level has been evolving. If this
6 application came in today, it would be different.
7 It was designed under standards at the time, which I
8 believe it was in 2007 documents. This application
9 is not looking to remove any pavement. It's simply
10 replacing surface of the concrete. Their position
11 is that ADA ramps met the standards of that time it
12 was designed, and it's fine as is.

13 That being the case, I want the
14 applicant's engineer to confirm that, but we had a
15 dialogue about this. The pavement on Frank E.
16 Rodgers Boulevard was recently put in. If they were
17 to compromise and force a change at this point and
18 have the pavement seams and new joints, it may
19 compromise the County road, so we don't want to say
20 to them to replace it unless it definitely has to
21 be.

22 Taking that into account, I will consult
23 with the engineering office to confirm that it is
24 compliant with what they had asked to be revised a
25 couple years ago, plus comparing it to the Parcel C,

1 the Russo tract, that was recently approved, I don't
2 think they submitted final perfected plans yet, and
3 I need to make sure this ramp is consistent with
4 that, if there wasn't any requirement by this Board.
5 If it's consistent with that, then this comment
6 would be considered to have been addressed. Please
7 confirm for the record your position on the design.

8 MR. WORSTELL: The ramps were
9 designed in about 2009. We had -- we had
10 actually -- Demetrio may recall this, we had
11 actually previously installed a ramp design. It was
12 in the earlier set of plans coming back and forth
13 after installation, working with his office. We
14 made some alterations to that. I adjusted ramp and
15 crosswalk designs to meet those standards which are
16 2007. Really to follow up on your comment, to
17 really adjust to current standards or what standards
18 may be coming now really would be an extensive
19 redesign of all the intersections in terms of
20 crosswalks and traffic signals, and but as they were
21 constructed and are constructed right now, it would
22 be reconstructed. They are compliant with now
23 current standards.

24 CHAIRWOMAN BETTINGER: Thank you.
25 Any other comments or questions?

1 MR. TUVEL: If it's okay, I'd like to
2 call up our traffic engineer.

3 CHAIRWOMAN BETTINGER: Please.

4 MR. TUVEL: Thank you.

5 (The witness is sworn.)

6 MR. CURLEY: State your name for the
7 record and spell your last name.

8 MR. VERDERESE: Nicholas Verderese,
9 V-e-r-d-e-r-e-s-e, I'm a principal at Dynamic
10 Traffic, LLC.

11 MR. TUVEL: Just can you give the
12 Board the benefit of your education and professional
13 background, licenses held and that you've qualified
14 as an expert before any land use boards in New
15 Jersey?

16 MR. VERDERESE: Yeah, I have appeared
17 here a number of times, recently in February for the
18 Russo tract just to the north of this property. I
19 testified on traffic for that. I've been doing this
20 over 20 years. I'm a licensed professional engineer
21 in the state of New Jersey. I appeared before
22 boards in the County and also boards throughout the
23 state.

24 MR. TUVEL: And you have testified
25 before the Town of Harrison Planning Board and this

1 Board in connection with other applications for
2 property; is that correct?

3 MR. VERDERESE: Correct.

4 MR. TUVEL: I would ask for the
5 record, would the Board accept Mr. Verderese's
6 expertise?

7 CHAIRWOMAN BETTINGER: On behalf of
8 the Board, you're accepted.

9 MR. TUVEL: Thank you. Mr.
10 Verderese, can you just take the Board through your
11 traffic analysis that did you in connection with
12 this property, what you studied, the intersections
13 that you reviewed and what the outcome of your
14 analysis was?

15 MR. VERDERESE: Yes, to be brief, a
16 traffic study was prepared January 27, 2012, by
17 myself. It was reviewed by the Board's engineer.
18 It was found to be done in an acceptable manner with
19 acceptable levels of services throughout the seven
20 intersections along Frank E. Rodgers, starting from
21 the north, Bergen, then Essex, then Middlesex,
22 Guyon, River Bend, Crucible and Cape May, all
23 intersecting with Frank E. Rodgers Boulevard on the
24 same intersections we studied for other properties
25 in the redevelopment zone.

1 All intersections were found to operate at
2 acceptable levels. As you heard all of our
3 improvements are installed already on Frank E.
4 Rodgers at the four intersections that access this
5 redevelopment area, three new traffic signals in
6 that area as well. There was one comment relating
7 to the traffic study. It's No. 3 in the review
8 letter on the traffic impact and layout that deals
9 with the intersection of Frank E. Rodgers Boulevard
10 and Bergen Street. As part of our studies, all the
11 ones we've been doing over the last five years, we
12 relied on previous studies that were done in the
13 area. It was identified as part of the Harrison
14 Station project, that there were improvements
15 proposed, striping and signal timing improvements to
16 Bergen Street and Frank E. Rodgers Boulevard, and
17 they included some re-striping as well as retiming
18 of the intersection.

19 Through every study we've done over the
20 last probably five years, we incorporated that in
21 that there as to improvements being done by others.
22 It's never been identified who those others actually
23 were, and who was responsible for it. It was
24 brought up by your engineer. Maybe Demetrio maybe
25 knows, he's been around for a while. Maybe he knows

1 who was responsible for those. We would work with
2 him and his office to determine who that was so we
3 could ensure those improvements are installed in a
4 timely manner.

5 MR. TUVEL: And Mr. Verderese, just
6 for the record, in case some of the Board Members
7 aren't aware, just give them the relationship
8 between the subject property and the intersection of
9 Frank E. Rodgers Boulevard and Bergen Street?

10 MR. VERDERESE: Yes, it's from the
11 property. It's one, two, three, four traffic
12 signals to the north. It's the furthest north
13 property. It's right near the entrance to Route 280
14 Westbound. What happens there, basically, a lot of
15 traffic in from Newark travels up Frank E. Rodgers
16 and wants to make a left turn onto Bergen to get
17 onto 280 because from McCarter Highway, you can't
18 get 280 Westbound if you're going north on Route 21.
19 That's why a lot of traffic diverts there. That's
20 why that intersection does have some existing
21 issues. As far as the project's impact there, it's
22 negligible. It's only a small percentage of
23 traffic, four traffic signals away from the location
24 of this property.

25 MR. TUVEL: Are there any questions

1 about that issue? I'm sure Mr. Verderese can
2 entertain it, otherwise I wanted him to talk to the
3 Board about parking on site, the variance received
4 from the town of Harrison, as well as the de minimus
5 exceptions from the RSIS standards that we received.

6 CHAIRWOMAN BETTINGER: Mr. Arencibia.

7 COMMISSIONER ARENCIBIA: Madam Chair,
8 Mr. Verderese stated the project for 280, the
9 project is currently in the planning design phase,
10 and the Improvement Authority is overseeing that
11 project. That's basically a design phase that takes
12 into account the Red Bull Stadium, the exit and hub
13 toward that direction.

14 MR. TUVEL: Mr. Verderese, I
15 mentioned before in connection with our approval
16 before the Town of Harrison, we did receive a
17 parking variance as wells de minimis exceptions from
18 the RSIS standards. That did come up in one of the
19 comments in the engineer's review letter. Can you
20 address the parking study and the analysis that you
21 did to support the de minimis exception and the
22 variances that we received in relation to parking,
23 not only the amount of parking spaces but the
24 parking stall size?

25 MR. VERDERESE: As far as the number

1 of spaces, if you did the calculation from RSIS
2 based on studio, one bedrooms, and twos that we
3 have, we have 126 studio, 151 one-bedrooms, they
4 fall under the one bedroom criteria, and then we
5 have 20 two-bedroom, and when you calculate that
6 out, it comes out to 537 spaces would be required
7 under the RSIS standards. However, because of the
8 location of this property being adjacent to the PATH
9 Station, having urban characteristics, the Town of
10 Harrison understands that so we're not looking for
11 numbers like RSIS requires in suburban areas for
12 this area. They've actually, I don't know if it was
13 actually adopted, but they have a draft update to
14 the redevelopment plan for the waterfront area where
15 the requirement is one space per unit. We comply
16 with one space per unit. We actually have 1.02
17 spaces per unit.

18 They understand that's where it's going.
19 The ratios are dropping. It's because of other
20 municipalities have this much lower standard that
21 are on the PATH line, as well as a project now that
22 these 280 units are leased, where they get less than
23 0.5 spaces occupied per unit. We're providing one
24 per unit, so we're twice what they're actually
25 seeing in projects in the same area of the same type

1 of residential mix of studios ones and twos, and so
2 I feel comfortable that the Board can grant the
3 deviation from your County design standards that
4 relate to the RSIS requirements.

5 MR. TUVEL: And to just go into the
6 parking stall as well?

7 CHAIRWOMAN BETTINGER: I'm sorry,
8 Counsel. Can you repeat the question?

9 MR. TUVEL: I apologize. The parking
10 stall size is slightly below the minimum required.
11 I just wanted Mr. Verderese to explain that as well.

12 MR. VERDERESE: We have 90 percent of
13 our spaces are eight and a half feet wide or greater
14 with about ten percent or eight feet wide, and that
15 includes the handicapped spaces as well. Again, it
16 is low turnover. It's a parking garage. Generally,
17 those are the sizes that we like to see for parking
18 garages. We don't want to fill a whole bunch of
19 parking for low turnover residential development
20 with all nine-foot spaces. The redevelopment plan
21 actually allows the smaller space size. So I feel
22 comfortable recommending those sizes for this
23 project.

24 CHAIRWOMAN BETTINGER: I have a
25 question. How many handicapped parking spaces are

1 there?

2 MR. VERDERESE: Seven.

3 CHAIRWOMAN BETTINGER: Are they
4 larger in size?

5 MR. VERDERESE: They're -- it's an
6 eight-foot space with van accessible has an
7 eight-foot hatch area next to it, and the non-van
8 accessible have five. All of our spaces might have
9 the eight-foot van accessible. We meet the
10 requirements.

11 CHAIRWOMAN BETTINGER: Thank you.

12 MR. TUVEL: Just for the record, RSIS
13 de minimus exceptions and the parking variance were
14 granted by the Board. There was one other thing
15 that I wanted to address because it did come in the
16 review letter. Just confirm exactly how many spaces
17 are being proposed because I think Mr. Cray said
18 there was 301 noted on the plan, but we're actually
19 proposing 307; is that correct?

20 MR. VERDERESE: It's 307. At the
21 last minute when we were at the municipal level, we
22 had tweaked some of the parking and increased to
23 approximately 307. I actually counted 308 myself.
24 I think we are going to stay with 307 for the
25 application.

1 MR. TUVEL: That came up in the
2 report. I just want to acknowledge that. Unless
3 the Board or its professionals have questions, I
4 have no other questions for this witness.

5 CHAIRWOMAN BETTINGER: Mr. Cray, do
6 you have any questions or comments for the Board?

7 MR. CRAY: No, the requested
8 testimony was provided. Just to shed some light on
9 the parking, the reason I asked for the testimony
10 was because Harrison thus far has opted to issue de
11 minimis exceptions instead of creating special area
12 standards, which are often created in urban areas if
13 you can demonstrate as this project has, they can
14 create special area standards and there is no need
15 for de minimis exceptions. They haven't gone that
16 route. They don't have to and they haven't.

17 So the County design standards say if you
18 have not created a special area standard, then you
19 need a deviation from the County standards. That's
20 why this is more of a procedural item. That's why
21 there's testimony on the record. They are
22 consistent with the Harrison's redevelopment plan.

23 MR. TUVEL: And just to mirror what
24 Mr. Verderese had said, it appears although the
25 amendments to the redevelopment plan in Harrison

1 have not been adopted, it appears that they have
2 initiated the process to create separate standards
3 for this area; is that correct?

4 MR. VERDERESE: Correct, but they
5 haven't to submitted to DCA for that special area
6 standard.

7 MR. TUVEL: We acknowledge that
8 they're in draft form. To Mr. Cray's point, I think
9 they've undertaken addressing that issue. Are there
10 any further questions?

11 CHAIRWOMAN BETTINGER: Any comments
12 or questions? Thank you.

13 COMMISSIONER ARENCIBIA: Madam Chair,
14 this is similar to the prior projects in terms of
15 restoration as far as trying to fit, there won't be
16 any striping or signage?

17 MR. WORSTELL: We're not proposing
18 signage or striping changes as it relates to Frank
19 E. Rodgers Boulevard. One change we have which was
20 covered testimony and I should have probably covered
21 it here, Cape May Street right now has overhead
22 electrical down the center, and it's in an
23 evolutionary process with PSE&G and the Town of
24 Harrison for the eventual underground of all that
25 electrical. We are showing Cape May in its actual

1 final configuration planned. On an interim basis,
2 the custom overhead, we'll actually be eliminating
3 parking on Cape May which is on the side. We also
4 will be signing that it's only right turn out from
5 5th Street. So those are the only striping changes
6 that are different from the plan or from the long
7 range plan for roadways. Both of those are interim
8 steps until the underground is completed.

9 Advance is part of the project building to
10 have a conduit system for PSE&G to be eventually
11 underground, which is just a matter of wires also
12 located on the Frank E. Rodgers Boulevard. That
13 will eventually be underground also.

14 COMMISSIONER ARENCIBIA: And the
15 drainage is going to the Passaic River in existing
16 back flow?

17 MR. WORSTELL: No, we've actually
18 eliminate all of the drainage from Frank E. Rodgers
19 Boulevard. We've picked everything up and take it
20 east now.

21 MR. TUVEL: That was all done as
22 original work that was done on the Boulevard as part
23 of phase one.

24 COMMISSIONER ARENCIBIA: There is an
25 alcove already for the east side of the bridge right

1 below Cape May.

2 MR. WORSTELL: There may be. This is
3 only picking up. We're not adding flow to it. It
4 would only be picking up the southern half of the
5 street. Everything from Crucible Drive is all
6 heading to the Pete Higgins side.

7 COMMISSIONER ARENCIBIA: Thank you,
8 Madam Chair.

9 MR. TUVEL: Thank you. If the Board
10 were inclined to approve the application, any motion
11 would include as Mr. Cray noted the approval of the
12 waiver in connection with RSIS deviation.

13 COMMISSIONER ARENCIBIA: In reference
14 to the parking?

15 MR. TUVEL: Correct.

16 COMMISSIONER ARENCIBIA: It's parking
17 internally?

18 MR. TUVEL: Correct.

19 COMMISSIONER ARENCIBIA: I don't
20 think we need to grant a waiver.

21 CHAIRWOMAN BETTINGER: Counsel, would
22 you advise the Board, please?

23 MR. CURLEY: I believe that's a
24 requirement, which the local board previously
25 granted.

1 MR. TUVEL: I believe that, yeah, it
2 has the jurisdiction to do so. I wasn't aware of
3 the regulation Mr. Cray had mentioned, so I thought
4 that perhaps the County had a separate internal
5 ordinance that required them to also grant a waiver
6 if the separate redevelopment area standards were
7 not adopted by the Board at the local level. That's
8 why I brought it up.

9 MR. CRAY: If I could clarify, the
10 County standards do not use the term waiver, it just
11 mentions deviation. It may have be written more in
12 terms of a design deviation and not a formal waiver.
13 I mentioned that code section. Again, what stands
14 as a de minimis exception is something done on a
15 municipal level, and it has been done.

16 MR. TUVEL: I agree with that. I
17 thought there may have been something else I was not
18 aware of.

19 CHAIRWOMAN BETTINGER: Do I have a
20 motion?

21 MS. FERRARA: On a motion put forth
22 by Commissioner Gomez. Second by Commissioner
23 DiDomenico.

24 Commissioner Arencibia.

25 COMMISSIONER ARENCIBIA: Aye.

1 MS. FERRARA: Commissioner Avagliano.

2 COMMISSIONER AVAGLIANO: Aye.

3 MS. FERRARA: Commissioner Cryan.

4 COMMISSIONER CRYAN: Aye.

5 MS. FERRARA: Commissioner

6 DiDomenico.

7 FREEHOLDER DiDOMENICO: Aye.

8 MS. FERRARA: Commissioner Gomez.

9 COMMISSIONER GOMEZ: Aye.

10 MS. FERRARA: Commissioner Holloway.

11 COMMISSIONER HOLLOWAY: Aye.

12 MS. FERRARA: Commissioner Romano.

13 FREEHOLDER ROMANO: Aye.

14 MS. FERRARA: Chairwoman Bettinger.

15 CHAIRWOMAN BETTINGER: I vote aye.

16 MR. TUVEL: Thank you very much.

17 CHAIRWOMAN BETTINGER: Thank you very
18 much. Good luck.

19 MS. FERRARA: The motion passes.

20 Madam Chair, the next application scheduled for
21 hearing is 2012-017 SP/SD, MC Plaza V1 & V2, LLC,
22 200 Green Street, Block 11603, Lot 31 in Jersey
23 City.

24 MR. HARRINGTON: Good evening, Madam
25 Chair, Commissioners, for the record, Charles

1 Harrington, on of behalf the applicant. Before I
2 get into a description of the subdivision here and a
3 general description of the project we're proposing
4 with the subdivision, I think I should note for the
5 record there is some confusion as to how I got here
6 tonight because this was initially listed that the
7 site plan was to be declared exempt, which I
8 expected, and then the subdivision was also listed
9 as being declared exempt, which I didn't expect
10 because it is a major subdivision. We're creating a
11 road between these lots.

12 I did actually call the Division of
13 Planning office and expressed my concern because I
14 wanted to be sure that everything is correct, and
15 initially, they explained I should come to the Board
16 for the subdivision, and I spoke with Ms. Massey
17 yesterday, and I was advised that it may not be the
18 Board's procedure that they do not hear major
19 subdivisions that are not on County roads. In the
20 past I have appeared here on major subdivisions.

21 That being said, I'm here tonight to
22 present the subdivision. It is -- the property is
23 in Jersey City. It's located on the waterfront.
24 It's at Riverside Financial Center. It is a large
25 piece of land that is located pretty close to

1 Exchange Place, and it is not near or on a County
2 road, nor does it affect any County drainage. We
3 did obtain approval from the Jersey City Planning
4 Board for the subdivision and the site plan in March
5 of this year.

6 The purpose of the subdivision is to
7 create three lots, one two-development lots, one lot
8 which will extend the street which is now use as a
9 parking lot, or it appears to be a parking lot. But
10 the project that we're proposing is really
11 substantial and really a terrific project. The
12 phase one we got approved will create two 66-story
13 towers with a total of 1,276 units. It is proposed
14 to be a rental project. Matt Calley is one of the
15 developers in this. This will be their first
16 venture into a residential development. They do
17 have a partner that has residential experience to go
18 forward. They are hoping to break ground before the
19 end of this year, which is really terrific to hear
20 for Jersey City and the County.

21 It's located in what's called Exchange
22 Place North Redevelopment Area. The lots are
23 conforming. We actually asked for a technical
24 variance for the right-of-way because we created a
25 lot for the future right-of-way. That lot will be

1 held privately until we are ready to dedicate it to
2 the City because the build out will be a long period
3 of time. The first phase will be on the north end
4 of the lot, and the second phase will follow that.
5 There will also be what's proposed to be substantial
6 towers, similar to the first phase, and when that's
7 all completed, then we'll make a decision whether or
8 not to dedicate that street to City of Jersey City.

9 I have my engineer here, who could take
10 you briefly through the subdivision, and I do have
11 some renderings that we sent around at the local
12 planning board level. We don't have to mark it as
13 an exhibit. It's really just for your eyes to see
14 kind of this grand project that we're proposing.

15 FREEHOLDER ROMANO: I'm assuming
16 there is going to be a PLA?

17 MR. HARRINGTON: Yes, it's a union
18 job, and you'll see from the elevation, it is a real
19 funky design. They brought in architects from I
20 want to say Netherlands, but I'm not so sure --
21 Amsterdam.

22 FREEHOLDER ROMANO: It's tough in
23 these economic times to be innovative and to have
24 the initiative to go forward with something like
25 this.

1 MR. HARRINGTON: Our charge is to get
2 this ready for the end of the year.

3 CHAIRWOMAN BETTINGER: Do we have any
4 other questions or comments?

5 MS. FERRARA: Madam Chair, I just
6 wanted to make a note that in the past, we typically
7 do not hear subdivision that are not on County roads
8 unless an applicant says it's a major subdivision
9 and wanted to put on as heard. That's why we did in
10 this situation. Typically, it's not done.

11 CHAIRWOMAN BETTINGER: Thank you. Do
12 I have a motion?

13 MS. FERRARA: On a motion put forth
14 by Commissioner Romano. Second by Commissioner
15 Arencibia.

16 Commissioner Arencibia.

17 COMMISSIONER ARENCIBIA: Aye.

18 MS. FERRARA: Commissioner Avagliano.

19 COMMISSIONER AVAGLIANO: Aye.

20 MS. FERRARA: Commissioner Cryan.

21 COMMISSIONER CRYAN: Aye.

22 MS. FERRARA: Commissioner
23 DiDomenico.

24 FREEHOLDER DiDOMENICO: Aye.

25 MS. FERRARA: Commissioner Gomez.

1 COMMISSIONER GOMEZ: Aye.

2 MS. FERRARA: Commissioner Holloway.

3 COMMISSIONER HOLLOWAY: Aye.

4 MS. FERRARA: Commissioner Romano.

5 FREEHOLDER ROMANO: Aye.

6 MS. FERRARA: Chairwoman Bettinger.

7 CHAIRWOMAN BETTINGER: Amazing
8 project, I'm looking at the photographs. Thank you
9 for the rendering. I vote aye.

10 FREEHOLDER ROMANO: I think
11 Commissioner Cryan wants to move there.

12 MR. HARRINGTON: We hope a lot of
13 people want to move there.

14 MS. FERRARA: Madam Chair, the motion
15 passes.

16 FREEHOLDER ROMANO: Try to build in
17 Hoboken, please. Wow, that is beautiful.

18 CHAIRWOMAN BETTINGER: How many units
19 did you say?

20 MR. HARRINGTON: It's 1,276 in this
21 first phase, which is two towers.

22 CHAIRWOMAN BETTINGER: What is the
23 largest unit?

24 MR. HARRINGTON: I don't recall. It
25 may be two bedrooms. I'm not sure if there are any

1 three. If there are, there are very few.

2 MS. FERRARA: Okay. The next item on
3 the agenda is applications to be dismissed.

4 Application 2012-011-SP, Applicant Gas Diesel Stop,
5 Incorporated, located at 100 Schuyler Avenue, Block
6 79, Lots 1.01 and 1.02 and 2 in Kearny, New Jersey.

7 CHAIRWOMAN BETTINGER: Do I have a
8 motion?

9 MS. FERRARA: On a motion put forth
10 by Commissioner Holloway. Second by Commissioner
11 Cryan.

12 Commissioner Arencibia.

13 COMMISSIONER ARENCIBIA: Aye.

14 MS. FERRARA: Commissioner Avagliano.

15 COMMISSIONER AVAGLIANO: Aye.

16 MS. FERRARA: Commissioner Cryan.

17 COMMISSIONER CRYAN: Aye.

18 MS. FERRARA: Commissioner

19 DiDomenico.

20 FREEHOLDER DiDOMENICO: Aye.

21 MS. FERRARA: Commissioner Gomez.

22 COMMISSIONER GOMEZ: Aye.

23 MS. FERRARA: Commissioner Holloway.

24 COMMISSIONER HOLLOWAY: Aye.

25 MS. FERRARA: Commissioner Romano.

1 FREEHOLDER ROMANO: Aye.

2 MS. FERRARA: Chairwoman Bettinger.

3 CHAIRWOMAN BETTINGER: I vote aye.

4 MS. FERRARA: Madam Chair, the motion
5 has passed.

6 CHAIRWOMAN BETTINGER: Do we have any
7 old business?

8 MS. FERRARA: Madam Chair, we do not
9 have any old business or new business.

10 CHAIRWOMAN BETTINGER: I'd like to
11 congratulate Massiel on her swearing in this evening
12 as the Board's secretary, and I'd like to welcome
13 our newest Commissioner Gomez. Welcome to the
14 Board. And do I have a motion to adjourn?

15 FREEHOLDER ROMANO: Motion. Massiel,
16 good job.

17 CHAIRWOMAN BETTINGER: All in favor.

18 (Whereupon the proceeding is then
19 concluded at 8:04 p.m.)
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C E R T I F I C A T I O N

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I, SHARI CATHEY, a Notary Public and
Shorthand Reporter 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, May
16, 2012; and that this is a correct transcript of
the same.

SHARI CATHEY, S.R.
A NOTARY PUBLIC of the
State of New Jersey
I.D. No. 2283786
Commission Expires 2/4/17

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