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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, April 17, 2013
6:30 p.m.

BEFORE:

- DANIEL CHOFFO, Chairman
- JAMES CRYAN, Vice Chairman
- JOSEPH GLEMBOCKI, P.P., Asst. County Engineer
- MICHAEL HOLLOWAY, Commissioner
- HON. DOREEN DiDOMENICO, Freeholder
- ALAIN GOMEZ, Alternate Commissioner
- RUSHABH MEHTA, Commissioner
- BETANIA PERALTA, Commissioner

ALSO PRESENT:

- MASSIEL M. FERRARA, P.E., AICP; SECRETARY
- JACLYN J. FLOR, P.E., P.P., CME
- JOHN J. CURLEY, ESQ., Board Attorney
- FRANCESCA GIARRATANA, Assistant Planner
- MARIO TRIDENTE, Inspector
- MEGAN MASSEY, PP, AICP, Principal Planner

Job No. NJ1616065

1 CHAIRMAN CHOFFO: Good evening,
2 everyone I would like to call the meeting to order
3 for the Hudson County Planning Board for this
4 evening, Wednesday, April 17th, 2013. Mr. Curley,
5 has this meeting been properly advertised?

6 MR. CURLEY: Yes. The meeting has
7 been property advertised in accordance with the Open
8 Public Meetings Act. Notice of meeting was
9 published in the Jersey Journal and the Star Ledger.
10 Notice of the meeting was posted with the County
11 Clerk's office and the Clerk of the Freeholders.

12 CHAIRMAN CHOFFO: Massiel, can we
13 please have a roll call?

14 MS. FERRARA: Commissioner Bettinger,
15 absent. Commissioner Cryan.

16 COMMISSIONER CRYAN: Here.

17 MS. FERRARA: Commissioner
18 DiDomenico, absent. Commissioner Glembocki.

19 COMMISSIONER GLEMBOCKI: Here.

20 MS. FERRARA: Commissioner Gomez.

21 COMMISSIONER GOMEZ: Here.

22 MS. FERRARA: Commissioner Holloway.

23 COMMISSIONER HOLLOWAY: Here.

24 MS. FERRARA: Commissioner Mehta,
25 absent.

1 COMMISSIONER GOMEZ: He's here.

2 MS. FERRARA: Commissioner Mehta.

3 COMMISSIONER MEHTA: Here.

4 MS. FERRARA: Commissioner Peralta,
5 absent.

6 COMMISSIONER PERALTA: Here.

7 MS. FERRARA: Chairman Choffo.

8 CHAIRMAN CHOFFO: Here. Let the
9 record reflect that Commissioner Peralta is here.

10 MS. FERRARA: Commissioner Romano,
11 absent.

12 (Flag Salute.)

13 CHAIRMAN CHOFFO: Did all
14 Commissioners receive the Minutes? Were you able to
15 review them?

16 COMMISSIONER CRYAN: Yes.

17 CHAIRMAN CHOFFO: If so, can I have a
18 motion?

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

22 Commissioner Cryan.

23 COMMISSIONER CRYAN: Yea.

24 MS. FERRARA: Commissioner Glembocki.

25 COMMISSIONER GLEMBOCKI: Yes.

1 MS. FERRARA: Commissioner Gomez.

2 COMMISSIONER GOMEZ: Yes.

3 MS. FERRARA: Commissioner Holloway.

4 COMMISSIONER HOLLOWAY: Yes.

5 MS. FERRARA: Commissioner Mehta.

6 COMMISSIONER MEHTA: Yes.

7 MS. FERRARA: Commissioner Peralta.

8 COMMISSIONER PERALTA: Aye.

9 MS. FERRARA: Chairman Choffo.

10 CHAIRMAN CHOFFO: I vote aye. The
11 next will be matters scheduled for public hearing.

12 MS. FERRARA: The first item on the
13 agenda is memorialization of resolutions considered
14 at the previous meeting. Once again, I want to
15 remind the Commissioners, I will only be calling
16 those Commissioners who voted at last month's
17 meeting.

18 The first application is 2013-008-SP,
19 applicant, P.S. and M. Tennaro; located at 134 Park
20 Avenue, Block 34, Lot 19, in Hoboken.

21 CHAIRMAN CHOFFO: Commissioners,
22 motion?

23 COMMISSIONER CRYAN: Motion.

24 COMMISSIONER HOLLOWAY: Second.

25 MS. FERRARA: Commissioner Bettinger,

1 not present. Commissioner Cryan.

2 COMMISSIONER CRYAN: Aye.

3 MS. FERRARA: Commissioner

4 DiDomenico, not present. Commissioner Gomez.

5 COMMISSIONER GOMEZ: Yes.

6 MS. FERRARA: Commissioner Holloway.

7 COMMISSIONER HOLLOWAY: Yes.

8 MS. FERRARA: Commissioner Mehta.

9 COMMISSIONER MEHTA: Yes.

10 MS. FERRARA: Commissioner Ng, not

11 present. Commissioner Peralta.

12 COMMISSIONER PERALTA: Yes.

13 MS. FERRARA: Chairman Choffo.

14 CHAIRMAN CHOFFO: Aye.

15 MS. FERRARA: The motion has passed.

16 The next item on the agenda is Site Plans,
17 Subdivisions and other matters scheduled for Public
18 Hearing. The first application is 2013-007-SP,
19 Applicant, David Pensuwan; located at 301 Newark
20 Street; Block 2.1, Lots 5 and 6, in Hoboken.

21 MR. MATULE: Good evening,
22 Mr. Chairman, Board Members. Robert Matule,
23 appearing on behalf of the applicant. We have our
24 architect here, Adrian Melia, from Minervini
25 Vandermark. I know Mr. Melia has previously been

1 qualified before this Board to testify, so to be
2 expedient, I would ask that we waive having to
3 qualify him again if you accept his credentials in
4 the area of architecture.

5 CHAIRMAN CHOFFO: Mr. Curley.

6 MR. CURLEY: If the Board is familiar
7 with the witness.

8 MR. MATULE: If not, we can we can
9 take him through again. It's up to the Board.

10 CHAIRMAN CHOFFO: Go ahead.

11 MR. MATULE: May I have the witness
12 sworn.

13 (The witness is sworn.)

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

16 MR. MELIA: It's Adrian, A-d-r-i-a-n;
17 last name, Melia, M-e-l-i-a.

18 MR. MATULE: And Mr. Melia, you are a
19 licensed architect in the state of New Jersey?

20 MR. MELIA: Correct, for the last two
21 years.

22 MR. MATULE: Could you just briefly
23 give the Board the benefit of your educational
24 background, what degrees you hold, your work
25 experience, and what boards you appeared before?

1 MR. MELIA: I have a five-year degree
2 in architecture from the Dublin Institute of
3 Technology in Dublin, Ireland. I've been working in
4 the state of New Jersey for the last ten years. I
5 have gotten my license in the last two. Most of my
6 work has been in Jersey City and Hoboken.

7 MR. MATULE: Have you appeared before
8 the Hudson County Planning Board before?

9 MR. MELIA: Yes, I have and the
10 Jersey City Zoning Board.

11 CHAIRMAN CHOFFO: You made proceed.

12 MR. MATULE: Thank you, Mr. Chairman.
13 Adrian, if you would, could you describe for the
14 Board the proposed project at 301 Newark Street,
15 basically where it's located, what it is we're
16 planning to do there, and address the comments made
17 in the review letters from the County Engineer and
18 the County Planning Board.

19 MR. MELIA: We can start looking at
20 the sheet detail. We have the existing and proposed
21 site plans. The existing site is located at the
22 intersection of two County roads, Willow Avenue and
23 Newark Street. It's approximately 5,030 square feet
24 in size. The existing site has one structure, three
25 stories in height, and the other house is one and a

1 half stories. They are to be demolished to make way
2 for a new building, which is a seven-story,
3 15-residential-unit building, which is six floors;
4 on the ground floor, retail and park.

5 MR. MATULE: Are there any
6 projections over the County right-of-way from the
7 building?

8 MR. MELIA: If we look at the
9 elevations, Sheet Z-9, there are bays indicated
10 which range in how much they project into the public
11 right-of-way, from 12 inches to 24 inches.

12 MR. MATULE: If the application is
13 approved, the applicant will be applying for an
14 easement ordinance from the County Board of
15 Freeholders?

16 MR. MELIA: Yes, they would.

17 MR. MATULE: And can you just address
18 the comments raised in T & M's report regarding I
19 think it was the tandem parking and the street
20 trees?

21 CHAIRMAN CHOFFO: Speak in the
22 microphone. We're having a tough time hearing.

23 MR. MELIA: Referring to Sheet Z-3,
24 it shows the parking garage on grade level. The
25 garage entrance is located as far as we can possibly

1 get it from the intersection down Willow Avenue from
2 the outgoing side so it won't interfere with cars
3 coming from the intersection. We are proposing
4 eight spaces, four of which are in a tandem
5 configuration. This was mainly due to site
6 constraints and the angular lot. It's virtually
7 impossible to provide a backup for all these
8 spaces without providing tandem spaces.

9 What we intend to do is the owner will
10 designate those tandem spaces to one individual
11 unit, whether it's a rented rental or a condo. So
12 in the event that somebody has to get out, they park
13 with someone they live with, and they can figure it
14 out amongst themselves how they'll work the two
15 parking spaces so no one is trapped.

16 With regards to the street tree in the
17 site triangle as indicated in 1.4 in T & M's report,
18 we will remove the street tree as recommended to the
19 north of the garage door so that you can see
20 oncoming traffic. That's no problem.

21 MR. MATULE: And there is also a
22 comment about the ramp being ADA compatible?

23 MR. MELIA: Yes, we provided ADA
24 ramps on the sidewalk.

25 MR. MATULE: The other amendments

1 they wanted on the plan, crosswalks and stop signs,
2 and the County detail for the road repair, that
3 could all be added to the resolution set of plans?

4 MR. MELIA: Yes, absolutely.

5 MS. FLOR: Mr. Chairman, can I
6 comment on those comments?

7 CHAIRMAN CHOFFO: Yes.

8 MS. FLOR: The trees, are you
9 agreeable to the contribution?

10 MR. MATULE: Absolutely, yes.

11 MS. FLOR: The question on the ramps
12 wasn't will you provide them, it was where you will
13 provide them because you can't put them in the
14 corner. They have to be corner ramps. There's a
15 utility pole in the location. It's a very difficult
16 location to try to get ramps in. So that ramp needs
17 to be ADA compliant. You may need to look at spot
18 grades in that location.

19 It's a very difficult location to get an
20 ADA compliant ramp in, and if the crosswalks are
21 damaged, they would put them back in kind in that
22 location. It's going to be very difficult to get
23 ramps in there. I just want to make sure that the
24 applicant understands. It's not just put one in,
25 but make sure it's ADA compliant.

1 MR. MATULE: Just so I'm clear,
2 you're talking about the ramps across the street or
3 the ramps to enter the building?

4 MS. FLOR: No, the ramp at the
5 corner.

6 MR. MATULE: Across the street.

7 MS. FLOR: There is a utility pole
8 and an inlet. You may need to replace the inlet
9 head and reset that in order to make that ramp work.
10 You have to play with the grade there. It's a very
11 difficult intersection.

12 MR. MATULE: We'll see what we can
13 do. One way or another, we will have to address it.

14 MS. FLOR: And then the only other
15 question or comment was the flood plain. The
16 building will be built high enough out of the flood
17 plain to address whatever the concerns are?

18 MR. MELIA: Correct. The plans as
19 you seen them were drafted before the revised FEMA
20 maps. So the current detail space here is proposed
21 at 10.6. That was the recommendation of the Hudson
22 Sewerage Authority. Shortly after the storm, they
23 wanted things elevated but they weren't quite sure
24 where the new elevation was going to be. Based on
25 the current FEMA map, we're going to have to go up

1 to the ABFE of 12, plus the foot for the DEP
2 approval. So the proposed retail space will be at
3 13, approximately three feet higher than we've
4 proposed here. So the whole building is essentially
5 going to have to get raised up three feet because
6 it's in the flood plain, yeah.

7 MR. MATULE: I have nothing further
8 unless the Board Members have any or the Board
9 professionals have any specific questions.

10 MS. FLOR: Will revised plans be
11 issued showing in the changes in the letter? If
12 it's going to be higher than the riser, it should be
13 changed to show that you can get adequate access
14 from the ramps in the proposal. The revised plans
15 should be submitted showing the new pavement section
16 within the approval.

17 CHAIRMAN CHOFFO: Is that agreeable?

18 MR. MATULE: No problem. We'll send
19 the set directly to you if you would like, or should
20 we submit it through the normal process, submit it
21 to you and you could distribute them?

22 MS. FLOR: The County Engineer.

23 CHAIRMAN CHOFFO: Anything else,
24 Jackie?

25 MS. FLOR: That's all.

1 MS. MASSEY: The memorialized
2 resolution from the town needs to be submitted, the
3 survey showing the bounds for the franchise
4 agreement, as well as a tree planting cost estimate
5 needs to be submitted before we memorialize your
6 resolution.

7 MR. MATULE: You want the
8 contribution?

9 MS. MASSEY: No, the actual signed
10 and sealed cost estimate of the tree before you get
11 the resolution.

12 CHAIRMAN CHOFFO: Is that a yes?
13 That's a yes.

14 MR. MATULE: Yes.

15 CHAIRMAN CHOFFO: Let the record
16 reflect that Freeholder DiDomenico is in the
17 meeting.

18 MR. TRIDENTE: I have one question,
19 Mr. Chairman. I just want to advise the applicant
20 that they need to apply for the road opening permit
21 through the County Engineer, and that they need to
22 come back to this office for a final inspection to
23 make sure that all the resolutions -- that the
24 conditions of the resolution have been complied
25 with. You need to call us for a final inspection

1 before you get your certificate of occupancy.

2 MR. MATULE: From the City of
3 Hoboken?

4 MR. TRIDENTE: Yes.

5 CHAIRMAN CHOFFO: I have one minor
6 question. In the application in our packet, it
7 shows that the Hoboken Zoning Board of Adjustment
8 submission date was August 30, 2011, and I don't
9 know if it's a typo. Is that August '12? I assume
10 it was last year.

11 MR. MATULE: That's correct. I had
12 just given Ms. Giarrantana a copy of the signed
13 resolution. They're running about six months behind
14 in Hoboken right now.

15 CHAIRMAN CHOFFO: Does any other
16 Commissioner have any questions?

17 COMMISSIONER GLEMOCKI: Just make
18 sure it's showing the signage and striping on the
19 plan so it gets reset back with the striping in the
20 road.

21 COMMISSIONER MEHTA: On the parking
22 area that's next to the wall, is that a handicapped
23 space?

24 MR. MELIA: Space 8, as required by
25 code, you need eight feet clear adjacent to the

1 handicapped space, so no car could park there. It's
2 just clear space so a handicapped person has room to
3 get out of the car.

4 COMMISSIONER MEHTA: And how much
5 space for backup?

6 MR. MELIA: It's indicated on the
7 side of the drawing. It's 20-foot backup aisle,
8 which is a standard for Hoboken.

9 COMMISSIONER MEHTA: That's adequate?

10 MR. MELIA: Yes, 20 feet will take
11 care of it.

12 COMMISSIONER HOLLOWAY: Mr. Chairman,
13 you went before the zoning, what, about a year ago,
14 the zoning from Hoboken?

15 MR. MATULE: Yes.

16 COMMISSIONER HOLLOWAY: Do you have
17 to go back to them?

18 MR. MATULE: We have to go back for
19 final once the County -- one of the conditions of
20 the final, so we'll be going back for final assuming
21 we get our approvals here, probably in the next two
22 or three months.

23 COMMISSIONER HOLLOWAY: Because
24 you're upgrading the building which requires DEP
25 approval?

1 MR. MATULE: Yes, right.

2 COMMISSIONER HOLLOWAY: Thank you.

3 CHAIRMAN CHOFFO: Any other
4 questions? Do I have a motion?

5 MS. FERRARA: On a motion put forth
6 by Commissioner Cryan. Second by Commissioner
7 Mehta.

8 Commissioner Cryan.

9 COMMISSIONER CRYAN: Yes.

10 MS. FERRARA: Commissioner
11 DiDomenico.

12 FREEHOLDER DiDOMENICO: I'm going to
13 abstain. I wasn't here for the whole thing.

14 MS. FERRARA: Commissioner Glembocki.

15 COMMISSIONER GLEMBOCKI: Yes.

16 MS. FERRARA: Commissioner Gomez.

17 COMMISSIONER GOMEZ: Yes.

18 MS. FERRARA: Commissioner Holloway.

19 COMMISSIONER HOLLOWAY: Yes.

20 MS. FERRARA: Commissioner Mehta.

21 COMMISSIONER MEHTA: Yes.

22 MS. FERRARA: Commissioner Peralta.

23 COMMISSIONER PERALTA: Aye.

24 MS. FERRARA: Chairman Choffo.

25 CHAIRMAN CHOFFO: Aye.

1 MS. FERRARA: The motion has passed.

2 MR. MATULE: Thank you. Have a good
3 evening.

4 MS. FERRARA: The next application to
5 be heard is 2013-011-SP, the Learning Experience,
6 located at 7108 Kennedy Boulevard, Block 264, Lot
7 2.01, in North Bergen.

8 MR. ALONSO: Good evening,
9 Mr. Chairman. For the record Alvaro Alonso, Alonso
10 & Navarrete, on behalf of the applicant. This is an
11 application that was already approved by the North
12 Bergen Planning Board to construct a new daycare
13 center at the location. I have two witnesses with
14 me this evening. I have Matthew Clark, our
15 engineer, and Joseph Staigar, our traffic engineer.
16 So I'm going to call Matthew first.

17 (The witness is sworn.)

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

20 MR. CLARK: I'm Matthew Clark. The
21 last name is spelled C-l-a-r-k.

22 MR. ALONSO: Mr. Clark, would you
23 please review your professional qualifications for
24 the Board?

25 MR. CLARK: I'm a licensed

1 professional engineer in the state of New Jersey. I
2 have a bachelors and a masters degree from NJIT in
3 civil engineering, practicing since 1992, partner in
4 MCB Engineering, qualified numerous times throughout
5 New Jersey.

6 CHAIRMAN CHOFFO: Proceed.

7 MR. ALONSO: Thank you, Mr. Chairman.
8 Mr. Clark, you've presented this application before
9 the North Bergen Planning Board?

10 MR. CLARK: That's correct.

11 MR. ALONSO: And you also had an
12 opportunity to meet with the review board from the
13 County and address the issues and concerns they had
14 with respect to this application?

15 MR. CLARK: Yeah, we discussed this.

16 MR. ALONSO: From an engineering
17 point of view, can you please review the proposal
18 with the Board?

19 MR. CLARK: We were retained by the
20 applicant to develop the site plans for the Learning
21 Experience Daycare Center on Kennedy Boulevard in
22 North Bergen located at 7108 Kennedy Boulevard. It
23 was their intention to get this approved by the
24 municipality.

25 What's being proposed is a two-story

1 daycare center with an outside playground and
2 associated parking field. We have one point of
3 egress and ingress onto Kennedy Boulevard. There's
4 a driveway here, grading and drainage. We are
5 reducing the impervious area. What's potentially
6 being proposed is basic landscaping, site lighting
7 something typical for a development such as this.

8 MR. ALONSO: Okay. Why don't you
9 talk about the two green items that we're proposing?

10 MR. CLARK: We're proposing the
11 landscaping along the frontage. As I understand in
12 chatting with the County representatives, that meets
13 the criteria of native plantings, and also, there
14 will be a reduction in the impervious area. That's
15 another item that qualifies as far as the green
16 items that the County looks for. Those are the two
17 items I understand we comply with.

18 MR. ALONSO: We're proposing six
19 trees on the street?

20 MR. CLARK: That's correct. I do
21 have a plan for landscaping. You'll see the trees
22 along the frontage. There are some low-lying shrubs
23 as well in that area. We did put the County's sight
24 triangles on it and moved our landscape out of that.
25 That was one of the comment in T & M's letter.

1 MR. ALONSO: And can you also testify
2 in terms of the circulation of the vehicles?

3 MR. CLARK: The traffic engineer is
4 going to help support of some of rationale why we
5 feel there is sufficient parking on the property.
6 We mentioned we had one driveway in and out of the
7 property. We have 16 parking spaces and greater
8 than 24-foot drive aisles, so there is plenty of
9 room for the vehicles to come in and out of the
10 site. As a daycare facility, the peak is going to
11 be in the morning and the evening, also the
12 drop-offs and pickups are very quick so each parking
13 space has the ability to turn over many times during
14 the hour so it works quite well.

15 During the day, there's a few staff
16 members there. The other thing that's interesting
17 about the Learning Experience is that they have kids
18 that are sick, you have kids that are part time, you
19 have the kids that come half days. In the summer a
20 lot of kids aren't there, and they're able to stay
21 home with their parents if they're a teacher. So
22 it's never packed all the time. It comes and goes.

23 MR. ALONSO: Is there any proposal
24 with respect to the curbing and sidewalks and
25 egress?

1 MR. CLARK: Along the frontage of the
2 site, there are some driveways that were from a
3 prior development. If you look at the site plan
4 sheets, there are certain areas that we're proposing
5 to replace the curb, the drop curb and
6 standard-height curb and sidewalk, and we're going
7 to put a new concrete apron in. The rest of the
8 curb along the frontage is quite new and in very
9 good shape.

10 MR. ALONSO: There's also a comment
11 where the town had requested to paint the curb and
12 provide signage. Can you provide testimony?

13 MR. CLARK: We can provide that. I
14 want to say to you that there are some residents and
15 other people park that along that frontage that the
16 parking may be quite valuable to them. We can do
17 this if the County wants it. We'll stripe it yellow
18 and put the signs in. It's a balance between the
19 distance that the County was looking for and T & M
20 put it in their letter to provide less on-street
21 parking. We don't need it for our facility, but it
22 may be something that the neighbors might have been
23 relying on. We can absolutely comply with that.

24 MR. ALONSO: I have no further
25 questions.

1 MS. FLOR: Mr. Chairman, I would
2 actually defer to the Assistant County Engineer.
3 What I would like to explain is that there was a
4 resolution that was provided from the local
5 municipality stating that there was inadequate sight
6 distance from that driveway. That was their
7 concern.

8 So looking at it, we cited if you look at
9 comment 1.3 in our letter, it states that for a
10 distance of approximately a hundred feet to the
11 south and to the north of the proposed driveway,
12 typically you shouldn't have parking within that
13 location of an intersection. People do park there
14 now. That was one of the items that was raised. It
15 was really up to the County Engineer whether or not
16 he wants to prohibit in order to improve the sight
17 distance at the driveway or not. In order to do
18 that, we can have them paint the curb yellow if you
19 want to prohibit, and sign it for No Parking if that
20 was a concern, or we could just leave the condition
21 as it is and require that no parking be allowed.

22 CHAIRMAN CHOFFO: How many parking
23 spaces does that affect?

24 MS. FLOR: I would defer to the
25 applicant.

1 MR. CLARK: How far to the north did
2 you say?

3 MS. FLOR: Eighty feet to the north.

4 MR. CLARK: Four or five cars.

5 MS. FLOR: It was just an item that
6 was raised in the local.

7 MR. CLARK: To the south, small
8 amount of frontage, so that would carry off our
9 property. It would be something that was past our
10 site so.

11 MS. FLOR: It was only because it was
12 raised. It was sent to us as an item that was
13 placed with a cover letter that it was a concern of
14 local municipality. I don't know why they didn't
15 address it. Maybe the applicant can speak to why
16 they didn't address it at the local level, because
17 it was a County road?

18 MR. ALONSO: They deferred to the
19 County being the County has jurisdiction over that
20 issue.

21 COMMISSIONER GLEMOCKI: Is that in
22 the sight triangle?

23 MS. FLOR: No, it's in accordance
24 with Title 39, no stopping or standing is permitted
25 within an intersection and at least 35 feet from the

1 curb line of the existing street. So if we want to
2 prohibit it, it's within our jurisdiction to do so.
3 It's just a matter of whether you want to have them
4 paint it and sign in order to enforce it.

5 COMMISSIONER GOMEZ: What are your
6 hours of operation?

7 MR. CLARK: Monday through Friday
8 6:30 to 6:30, typical.

9 COMMISSIONER GOMEZ: No weekends? I
10 mean that's an option. Would you guys be in
11 agreement to making a time restriction during that
12 time period?

13 MR. CLARK: We don't need the
14 on-street parking for the project. It's really a
15 comment that you're looking to provide whatever you
16 want to do.

17 MS. FERRARA: That question has to be
18 answered by our County Engineer.

19 COMMISSIONER GLEBOCKI: And the town
20 submitted a letter stating it was on a County road,
21 and it's our jurisdiction and issue with parking.

22 CHAIRMAN CHOFFO: Any other
23 Commissioners have any other questions or concerns?

24 MR. TRIDENTE: I'm assuming the
25 problem is at night when people are parking.

1 MS. FLOR: No, I think the issue was
2 raised by the local board stating that they were
3 concerned with the sight distance. Ultimately, it
4 all leads to the parking. This parking, if you read
5 comment 1.2, the peak parking demand, I'm sure their
6 traffic engineer is going to get into the peak
7 parking demand. Ultimately, they stated that they
8 have 22 staff members, and they only have four
9 spaces available with the 22 staff, plus they have
10 peak demand that warrants up to ten space.

11 So there will probably be like in any
12 childcare facility a drop-off occurring at a certain
13 peak, and I believe that was what led to the
14 comments of the local board on sight distance at
15 that location. So this is one way to solve that is
16 to prohibit parking. Now, you may still get the
17 stacking, but it won't interrupt the traffic flow on
18 the road because it will be over a lane where the
19 parking would have occurred, and you are entirely
20 within your right to do so because it is in
21 accordance with Title 39.

22 MR. ALONSO: And just to Commissioner
23 Gomez, the parking demand is great at night. We're
24 a couple blocks from the North Bergen Board of
25 Education, the high school. So I know there is an

1 on-street parking demand for the students and
2 teachers during the day.

3 CHAIRMAN CHOFFO: Jackie, you're
4 saying if you designated no parking, you're saying
5 you think it be would a drop-off zoning during the
6 day?

7 MS. FLOR: I would like to hear from
8 the traffic engineer about that.

9 CHAIRMAN CHOFFO: I'm just trying to
10 factor in what Mario brought up about the nighttime
11 parking, right?

12 COMMISSIONER CRYAN: There are some
13 daycare centers and schools that have no parking
14 during the day and drop off only, drop off and pick
15 up. My question is, is that going to cause a bigger
16 concern?

17 MR. CLARK: The town brought up a
18 similar comment. We actually had the building with
19 the entry looking down onto Kennedy, and they said
20 we want to try to avoid making people stop and
21 dropping off right in front. So we rotated the main
22 entry, and that's why the main entry faces into the
23 parking lot so that we did everything we could to
24 try promote people coming into the property. It's a
25 balance. Obviously, not having to park helps the

1 sight distance. That opens up the enforcement
2 issues. I can't answer that, but that doesn't
3 affect us. We don't need that on-street parking.

4 CHAIRMAN CHOFFO: I'm going make sure
5 all the Commissioners are done with the engineer.
6 Are there any other questions for the engineer?
7 Thank you. Mr. Alonso.

8 MR. ALONSO: Mr. Staigar.

9 (The witness is sworn.)

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

12 MR. STAIGAR: My name is Joseph
13 Staigar, S-t-a-i-g-a-r.

14 MR. ALONSO: Mr. Staigar, would you
15 please review your professional qualification in
16 traffic engineering?

17 MR. STAIGAR: Yes, I have a bachelor
18 of science and master of science degree also from
19 New Jersey Institute of Technology. I've also been
20 an adjunct professor of traffic engineering at NJIT.
21 I've held a professional engineer's license in the
22 state of New Jersey as well as other states in the
23 northeast, plus a special planner's license because
24 of being a traffic engineer. I've testified before
25 this Board in the past and throughout Hudson County

1 and the state of New Jersey.

2 CHAIRMAN CHOFFO: We accept him.

3 MR. ALONSO: Thank you.

4 Mr. Chairman. Mr. Staigar, you prepared a traffic
5 analysis in connection with this application?

6 MR. STAIGAR: Yes.

7 MR. ALONSO: You actually presented
8 that testimony before the North Bergen Planning
9 Board?

10 MR. STAIGAR: Well, my partner did,
11 yes.

12 MR. ALONSO: And you looked at the
13 comments and concerns from the town. You also had
14 an opportunity to meet with the County Planning
15 Board?

16 MR. STAIGAR: Well, we had on another
17 application, but it was discussed.

18 MR. ALONSO: Can you briefly review
19 your analysis for the Board?

20 MR. STAIGAR: Yes. We had prepared a
21 traffic impact analysis. We took traffic counts on
22 Kennedy Boulevard. We made projections of this
23 daycare center and in a conservative manner as if it
24 was a suburban site. Daycare centers, we have
25 studied them, are very much different animals so to

1 speak in an urban environment versus a suburban
2 environment. We've done many daycare centers in
3 Hoboken, in North Bergen, in other municipalities
4 here in Hudson County, and when they're in those
5 types of environments, they become neighborhood
6 daycare centers. People don't come from out of town
7 to drop their kids off like that and leave town.
8 They're typically in and around the neighborhood.

9 In talking with the Learning Experience,
10 for a facility such as this, they will hire within
11 the neighborhood. It's just people are more liable,
12 employees and staff, to show up every day, and you
13 need that staff there. We're the dealing with
14 children. In so doing, what we found also is that
15 the clientele, the students are coming from the
16 neighborhood as well.

17 We've done face-to-face surveys at daycare
18 centers here in Hudson County, and we find that at
19 least 50 percent of the children typically are
20 walked to the facility because they're from the
21 neighborhood. So what we'll see here is a lot of
22 walking to this daycare center. However, we
23 analyzed it as a suburban site where we generated
24 traffic to make sure that our driveway will operate
25 sufficiently. When we did a capacity analysis of

1 the driveway, it operates at good levels of service.

2 Levels of service, I'm sure you heard from
3 traffic engineers previously, range from A to F,
4 where the A range is the best condition, and F is
5 the volume exceeds the capacity. The left turn into
6 the site operates at a level of service A, minimal
7 delay, and getting out of the site, where we're in
8 C-D range. So we're at good acceptable levels of
9 service. So operations of the driveway will be
10 adequate.

11 The second aspect, we took a look at the
12 parking as well. We took a look at it with the
13 conservative assumptions, not taking a 50-percent
14 for foot traffic, but only taking a 20-percent
15 credit for traffic for the need for pickups and
16 drop-offs. We believe that there will be much less
17 than what we included in our report. But in our
18 report we analyzed there were about 50 drop-offs and
19 pickups, drop-offs in morning and pickups in the
20 afternoon during the peak hour.

21 And with that amount of drop-offs and
22 pickups, in the morning we'll need about six or
23 seven spaces out of 16. We'll need about six or
24 seven for just the drop-offs. It's takes on average
25 five minutes. We watched at Learning Experience and

1 actually watch parents and guardians pull into the
2 parking space, how long they occupy that parking
3 space as they dropped their child and leave that
4 parking space. From the time they pull in to the
5 time they pull out, it takes about five minutes on
6 average.

7 The pickup is a little bit longer. It
8 takes about eight minutes. There is more finding
9 the child in the class and bringing it to the
10 parents in the lobby, and then the parent takes
11 their child and buckles them in. That's about eight
12 minutes. Whereas we'll need six to seven spaces in
13 the morning, we'll need ten to eleven spaces in the
14 afternoon. That leaves five to six spaces available
15 for staff during the afternoon pickup time.

16 What happens during the afternoon is that
17 although we'll have a maximum total of 22 staff in
18 the middle of the day, in the beginning of the day,
19 there won't be 22. There will be much less, and the
20 staff starts to build up as the children start to
21 arrive. The same thing happens later on in the
22 afternoon. As the children start to leave, the
23 staff starts to leave as well. As the student
24 population goes down, the staff doesn't need to be
25 hanging around until the last child leaves the

1 school. It's a matter of economics and running the
2 business itself. You want to have staff leave as
3 the students are leaving as well.

4 So as the peak starts to rise, the number
5 of staff starts to leave the site as well. So there
6 will be additional availability. Learning
7 Experience expects that most of their staff, not
8 entirely all, but most of their staff will come from
9 the neighborhood, not needing to drive, will be able
10 to be dropped off, use mass transit. We have seven
11 bus lines within a third of a mile. We have 19
12 within a mile of the site. This site has good mass
13 transit availability to accommodate those staff that
14 choose to use mass transit. The vast majority will
15 be coming from the neighborhood.

16 So based on that, I believe we have more
17 than sufficient parking. That's been the experience
18 of the Learning Experience in their daycare centers.
19 It's been our experience in studying daycare centers
20 here in Hudson County as well that we will have more
21 than sufficient parking.

22 MR. ALONSO: Can you provide
23 testimony with regard to vehicular circulation
24 within the parking?

25 MR. STAIGAR: Yeah. It's a

1 relatively easy site. Inside the site, we have a
2 single driveway, parking on both sides. Matt, the
3 engineer, has provided to the Board the ability for
4 a refuse truck to be backed up into a refuse area.
5 It needs to utilize the parking spaces in order to
6 do that, so we're anticipating that the garbage
7 pickup will have to be timed to come before 6:30 in
8 the morning when the lot is empty. That's the only
9 difficulty, somewhat difficult, but it can be
10 managed through time.

11 Another aspect that could happen also is
12 that it will be private pickup, so the type of truck
13 can be accommodated for the size of the site, may be
14 a smaller truck. I've seen large pickup trucks
15 utilized in these type of sites. This site has been
16 designed to accommodate a large garbage truck, SU30,
17 single unit truck, total of 30 feet long.

18 MR. ALONSO: There were comments with
19 regard to the striping of the curb along the front
20 of the property. Do you have any comment?

21 MR. STAIGAR: Again, that's a give
22 and take. You know, parking is always a premium
23 throughout North Bergen, throughout Hudson County.
24 As Matt had pointed out, these are parking spaces
25 that are utilized by the community. We feel that we

1 don't need them, however, the law is the law. If
2 it's under Title 39, there should be no parking
3 there. I have to do some research. I saw the
4 comment without doing that research, that it's
5 beyond even the jurisdiction of this Board or
6 anybody if the State statute says that this doesn't
7 allow parking. It should be signed and it should be
8 striped.

9 As Matt had pointed out also, we don't
10 believe we need it based on we have sufficient
11 parking, but we're more than willing to put the
12 signs up and paint the curb.

13 MS. FERRARA: Would the applicant be
14 signing internally? You have to two parking spaces
15 dedicated for ADA, four for staff, ten open for drop
16 off. In your site, can you identify the four for
17 staff and the ten for pick up and drop off?

18 MR. CLARK: If we need to, we
19 typically don't like to define the spaces. It makes
20 it a little more confusing coming in. It's best
21 just to leave them open. We've identified the ADA
22 spaces. We only really need the one, so we'll
23 provided an additional standard space. But
24 typically we don't sign or stripe or dedicate any
25 spaces other than ADA.

1 MR. STAIGAR: I prefer open because
2 it provides more flexibility. If say there's not a
3 need for four spaces, say only three staff show up,
4 and we have that additional space that can be used
5 rather than it be an empty. It's better to have the
6 non-signing and the flexibility to allow those
7 spaces to so-called flow.

8 MS. FERRARA: We have no guarantee
9 that all the staff will take mass transit.

10 MR. STAIGAR: No, you're correct. We
11 can't guarantee that, but just through experience
12 of -- my experience of analyzing other daycare
13 centers and the Learning Experience, that is what
14 should happen, most likely to happen. They hire
15 locally also. That will also dictate that. When
16 people come from the neighborhood, they mostly walk,
17 a lot walking traffic in these types of facilities.

18 CHAIRMAN CHOFFO: Jackie.

19 MS. FLOR: Mr. Chairman, I just
20 noted, we stated ADA in the letter. I just note
21 that one space has to be van accessible, so they
22 increased the size of the access aisle. You only
23 have a five-foot-wide access aisle, they need an
24 eight-foot. You can either do -- you did eleven.
25 I'm sorry. I thought you had an eight-foot-wide

1 space.

2 Secondly, at the driveway, I know the site
3 review committee brought up, they wanted to make
4 sure the driveway had the ADA ramps up in the
5 street. It's not really necessary to do an ADA
6 route, so long as you're keeping the sidewalk flush
7 with the top of the driveway, you don't really need
8 to.

9 MR. CLARK: The way that the sidewalk
10 is today, it's right up against the curb. With the
11 standard driveway and ramp and the layered two-foot
12 sections, and pull the sidewalk section from ADA
13 back, it was not practical on this site. We're
14 looking to have the sidewalk continue straight
15 across the frontage. We'll drop down with the drop
16 curb and come straight across in order to have the
17 ADA compliance. I put a detail on the plan to give
18 a 3D perspective. This works well, and it's typical
19 because the sidewalk is right up against the curb.
20 If the sidewalk was set four foot in, then we'd put
21 the tradition apron in.

22 MS. FLOR: So the sidewalk, I'm
23 possibly misreading the plan. I was under the
24 understanding you were going to extend the sidewalk
25 a full ten feet in width, you're not?

1 MR. CLARK: No, the sidewalk is on
2 the curb.

3 MS. FLOR: Basically, you're going to
4 have it, you're not going to extend it to your
5 property?

6 MR. CLARK: No.

7 MS. FLOR: I misread your plan that
8 you were going to extend it back so that I thought
9 that the second four or five feet of sidewalk was
10 going to be flush.

11 MR. CLARK: I'll disregard. Okay.

12 MS. FLOR: Okay. Because if you look
13 just north of your property, the sidewalk is a full
14 ten foot wide.

15 MR. CLARK: That's because if you
16 continue on to the north, they have that four-foot
17 landing strip and then sidewalk. So it will
18 transition from being back and the sidewalk being
19 front is a full width. That's how they run.

20 MS. FLOR: I thought you were going
21 to extend it.

22 MR. ALONSO: May I ask the applicant,
23 just give the Board what is the actual width of the
24 sidewalk after you completed with your project?

25 It's four foot right now, we're going to maintain

1 it?

2 MR. CLARK: There's a section right
3 here where there was a driveway to our property, so
4 we're going to put a full height curb and put a new
5 four-foot section.

6 MR. CURLEY: You're not encroaching
7 on the County right-of-way?

8 MR. CLARK: That is the County
9 right-of-way. It's going to be County curb and
10 County sidewalk because right now there's a drop
11 curb section, and the sidewalk dips down. So we
12 have to get rid of the driveway altogether.

13 MR. TRIDENTE: If the Board will look
14 at my report, it shows a narrow three-foot strip of
15 concrete, and next to that, adjacent to the fence is
16 just dirt. So how much of the sidewalk are you
17 going to widen? The sidewalks are typically
18 ten feet wide. You need a franchise agreement to
19 extend your property beyond the property line.
20 You're looking to match the existing condition that
21 was there.

22 There's new sidewalk and curb in the
23 County right-of-way, and that sidewalk is four feet
24 wide. So any new section that's needed. we would
25 just maintain that condition. Because a previous

1 application, the applicant had their fence beyond
2 that property line doesn't mean that's a granted
3 condition that you can just do the same thing. You
4 need a franchise agreement from the Freeholder
5 Board. If the standard condition is a ten-foot-wide
6 sidewalk along Kennedy Boulevard, then you must meet
7 that standard. You can't go with existing
8 conditions.

9 MR. CLARK: I understood that it is
10 four foot. If you want ten foot, we'll put ten
11 foot, whatever the regulation you want, if you want
12 ten foot wide.

13 MR. TRIDENTE: You would eliminate
14 one area too, so you lose that area.

15 MR. CLARK: That's not on our
16 property, but behind the sidewalk to our property
17 line in the County right-of-way would be a grass
18 strip which would be eliminated, and that would be
19 all concrete.

20 MS. FERRARA: Mr. Chairman, may I
21 make a recommendation? If you do widen it to ten
22 feet, which would then match the existing property
23 to the north or south, I'm not sure, that would give
24 you the opportunity to put shade trees that should
25 be provided in a four-by-four or three-by-three

1 planter, so you would maintain the landscaped area
2 that you're losing by putting in the concrete and
3 then adhering to the County tree planting standard.

4 MR. CLARK: We put it the tree wells
5 in and we'll move the trees upfront.

6 COMMISSIONER GLEBOCKI: One other
7 issue is there's no traffic signal. The County
8 Engineer just wanted to mention that in the future
9 if there's ever a traffic signal required, you are
10 responsible, that's if it's required by the County.
11 Also, we're surfacing that roadway from 67th to
12 Bergenline to JFK. That's probably going to be this
13 summer or early fall, this summer. As soon as you
14 can get out with the utility connections, you should
15 do it. We're going to come through and resurface.

16 MR. CLARK: I'll call you, Joe?

17 COMMISSIONER GLEBOCKI: Just contact
18 our office for a road opening permit. We'll give
19 you all the details.

20 MR. CLARK: We're going to tap into
21 the line on our property. It's a water line that
22 runs through. We're going to go sanitary.

23 COMMISSIONER MEHTA: I am just
24 concerned about the requirement on the street for
25 the traffic and parking. North Bergen, I know that

1 the people in the area, and I know traffic in the
2 area, and maybe parking can go higher. Most of the
3 kids will come from the town there. I have to tell
4 you that the area and that environment needs extra
5 parking, and I would like to keep the rest of that
6 parking there.

7 CHAIRMAN CHOFFO: You want to keep it
8 the way it is. Anywhere in Hudson County, we don't
9 like to take street parking from the residents and
10 neighborhoods and so on and so forth. What is your
11 recommendation?

12 COMMISSIONER MEHTA: Like they said,
13 the drop-off is in their own parking lot, they don't
14 need it outside, and I know that because it's across
15 from the Board of Education and the high school, and
16 at night the residents live there, if they can do it
17 as keeping the parking.

18 COMMISSIONER GLEMOCKI: I don't
19 think that's what he was saying as far as the drop
20 off. It's that they have to comply with Title 39.
21 It's also the site distance.

22 CHAIRMAN CHOFFO: We have no choice
23 he's telling you. It's a State statute. It's
24 beyond us. With that, so there will be no parking
25 at all, or no parking from 6:30 to 6:30 p.m.

1 MR. STAIGAR: Mr. Chairman, if I can,
2 when I read that comment, it talks about distances
3 from the intersections. We're in the middle of the
4 block. The only intersection that I'm aware of is
5 across the street on a diagonally. So we're on our
6 side of the street. There is no issue with the
7 intersection. I don't know even know if that
8 statute even applies.

9 MS. FLOR: We can look back. Why
10 don't we put it as a condition that the engineer
11 will look into it? My understanding is it applies.
12 The traffic engineer can place it, and I think that
13 if it does apply, the applicant has to meet it. If
14 we find that it doesn't apply --

15 CHAIRMAN CHOFFO: Then we're okay
16 with it.

17 MR. ALONSO: The condition that we
18 would agree to is that we would comply with
19 requirements of --

20 CHAIRMAN CHOFFO: And I want to say
21 the Board concurs. Your client would agree with
22 that?

23 MS. FERRARA: Street parking with no
24 conditions or restrictions if they don't have to
25 comply with Title 39?

1 CHAIRMAN CHOFFO: Yes. I suggest
2 that we make it conditional approval based on Title
3 39.

4 MS. FLOR: I think it's a condition
5 they have to meet should it apply. I'll look at it
6 again with my traffic engineer.

7 COMMISSIONER HOLLOWAY: What is the
8 issue with Title 39.

9 MS. FLOR: Title 39 is when you have
10 to enforce -- if you give me a minute, let me double
11 check it because it is the opposite of the side of
12 the street, but based on what my traffic engineer,
13 this come from my traffic engineer, Bruce Klein, I
14 can double check it and make sure he was aware that
15 the intersection is on the opposite side of the
16 street, which I'm sure he was because you can see it
17 on the plans. I can double check it.

18 CHAIRMAN CHOFFO: We can double check
19 it now?

20 MS. FLOR: No, I'm saying make it a
21 condition. Make it a condition that if it does
22 apply, we have no jurisdiction to waive it, if it
23 applies then we'll look at it. If it applies he
24 can't have it. We have no jurisdiction to waive
25 that because you can't have parking there. If it

1 doesn't apply, it's one of the conditions that you
2 can state it in a way to say if Title 39 should
3 apply, then all parking there has been prohibited.
4 There has to be painting and striping to prohibit
5 parking.

6 MR. ALONSO: It's akin to we would
7 have to comply with any Municipal, County, State
8 laws and regulations.

9 MS. FERRARA: Mr. Chair, if I could
10 summarize the conditions we have, is that if Title
11 39 applies, the applicant will meet that. If the
12 applicant in the future requires a traffic signal,
13 they will install it themselves. The County will
14 not be installing any traffic signals.

15 MR. ALONSO: We're fine.

16 CHAIRMAN CHOFFO: We're fine with
17 both?

18 MR. ALONSO: Yes.

19 MS. FERRARA: The last one is that
20 they are instead of making a contribution, they are
21 going to do the shade tree planting.

22 MR. ALONSO: That is correct, we do
23 six trees?

24 MS. FERRARA: That's correct.

25 MR. CLARK: We're going to move the

1 trees that we have in our plan out into planters,
2 and extend the sidewalk. That's what we're going to
3 do.

4 MS. MASSEY: And the applicant can
5 look to our land development regulations and have
6 the tree planting details.

7 MR. ALONSO: Okay. That's fine.

8 MS. FERRARA: Are we clear with the
9 conditions?

10 COMMISSIONER MEHTA: Title 39, is
11 that the Title 39 what you are saying is that that
12 that's why they are coming in front of our Board,
13 and the Boards can't ask them to do that. We can
14 make a strong suggestion. I feel strongly about the
15 parking because if we can't park around the area and
16 the downtown area, they are needed, and they are so
17 desperate. The requirement here should be very
18 different. It's something for the County area, and
19 this is a big area.

20 CHAIRMAN CHOFFO: I agree with you.
21 I have a question, Mr. Alonso. Did the Title 39
22 issue come up in front of North Bergen?

23 MR. ALONSO: No, no.

24 COMMISSIONER GLEMBOCKI: They did
25 bring up the issues.

1 MR. ALONSO: I believe our engineers
2 addressed it.

3 CHAIRMAN CHOFFO: So based on
4 Massiel --

5 COMMISSIONER MEHTA: So we come back
6 they can verify that for the Board the Title 39
7 requirement, and whether we can park?

8 MS. FERRARA: Yes.

9 CHAIRMAN CHOFFO: Okay, Commissioner?

10 COMMISSIONER MEHTA: I just have a
11 problem because we have been parking there a long
12 time. So I have definitely have concerns about
13 whether we can make it to prohibit parking. After
14 we verify the Title 39 language, we will know
15 whether they can park. With that, I make a motion.

16 COMMISSIONER GOMEZ: And I second it.

17 MS. FERRARA: On a motion made by
18 Commissioner Mehta. Second by Commission Gomez.

19 Commissioner Cryan.

20 COMMISSIONER CRYAN: Aye.

21 MS. FERRARA: Commissioner
22 DiDomenico.

23 FREEHOLDER DiDOMENICO: Aye.

24 MS. FERRARA: Commissioner Glembocki.

25 COMMISSIONER GLEMBOCKI: Yes.

1 MS. FERRARA: Commissioner Gomez.

2 COMMISSIONER GOMEZ: Aye.

3 MS. FERRARA: Commissioner Holloway.

4 COMMISSIONER HOLLOWAY: Aye.

5 MS. FERRARA: Commissioner Mehta.

6 COMMISSIONER MEHTA: Aye.

7 MS. FERRARA: Commissioner Peralta.

8 COMMISSIONER PERALTA: Yes.

9 MS. FERRARA: Chairman Choffo.

10 CHAIRMAN CHOFFO: Aye.

11 MS. FERRARA: The motion passes.

12 MR. ALONSO: Thank you.

13 MS. FERRARA: The next item on the

14 agenda is Site Plans to be Heard, 2013-013-SP,

15 Applicant, George and Eric Gutierrez; located at

16 3211-3215, Kennedy Boulevard, Block 260.02, Lots 23,

17 27 28 and 30, located in Union City.

18 MR. ALONSO: Good evening, again, Mr.

19 Chairman. Alvaro Alonso on behalf of the applicant.

20 CHAIRMAN CHOFFO: Long time, no see.

21 MR. ALONSO: Mr. Staigar is still

22 qualified, I hope. A lot of you may be familiar

23 with this site. It's the McDonald's on the corner

24 of 32nd Street and Kennedy Boulevard, and they

25 recently improved the bridge, pedestrian bridge

1 there across by the park. The application is here
2 essentially to add a second drive-thru aisle to the
3 existing McDonald's.

4 We have one witness this evening, Joseph
5 Staigar; also a representative from McDonald's for
6 any operational questions.

7 MR. CURLEY: Mr. Staigar, you are
8 still under oath.

9 MR. ALONSO: And you're still
10 qualified.

11 MR. STAIGAR: I didn't lose my
12 license yet.

13 MR. ALONSO: Mr. Staigar, you also
14 prepared an analysis in connection with this
15 application?

16 MR. STAIGAR: Correct.

17 MR. ALONSO: And you also had an
18 opportunity to meet with the County Engineer with
19 respect to certain issues in terms of ingress and
20 egress on the site?

21 MR. STAIGAR: Yes, at least on two
22 occasions.

23 MR. ALONSO: Can you please review
24 with the Board your analysis also and what
25 conditions we agreed with with respect to the review

1 board?

2 MR. STAIGAR: The two main aspects or
3 three main aspects of this proposal is a
4 modernization of the existing McDonald's. The
5 improvements are to the circulation, on-site
6 circulation and the parking spaces. The parking
7 spaces right now are angled. They are one-way
8 directional. It's a rather confusing parking
9 layout. What's being proposed is typical 90-degree
10 parking, two-way aisles, what you typically expect
11 and see in a parking lot.

12 The other aspect that is being proposed
13 here is a double order, meaning there will be two
14 order boards. So you pull up to the port where you
15 put your order. You could either go to the left or
16 to the right, and that funnels down to one lane for
17 the pay window and the pickup window. What
18 McDonald's has been finding is that the bottleneck
19 has always been the order. It does take longer time
20 for the order to go in than either at the pay window
21 or the pickup window. So by putting a tandem
22 side-by-side order system, it speeds up the ordering
23 system or process.

24 Briefly, what we as the public demand is
25 drive-through convenience, a drive-through service.

1 McDonald's has seen somewhere in the order of 40 or
2 50 percent of their business going through the
3 driver-through in past decades. What they're
4 finding now is 70 percent or more is using the
5 driver-through rather than park and walk in. So the
6 drive-through systems have been backing up, and
7 we've taken studies at this particular McDonald's as
8 well. We're finding that the stacking is occurring
9 at the order windows, whereas there's a big gap of
10 emptiness most times between the pay window and the
11 pickup window than the order because this is a
12 bottleneck.

13 So the reason for the double tandem is to
14 speed the process up and reduce congestion on the
15 site. On the site you'll see a better circulation
16 and safer circulation, better parking and less
17 congestion backups on the drive-through system.

18 The third and last main aspect that
19 particularly encompasses the County's concerns is
20 the driveway on 32nd Street will be a two-way
21 driveway. Right now it's signed or labeled I guess
22 as a one-way enter, but we've seen people using it
23 as an exit as well. We're going to take that
24 one-way driveway and widen it, increase the radii
25 coming out and make it more perpendicular to the

1 intersection of 32nd Street to allow it to operate
2 as a two-way driveway and enter and also exit.

3 And we went through a couple of
4 configurations with the County review board to
5 provide further refinement to the design of that
6 exit driveway to enhance pedestrian and vehicular
7 safety at the exit. It will be a right-turn out
8 only. Lefts will be disallowed. We've angled the
9 driveway so that it will be difficult to make. It
10 won't preclude anybody from physically not making a
11 left, but it will feel that it will be a right turn
12 only. It will be signed as well as a right turn
13 only coming out.

14 And the main reason that we feel that will
15 be an enhancement is that we're finding congestion
16 happening at the Kennedy Boulevard driveway. The
17 backup from the light creates that congestion. It
18 now provides for an alternative exit movement,
19 whereas you leave the parking lot or the
20 drive-through, they will then proceed westbound
21 rather than eastbound towards Kennedy Boulevard onto
22 32nd Street to make the right turn to head
23 westbound.

24 So that segment of traffic will no longer
25 be piled on top of the Kennedy Boulevard driveway

1 and the intersection with Kennedy Boulevard, but
2 they will be more easily routed through the site and
3 westbound on 32nd Street. So I believe it will be a
4 benefit to the site in the alleviating congestion at
5 the Kennedy Boulevard driveway. It will be a
6 benefit also to the intersection of Kennedy and 32nd
7 Street by taking that segment of traffic and
8 bypassing the signalized intersection to a
9 simplified right turn out only on 32nd Street.

10 So those are the, I believe, benefits of
11 this proposal, and they are all tied into an
12 increase and enhancement to public safety.

13 MR. ALONSO: I have nothing further.

14 CHAIRMAN CHOFFO: Jackie.

15 MS. FLOR: I would like to -- I don't
16 know if Mr. Staigar has my letter. I'm looking at
17 it, and I think that unfortunately you did not
18 receive it. I'm going to give you a copy of this
19 letter so you can respond. I think they're easy
20 comments. You can see it in bold because at the
21 site review committee we also talked about signage
22 within the site. I don't see that on the signage
23 table. I would like that also addressed. You'll
24 see the comments in the letter.

25 CHAIRMAN CHOFFO: Mr. Staigar, before

1 you go into Jackie Flor's questions, I have one
2 question. I remember this coming in front of us a
3 year or longer ago. There was an issue then. I'm
4 just wondering what transpired. I don't know if it
5 was at least a year ago, a year and a half ago.
6 What transpired from that time until now that you're
7 coming here?

8 MR. STAIGAR: A few things. The main
9 thing is that the previous site plan that you saw
10 was a driveway, a driveway that wrapped around, came
11 down the 32nd Street, and was going remain as is,
12 and we were just going to make it a two-way driveway
13 instead of a one-way driveway. The County review,
14 Jackie and planners and engineers, had a major
15 concern, particularly because the alignment of the
16 intersection with 32nd Street wasn't exactly
17 perpendicular. It was skewed.

18 CHAIRMAN CHOFFO: Was there queuing
19 issues?

20 MR. STAIGAR: I don't think there
21 were queuing issues. There were sight distance
22 issues and pedestrians and drivers seeing one
23 another. As you walk up 32nd Street, you're going
24 on an incline as you're going down the driveway.
25 You're going on a decline, and there's a big

1 retaining wall there. What we've done is we've
2 flattened that out and removed the fence so that one
3 can easily see the other, and as one pulls onto 32nd
4 Street, you stop perpendicular to 32nd Street and
5 then make your right turn.

6 The sight visibilty in all directions also
7 vastly improved with the previous layout that you
8 saw, and a lot of these enhancements were as a
9 result of our meeting with the planning review
10 board.

11 CHAIRMAN CHOFFO: Thank you,
12 Mr. Staigar.

13 MR. STAIGAR: There is a big
14 difference from what you saw a year ago and what you
15 see today.

16 COMMISSIONER HOLLOWAY: Mr. Chairman,
17 the McDonald's exit out of 32nd Street, 32nd Street,
18 it was to the right, and no one could make a left
19 onto it. It's very close to the intersection with
20 Kennedy Boulevard.

21 MR. STAIGAR: It's quite a distance.
22 It's probably well over a hundred feet from the
23 intersection.

24 COMMISSIONER HOLLOWAY: I notice
25 people that try to make a left turn.

1 MR. STAIGAR: We're going to place an
2 island to discourage that left turn. We're going to
3 steer them to the right, and then we're going to
4 have signage so that will be enforceable. Right
5 now, if you drive out of there and make a left-hand
6 turn, there is no sign. There is nothing to stop
7 us. There's nothing even there for a policemen to
8 say, You did the wrong thing, I'm going to give you
9 a ticket. They'll have that possibility now.

10 COMMISSIONER HOLLOWAY: Thank you.

11 MR. STAIGAR: I'll do the letter.
12 I'll try to read them fast and paraphrase; 2.1, that
13 comment is no longer applicable; 2.2, no longer
14 applicable; 2.3, a truck turning template was
15 provided for trash enclosure, addressed. Hopefully,
16 it's addressed. If not, we'll provide a further
17 explanation. 2.4 was addressed.

18 2.1, the applicant provided a plan showing
19 sight triangles, however, there is still a concern
20 related to parked vehicles buses and a retaining
21 wall, and it's also unclear of the impact traffic
22 will have on pedestrians crossing the driveway and
23 stopping vehicles will need to occupy that area to
24 see around the wall addressed.

25 The applicant had illustrated that

1 vehicles along the driveway will have visibility of
2 pedestrians along the adjacent sidewalk. Since the
3 driveway will be right out only, there is no sight
4 distance requirement for left turning vehicles, thus
5 parked cars will not obstruct sight distance. It is
6 recommended that the applicant install advanced
7 signage, W11-2 and W13-9P, within the site to
8 identify the pedestrian crossing conditions. These
9 are the pedestrian crossing warning signs and
10 install, Stop Here, for pedestrians, R1-5, at the
11 driveway stop bar, and we have agree to all. I
12 believe we spoke about those. I'll put them on the
13 plan.

14 2.6, the comment is no longer applicable.
15 2.7 is addressed. 2.8, it was a continuing comment.
16 Applicant has not proposed realigning the driveway.
17 It still violates the approach angle for the two-way
18 driveways. It's a continuing comment. A waiver
19 will be required. The applicant shall illustrate
20 the maximum size design vehicle that can make the
21 right turn movement out of the driveway. You still
22 want to see that then?

23 MS. FLOR: Yes.

24 MR. STAIGAR: Okay. We'll provide
25 that as a condition. 2.9, 2.10, 2.11 are no longer

1 applicable. 2.12 is a continuing comment. The
2 pedestrian crossing locations across the driveway
3 should be pushed away from the existing retaining
4 wall to increase pedestrian visibility relative to
5 vehicles exiting the site. It's a continuing
6 comment. It appears that the entire driveway will
7 be at roadway grade, thus proposed crosswalk
8 striping can be placed away from the wall to enhance
9 pedestrian's visibility. The applicant shall revise
10 the plans accordingly to provide a pedestrian
11 cut-through.

12 MS. FLOR: You agreed to do that?

13 MR. STAIGAR: Yes, we agreed to do
14 that. Site plan identifies No Left Turn signage
15 proposed. This is in conflict with the traffic
16 report. I think that was before the traffic report
17 was prepared, before the site plans were finalized,
18 but the site plan will dictate, and obviously, we're
19 showing left turns, and certainly, all right turns
20 will have a better level of service, so it doesn't
21 affect the traffic report findings.

22 2.14, the applicant shall propose fencing
23 or railings along the top of the existing retaining
24 wall that does not restrict or obstruct sight
25 distance from the driver's eye to pedestrians on the

1 sidewalk. We need to fence or a rail, I'll say a
2 rail, on top of the wall so nobody falls off the
3 wall, and it will be a small chain-link fence. It
4 will be if a design sufficient for a clear
5 visibility that's acceptable to your engineer.

6 And 2.15, the applicant shall install
7 R-5R, right turn arrow and only sign post-mounted
8 within the driveway island to reinforce the right
9 turn only restriction. We agreed to that. Anything
10 beyond the traffic?

11 COMMISSIONER HOLLOWAY: I have a
12 question. You can exit and make a right onto
13 Kennedy Boulevard?

14 MR. STAIGAR: Yes.

15 COMMISSIONER HOLLOWAY: Do you put a
16 sign up to let people know they can't make a left?
17 The reason I'm saying that is because of people not
18 familiar with that and want to go to 32nd make a
19 right with traffic trying to get onto Kennedy
20 Boulevard.

21 MR. STAIGAR: You make a good point.
22 I believe it was brought up at the planning meeting.
23 As you pull out of the drive-through before come to
24 the parking lot, you put a sign 32nd Street to the
25 right and Kennedy Boulevard to the left so that,

1 yeah.

2 COMMISSIONER HOLLOWAY: Perfect.

3 MR. STAIGAR: We will agreed to that
4 signage as well.

5 MS. MASSEY: The tree plantings are
6 in the initial letter. It said you require I think
7 it was six, but 32nd is also a County road, so you
8 have 400 feet of frontage, which requires 15 trees.
9 So I don't know if you would like to plant all 15,
10 or if you would like to contribute for all 15. I
11 know you contributed for the initial.

12 MR. STAIGAR: Do we to have decide
13 that now or could that be an either or as a
14 conditions of our approval?

15 MS. MASSEY: It could be a condition.
16 In terms of if you are contributing, you need to
17 submit a cost estimate before your resolution can be
18 memorialized.

19 MR. STAIGAR: Just one minute. I'm
20 going to have to review that only because given that
21 intersection, I don't believe there are any trees
22 other than inside of the park property. I don't
23 know what affect or impacts it's going to have
24 putting 15 trees along that corner.

25 MS. MASSEY: Just like the other six,

1 you can contribute.

2 MR. STAIGAR: Maybe we'll plant some
3 if we can. We may have to contribute the full 15.

4 CHAIRMAN CHOFFO: You're aware. So
5 you are aware that if you can't plant 15, six, nine,
6 whatever, you're contributing.

7 MR. ALONSO: No, no, it's fine. It's
8 a question of can we plant them, contribute the full
9 15 or plant the full 15 or a combination.

10 CHAIRMAN CHOFFO: As long as the
11 applicant is aware if he plants one, he has to
12 contribute 14.

13 MR. ALONSO: That's correct.

14 MS. MASSEY: I would also encourage
15 the applicant to work with the County Engineer's
16 office. They've done a lot of pedestrian safety
17 improvements in that area. We want to make sure
18 that the trees that they plant are not affecting the
19 County's plan for that.

20 MR. ALONSO: That was one of our
21 concerns before making a decision.

22 CHAIRMAN CHOFFO: Any other questions
23 for Commissioners or concerns? Do I have a motion?

24 MS. FERRARA: On a motion made by
25 Commissioner Holloway. Second by Commissioner

1 DiDomenico.

2 Commissioner Cryan. Commissioner

3 DiDomenico.

4 FREEHOLDER DiDOMENICO: Aye.

5 MS. FERRARA: Commissioner Glembocki.

6 COMMISSIONER GLEMBOCKI: Yes.

7 MS. FERRARA: Commissioner Gomez.

8 COMMISSIONER GOMEZ: Aye.

9 MS. FERRARA: Commissioner Holloway.

10 COMMISSIONER HOLLOWAY: Yes.

11 MS. FERRARA: Commissioner Mehta.

12 COMMISSIONER MEHTA: Yes.

13 MS. FERRARA: Commissioner Peralta.

14 COMMISSIONER PERALTA: Yes.

15 MS. FERRARA: Chairman Choffo.

16 CHAIRMAN CHOFFO: I vote aye.

17 MS. FERRARA: The motion has passed.

18 Also let the record reflect Commissioner Cryan has
19 left the meeting.

20 MR. ALONSO: Thank you. Have a good
21 evening.

22 MS. FERRARA: The next item on the
23 agenda, applications to be administratively
24 approved. Application to 2013-010-SP, New Cingular
25 Wireless PCS, LLC, located at 50 Journal Square;

1 Block 10601, Lot 42, in Jersey City.

2 On motion made by Commissioner Mehta.

3 Second by Commissioner Gomez.

4 Commissioner DiDomenico.

5 FREEHOLDER DiDOMENICO: Aye.

6 MS. FERRARA: Commissioner Glembocki.

7 COMMISSIONER GLEMBOCKI: Yes.

8 MS. FERRARA: Commissioner Gomez.

9 COMMISSIONER GOMEZ: Aye.

10 MS. FERRARA: Commissioner Holloway.

11 COMMISSIONER HOLLOWAY: Aye.

12 MS. FERRARA: Commissioner Mehta.

13 COMMISSIONER MEHTA: Aye.

14 MS. FERRARA: Commissioner Peralta.

15 COMMISSIONER PERALTA: Yes.

16 MS. FERRARA: Chairman Choffo.

17 CHAIRMAN CHOFFO: Aye.

18 MS. FERRARA: The motion has passed.

19 The next item on the agenda is
20 applications to be exempt. The first application is
21 2013-015-SP, Coresite Real Estate 2, Emerson Lane,
22 LLC, located at 2 Emerson Lane; Block 57, Lot 5, in
23 Secaucus.

24 The next application is 2013-016-SP, New
25 Cingular Wireless, PCS, LLC, AT&T, located at

1 238 Fifth Street; Block 11204, Lot 9, in Jersey
2 City.

3 The third application is 2013-017-SD, 272
4 Grove Street, Urban Renewal, LLC, located at 220-222
5 York Street; Block 14102, Lots 1, 35, 36, 37, Jersey
6 City.

7 CHAIRMAN CHOFFO: Do I have a motion?

8 MS. FERRARA: On a motion made by
9 Commissioner Mehta. Second by Commissioner Peralta.

10 Commissioner DiDomenico.

11 FREEHOLDER DiDOMENICO: Aye.

12 MS. FERRARA: Commissioner Glembocki.

13 COMMISSIONER GLEMBOCKI: Yes.

14 MS. FERRARA: Commissioner Gomez.

15 COMMISSIONER GOMEZ: Aye.

16 MS. FERRARA: Commissioner Holloway.

17 COMMISSIONER HOLLOWAY: Aye.

18 MS. FERRARA: Commissioner Mehta.

19 COMMISSIONER MEHTA: Aye.

20 MS. FERRARA: Commissioner Peralta.

21 COMMISSIONER PERALTA: Yes.

22 MS. FERRARA: Chairman Choffo.

23 CHAIRMAN CHOFFO: Aye.

24 MS. FERRARA: The motion has passed.

25 Chairman, the next item on the agenda is old

1 business. Old business, we have the Hudson County
2 2013 Smart Growth Award nominations. Have the
3 Commissioners had a chance to review the award
4 nominations in their packet? If they have any
5 further question, would you like the staff to go
6 over?

7 CHAIRMAN CHOFFO: Did everyone get a
8 chance to review them? Do you have concerns or
9 questions for Massiel and Megan? Do I have a
10 motion?

11 MS. FERRARA: On a motion made by
12 Commissioner Gomez. Second by Commissioner
13 Holloway.

14 Commissioner DiDomenico.

15 FREEHOLDER DiDOMENICO: Aye.

16 MS. FERRARA: Commissioner Glembocki.

17 COMMISSIONER GLEMBOCKI: Yes.

18 MS. FERRARA: Commissioner Gomez.

19 COMMISSIONER GOMEZ: Aye.

20 MS. FERRARA: Commissioner Holloway.

21 COMMISSIONER HOLLOWAY: Aye.

22 MS. FERRARA: Commissioner Mehta.

23 COMMISSIONER MEHTA: Aye.

24 MS. FERRARA: Commissioner Peralta.

25 COMMISSIONER PERALTA: Yes.

1 MS. FERRARA: Chairman Choffo.

2 CHAIRMAN CHOFFO: I vote aye.

3 MS. FERRARA: The motion has passed.
4 I just want to remind the Commissioners that we will
5 try to schedule the actual awards ceremony for next
6 month officially.

7 The next item on the agenda, new business.
8 We had a Site Plan Review Committee meeting on the
9 redevelopment of the PATH Station at Harrison,
10 located at 700 Frank E. Rodgers Boulevard South,
11 Block 133, Lot 1, Harrison. I'm going to turn it
12 over to Ms. Massey.

13 MS. MASSEY: In your packets, there's
14 a brief memo and a PowerPoint presentation provided
15 by the Port Authority. The Port Authority came
16 before the Site Plan Review Committee just to
17 conduct an update to PATH Station at Harrison.
18 They're upgrading the capacity level that they
19 require now. Instead of having nine cars, they will
20 have eleven cars. They're extending the platform,
21 and they are also updating the actual station itself
22 with the glass.

23 You can see in the pictures in your
24 packet. The upgrades are just for -- I'm sorry, the
25 future development of the World Trade Center, 2015,

1 that will be on line, and you can just see the
2 redevelopment, the increased capacity, and they're
3 updating the station.

4 CHAIRMAN CHOFFO: I didn't have it in
5 my packet.

6 MS. MASSEY: Oh, my gosh. The Port
7 Authority came for site plan review. Because they
8 are a State agency, they don't necessarily have to
9 come to us. We don't have jurisdiction over this
10 project. They don't have to come to us for a formal
11 approval. They did want to come to bring us up on
12 the project and provide information about when they
13 want to start construction and just to make sure
14 that whatever construction, when they do the
15 construction, they do adhere to the County
16 regulations for road opening permits and work with
17 the County Engineer's office for any structural
18 impact to Frank E. Rodgers.

19 COMMISSIONER HOLLOWAY: What is the
20 anticipated time to start the project?

21 MS. FERRARA: It may be in the
22 packet. I think they're still working it out,
23 January 2013 to July 2013.

24 CHAIRMAN CHOFFO: It's in dire need,
25 dire need. I'm happy about it. Any questions?

1 Joe, do you have any comments on the, is it our
2 station?

3 COMMISSIONER GLEMOCKI: Yes.

4 CHAIRMAN CHOFFO: Right now they have
5 one side of the street. It will be both sides. You
6 don't have a west side.

7 MS. MASSEY: The plan will include
8 bike racks.

9 CHAIRMAN CHOFFO: And elevators or
10 escalators for handicapped?

11 MS. FERRARA: I don't know.

12 MS. MASSEY: Yes, there will be an
13 elevator.

14 CHAIRMAN CHOFFO: Any other matters?
15 I guess one other thing last application, the last
16 one with regard to the statutory, can you also just
17 let us know, Mr. Curley, and consult with the
18 engineering department and the Legal? I think that
19 the whole Board will feel better.

20 MR. CURLEY: I'll see there if there
21 is any waiver provision, which is not likely.

22 CHAIRMAN CHOFFO: Bring us up to
23 speed so if someone comes with questions or concerns
24 to the Board Members. Knowing all of the problems
25 with parking in the County, whatever parking is

1 around, we don't want to take on-street parking from
2 any municipalities so.

3 COMMISSIONER HOLLOWAY: Mr. Chairman,
4 I have a suggestion. Does the Planning Board have a
5 laptop? Do you have a laptop so the next time we
6 have a question like that, we can look it up?

7 MS. FERRARA: We do, and as long as
8 we have a connection to internet access, there is no
9 Wi-Fi in the building. I don't believe there is any
10 Wi-Fi in the building. If we do have internet
11 access, we could bring a laptop.

12 CHAIRMAN CHOFFO: Anything else,
13 Massiel?

14 MS. FERRARA: I have nothing else.

15 CHAIRMAN CHOFFO: I need a motion.

16 COMMISSIONER MEHTA: Motion.

17 COMMISSIONER GOMEZ: Second.

18 CHAIRMAN CHOFFO: All in favor.

19 (Whereupon the proceeding is then
20 concluded at 8:05 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, 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, April 17, 2013; and that this is a
correct transcript of the same.

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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