

HUDSON COUNTY
PLANNING BOARD

RE:

REGULAR MEETING : TRANSCRIPT OF
: PROCEEDINGS
:
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Hudson County Freeholders Chambers
Third Floor
567 Pavonia Avenue
Jersey City, New Jersey
Wednesday, February 15, 2012
6:30 p.m.

BEFORE:

- RENEE BETTINGER, Chairwoman
- MICHAEL HOLLOWAY, Vice Chairman
- DEMETRIO ARENCIBIA, PE, PP, County Engineer
- DANIEL CHOFFO, Commissioner
- RUSHABH MEHTA, Commissioner
- KENNEDY NG, Commissioner
- JAMES CRYAN, Commissioner
- HON. ANTHONY ROMANO, Freeholder

ALSO PRESENT:

- JOHN CURLEY, ESQ., Board Attorney
- STEPHEN D. MARKS, PP, AICP Planning Director
- MARIO TRIDENTE, Building Inspector
- DANIELA CIAMMARUCONI, Planning Aide
- MEGAN MASSEY, PP, AICP Principal Planner
- BRIAN A. CONROY, P.E.
- JACLYN J. FLOR, R.E., P.P., CME

Job No. NJ381197

1 CHAIRWOMAN BETTINGER: Good evening.
2 I'd like to call to order the Hudson County Planning
3 Board for Wednesday, February 15th, 2012.

4 Mr. Marks, may I please have the roll
5 call?

6 MR. MARKS: Commissioner Arencibia.

7 COMMISSIONER ARENCIBIA: Here.

8 MR. MARKS: Commissioner Avagliano,
9 absent. Commissioner Choffo.

10 COMMISSIONER CHOFFO: Here.

11 MR. MARKS: Commissioner Cryan.

12 COMMISSIONER CRYAN: Here.

13 MR. MARKS: Commissioner DiDomenico.
14 Commissioner Glembocki. Commissioner Holloway.

15 COMMISSIONER HOLLOWAY: Here.

16 MR. MARKS: Commissioner Mehta.
17 Commissioner Ng. Commissioner O'Dea. Commissioner
18 Romano, and Chairwoman Bettinger.

19 CHAIRWOMAN BETTINGER: Here.

20 MR. MARKS: Madam Chair, we have a
21 quorum.

22 CHAIRWOMAN BETTINGER: Counsel, has
23 the meeting been properly advertised?

24 MR. CURLEY: This meeting has been
25 advertised in the Jersey Journal and the Star

1 Ledger. Also, notice of the meeting has been posted
2 with the County Clerk and the Clerk of the Board of
3 Chosen Freeholders.

4 COMMISSIONER BETTINGER: May we
5 please rise to salute the flag?

6 (Flag Salute.)

7 COMMISSIONER BETTINGER: Before we go
8 any further, I would like to welcome the newest
9 Member of our Board, James Cryan. The next item,
10 have the Commissioners received the Minutes?

11 COMMISSIONER CRYAN: I make a motion
12 to accept.

13 COMMISSIONER HOLLOWAY: I second it.

14 MR. MARKS: Madam Chair, on a motion
15 to accept the Minutes of January 18th, 2012, made by
16 Commissioner Choffo. Second by Commissioner
17 Holloway.

18 Commissioner Arencibia.

19 COMMISSIONER ARENCIBIA: Aye.

20 MR. MARKS: Commissioner Choffo.

21 COMMISSIONER CHOFFO: Aye.

22 MR. MARKS: Commissioner Cryan.

23 COMMISSIONER CRYAN: Aye.

24 MR. MARKS: Commissioner Holloway.

25 COMMISSIONER HOLLOWAY: Aye.

1 MR. MARKS: Chairwoman Bettinger.

2 CHAIRWOMAN BETTINGER: Aye.

3 MR. MARKS: Who did I miss? I'm
4 sorry. I apologize. Commissioner Cryan, did I call
5 you?

6 COMMISSIONER CRYAN: Yes.

7 MR. MARKS: And Chairwoman Bettinger.

8 CHAIRWOMAN BETTINGER: Aye.

9 MR. MARKS: Madam Chair, the motion
10 passes. I apologize. Madam Chair, the next item
11 was 5B on the agenda, the award of Professional
12 Services Contract for Outside Counsel. We have
13 Megan Massey, the Principal Planner, who reviewed
14 the evaluation forms of the committee after the RFQ,
15 and she's ready to report to the Board.

16 MS. MASSEY: The selection committee
17 did have Commissioner Dan Choffo, Commissioner Jamie
18 Cryan and myself reviewed one legal firm for outside
19 counsel. The professional services contract for
20 outside awarded John J. Curley.

21 We then reviewed nine engineering firms,
22 and they were TY Lin, Boswell Engineering, Remington
23 & Vernick, LSEA, Van Cleef, T & M, PME, and then we
24 have Harbor, and we unanimously selected T & M
25 Associates to be the engineering firm for

1 professional service for the Planning Board. The
2 award for professional service contract for the
3 alternate professional engineering services, there
4 was Remington Vernick we selected as the alternate
5 engineering firm.

6 MR. MARKS: Madam Chair, there should
7 be three separate resolutions, one designating the
8 firm of John J. Curley, LLC, as the Board Attorney,
9 the second resolution awarding the contract to T & M
10 Associates in Middletown, New Jersey, as the
11 consulting engineer, and then a third resolution
12 designating Remington & Vernick, I believe they're
13 out of Secaucus, as the alternate engineer.

14 CHAIRWOMAN BETTINGER: Do I have a
15 motion?

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

18 MR. MARKS: Madam Chair, the first
19 motion will be for the attorney.

20 COMMISSIONER HOLLOWAY: Okay.

21 MR. MARKS: Is there a second?

22 COMMISSIONER CHOFFO: I'll second.

23 MR. MARKS: Madam Chair, on a motion
24 to approve a contract for outside legal services to
25 John J. Curley, LLC, made by Commissioner Holloway.

1 Second by Commission Choffo.

2 Commissioner Arencibia.

3 COMMISSIONER ARENCIBIA: Aye.

4 MR. MARKS: Commissioner Choffo.

5 COMMISSIONER CHOFFO: Aye.

6 MR. MARKS: Commissioner Cryan.

7 COMMISSIONER CRYAN: Aye.

8 MR. MARKS: Commissioner Holloway.

9 COMMISSIONER HOLLOWAY: Aye.

10 MR. MARKS: Chairwoman Bettinger.

11 CHAIRWOMAN BETTINGER: I vote aye.

12 MR. MARKS: Madam Chair, the motion
13 passes.

14 CHAIRWOMAN BETTINGER:
15 Congratulations.

16 MR. CURLEY: Thank you.

17 MR. MARKS: Madam Chair, the next
18 item would be the award of professional services
19 contract for professional engineering service as T &
20 M Associates was designated most highly qualified
21 firm through a fair and open process.

22 COMMISSIONER CHOFFO: I'll make a
23 motion to approve the resolution.

24 COMMISSIONER HOLLOWAY: I second it.

25 MR. MARKS: Madam Chair, on a motion

1 made by Commissioner Choffo, second by Commissioner
2 Holloway.

3 Commissioner Arencibia.

4 COMMISSIONER ARENCIBIA: Aye.

5 MR. MARKS: Commissioner Choffo.

6 COMMISSIONER CHOFFO: Aye.

7 MR. MARKS: Commissioner Cryan.

8 COMMISSIONER CRYAN: Aye.

9 MR. MARKS: Commissioner Holloway.

10 COMMISSIONER HOLLOWAY: Aye.

11 MR. MARKS: Chairwoman Bettinger.

12 CHAIRWOMAN BETTINGER: I vote aye.

13 MR. MARKS: Madam Chair, the motion
14 passes.

15 MS. FLOR: Thank you.

16 MR. MARKS: Madam Chair, the next
17 item is 5D, the award of a professional services
18 contact for alternate professional engineering
19 services to Remington & Vernick.

20 COMMISSIONER CHOFFO: I make a
21 motion.

22 COMMISSIONER HOLLOWAY: I second it.

23 MR. MARKS: Madam Chair, on a motion
24 made by Commissioner Holloway. Second by
25 Commissioner Holloway.

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Commissioner Arencibia.

COMMISSIONER ARENCIBIA: Aye.

MR. MARKS: Commissioner Choffo.

COMMISSIONER CHOFFO: Aye.

MR. MARKS: Commissioner Cryan.

COMMISSIONER CRYAN: Aye.

MR. MARKS: Commissioner Holloway.

COMMISSIONER HOLLOWAY: Aye.

MR. MARKS: Chairwoman Bettinger.

CHAIRWOMAN BETTINGER: Aye.

MR. MARKS: Madam Chair, the motion passes. Madam Chair, the next item on the agenda is 5E, the memorialization of resolutions considered at last meeting, beginning with application 2011-075-SP, City Line Church, located at 1510-1516 Kennedy Boulevard, which is Block 1380, Lots 52.99 and Lot 61 in the City of Jersey City.

Next is Application 2011-090-SP, NGP Properties, LLC, and JGP Properties, LLC, located at 2229-2237 Kennedy Boulevard, which is Block 46, Lots 1, 109, 116 and 120 in the Township of North Bergen.

Next is Application 2011-094-SP, that should be SD rather, County of Hudson, located at Laurel Hill Park, Block 5, Lot 2.01, in the Town of Secaucus.

1 And finally, 2012-001-SP, Lusa
2 Construction, Inc., located at 327-329, Schuyler
3 Avenue, which is Block 241, Lots 37 and 38 in the
4 Town of Kearny.

5 COMMISSIONER CHOFFO: I'll make a
6 motion.

7 COMMISSIONER ARENCIBIA: I second.

8 MR. MARKS: Madam Chair, on a motion
9 made by Commissioner Choffo and seconded by
10 Commissioner Arencibia.

11 Commissioner Arencibia.

12 COMMISSIONER ARENCIBIA: Aye.

13 MR. MARKS: Commissioner Choffo.

14 COMMISSIONER CHOFFO: Aye.

15 MR. MARKS: Commissioner Cryan.

16 COMMISSIONER CRYAN: Aye.

17 MR. MARKS: Commissioner Holloway.

18 COMMISSIONER HOLLOWAY: Aye.

19 MR. MARKS: Chairwoman Bettinger.

20 CHAIRWOMAN BETTINGER: Aye.

21 MR. MARKS: Madam Chair, the motion
22 passes. Madam Chair, the next item is 5F on the
23 agenda, Site Plans, Subdivisions and other Matters
24 Scheduled for Public Hearing, beginning with
25 Application 2012-008-SP, Guy Gsell, Applicant, for

1 Field Station Dinosaurs, LLC, located at New County
2 Road, which is Block 5, Lot 2 in the Town in
3 Secaucus.

4 MR. TREVENEN: Good evening, Madam
5 Chairwoman, Members of the Board. My name is Calvin
6 Trevenen. I'm from the Montclair law firm of
7 Ashenfelter, Slous, McDonough & Trevenen. I'm here
8 this evening on behalf of the applicant.

9 This is to say the least an interesting
10 application this evening. It's for the applicant,
11 as you know, is Field Station Dinosaurs, LLC.
12 Mr. Guy Gsell, who will be my first witness this
13 evening, is the executive producer of Field Station
14 Dinosaurs, also the principal in that limited
15 liability company. I have two other witnesses who
16 will be testifying after Mr. Gsell. The first one
17 will be Mr. James Giurintano. He's a professional
18 engineer and Vice President of Public Engineering
19 with Birdsall Services Group. That will followed by
20 Mr. Michael Drobny, who is a professional engineer
21 and s project manager with Birdsall.

22 I'm going to call Mr. Gsell in a minute
23 and have him put a face to the application. He will
24 be appearing as a fact witness, give you some idea
25 as to his background in this area of entertainment

1 and what is being proposed for this site that is
2 owned by Hudson County, and after he puts a face to
3 it, then if I may have the two engineers qualified
4 as professional engineers. Mr. Giurintano will be
5 speaking regarding the drawings and the site plans,
6 that have been submitted, and he'll have a couple
7 colored exhibits to show you. Then he will be
8 talking as well on the stormwater report that was
9 presented to the County, and then finally we'll have
10 Mr. Drobny, who will speak to the traffic report
11 that was prepared by Birdsall.

12 So without further ado, I'd like to
13 introduce Mr. Guy Gsell. I guess as I understand,
14 Mr. Gsell will speak from this?

15 CHAIRWOMAN BETTINGER: That will be
16 fine.

17 MR. GSELL: Good evening.

18 MR. CURLEY: Mr. Gsell, we have to
19 swear you in for your testimony.

20 (The witness is sworn.)

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

23 MR. GSELL: Yes, my name is Guy
24 Gsell, G-s-e-l-l.

25 MR. TREVENEN: And just so we don't

1 have to share the microphone, I'm going to ask
2 Mr. Gsell to give the Board the benefit of his
3 background and then go into a description of what is
4 being proposed here this evening.

5 MR. GSELL: Well, we are proposing
6 what we would like to do and bring to Secaucus, a
7 temporary dinosaur exhibit. Our mission is
8 educational. We want to use the story of the
9 dinosaurs and the science of the dinosaurs to teach
10 children and families lessons about our world today.

11 My background is mostly in arts education,
12 but for the last few years, I've in been in arts
13 administration, which is not as glamorous as the
14 glamorous world of arts education. I most recently
15 was the managing director of the Two River Theater
16 down in Red Bank, New Jersey, where I built a world
17 class entertainment venue down in Red Bank, and I
18 was the director of Discovery Times Square in New
19 York, where in Times Square, we built an exhibit in
20 New York City.

21 My partners, my educational partners on
22 the project are the State Museum of New Jersey, the
23 paleontologists and educators at the State Museum in
24 Trenton. The State Museum's mission is obviously to
25 serve all the residents in New Jersey, but because

1 of truly just a quirk in geography, I think that
2 they would agree that Hudson County has not been
3 served as well as they could by the resources and
4 the expertise of the State Museum in Trenton. We're
5 very happy to have as our educational partner,
6 designing our education programs with us and sharing
7 with them really some amazing fossils from their
8 collection with the residents of Hudson County, the
9 State Museum, which is a Division of the Department
10 of the State.

11 My background as an educator is extensive.
12 I worked with the Paperback Players, which is an
13 internationally known children's theater company.
14 Whereas the paleontologists and educators from the
15 State Museum bring with them an incredible level of
16 expertise to make sure that our exhibit is
17 scientifically relevant and compelling, what I bring
18 is a sense of theater, so everything will be
19 dramatic. There will be mystery, there will be
20 comedy, and there will be fun.

21 Someone once said that the Earth is the
22 greatest teacher, and we're very lucky to have this
23 little corner of the Earth where, if all goes well,
24 we can set up our dinosaur exhibit. Laurel Hill is
25 not just a place where we landed. It has become

1 very much an inspiration and a driving force behind
2 the educational programs that we're looking to do.
3 If we're talking about environmental science, we
4 will use the natural habitat of where we are to make
5 that lesson really relevant for kids. If we talk
6 about inter-connectivity of life, we can use the
7 fact that there is wildlife there, that the
8 Meadowlands is teeming with birds, migratory birds,
9 a real, true lesson in ecology. It's more powerful
10 than any PowerPoint. It's smarter than any
11 Smartboard. It's a backdrop that's unparalleled for
12 this kind of thing.

13 What goes with that, of course, is that we
14 have so much respect and considered the property
15 truly a partner in what we're doing that our goal is
16 to change it as little as possible. Every -- we
17 want kids to walk in the shade of the trees that are
18 there right now. We want kids to see the amazing
19 rocks that are there right now. We have designed
20 the trails to avoid all the wetlands that are on the
21 property. We're keeping people away from it. They
22 will be able to see the amazing wetlands, but they
23 won't be able to go anywhere close to it because
24 we're very respectful of the property because what
25 we're doing is very much based in our awe of it.

1 I have a couple of things I have to
2 include here. The park itself is set up in a series
3 of outposts. Each one is themed to a particular
4 science. So as kids walk through the park, first
5 they do encounter 30 animatronic dinosaurs,
6 full-sized, but they stay on trails, natural trails
7 that are ADA compliant. Although we want to do as
8 little as possible to change the property, what we
9 are doing is making it safe. We're cleaning it up,
10 making it clean, and we're making it accessible for
11 people with disabilities so that everyone can see
12 the great views, the great vistas and the wonderful
13 topography of the property.

14 They walk on a trail. We actually were
15 able to match the trails that we're going to put
16 down with trails that already exist on the property
17 so we have the minimum amount of impact on this
18 space. That is our goal. The idea is that kids
19 feel like they're on an expedition, which is why
20 we've kept it as natural as we can. We're not
21 building any permanent structures on this space. We
22 want kids to feel like they're out in the wild. So
23 as they go through, they'll see a series of tents,
24 pavilions, that are just tents without sides, where
25 they can be protected against the elements when they

1 participate in the workshops and the classes and the
2 games that we're going to have.

3 We are going to have parking on the lot.
4 You will see that the engineers will talk to that
5 later. We have 475 spaces that are on our property,
6 and we have some off-site possibilities for parking
7 as well. We see this as a wonderful opportunity for
8 the students and families in this area to both have
9 a very unique, and when I say "unique," I mean
10 nothing like it in country, this dinosaur exhibit,
11 but also to avail themselves of the real science and
12 education that's going to be available from both us
13 and the State Museum. I think that's the pretty
14 much all I have to say. So thank you.

15 Oh, yes. We're going to be open, we open
16 for school groups first in the middle of May. We're
17 open only for school groups during the week until
18 school ends. We open on weekends for the public on
19 Memorial Day, and then we're open through New Jersey
20 Teacher's Convention Weekend, which this year is
21 November 11th, we would close. So we're over for a
22 little less than six months each season. Our plan
23 is to do this for three years, but only to be open
24 on a temporary basis each year.

25 We anticipate that our weekday traffic

1 will be, this is from my own experience in
2 educational theater, in the weekdays, there will be
3 only school buses. So we'll have a drop-off zone.
4 Schools will be dropped off and students will come
5 in. We're not open to the public, and we're not on
6 sale for the public on weekdays during the school
7 year. On the weekends we have the public, but we
8 don't anticipate, obviously, there are no school
9 groups on weekends, so we don't anticipate bus
10 traffic on the days that we have cars. We don't
11 anticipate any cars on the days that we have buses.

12 The one exception to that at the height of
13 summer we could conceivably have a fairly busy
14 public day and some summer camps, and we're
15 arranging for those buses to drop off and just drive
16 away and have a holding area somewhere off-site.
17 This is similar to what we had to do in Times Square
18 where there is no buses -- there is no place for a
19 bus to park in Times Square, and we found designated
20 holding areas that we were able to use on the West
21 Side. It's a similar sort of model. The buses
22 really just go away, and we have cellphone numbers
23 for the bus drivers. We call them when their group
24 is ready to be picked up.

25 MR. TREVENEN: If there are any

1 questions for the Board, I would also like the
2 opportunity to recall Mr. Gsell in case there are
3 any questions that come up subsequent to the rest of
4 the testimony in the event there were issues that
5 he's probably best qualified to answer.

6 COMMISSIONER HOLLOWAY: Madam Chair,
7 I have a question. Is there a reason why it's only
8 three years?

9 MR. GSELL: Right now, that's that
10 lease that I have with the Hudson County Improvement
11 Authority. We have a two-year option to extend on
12 that. I think that -- I think everyone wants to
13 take a -- let's see how it works out and make sure
14 everyone is comfortable with it and make sure it's
15 working out, and the people of Hudson County are
16 benefiting, and then we'll take a look at it in the
17 future.

18 COMMISSIONER HOLLOWAY: Thank you.

19 CHAIRWOMAN BETTINGER: Any other
20 questions?

21 COMMISSIONER ARENCIBIA: What the
22 hours of operation?

23 MR. GSELL: We open on school days
24 probably around nine o'clock. School groups have
25 trouble getting to places earlier than 9:15. That

1 would really be the earliest. On schools days we
2 close when the last school group leaves. So it
3 would probably be two o'clock in the afternoon.
4 During the weekend in the summer, we open at nine
5 o'clock on a very limited basis. We have what they
6 call Breakfast with the Dinos, which is sort of like
7 the breakfast at Disney World, where a small group
8 of people get to come and have breakfast at the
9 park, just cold cereal, and then get to be in the
10 park by themselves with the dinos for a little bit.

11 We are not planning to be open at night at
12 all, so we would closing by dusk. So our summer is
13 a little longer. We would probably be open until
14 about seven, but in the fall we would be closing as
15 early as five o'clock, even on Saturday or Sunday.

16 COMMISSIONER HOLLOWAY: Madam Chair,
17 is there any artificial lighting that's going to be
18 on site?

19 MR. GSELL: There is no artificial
20 lighting on site because we're not going to be open
21 at all in the dark. Some of the inside areas
22 because really the inside areas which are just
23 canopies, on an overcast day, we want the kids and
24 families who are there to be able to participate in
25 workshops and classes literally without getting wet.

1 We would have some lighting inside that canopy, just
2 enough to so that we can do the classes. We are not
3 going to have any, not even in the parking lot,
4 we're not going to have streetlight kind of parking.

5 CHAIRWOMAN BETTINGER: How do you
6 propose to serve breakfast if you're not going to
7 have any type of electricity?

8 MR. GSELL: Oh, no. We'll have
9 electricity. We're not going to have light at
10 night. There won't be any artificial light in the
11 evening.

12 CHAIRWOMAN BETTINGER: Are you
13 proposing the electricity?

14 MR. GSELL: We are talking with
15 PSE&G, and there's power right there at the street.
16 Part of our lot used to be the construction lot for
17 Lautenberg Station. A lot of the utilities are
18 already there ready to be pulled. The conduit has
19 already been run. So we don't have the date that
20 PSE&G is going to come and do that. We have the
21 commitment from them.

22 CHAIRWOMAN BETTINGER: I'm not
23 familiar with that area. It's not located by the
24 new -- no? Any other comments?

25 COMMISSIONER ARENCIBIA: You

1 mentioned canopies, is that the only facilities
2 you're going to be building?

3 MR. GSELL: We're going to be putting
4 up canopies, and we will have those upscale bathroom
5 trailers that get pumped out and serviced regularly.
6 We're not going to do any permanent plumbing.

7 COMMISSIONER ARENCIBIA: Those
8 canopies are going to be completely closed or?

9 MR. GSELL: No, they're, for the most
10 part, open on the sides, truly canopies, true
11 canopies. I worked at the New York Renaissance
12 Fair, which is also in a protected area. It's in
13 Sterling Forest. We had a lot of real success by
14 using these bathroom trailers, which from a user
15 point of view, you would never know that it's a
16 bathroom trailer. From an ecology, from a green
17 point of view for the area, it means that nothing is
18 left behind. It's all taken away. Nothing is put
19 into the sewer there in Secaucus.

20 COMMISSIONER ARENCIBIA: As far as
21 that, these facilities are secure to the site in
22 case there's a bad storm or wind storm or something
23 like that?

24 MR. GSELL: All of the -- we've
25 actually done some of the preliminary work with the

1 Meadowlands Commission and building department in
2 Secaucus, and we've shown them all of the -- because
3 these are manufactured items, these tents and these
4 trailers, they all have the engineering paperwork
5 that comes with them, and we've been sharing that
6 all along with the building department and the
7 Meadowlands Commission to make sure that everybody
8 is safe and that we meet all standards that we have
9 to meet.

10 COMMISSIONER ARENCIBIA: Okay.

11 CHAIRWOMAN BETTINGER: In keeping
12 with the same line of questioning, last summer we
13 had a hurricane. What would you do if something
14 like that was to occur?

15 MR. GSELL: I think that we only have
16 two things. We have tents and we have dinosaurs.
17 The dinosaurs are all very static. Although they
18 seem big, they're not really all that big, and
19 they're not really heavy because they're hollow. If
20 there was a storm that we felt was really going to
21 threaten the tents, they are exactly that, tents.
22 They can come down under the threat of a storm. We
23 will close the park, and the next day like the
24 circus, we'll put the tents back up and clean up the
25 brush and see what happens.

1 COMMISSIONER HOLLOWAY: Madam
2 Chairwoman, one more question. Being you have
3 children, do you have a station for a nurse or first
4 aid?

5 MR. GSELL: We do. Right in the
6 front of the park in what we call the base camp,
7 which is the -- if it was Disney World, it would be
8 Main Street, it's really the main circulation area
9 of the park, we're going to have a big old first aid
10 area, probably just one person inside it, but it
11 will be very obvious, and you'll be able to find it
12 very quickly.

13 CHAIRWOMAN BETTINGER: Do we have any
14 comments from the engineer?

15 MS. FLOR: Madam Chair, the only
16 thing that occurred to me being that there's no
17 lighting in the parking lot at all at night, for
18 security reasons at night, do you have a fence or
19 anything to keep people out of there? I'm thinking
20 of that.

21 MR. GSELL: Yeah, we do have a fence.
22 The property is fenced, and we will have security
23 cameras that will have a motion detector light, that
24 the light would only come on to light the area where
25 the security camera needs to take a view -- that

1 lot, one lot is already fenced.

2 CHAIRWOMAN BETTINGER: Is there any
3 reason why you're not installing lighting in the
4 parking area?

5 MR. GSELL: We really don't want to
6 be open at night. We're not going to be open at
7 night and because -- because we do have neighbors
8 and since there is no reason to light it up at
9 night, there is no reason to put that kind of -- we
10 have neighbors. We want to be respectful of the
11 people in the area. There are streetlights. It
12 wouldn't be completely dark. It's not like an
13 alley. There are streetlights on the street.

14 CHAIRWOMAN BETTINGER: I was
15 concerned about the safety.

16 MR. GSELL: No, the street is lit,
17 and the parking lot is right along the street.
18 There would be light in the parking lot.

19 MR. TRIDENTE: I don't have any
20 questions.

21 CHAIRWOMAN BETTINGER: We would like
22 to hear from your engineer now.

23 MR. TREVENEN: We're going to call
24 Mr. James Giurintano from Birdsall and ask that he
25 be sworn in and qualified as an expert engineer.

1 Now would be time, I would summarize, which I'm sure
2 the Board is aware of, this property is in the PA
3 Zone, which I understand is Parks and Recreation.
4 We're not requesting any variances. We're here this
5 evening requesting preliminary and final site plan
6 approval. We're obviously aware of the fact if any
7 questions or comments come up or any conditions,
8 which the Board would like to see attached to any
9 approval, we're receptive to that, but hopefully, we
10 will be able to answer a lot of your questions.

11 Let me call Mr. Giurintano and have him
12 introduce himself and get him qualified, and he'll
13 show you the site plan drawings.

14 (The witness is sworn.)

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

17 MR. GIURINTANO: James Giurintano,
18 G-i-u-r-i-n-t-a-n-o.

19 MR. TREVENEN: I guess we'll start.
20 Mr. Giurintano, give the Board the benefit of your
21 professional background, educational background and
22 qualifications as a professional engineer, please.

23 MR. GIURINTANO: I have a degree in
24 civil engineering from New Jersey Institute of
25 Technology. I am a licensed professional engineer

1 in the state of New Jersey. My license is in good
2 standing. I have been qualified as an expert across
3 the state of New Jersey, as far south as the city of
4 Salem. I have been before this Board in the past
5 for projects in Jersey City. Okay, thank you.

6 MR. TREVENEN: Mr. Giurintano, you,
7 under your jurisdiction or certainly your firm's
8 jurisdiction, you prepared the site plan drawings,
9 which were submitted on behalf of this application,
10 correct?

11 MR. GIURINTANO: Yes.

12 MR. TREVENEN: I note that over by
13 the easel, it looks like you have a colored exhibit.
14 Why don't you describe if you would, perhaps
15 Mr. Curley, we would like to get that marked, if we
16 may?

17 MR. CURLEY: Yes, if they have not
18 been submitted before.

19 MR. TREVENEN: Why don't we mark them
20 both now.

21 MR. GIURINTANO: A-1 is a plan
22 entitled Off-Street Parking Location Plans,
23 Preliminary Site Plan, Temporary Dinosaur Exhibition
24 prepared by Birdsall Services Group. It's an aerial
25 photograph of the surrounding area with the site

1 plan. We'll mark that A-1.

2 And A-2 is a rendering of the layout plan,
3 for the Preliminary Site Plan, Temporary Dinosaur
4 Exhibition, Sheet 3 of 6.

5 CHAIRWOMAN BETTINGER: Would you
6 bring the easel closer?

7 MR. GIURINTANO: Yes, Madam
8 Chairwoman, if you could just wait until I write
9 this down.

10 MR. TREVENEN: As Mr. Giurintano just
11 described, that is actually just a colored rendering
12 of Sheet 3, of what was previously submitted to the
13 Board.

14 MR. GIURINTANO: Madam Chair,
15 Commissioners, thank you. We're here for a very
16 exciting project to bring the dinosaurs to Secaucus.
17 What I would like to do first is take you through
18 some of the existing conditions, the surrounding
19 area, and then bring you into the project and tell
20 you what we're doing, and wrap up with any questions
21 by the Board, also discussing a couple of review
22 letters by the Planning Board and their engineering
23 consultant.

24 With that said the property is located in
25 the Town of Secaucus. It's known as Block 5, Lot

1 2.01. It's approximately 92 acres in area. The
2 exhibition area that we're talking about is
3 18.3 acres, give or take. It is owned by the
4 County. It's located in New Jersey Meadowlands
5 District, Park and Recreation, and we are complaint
6 with their zoning requirements.

7 It fronts upon New County Road. It's
8 located to the south and bounded to the east with
9 the Laurel Hill Park on the west side of the site.
10 We are going to be on the east side. To the south
11 we have the New Jersey Turnpike. We have
12 Interchange 15X on the New Jersey Turnpike.
13 Adjacent to the east, we have the Exchange
14 development that's currently going on, a mixed-use
15 development to the north of the property with a
16 warehouse facility beyond that, and of course,
17 within half a mile, you have the Secaucus Rail
18 Transfer Station.

19 Currently, the site that we are looking to
20 occupy contains woody, vegetative material that is
21 overgrown. Through history we have documented
22 evidence that the site was in use as a medical
23 facility as far as back as 1870. It was used for
24 mining operations, and currently, has historic fill
25 on the site from the Department of Environmental

1 Protection. What my client would like to do is to
2 construct temporary approvals, there's nothing here
3 that they're looking to be permanent as you heard in
4 the applicant's opening statements. This is a lease
5 for three years. If all goes well, it could
6 possibly stay forever. That's yet to be seen.
7 Right now we're looking as a temporary.

8 There are various surfaces on-site besides
9 woody vegetation. We have some rock outcrops.
10 There is gravel. The area has been used as a
11 construction lay-down area. The parking area which
12 is shown, is directly north of the site as you'll
13 see on your plans and Exhibit A-1. It is a gravel
14 lay-down area and has been used in that manner for
15 quite a long time. I can't tell you exactly how
16 long.

17 With regard to proposed improvements, what
18 we're proposing to do is minimize the disturbance on
19 site. What I means by "minimize" is we're trying to
20 create a path network for a dinosaur exhibit.
21 Currently, there's 19 exhibits shown on Exhibit A-1,
22 dinosaur exhibits, and there will be food concession
23 areas, restrooms. There will be the base camp
24 located on the eastern side of the site, which is
25 where visitors will enter. There will be box

1 containers there for a rustic, in-the-field kind of
2 a scenario.

3 Along with that, there is some vegetation
4 that is going to have to be cleared. We're going to
5 put the path construction. We have to lay a fabric
6 down, soil and then do a porous gravel, which is ADA
7 compliant. The site is being designed so that it is
8 compliant with ADA requirements. If you come to the
9 site, you can get to every exhibit. In order to do
10 that, we had to extend the paths. If you are
11 familiar with the site, there is a drastic change in
12 topography from the central portion. It basically
13 is a knob that comes out. That's Snake Hill
14 directly to the southwest of our area, and that is
15 what is required for us to extend these paths an
16 increase some of the disturbance areas beyond what
17 we really would like to. We want to try to maintain
18 as much of the natural vegetation as we can to keep
19 a realistic approach to the area.

20 There are wetlands. The wetlands have
21 been document. If approved, we will avoid
22 disturbing any wetland. If I can move to Exhibit
23 A-2, you will see on this exhibit these dark green
24 areas are the wetland areas. We are staying away
25 from them. Where we have these lighter green areas,

1 which are undisturbed wooded areas, we're not
2 disturbing any vegetation within there, and then the
3 lime green would be more of where the operation is
4 going to take place. We're going to have to remove
5 some of the vegetation to get the paths in, to make
6 sure the slopes are stable, and it will be
7 restabilized.

8 The lot to the north we have shown as
9 being able to accommodate, and I apologize, we had
10 provided the applicant some old information. We've
11 been able to squeeze in a couple more parking
12 stalls, 482 parking stalls, nine of which will be
13 ADA compliant spots with the same gravel material so
14 that you can traverse on there without having your
15 crutch go into the area.

16 This is shown as a representative example
17 of how many cars you would park in a supermarket
18 parking lot or shopping mall. The intent here is
19 similar if you go to Six Flags Great Adventure.
20 There are going to be attendants basically stacking
21 these cars and getting close as possible. We did
22 not do an analysis specifically as to how many
23 vehicles we can functionally get in there, however,
24 if we go with the standard nine-by-eighteen parking
25 stalls and an 24-foot-wide drive aisle, which is

1 code compliant, we can get a total of 482 parking
2 stalls into service.

3 We also have a drop-off area as indicated.
4 They will come in, drop off directly on the east
5 side at New County Road and go right into the base
6 camp. That is the only entrance for the camp. Site
7 security was brought up. The site will be
8 surrounded -- the parking lot currently on the north
9 side currently has an eight-foot, chain-link, which
10 will be maintained and put two gates in to provide
11 access to New County Road.

12 The remainder of the site, we're going to
13 be looking to use the existing fence and where there
14 are gaps in the fence such as along this area, we
15 are proposing to construct an eight-foot-high,
16 chain-link fence for security for the park itself.
17 Along the paths we will also have railings.
18 Visitors will not be permitted wander off the path.
19 That's for several reasons. One of them, their
20 safety.

21 With respect to stormwater management,
22 we've been able to maintain existing run-off
23 patterns. Therefore, we're proposing stormwater
24 construction with regard to the project, no
25 underground piping and systems. We've demonstrated

1 that, and it's reviewed by T & M Associates, and
2 we're maintaining them. Therefore, no approvals are
3 required. There is no site lighting as you heard by
4 the applicant. The park will close before dusk.
5 Therefore, we will not have site lighting within the
6 park nor within the parking lot itself.

7 In addition we heard testimony from the
8 applicant, you'll hear further testimony --

9 CHAIRWOMAN BETTINGER: Before you go
10 any further, there is going to be no lighting
11 whatsoever?

12 MR. GIURINTANO: There will be
13 lighting on some of the canopies. We're not
14 proposing any site lighting. This is a temporary
15 facility. It will only be open during daylight
16 hours. There is no intent to have it occupied.

17 CHAIRWOMAN BETTINGER: My concern is
18 naturally for children, and if a child wanders off,
19 and you can't find a child or an adult.

20 MR. GIURINTANO: Like I said the
21 intent is they'll be rails along the paths. I would
22 have to defer to -- give me one second to ask one
23 question of the applicant, please.

24 Madam Chair, thank you. I spoke with the
25 applicant. There will be group scenarios where

1 visitor will be led around in group situations where
2 people will be allowed to wander off. However, the
3 area will have staff located throughout the park to
4 make sure people are not wandering off the paths and
5 to maintain security also.

6 CHAIRWOMAN BETTINGER: Is it a
7 railing that a child can't squeeze in between?

8 MR. GIURINTANO: No, I'm not going to
9 propose to you at this time, it's not a chain-link
10 fence. The plans show a split-rail fence. We're
11 trying to stay with something, I'll use the term
12 "rustic," as if you're in the field. You don't want
13 to start putting in metal pickets because that's not
14 something in an area like this. We're trying to
15 keep a softer, more artistic approach to the entire
16 exhibit.

17 CHAIRWOMAN BETTINGER: I have my
18 concern about safety with a child.

19 MR. GIURINTANO: The applicant
20 assured me that there will staff located all along
21 the pathways that will maintain it. Again, you
22 cannot stop a child. If they want to get someplace,
23 a fence cannot stop you. I won't dispute that.

24 That's basically the site in and of
25 itself. As you heard the applicant say, they're not

1 proposing to extend any sewer utilities. We're
2 going to have mobile restrooms on-site. From a site
3 engineering standpoint, this really is a path
4 construction and grading operation from my
5 standpoint, being the site civil engineer. Traffic
6 is the next professional.

7 One thing I would like to cover, if the
8 Board doesn't have any questions on my direct
9 testimony, I would like to go through some of the
10 comments.

11 CHAIRWOMAN BETTINGER: Yes.

12 MR. GIURINTANO: I'm referring to
13 Hudson County Planning Board letter dated
14 February 14th, regarding the application,
15 2012-008-SP, signed by Ms. Massey. With regard to
16 that on page 2, there are a number of
17 recommendations from the Planning Department. This
18 is one thing that I skipped over, and I apologize,
19 from my testimony. The one thing we are proposing
20 is, you can see better on my Exhibit A-2, there are
21 no sidewalks on the southeastern, depending on where
22 you are, New County Road.

23 What we are proposing to do is install
24 Jersey barriers, which are portable and can be there
25 during the six months that the park is open, and

1 they will be removed, designating an area for
2 pedestrians to walk that will separate them from the
3 vehicles. The way we have currently laid it out,
4 the minimum pavement width for cars to travel on New
5 County Road, where these barriers are will be three
6 feet wide, which is more than ample for two lanes of
7 traffic.

8 You'll hear later testimony, one of the
9 comments was including a left-hand-turn lane, and we
10 needed to sweep that down and put three 12-foot
11 lanes, so you have one northbound lane and two
12 southbound, one dedicated left turn and one bypass
13 lane going into the park. We will be able to
14 accommodate that. The Jersey barrier will be along
15 the south and eastern side of New County Road.

16 CHAIRWOMAN BETTINGER: One question
17 to you. You're saying there is no sidewalk?

18 MR. GIURINTANO: There is no sidewalk
19 in that section of New County Road.

20 CHAIRWOMAN BETTINGER: The condition,
21 Jackie, have you been there?

22 MS. FLOR: Yeah, I have. I see a
23 couple issues. Let's see if you can address them.
24 What's the cross slope for that road, is it greater
25 than two percent, because that will not be an ADA

1 accessible route, which if the County would allow
2 you to do that would be in the County right-of-way?

3 MR. GIURINTANO: I couldn't answer
4 that question for you. I don't have the data. I
5 understand your point. I'm not disputing.

6 MS. FLOR: If the cross slope of that
7 road is greater than two percent, which it very well
8 may be, that acts as your ADA accessible route to
9 the sidewalk right-of-way, for the route to connect
10 to the sidewalk here, if that's the case you would
11 have to put in sidewalk or else you would have to
12 reduce the cross slope to less than two percent.

13 MR. GIURINTANO: Point taken.

14 MS. FLOR: The other issue is you
15 plan to anchor these Jersey barriers?

16 MR. GIURINTANO: Yeah, that's at the
17 Board's discretion. They can be anchored with a
18 one-inch rod, which get pounded through the payment,
19 and when they get taken out --

20 MS. FLOR: If you're going to put
21 holes in a County road then you're going to have to
22 maintain.

23 MR. GIURINTANO: You fill the hole.

24 MS. FLOR: Right, so if you're not
25 going to anchor them, then they could move, but I

1 don't think the traffic is going to be moving in
2 this area that it would matter.

3 MR. GIURINTANO: Twenty-five mile an
4 hour posted speed limit.

5 MS. FLOR: I don't think it's really
6 an issue. What the Board needs to weigh is that
7 they are going to put Jersey barriers out there,
8 Madam Chair, then do you want them anchored? If
9 you're going to anchor them, you are required to
10 maintain it when they remove them. If there is any
11 kind of cross slope on that road, then you wouldn't
12 be able to allow it because it wouldn't be an ADA
13 accessible route, and then how is drainage effected?

14 MR. GIURINTANO: The jersey barriers
15 are construction-type barriers that have the void on
16 the bottom as far as free flow. When I was out
17 there, I did not take a look at the cross slope, but
18 I do remember that road is very flat longitudinally.
19 So I'm not sure about the cross slope. That is
20 something that we would have to look at from an
21 analysis standpoint.

22 However, in Ms. Massey's letter, the
23 Planning Board recommending constructing sidewalks
24 on that curb. In walking through the area this
25 evening, construction of the sidewalk is going to be

1 problematic. The grade drops off dramatically right
2 behind that curb. It goes right into the wetland
3 area, which is standing water, I would estimate
4 within 15 feet of the curb line. There is a guard
5 rail which needs to be relocated in order to
6 accommodate the sidewalk. Also, at the 15X ramp,
7 there is a light fixture which maybe incompatible
8 with the sidewalk. A four-foot sidewalk is a
9 typical standard width that you use when you have
10 two people going by. What we are trying to promote
11 or propose having is a wider area with the jersey
12 barrier, a wider area for people walking.

13 If I'm coming with my child and holding
14 their hands, I have three kids, when they were
15 smaller, I would hold one in each hand. A four-foot
16 sidewalk just isn't wide enough. This being
17 ten-foot wide, you'll have better pedestrian
18 circulation for this type of visitors we're trying
19 to attract here.

20 MR. TREVENEN: Jamie, if I may too,
21 if you would show the Board because what we're
22 suggesting here is, of course, there is a location
23 of the parking lot where most of the people are
24 going to be coming from or where the buses are going
25 to unload, which kind of makes this particular issue

1 moot in that context.

2 MR. GIURINTANO: Because you have a
3 train station, there is going to be circulation from
4 the train station.

5 MR. TREVENEN: That's what I meant.
6 Obviously, what we're talking about now is not so
7 much the on-site parking but the parking, off-site
8 parking. It would help if you would just kind of
9 clarify that for the Board so generally people
10 aren't thinking in terms of all of the traffic. I
11 think you pointed out that traffic that's coming
12 from mass transit. As you pointed out, if you have
13 that wider area for people coming off the train,
14 which because the train is going to come at a
15 certain time, in many respects it works out better
16 than if you have a narrow sidewalk.

17 MR. GIURINTANO: Very good point.

18 CHAIRWOMAN BETTINGER: Do you have a
19 picture of the barrier?

20 MR. GIURINTANO: That is actually
21 detailed on the plan, Madam Chair. Basically, it's
22 a white concrete median barrier that you see on the
23 construction on the Turnpike. The white barrier
24 that you see is similar to that, and it is here,
25 Madam Chair, on Sheet 6 of 6. That barrier is

1 detailed.

2 And as counsel pointed out very well, this
3 route that were proposing barriers is to accommodate
4 those visitors coming from mass transit, notably the
5 Secaucus Transfer Station, where they would be
6 walking down New County Road, which is partial, it's
7 only one portion of it. As the applicant indicated,
8 we do have the two lots which can be used as
9 overflow. The first one is Block 12, Lot 1, the
10 Edison lot. We're currently negotiating being able
11 to park that overflow in that lot. Those people
12 would have to walk --

13 MR. GSELL: There are shuttle buses
14 from the train station.

15 MR. GIURINTANO: The applicant has
16 pointed out that there will be shuttle buses
17 provided from the train station and from the
18 off-site parking areas. If it's a nice day, and
19 they want to get exercise, this will provide them an
20 opportunity. From that standpoint, we are seeking a
21 waiver from the item, getting back to the Planner's
22 letter, which was recommending the installation of
23 sidewalks. It is based upon my observation that
24 constructing a sidewalk might be problematic to the
25 constraints in that area. You can't just throw the

1 concrete down on a grade and have a sidewalk. You
2 would have to fill the area, grade out the
3 disturbed, potentially in the wetland area, so we
4 would seeking relief from that.

5 COMMISSIONER ARENCIBIA: I just want
6 to make sure of where curb barrier is.

7 MR. GIURINTANO: Are you looking on
8 the small plans? That's why you can't see it. If
9 you look on Exhibit A-2, right at the site entrance
10 and as you head along the southeasterly side of New
11 County Road up to 15X, the ramp to 15X, if you're
12 familiar with the area?

13 COMMISSIONER ARENCIBIA: You're going
14 to run the barrier curb?

15 MR. GIURINTANO: It would be in the
16 paved area inside the curb. It was my testimony
17 that currently there is 33 feet as we show in our
18 plan minimum between the curb on the opposite side
19 of the roadway and where the jersey barrier is.
20 With two lanes you're providing 16-1/2-foot lanes at
21 that point. However, if we needed to accommodate a
22 left-turn lane, we can move that jersey barrier in
23 three feet, and provide three 15-foot wide lanes.
24 There will be testimony from our traffic engineer.

25 Madam, Chair, this is one of the waivers

1 from the planner's letter that we are seeking due to
2 the constraint. We acknowledge that pedestrian
3 circulation is paramount and that the public be
4 protected from people driving. We're not contesting
5 that at all. However, the construction of the
6 sidewalk based upon the site conditions make it
7 difficult.

8 COMMISSIONER CHOFFO: So with the
9 barrier, a family gets off the train at 15X, and
10 they're walking to the park, the scenario. They
11 will be walking on pavement?

12 MR. GIURINTANO: They will be walking
13 on sidewalk where there is sidewalks. Where there
14 is no sidewalk, they will be walking in a paved
15 area, black top. You will have an existing curb,
16 there will be black top, and there would be a jersey
17 barrier separating pedestrians from the vehicles.

18 COMMISSIONER CHOFFO: So you're
19 basically giving pedestrians more walking area?

20 MR. GIURINTANO: Correct, we can move
21 the barrier to be four foot wide. You know we're
22 looking at it from the standpoint of pedestrian
23 circulation and the type of visitor and age groups
24 that we're looking for. This is geared toward small
25 children.

1 COMMISSIONER CHOFFO: How wide?

2 MR. GIURINTANO: Currently, the plan
3 shows it's ten feet, and we are able to provide a
4 33-foot cartway, for lack of a better word, for two
5 lanes of traffic.

6 COMMISSIONER CHOFFO: The traffic
7 engineer, was there a study done on that section of
8 the roadway?

9 MR. GIURINTANO: Yes, you'll hear
10 testimony.

11 COMMISSIONER ARENCIBIA: Madam Chair,
12 right now there is a sidewalk that ends. We show it
13 ending right before it gets to the park along the
14 east side of New County Road extension at that
15 point. There is a road that you cut across there
16 that's like a ramp, an entrance ramp. There is
17 currently a sidewalk on the west side. I don't know
18 if you looked into the use of the other side of the
19 street instead of the south side, using the north
20 side as the sidewalk access.

21 MR. GIURINTANO: This side? We did
22 look at it, however, now were asking people coming
23 from the train to cross New County Road twice. We
24 felt it was a better alternative to have this type
25 of layout.

1 COMMISSIONER ARENCIBIA: I'm
2 concerned you're taking up the roadway width to
3 provide a sidewalk. The reason you have barriers is
4 to create that sidewalk area.

5 MR. GIURINTANO: Correct.

6 COMMISSIONER ARENCIBIA: If it
7 wouldn't be for that barrier; so typically a barrier
8 is to provide protection. In this case it's just
9 really to create a sidewalk area.

10 MR. GIURINTANO: It's also to provide
11 protection for people walking. It will help keep
12 the children from being able to meander out onto the
13 street.

14 COMMISSIONER ARENCIBIA: A sidewalk
15 behind a curb will do the job. I understand there
16 is a very tight shelf point there with the wetlands,
17 but I'm concerned about that barrier curb.

18 MR. TREVENEN: It's also,
19 Commissioner, just to follow up what I had said
20 before, and certainly, we will obviously listen and
21 be receptive to what you think and your experts
22 think is correct. With that portion of the access,
23 of course, we're dealing with mass transit because
24 it's not where we feel the bulk of the population
25 will be coming from because they'll coming with

1 automobiles that will park within the parking lot or
2 the buses that will go into the parking lot, and
3 will have direct access. When you're dealing with
4 mass transit, you are dealing with specific times
5 when people are getting off of trains and are coming
6 to the exhibit so the thought you're almost better
7 off, particularly if you have young children,
8 instead of having a four-foot wide sidewalk, if you
9 were to set up a barrier with a little bit wider
10 area, once again, by having the jersey barrier, it
11 provides sufficient safety.

12 I think also, forgive me, I don't mean to
13 testify, I think Mr. Giurintano would also indicate,
14 and we can certainly have Mr. Gsell come up and say
15 there is going to be a number of employees in
16 assistance at this location on a very regular basis
17 to obviously direct people to the exhibits, to make
18 certain that just as the general public, myself and
19 you, when we go to exhibits of this type, you know
20 you're going in the correct direction and heading
21 over to where you're supposed to be.

22 I think that it is correct in saying that
23 there would be employees who are really there to
24 make sure that, of course, people are obeying
25 directions and watching traffic. Safety is a

1 primary concern, and Mr. Gsell has talked to me and
2 has indicated that he knows the hope for this is to
3 have a tremendous amount of children to come out to
4 see these exhibits, and that's our primary concern.
5 We're also concerned with running the lighting too.
6 It's something we'll seriously take into
7 consideration.

8 CHAIRWOMAN BETTINGER: How many
9 employees do you plan to employ?

10 MR. GSELL: Approximately 150
11 employees, at one time at the site, as many 35 or 40
12 employees on the site. The idea behind the park is
13 that it's a very, very personable experience. The
14 idea, one of the things that I say all the time,
15 every seven-year-old will show up at the park
16 knowing the name of 40 dinosaurs, by the time they
17 leave, they should know the names of five people who
18 work there. It's very hands-on. You'll meet a lot
19 of people.

20 CHAIRWOMAN BETTINGER: Where are the
21 employees going to park?

22 MR. GSELL: The employees can park
23 remotely, and we can bring them in on one of our
24 shuttle buses before we even start the day.

25 CHAIRWOMAN BETTINGER: Ms. Flor, do

1 you have any comments? As a Commissioner I haven't
2 been on the site. I'm not sure of the condition of
3 the sidewalk. I'm deferring to your expertise. Are
4 you comfortable?

5 MS. FLOR: I think that I'm more
6 concerned with ADA compliance. I want to know how
7 the applicant, if we were to say yes to the jersey
8 barrier, my questions would be, first, your first
9 comment is have I been at the site? Yes, the
10 interesting thing is the sidewalk is really only
11 four feet wide coming from the train station. There
12 is no room. It is four feet wide. Yes, by the time
13 they get all the way to the bottom of the hill, not
14 until that point will they be able to basically
15 stretch out. They're going to be walking down four
16 feet regardless for a good portion of their walk.

17 What I can't get past is you don't have
18 the right to say the ADA compliant route is less
19 than two percent in cross slope. Without that
20 answer, I would need to know what the plan is,
21 jersey barrier and if you find out your cross slope
22 isn't going to be two percent, then what are you
23 going to do? That's really what I want to know. If
24 the cross slope is not two percent, then yes, we'll
25 put in the sidewalk, and then sidewalk will be X,

1 four feet wide. That's really what I want to know
2 so that we understand. They want to have this built
3 by May. We don't want to have them come back. I
4 would like to know if this doesn't work, what their
5 second option is.

6 Additionally, do they really need it to be
7 that wide? Typically, people are coming down four
8 feet of sidewalk. Do they really need to spread
9 out? Is something less going to make Demetrio happy
10 and work for the application? At least four feet of
11 that area is going to have to be an accessible
12 route.

13 Lastly, if they are going to put these
14 jersey barriers, Demetrio will tell you, you don't
15 want a car coming and hitting the end treatment. I
16 would want to know what your end treatments were
17 going to be. The jersey barriers don't make that
18 nice curve that you're showing on the plan. It's
19 going to have to stop at some point. A car coming
20 from this direction could hit that end treatment.
21 We want to understand all that.

22 MR. GIURINTANO: We could detail that
23 out. Typically, we would have 20-foot sections, and
24 they do have deflection where you can curb it
25 around. We will probably look into a steel coupling

1 that hooks right onto it. It will be set down. You
2 have that coupling in and make the radius. It would
3 be a number of tangents. You wouldn't get a smooth
4 curve.

5 MS. FLOR: That's really what we need
6 to know what if we are going to allow them to do
7 that. I would deferred to Demetrio whether he's
8 comfortable. If he's comfortable, then we need to
9 know what the applicant is going to do if that cross
10 slope doesn't work. Then what are we getting?

11 COMMISSIONER ARENCIBIA: Madam Chair,
12 I'm still trying to figure it out. There is a curb
13 there already and there's drainage. If you take a
14 look at that area for a sidewalk, which if you have
15 a heavy rain, you will still have drainage running
16 on the curb alongside it. That's not something that
17 really you must have a curb. It's not really the
18 best solution to put a sidewalk. Just by looking at
19 the aerial photo, there is really one choke. That's
20 the area there that's a problem. I think the
21 applicant ought to look what can be done in that
22 area. The rest of it looks like you can provide
23 sidewalks.

24 MR. TREVENEN: I would like to
25 propose, we're willing -- I understand the ADA

1 compliance issue. I think we were just chatting
2 about that. As you pointed out, Mr. Arencibia, the
3 alternative about another side of the street, we
4 just have to have another crossing in order to get
5 to the other side of the street.

6 COMMISSIONER ARENCIBIA: You can have
7 a crosswalk and an LED pedestrian signal that if
8 somebody stands there, it activates the lights of
9 the crosswalks. You can have employees working
10 there anyway. They can be directing and stopping
11 traffic for people to cross.

12 MR. TREVENEN: Once again, I'm
13 looking at my client. I will say for the same
14 reasons that we know the people who are going to be
15 utilizing that are coming from mass transit, which
16 is it's not going to be a continual movement, but
17 it's going to be when the trains lets off those
18 passenger, and that will presumably, we will have a
19 schedule.

20 COMMISSIONER ARENCIBIA: What about a
21 jitney bus that goes between the train station?
22 There is a way you coordinate with that for
23 providing transit from the stain station to the
24 park.

25 MR. TREVENEN: Mr. Gsell, is go to

1 come up to speak to this, if he may.

2 MR. GSELL: We actually are talking
3 to a jitney company. We also working very closely
4 with Jersey Transit, and New Jersey Transit is also
5 talking about ways they can provide service from the
6 train. We are going to be running a little jitney
7 just like what Exchange runs. In fact, it might be
8 exactly same the jitney because we are talking to
9 that company, not Exchange but to the jitney
10 company. Any hours that we're open for the public,
11 we are running a bus from the Lautenberg Station
12 into the field station. What he can't do is force
13 people to get on that bus. Some people are going to
14 want to walk. It's a short walk. People are just
15 going to want to do it.

16 COMMISSIONER ARENCIBIA: So are you
17 going to look to putting the sidewalk on the cross
18 side, and have them cross and cross back?

19 MR. GSELL: One of the things we're
20 very cognizant of and we're working diligently is
21 with the Parks Department to make sure that we have
22 a minimum amount of impact on the residents who want
23 to use the park on a daily basis. One of the ways
24 that we've done that is by agreeing that we would
25 stop the need for pedestrians to cross the street

1 twice, which we feel would be both counterintuitive
2 to the average pedestrian, who just wouldn't do it.
3 They would want to just walk on the same side of the
4 street.

5 But it's also potentially dangerous for
6 pedestrians to have to cross that street twice, and
7 also possibly impeding the use of the park for
8 residents. We want them to access to park just as
9 freely as they are now for cricket or soccer or
10 softball or bird-watch. We don't want to cause any
11 kind of traffic jam for residents who are used to
12 using that park, who like that park. We want to
13 make sure that their experience in that park doesn't
14 change because we're parking some cars there.

15 MR. TREVENEN: Would it a problem if
16 we were in order to address ADA compliance, if and
17 obviously I don't have the statistics, but if we
18 were to utilize the sidewalk on the other side of
19 the street because I believe that is a better
20 alternative?

21 MR. GIURINTANO: The north side of
22 the street would be better from the standpoint of
23 construction and wetlands disturbance.

24 MR. TREVENEN: As has been stated,
25 there are, we thought good reasons why we would not

1 want to make the general populous to make that trip
2 across the street. If we have employees who are
3 constantly monitoring the situation and then can
4 provide for that alternative when they obviously see
5 people who are subjects of the ADA compliance issue,
6 is that a -- I'm looking for a solution instead of
7 having to totally reengineer the one side of the
8 street.

9 MS. FLOR: On a street, if you're
10 proposing to still have pedestrians on both sides of
11 the street, and you actually delineate and provide
12 an area for walking, I don't know that you can say
13 that one side of the street doesn't have to have a
14 cross slope of two percent and the other side does
15 because I've never got away with that on roadsides.
16 I don't know if we can allow that.

17 COMMISSIONER ARENCIBIA: No, they
18 have a sidewalk on the other side up to the entrance
19 of the park. Everything is brand new on that side
20 with an existing ADA compliant without a crosswalk.
21 You would need to extend that sidewalk area into the
22 park and build an ADA compliant crosswalk.

23 MS. FLOR: I misunderstood. I
24 thought that the attorney was saying that we have it
25 on the other side of the street.

1 MR. GIURINTANO: It's more that he
2 was trying to address your concern. So the north
3 side?

4 MR. TREVENEN: If that satisfies the
5 concerns.

6 MR. GIURINTANO: That's why I was
7 asking the question.

8 MR. TREVENEN: Jamie, why don't you
9 to clarify, also, if you perhaps just indicate on
10 the site plan.

11 COMMISSIONER ARENCIBIA: There's a
12 crosswalk near the intersection of New County Road
13 Extension, which is further to the north there.
14 It's right, the sidewalk is all the way down. If
15 you go back to the other drawing, you can see where
16 it turns on the upper corner there, it starts
17 turning in right just to where you have your finger,
18 there's a crosswalk.

19 MR. GIURINTANO: On Exhibit A-2.

20 COMMISSIONER ARENCIBIA: You could
21 sign it, put a sign there saying sidewalk end ahead,
22 cross here for access to park. It does end, the
23 sidewalk there.

24 MR. GIURINTANO: What I would propose
25 to do if the County is amenable to having sidewalk,

1 I could create a mid-block crosswalk, since we do
2 have --

3 COMMISSIONER ARENCIBIA: It's right
4 there already. There is an intersection there.
5 There is a crosswalk there already.

6 MR. GIURINTANO: On Castle Road?

7 COMMISSIONER ARENCIBIA: It's called
8 County Road Extension. Castle Road is further up.

9 MR. GIURINTANO: I'm sorry.

10 COMMISSIONER ARENCIBIA: There is a
11 crosswalk there already. The sidewalk is there
12 already up to that driveway. There is driveway.
13 From that point on there, you can add a sidewalk.

14 MR. GIURINTANO: Is that acceptable
15 to the Board? Guy, we'll put the sidewalk on the
16 north side instead of the south side.

17 MR. GSELL: There is sidewalk there.

18 MR. GIURINTANO: We have to fill in
19 the gaps.

20 MR. GSELL: The only caveat is,
21 again, working with the Parks Department and making
22 sure that the Parks Department is okay with this,
23 and we figure out how to make it work for the
24 residents of the Hudson County who want to use that
25 park without interference. If this solution,

1 obviously it works for us. It works for us just
2 fine. It's really a matter of making sure that
3 we're being good neighbors, and the people of Hudson
4 County who want to use that park and who are used to
5 using that park and have a good experience in that
6 park, that that doesn't change, and if that would be
7 figuring some solution to keeping most of the
8 pedestrians on the south side of the street so that
9 they don't have to cross New County Road Extension
10 twice, we would try to find the ADA solution. We
11 would absolutely make sure we have some solution
12 for. From the point of view Field Station
13 Dinosaurs, the north side of the sidewalk, it's a
14 wash for us. It's fine for us.

15 MS. FLOR: The only thing I will say,
16 I wish we didn't have to go on so long, it's such a
17 great application. I just think that unfortunately
18 if that's a solution to have it on the opposite side
19 of the street, no one is going to use it on the
20 other side of the street. If I was walking down
21 there, I wouldn't cross the street twice. I wish
22 there was a way to come up with an ADA solution on
23 this side of the street because I think that
24 realistically you're going to have everyone walking
25 on the side of the street that's closest to the

1 park. They're not going to cross that street twice.

2 I wish that we could come up with a
3 solution. I wish there was a solution the applicant
4 can offer to meet that, to not have people cross
5 twice. If the applicant is not offering that
6 solution and the Board is satisfied, just be
7 cognizant that people are going to walk on the side
8 of the street that has no barrier, no sidewalk.
9 It's the truth. That's where people are going to
10 walk.

11 CHAIRWOMAN BETTINGER: They'll do it
12 the first time because they won't know any better.

13 MS. FLOR: If they start going on
14 that side of the street, can the applicant offer a
15 solution that's ADA compliant on this side? If not,
16 then we're stuck with it being on the other side of
17 the street.

18 MR. GIURINTANO: We heard from one of
19 the Commissioners that the jersey barriers are not
20 acceptable because of drainage on the side of the
21 street; is that correct?

22 COMMISSIONER ARENCIBIA: Yes, but I
23 won't make people cross along the gutter. It's not
24 the best. You want a sidewalk. That's what you
25 want to build. The only thing we could do is narrow

1 the street along the curb, and then drainage gets
2 affected as well and needs to be relocated. That's
3 it. If we explore it further, there's other ideas
4 that I'm thinking about that are in use that we can
5 look at and submit it to the County Engineer and the
6 County Parks Department and see as we go along, but
7 just offhand, the safest thing to have is a
8 crosswalk twice, just to make sure with a sign that
9 there is ADA access that way. If somebody wants to
10 walk in the street, they're going to.

11 We can certainly explore the ideas. Maybe
12 there's delineators or we can create a gap. I just
13 don't like putting people in the street. When
14 water's running in the road, it's going to interfere
15 with the pedestrians, and that's where the water
16 collects is on the curbs.

17 CHAIRWOMAN BETTINGER: Mr. Marks, do
18 you have any comment?

19 MR. MARKS: No, Madam Chair. I was
20 going with what Commissioner Arencibia was saying,
21 to perhaps construct a sidewalk, if the applicant
22 were to offer cutting a curb line where proposed
23 jersey barrier would be, and then put the sidewalk
24 behind that. I don't know if that's feasible.

25 MR. GIURINTANO: It's a temporary

1 facility. I have to check with my clients. It's a
2 temporary facility that we're going into road
3 construction, larger scale improvements. If I could
4 chat with the applicant.

5 MR. TREVENEN: The concern, of
6 course, is on this side of the street as was
7 indicated, the degree of expense in order to address
8 the drainage issue. I suppose that our preference
9 would be to move the traffic over to the other side
10 and just monitor that. We want to come to a
11 solution. We would look to come to a conclusion so
12 we're listening very closely to what seems to be the
13 best alternative.

14 If we had our druthers, we would not like
15 to because we have a limited lease at this point.
16 We're trying to -- we know on that side there's
17 probably some expense incurred. If you see fit to
18 work with us so if it's a case of moving the traffic
19 over to that side, or as I suggested that if we went
20 with the barriers, and I'm not going to go that
21 route. You said we're in full ADA compliance if we
22 provide the alternatives for people who are in need
23 of it to go across the street and utilize that other
24 sidewalk, and then have the general populous stay on
25 the side of the street, which they're probably going

1 to want to stay on because they're on that side of
2 the park. Jamie, do you have anything you want to
3 add to that?

4 MR. GSELL: One of the things we can
5 do is operationally make sure that, one, that
6 everybody who gets off that train knows that the
7 shuttle is there, that we promote the shuttle
8 actively in the train station. We already plan to
9 have somebody at the work station all day long,
10 directing people how to get to the shuttle. We will
11 promote the shuttle and make sure that the largest
12 percentage of people who get off the train are
13 getting on the shuttle just because it is
14 convenient, it's going to be timely. It's going be
15 the fastest way for them to get into the exhibit,
16 and we'll theme out the shuttle so that as soon as
17 you get into the shuttle, you're sort of in the
18 world of the exhibit. So we will really make it so
19 that the shuttle is by far the more attractive way
20 to get from Lautenberg Station to the field station.

21 CHAIRWOMAN BETTINGER: How large is
22 the shuttle?

23 MR. GSELL: We have two 24-seat.
24 It's a little bit less when there's wheelchairs, but
25 they're all ADA compliant.

1 COMMISSIONER CHOFFO: So they are ADA
2 compliant, the shuttles?

3 MR. GSELL: Absolutely ADA compliant,
4 and what we will do is we've already planned to have
5 traffic directors out on the street moving traffic.
6 We'll keep that street nice and wide so that we can
7 keep traffic moving, and we'll go ahead and have
8 somebody who can stop and cross what we hope is a
9 relatively small number of pedestrians across the
10 street both ways, and again, especially the ADA, our
11 patrons with disabilities, we'll very much suggest
12 that they take the shuttle. That's a bit of a slope
13 from that elevator down anyhow. It would be better
14 for them to avail themselves. The shuttle is
15 complimentary. There is no charge for the shuttle.

16 I think we can just from an operational
17 point of view, we can do a good job of making sure
18 people get on that shuttle, and we'll have traffic
19 directors who direct the few people to the north
20 side of the street in a way that we don't impede
21 traffic into the park. I think it's something we
22 can work out. Thank you.

23 CHAIRWOMAN BETTINGER: Any other
24 comments or questions?

25 MR. TREVENEN: I have a little bit

1 for Mr. Giurintano, not a precisely on that point.
2 I'm going to ask Mr. Giurintano whether he had an
3 opportunity to see the report of today's date that
4 was prepared by Ms. Flor of T & M Associates,
5 particularly --

6 MR. GIURINTANO: Counsel, before we
7 move on, I have another waiver that we are seeking
8 from the planner's report.

9 MR. TREVENEN: And if you'll move on
10 to address that.

11 MR. GIURINTANO: Definitely,
12 definitely. The other item in the planner's letter
13 dated February 14th, the applicant shall furnish an
14 as-built set of site plans. We're proposing
15 temporary facilities. There is really no permanent
16 improvements being affixed to the site, so we're
17 requesting that waiver, in that when we leave, there
18 is going to be nothing left behind. We're
19 requesting a waiver from the as-builts.

20 MR. TREVENEN: I hope it's fair if we
21 could have the planner weigh in on that because that
22 was something that there was discussion back and
23 forth.

24 MS. MASSEY: Madam Chair, Jamie and I
25 had a discussion. I agreed with him that he did not

1 need to present us with as-builts. They do with any
2 of the conditions that are approved here tonight,
3 need to provide revised site plans for the planner
4 and engineer to sign off.

5 MR. GIURINTANO: I didn't want to be
6 presumptuous. Now, moving onto the February 15th T
7 & M letter.

8 MR. TREVENEN: Correct, as it relates
9 to grading and drainage.

10 MR. GIURINTANO: Exactly, with regard
11 to grading and drainage, the only thing that I would
12 ask is that Item 2.3 and 2.4, we be permitted to
13 work with T & M Associates as far as grading and
14 addressing it. What I'm concerned is with the steep
15 slopes, we are tied with some of the constraints.
16 We're trying to stay with the paths. We understand
17 disturbing slopes in that area. There are rock
18 outcrops. Those items are on page 3 in the report.
19 We would just ask that the Board permit us to work
20 with T & M in order to address those two comments.

21 And then moving onto No. 3 under
22 miscellaneous, the only waiver that we are seeking
23 miscellaneous is Item 3.4, planting street trees.
24 We are requesting a waiver from the Board on that
25 simply because we are a temporary facility. This is

1 not permanent. We would request the Board grant
2 relief that the trees are provided or the
3 contribution made if and when the site is permanent.

4 COMMISSIONER CHOFFO: Madam Chair, so
5 you're saying if it does become a permanent site and
6 things are worked out with the County, then you
7 would --

8 MR. GIURINTANO: I believe we would
9 have to come back here if we were to construct
10 permanent facilities on-site.

11 MS. FLOR: I would suggest perhaps if
12 you don't have a problem with granting the waiver
13 for steep slope, I believe he's probably going to
14 have to put in a retaining wall.

15 MR. GIURINTANO: It's going to be
16 more site disturbance.

17 MS. FLOR: I think it's going to be
18 unavoidable to not disturb steep slope, and you're
19 probably going to have to grant that waiver.

20 MR. GIURINTANO: All right, Counsel.
21 Those are the waivers I'm requesting.

22 MR. TREVENEN: Thank you. Any
23 further questions from Mr. Giurintano?

24 MR. GIURINTANO: Thank you.

25 MS. MASSEY: Just a question, would

1 the applicant be putting bicycle racks in the
2 parking lot?

3 MR. GSELL: Of course.

4 MS. MASSEY: Perfect. Thank you,
5 Madam Chair.

6 CHAIRWOMAN BETTINGER: Do you have
7 any more testimony?

8 MR. TREVENEN: I have one more
9 witness to speak to traffic. I'd like to introduce
10 Michael Drobny, also from Birdsall. Just like the
11 other witness, the first thing I will ask him to do
12 after he's sworn in is to give the benefit of his
13 educational background and qualifications and begin
14 his testimony.

15 (The witness is sworn.)

16 MR. DROBNY: Michael Drobny,
17 D-r-o-b-n-y, and in terms of background about
18 myself, I am a licensed professional engineer in New
19 York, New Jersey and Pennsylvania. I have been so
20 since 2006, and I have a bachelor's of civil
21 engineering from Rutgers, graduated in 2001. I have
22 not appeared before this Board before or within
23 Hudson County itself, but I've provided traffic and
24 some site testimony before 15 land use boards
25 throughout the state. Anything else?

1 CHAIRWOMAN BETTINGER: No.

2 MR. TREVENEN: Thank you very much,
3 and I would ask that Mr. Drobny, you are fully
4 familiar, are you not, with the exhibit, the traffic
5 report that was prepared in conjunction with this
6 application and submitted to the Board?

7 MR. DROBNY: Yes, I worked with our
8 director of traffic engineering on the report.

9 MR. TREVENEN: And you've had an
10 opportunity to review the various streets and also
11 listened to some of the testimony in advance of you
12 this evening?

13 MR. DROBNY: Yes, you guys covered a
14 lot of my testimony already. It works out good for
15 me but.

16 MR. TREVENEN: What I would like you
17 to do is review your testimony in that context also,
18 after you have an opportunity to do that, I'll ask
19 you right now so I'll sit down, have you also had an
20 opportunity to view the T & M Associates report?

21 MR. DROBNY: Yes, I have.

22 MR. TREVENEN: If you would address
23 some of those issues after you have had an
24 opportunity to present your traffic report.

25 MR. DROBNY: Sure. Obviously, since

1 this use is very unique, the traffic is also very
2 unique. It's not something that really falls into
3 any kind of categories that published studies have
4 done on. So what we almost had to do is kind of, we
5 almost had to come up with our own methodology on
6 how to estimate what the traffic from the site is
7 going to be. Based on some similar uses, like we
8 looked at uses like a state park, county park, a
9 water park, a zoo, things along those lines that
10 there is data on, but they really don't specifically
11 apply to this site.

12 So basically what I kind of wanted to do
13 is just give a little background of the steps that
14 we went through. We did work with your Board
15 Engineer's office throughout this whole process,
16 just because again like I said, it is very unique.
17 Just a brief background, I know Jamie touched on the
18 areas surrounding the site. You have 15X off the
19 eastern spur of the Turnpike. You have the Secaucus
20 Junction Train Station. You have County Road, New
21 County Road, County Road Extension, variations of
22 County Road. All of the local roads have a
23 25-mile-an-hour speed limit. County Road, the
24 various County Roads are under the jurisdiction of
25 the County. The local streets, Seaview and

1 Cannon -- not Cannon, sorry, Castle, are under the
2 jurisdiction of the township.

3 All the roads in general, there is a
4 traffic signal at the intersection of County and
5 Seaview. Other than that, there is unsignalized
6 intersections. We went through and analyzed these
7 intersections to see what the impacts of our
8 development would be, versus what the existing
9 conditions are out there now, kind of how we came up
10 with what traffic we actually used in the analysis.
11 Like I said, we went through the IT published data
12 Institute of Traffic Engineers trip generation data,
13 looked at as I said, various parks, zoos,
14 amusements, whatnot, and kind of looked at them
15 basically for their rates of traffic, when peak
16 traffic occurs at those uses, how intensive peak is
17 versus kind of more of a general throughout the day.

18 I tried to kind of come up with basically
19 a generalization of what those come down to to kind
20 of get an average to go off our distribution of
21 traffic coming in and out of the site. In terms of
22 numbers, we looked at the anticipated operation
23 dates that the applicant previously discussed. We
24 looked at projections of visitors that they have for
25 the site. In our original -- that was a change that

1 was made after the original report was submitted.
2 The original report, they had estimated
3 approximately 300,000 visitors over the course of a
4 season. Since after the original report was issued,
5 they came back to us with some modification. They
6 got some more research on their end, more data.
7 That got bumped down to closer to 200,000. So we
8 revised the report accordingly. We worked with your
9 professionals. We issued an addendum to the report
10 based on the revised anticipated visitors.

11 Of that, obviously, a certain percentage
12 is going to use mass transit. The redevelopment
13 plan and the traffic study that was done for the
14 overall transit redevelopment plan anticipated
15 30 percent mass transit uses via either the train
16 station or bus to New York City, whichever it may
17 be. We actually cut that in half for our analysis
18 and took 15 percent as a conservative, put a factor
19 of safety on there just to be conservative. The
20 hours of operation as you said are limited from ten
21 to the public until dusk. So there is not going to
22 be traffic during the morning rush hour except a
23 couple of school buses, but he said that would be
24 after nine o'clock. You would be away from the rush
25 hour in the morning, and in the afternoon, again,

1 during the week since it's geared toward school
2 children during school, there is nothing coming in
3 and out of the site at an afternoon rush hour.
4 During the summer there would be, but again, based
5 on looking at generation rates from these other uses
6 that we tried to fit this into, the weekend is far
7 and away the busiest time at a theme park, which is
8 pretty much understood.

9 So what it came down to was we ended up
10 without getting into all of the numbers that went
11 into the backup, we went through, did a trip
12 generation analysis using information from these
13 different sites, using anticipated hours of
14 operation, using the anticipated attendance and came
15 up with some estimated trips, Saturday being the
16 busiest time. That's what we based our analysis of
17 the road system of off. When we went through this
18 whole process using the reduced factor for mass
19 transit, using the higher ratios that we came up
20 with, we came up with approximately three hundred
21 trips on a peak hour on say a Saturday in August
22 when the park is as busy as it's going to be, three
23 hundred trips within the peak hour coming into the
24 site. Obviously, there is going to be a comparable
25 amount leaving if it's during the middle of the day.

1 So there is a, you know, a substantial
2 amount of anticipated traffic based on this. We,
3 the applicant also did their own projections for
4 traffic, and they actually came up with a lower
5 number. Their number is closer to two hundred trips
6 per hour coming into the site. Obviously, our
7 analysis is more conservative than what the
8 applicant is anticipating based on their experience,
9 similar uses that they've managed, things like that.

10 We took these numbers that we came up in
11 terms of trip generation, came up with the existing
12 condition, our existing -- let me back up. Our
13 existing condition was based on the full transit
14 redevelopment study was that done in 2006, by CMX
15 Associates, or 2008. I guess the report was done in
16 2006. There was traffic counts done. We took the
17 count data that was done in 2006. DOT publishes a
18 background growth rate to use for various counties
19 throughout the state. So we took those numbers,
20 applied a 2.25 percent growth the until now, so six
21 years of two-percent growth added in the traffic
22 from new development, added in the traffic from the
23 park itself and came up with a base condition, if
24 you will, to present today that we're comparing our
25 numbers to.

1 So we went through. We did a level of
2 services analysis for all the intersections along
3 County Road or New County Road, including the signal
4 at Seaview, came up with the levels of services that
5 will happen at each intersection, and in general,
6 the levels of service using that background data
7 were at acceptable levels, D, C, some of them were
8 As. But we went through at general acceptable
9 levels of service with the exception a couple of the
10 unsignalized left turns because obviously there's a
11 higher volume opposing you, you're going to have to
12 wait to make a left if there is no traffic signal
13 there.

14 When we added in the traffic from our
15 site, the main line road, if you call it that, it
16 really doesn't change much because other than the
17 traffic signal at Seaview, there is nothing else to
18 stop through-traffic, but the left turns, again, you
19 know, were impacted at those unsignalized
20 intersections. The traffic signal at Seaview
21 itself, there is a minimal effect on it because it
22 has a substantial amount of capacity from when it
23 was installed. There is multiple lanes in each
24 direction, designated left-turn lanes, things like
25 that. There is a lot of capacity in that traffic

1 signal, and in terms of the overall capacity that it
2 has, our site doesn't make a huge impact to it.

3 Like I said really the one area that there
4 is any type of change is left turns in and out,
5 unsignalized intersections, and as we talked about
6 the plan to have either police or staff or other
7 members affiliated with the park actually out on the
8 road at these times of peak traffic coming in. So
9 there is a police officer out there, and obviously,
10 he sees that there's three or four cars waiting to
11 make a left, he'll stop through-traffic and let them
12 through and let the traffic come again.

13 That's one of the things that was brought
14 up in your engineer's review letter was about
15 traffic mitigation, traffic management. That would
16 be one component. I'll get into some of the other
17 components a little bit more. I just wanted to
18 touch on -- I was going to touch on parking and
19 pedestrians, but pedestrians had beaten like a dead
20 horse a little bit here.

21 In terms parking as Jamie said, there's
22 482 parking spots. Nine will be handicapped
23 accessible. The 482 as he said is based on laying
24 out that space as if it was a paved parking lot for
25 a supermarket, just like he said. Now, when you

1 have parking -- there will be parking attendants
2 within the parking lot that will actually be
3 directing cars where to park, no different as if you
4 go to the county fair or you go to some time other
5 event like that where they're going to have three or
6 four people directing you and telling you where
7 exactly to park.

8 CHAIRWOMAN BETTINGER: Would there be
9 a fee for parking?

10 MR. DROBNY: Yes, there is a fee.
11 They haven't set a fee, but there will be a fee to
12 park. The intent with the fee, the applicant had
13 tossed around a couple of ideas in terms of
14 collection, but the way they're looking right now is
15 that it's to be paid when you leave, similar to as
16 you are parking in a parking deck. Either there is
17 going to be a kiosk you pay at or perhaps at the
18 gate, but this way people won't be stopping to pay
19 when they come in, so they will be able to process
20 the cars a lot faster.

21 In reality, there may very well end up
22 being more than 482 cars parked in there, depending
23 how they lay them out, but that's that assumption
24 we're going off of. The question came up about the
25 use of the drop-off area. The intent of the

1 drop-off area is really for buses, so they don't
2 have to pull into the main parking lot, block, eat
3 ten or twelve spaces while they're sitting there.

4 To that end during the week when it's not
5 open to the public, you will get four or five buses
6 coming from the same school for a class trip, then
7 they can pull into the parking lot, loop around and
8 park off site, or if it's not open to the public,
9 theoretically they can stay in the parking lot too.
10 But again, the intent of the turn-around is meant
11 for buses.

12 Pedestrians, as we said, the train station
13 is within a half a mile of the property. We talked
14 about all different ways to get pedestrians there.
15 I think -- I hope everybody is satisfied with what
16 we came up with. Actually from a traffic
17 standpoint, that helps us a little bit too, the
18 ability of using or the idea of using the sidewalk
19 on the north side of the road and not putting the
20 barrier in. Obviously, we could have shifted the
21 barrier over, but not having the barrier there gives
22 us the full width of the road where, as Jamie said,
23 put two lanes coming into the site just so people
24 can either get in the left lane to turn in or stay
25 in the right lane to go straight into the rest of

1 the park. That gives us flexibility with the
2 pavement where either cones can be set up out there,
3 striping could be done out there, and that's
4 something that's been discussed with the Parks
5 Department, and then they have been in favor of
6 having a left-turn lane for the site. That will be
7 something that we work on with them exactly how they
8 want to handle that. We will have the full width of
9 the pavement available to do that.

10 In terms of -- I touched on our trip
11 generation a little bit, how we got into that, the
12 levels of service. I guess really one of the
13 biggest parts of it is a traffic mitigation plan.
14 Obviously, this is a site that, you know, if things
15 go well, they'll be a decent amount of people here.

16 CHAIRWOMAN BETTINGER: Can we talk
17 about the barrier a little?

18 MR. DROBNY: That's okay. I was
19 ready to talk about the barrier too.

20 CHAIRWOMAN BETTINGER: I think we
21 need to revisit that.

22 MR. DROBNY: You want to revisit
23 that? In terms of from which, I guess, from which
24 regard?

25 CHAIRWOMAN BETTINGER: What was the

1 final outcome, we're not doing the barrier?

2 MR. DROBNY: We're going to use the
3 sidewalk on the north side.

4 CHAIRWOMAN BETTINGER: How are we
5 going to really keep it safe? We're making it
6 mandatory for people to walk on the sidewalk?

7 MR. DROBNY: Yes. That will go back
8 to part of their enforcement.

9 CHAIRWOMAN BETTINGER: There will be
10 signage?

11 MR. DROBNY: There will be police out
12 there.

13 CHAIRWOMAN BETTINGER: Security or?

14 MR. DROBNY: Traffic directors.

15 CHAIRWOMAN BETTINGER: Do you mean
16 the Town of Secaucus Police or private security from
17 the applicant?

18 MR. DROBNY: Private, private
19 security. Again, no different then you would have
20 as like a parking lot management company, something
21 to that regard. They would be in the street as
22 well. Again, they would assist with if a group of
23 people coming off the train, they will be able to
24 stop traffic, let that group cross to get onto the
25 sidewalk and let traffic go again. Then that's

1 enforcement-related.

2 (There is a discussion held off the
3 Record.)

4 CHAIRWOMAN BETTINGER: While we're
5 waiting, are there any member of public that wish
6 comment? Okay, two. I want to move this along.

7 MR. DROBNY: Traffic management is
8 the last thing I'll get into. Obviously, we've talk
9 a lot of about some options that we have out there
10 in terms of they want the park to be successful. A
11 successful park is going to have a good attendance
12 that they need to be able to handle. The thing that
13 works out good about the location of the site is
14 it's the end of the road. If you're coming down
15 this road, you're either going to the dinosaur park
16 or you're going to the park itself. You're not
17 worried about a lot of pass-by traffic. That helps
18 the site from a traffic management standpoint.
19 Obviously, their first option is going to be to
20 utilize the on-site parking lot, which again, we
21 figure somewhere between 450 and 500 cars. You're
22 going to get a lot of cars to park in there.

23 CHAIRWOMAN BETTINGER: What type of
24 signage do you plan on installing?

25 MR. DROBNY: In terms of directional

1 signs?

2 CHAIRWOMAN BETTINGER: Yes.

3 MR. DROBNY: Are you putting up small
4 directional signs?

5 MR. GSELL: We would have people
6 doing the job.

7 CHAIRWOMAN BETTINGER: My concern is
8 if you're driving along County Avenue, and if you're
9 not familiar, I myself get confused with County Road
10 and New County Road. So I think especially in one
11 intersection there needs to be signage so people
12 aren't stopping short and making quick turns.

13 MR. GSELL: Yeah, subject to County
14 approval, we're going to put temporary signs that we
15 can take down at the end of our season that we're
16 open to the public so people can find us.

17 MR. DROBNY: As I said they'll
18 provide signage for their parking lot as just as
19 easily as people will be able to go straight to go
20 into the rest of the park. In the event that the
21 parking lot does become full, as they said
22 previously, they're negotiating with Edison, who is
23 the manager of the parking lot at the train station.
24 The only time that we would anticipate that that lot
25 would come into play would be like a summer weekend,

1 a peak time, and again, it's going to be on a
2 Saturday or Sunday where you don't have commuter
3 people parking in the lot. You pay to park in that
4 lot as well as our on-site lot, so there is no
5 advantage of trying to force yourself into the
6 on-site parking lot from a payment standpoint.

7 So that's something that they're
8 negotiating with them, the ability to use the site.
9 Obviously, those people will walk no differently
10 than people do from the train station or the shuttle
11 will be provided, the jitney service like they were
12 talking about. They will use all the access that
13 people coming from the train would.

14 COMMISSIONER ARENCIBIA: I want to
15 ask a question about the parking fee, what's to
16 prevent someone going to the dinosaur park from
17 parking at Laurel Hill Park areas, which are free
18 and walking over to the park?

19 MR. GSELL: We're going to actually
20 have someone there in the parking lot to monitor
21 that. If we see someone coming, we'll tell them
22 they're going to be ticketed so that they understand
23 that penalty and the ticket for parking in the park
24 is going to be worse than our fee. We're going
25 monitor it with a full-time person whose job is to

1 make sure we catch those people. There's only one
2 way to get there. If you park in Laurel Hill Park
3 by the boat launch, you have to walk past our person
4 to get to the park, and we will say you cannot park
5 there.

6 This is a similar situation. I worked at
7 the Bergen PAC, and we had a large public parking
8 lot behind Bergen PAC that was for shopping, and you
9 were not allowed to park there to come to the shows.
10 We actually went ahead, and we put somebody in the
11 parking lot, and when we saw people walking up to
12 Bergen PAC, we stopped our own customers, told them
13 you cannot park there. We were very successful and
14 worked out a real arrangement with the owner of
15 those parking lots, who were very happy with the way
16 we were able to police it and keep people from
17 parking there to the point where we actually had a
18 big argument. When the police came, we actually
19 pointed out which cars needed to be ticketed. We
20 knew who was shopping and who was coming to the
21 theater.

22 So it's not unprecedented. It's a
23 situation in my own career, I've come across similar
24 situations, and I know it can be handled with a live
25 person who takes on that responsibility.

1 CHAIRWOMAN BETTINGER: Is it going to
2 be affordable to Hudson County residents?

3 MR. GSELL: Yes, we have actually
4 have a discount program especially for Hudson County
5 schools. We're going to have a Hudson County Day,
6 where we make it even more affordable. Our ticket
7 prices, it's very important to us that it be
8 affordable, so a family of four can come for less
9 than \$100. It's \$20 for a grown-up and 17.50 for a
10 kid before you do any discounting. Once you pay,
11 you don't pay again and again. It's not like you
12 pay to get in and pay to see something else. Once
13 you pay, you're in and you get to participate in all
14 the workshops. You get to see the great dinosaur
15 puppet show that we have. You get everything unless
16 you want to buy a beverage. Everything is included.
17 It is our idea to make this so that a family can
18 afford to come and have a great day at a reasonable
19 price.

20 COMMISSIONER ARENCIBIA: Madam Chair,
21 getting back to the parking, I want to make sure
22 that the applicant coordinates with the parks to
23 make sure that we have a regulation in place for
24 ticketing and a monitoring program in place so we
25 don't have a situation on a busy weekend where the

1 dinosaur park is busy and County Park is busy and
2 we're fighting for parking spots.

3 MR. GSELL: That meeting is the first
4 of I'm sure many meetings between Field Station
5 Dinosaurs and the parks department, it already being
6 scheduled. We're going to meet and find out.
7 Luckily that park is by permit use. So when they
8 have a big cricket match, they know in advance what
9 days they will be busy, and we can work out the
10 solutions literally on an hour-by-hour basis when we
11 need to because that's a permitted park, and our
12 tickets are time tickets so we know when our crowd
13 is coming, and we can pull back. We can limit how
14 many people we sell to on a particular day based on
15 our conversation with the park. So that
16 conversation has already started.

17 MR. DROBNY: A couple other quick
18 items, in terms of employee and bus parking, they're
19 making arrangements to have the availability of
20 off-site again to maximize the use of their on-site
21 parking. They plan on as we said, they're going to
22 have people directing traffic on County Road just
23 to, you know, make sure that it stays orderly out
24 there in terms of pedestrian traffic and whatnot.

25 In the event that their on-site parking

1 lot does get full, they are going to have their
2 directors direct people, once negotiations are done
3 with Edison, they'll have them direct people towards
4 that parking lot instead of getting down to the end
5 of the road and having them turn around. When they
6 know their lot is full, they'll call down to the
7 three guys down the street, make sure they don't
8 send any more cars down here right now.

9 As he said they're going to have a very
10 good log of number of people coming in and when
11 they're coming, things like that, data that we
12 really don't have right know. So I mean once the
13 first season is done, they're going to know how many
14 people came and how many cars came from parking
15 receipts. So they're going to have a very good
16 handle come next year as to exactly what the real
17 numbers are.

18 Coordination with the park is very
19 important. There was a meeting that was held this
20 morning with them to discuss a site plan, to hear
21 some of their concerns, and they're, our client and
22 the Parks Department are more than willing to work
23 with each other to make sure that there's no
24 negative impact to each other. They're going to be
25 good neighbors with the park and work hand in hand

1 so that everybody has a great visit when they come
2 to either one.

3 Again, promoting rail ridership and use of
4 mass transit, I think once somebody takes a train
5 here for the first time, whether they're coming from
6 the city or coming from Elizabeth or wherever
7 they're coming, they're going to realize, it's no
8 different, to me, than going to a Devils game. It's
9 a lot easier to take the train than it is trying to
10 drive there, and I think people are going to realize
11 that, a certain amount of people are going to
12 realize that with this site as well. They can
13 promote rail ridership, come up with whatever kind
14 of programs they're going to negotiate.

15 If we come down the line and we see
16 reoccurring issues that come up, maybe it's
17 something where an option is to do a slight timing
18 adjustment on the traffic signal. These are things
19 in an absolute worst-case scenario. There are
20 options that are out there that don't require a
21 large infrastructure project. Maybe we do a slight
22 signal modification for the timing. Maybe they, you
23 know, do some striping modifications, things like
24 that. That's not stuff we're really going to know
25 until the park is operational, but those are options

1 that are out there that, you know, your engineer was
2 looking for some type of management plan.

3 We wanted to be able to give some options
4 to what could be done in the area. I'm sure there's
5 plenty of other options that people are going to
6 pick up on right away that, hey, it makes sense to
7 do whatever that might make a huge difference.
8 You're not going to know until the place is open.

9 CHAIRWOMAN BETTINGER: Do we have any
10 comments from our engineer on anything?

11 MS. FLOR: Madam Chair, I'm satisfied
12 with the testimony. I think that basically the
13 important thing to note that it is a temporary
14 facility. Rather than coming in and doing all the
15 mitigation measures at this time, what they're
16 proposing is for the Board to accept a lot of trust
17 in that they're going to provide, for example,
18 gravel. They're going to have people directing
19 people to park because you can't put the stripes out
20 there.

21 Additionally, at the intersection in some
22 cases, you're going to have a 20-second delay that
23 you don't have as an existing condition. In order
24 to mitigate that, they're going to have directors in
25 the streets trained, and we just have to accept

1 that. Secaucus is going to have to accept those
2 types of things all because it's temporary at this
3 point and also to make it function. So I think what
4 the application is saying is that they understand
5 asking for these things, and they're willing to put
6 them in a traffic management plan so that we're
7 comfortable because we are putting a lot of trust
8 that they're going to provide these people if
9 they're not putting in permanent structures to allow
10 the site to work without those people.

11 What he's been asked is to put that in a
12 written plan and submit it to us. I think that as
13 long as the Board finds it acceptable and Demetrio
14 finds it acceptable, given the nature of the
15 facility, we can review that traffic management
16 plan.

17 COMMISSIONER ARENCIBIA: Madam Chair,
18 I was going to throw in Meadowlands Commission.
19 They're a player in this area, and they will need to
20 also review the project. I don't know if you
21 brought it to them. They're also involved in
22 transportation and traffic. There is a program that
23 they had that they're going to be providing a
24 traffic management system with the traffic signals.
25 So they're going to be upgrading a lot of the

1 traffic signals in this area. So certainly you need
2 to talk to them as well.

3 And also the Edison parking lot as I
4 remember was also a lease agreement. They had a
5 short-term lease, it might have been five or seven
6 years approved by the Meadowlands Commission. So
7 you need to check with them if their lease agreement
8 permits them to have this arrangement with you. So
9 I'm not sure if you had any discussion with the
10 Meadowlands Commission.

11 MR. GSELL: We have been speaking to
12 the Meadowlands Commission. We had a meeting with
13 them where we laid out our plan, and they expressed
14 to us that they would prefer us to do it in this
15 order, come to the County first and then go back to
16 Meadowlands Commission with our final. The
17 temporary nature of it for the Meadowlands
18 Commission took some of the things out of the -- off
19 the table. Some of the things they need to take a
20 look at.

21 As far as Edison parking, it's a public
22 parking lot already. We don't have -- we're not
23 going to have any special arrangement with them.
24 We're not going to have any shared revenues with
25 Edison parking. He has told us his availability,

1 and it's more than what we anticipate needing to
2 use. Because we're in the summer, there is always a
3 number of people on vacation on any day of the
4 summer, so even his weekday capacity is pretty good
5 in the summer, and his weekend capacity is terrific.
6 So again, we don't have any special arrangement.
7 We're not making any deal with him. We're not
8 selling his tickets. It's truly a public parking
9 lot where he already has that accommodation. He's
10 just going to open up his gate and take their fee.

11 MS. FLOR: Madam Chair, this was
12 already was testified to, not here but at the site
13 review committee, it's on the plan, note the plans
14 shows the ADA stalls paved because that wasn't
15 testified to, but it was spoken to at the site plan
16 review committee. I believe that that's still the
17 case?

18 MR. TREVENEN: Correct me if I'm
19 wrong, Jamie, but I think he's going to use the same
20 gravel as he's using for the walkways?

21 MR. GSELL: We're going to do -- we
22 have to be able to mark those spaces and put up the
23 proper signage. We're going to make sure we can do
24 that with an ADA surface.

25 MS. FLOR: As long as it's ADA

1 compliant. Thank you.

2 CHAIRWOMAN BETTINGER: Any questions?

3 MR. TREVENEN: I have no further
4 witnesses. I believe you have a couple of people
5 from the public, and I would like to make a very
6 brief statement at the end after they had an
7 opportunity to speak.

8 CHAIRWOMAN BETTINGER: Did we have a
9 sign-in sheet? No, okay. Who like to be the first
10 one to speak? Before with you start, it's been
11 precedent that public speakers get five minutes.

12 MS. SODOWSKI: I don't think I'm
13 going to be that long.

14 CHAIRWOMAN BETTINGER: State you
15 name.

16 MS. SODOWSKI: Good evening. My name
17 is Lorraine Sodowski. I have been a resident of
18 Hudson County all my life and a resident of Secaucus
19 for 60 years. Each and every day of the year, I
20 walk at Laurel Hill with my dog, Sugar, and Rock
21 before that. In fact, I have been walking Laurel
22 Hill Park since the administration created it as its
23 newest County park. At that park I have reported
24 criminal mischief, illegal dirt bikes and ATVs in
25 the fields, light outages to PSE&G and the Parks

1 Department, plumbing problems with the drinking
2 fountain, picked up trash and plastic bags, reported
3 the pathway hazards, and I think I have been a
4 friend to the park and enjoyed the many wonderful
5 days.

6 And I've see the night heron along the
7 shores almost every summer evening, and the hawks or
8 osprey, a whole family of ravens playing tag along
9 Laurel Hill cliffs, a coyote along the ridge on a
10 summer's afternoon, along with the skunks, raccoons
11 and possums that are a common sight to the park.

12 Tonight you are considering allowing a
13 parking lot for almost 500 cars at the entry of this
14 park to support a private business venture that
15 certainly does nothing to advance the appreciation
16 and preservation of the diverse natural resources of
17 Laurel Hill. Just the amount of congestion this
18 will create at the entry, given the attendance
19 numbers listed in the Jersey Journal of
20 December 11th, may very well block me out of using
21 the park that I love, not to mention its impact on
22 the Exchange residential development.

23 That's not fair nor it is right to
24 subjugate the great recreational opportunity created
25 by my tax dollars as a Hudson County resident and

1 the billions of tax dollars from New Jersey
2 residents through the Green Acres Programs that
3 created these amenities for our enjoyment, rather
4 for a profit-making enterprise that invites
5 approvals to their venture by throwing around sound
6 bites on projected money revenue to the County. How
7 much of that money that the County is expecting will
8 be spent on extra Sheriff's office to police and
9 enforce the traffic control and abuse of the park?
10 How many more park personnel will be added to the
11 payroll or overtime to keep the park orderly, clean
12 and safe.

13 Don't you think the overflow visitors will
14 be parking on the grass at the Laurel hill parking
15 lots, waiting their turn to enter the dinosaur park?
16 What happens if there are 600 or 900 car for this
17 attraction on the weekend? Where do they park?
18 From May to the fall is also the busiest time for
19 the residents to visit the park on weekends. Who
20 will be climbing after the trespassers when they
21 climb Laurel Hill as an extension of the dinosaur
22 camp experience?

23 After being absent for decades, the ravens
24 made Laurel Hill their home. Where is the
25 appreciation for what already exists and why not any

1 thought to building an environmental center for our
2 residents of Hudson County like Bergen County has
3 for their park? The fresh water pond just north of
4 the dinosaur park is a nesting or roosting area for
5 endangered night heron. Doesn't the State protect
6 the endangered species? Shouldn't we?

7 When the park was first created, articles
8 from the Unique Woodlands reaching from the hill to
9 that very pond mentioned rare and endangered plant
10 species that do not exist in any other location in
11 Hudson County. Doesn't that have any value to this
12 Administration? Mr. DeGise ran on a Green ticket.
13 I thought the Green meant nature. It did when the
14 park was created.

15 After all of the disturbances to wildlife
16 and damage to the natural resources to the park, I
17 hope the County has negotiated a year lease with a
18 renewal clause for the next two to protect the
19 shrinking County asset if it all becomes a
20 nightmare. I hope at the very least that the
21 traffic study is required to by that Board to
22 outline traffic impact flow and management before
23 any approvals are granted. It would be beneficial
24 for an inventory of all County --

25 CHAIRWOMAN BETTINGER: It's almost

1 five minutes.

2 MS. SODOWSKI: I'm almost finished.
3 Rare and unique natural resources from Laurel Hill
4 and protect it from the current opportunity of the
5 day. Thank you.

6 CHAIRWOMAN BETTINGER: Next speaker,
7 please.

8 MR. LEN: Thank you very much. My
9 name is Chris Len. I'm the staff attorney at
10 Hackensack River Keeper. My last name is L-e-n, if
11 anyone should care. Captain Bill would have been
12 here tonight, but that he wasn't able to should be a
13 sign to you that he really couldn't be because this
14 is an important issue to him. He spoke last time.
15 The preceding speaker spoke more eloquently than I
16 can.

17 Largely, one of Captain Bill's concerns
18 about the actual physical environment of the area,
19 and the impacts on the night herons, and it just
20 being one of the last wild spaces in the area where
21 we don't trade off wild habitat for the presence of
22 human beings. There's a lot of wetland habitat.
23 It's different, different groups of species that
24 lives in the wetland of the Meadowlands, and it's a
25 shame that Captain Bill isn't here to say that more

1 clearly that I can.

2 We have an additional concern that what
3 we're doing is taking a County Park and turning it
4 into an amusement park with a grassy field behind
5 it. Laurel Hill Park is important for lots of
6 residents of Hudson County. It's important to
7 Hackensack River Keeper. That's where we have our
8 paddling center. When I'm there, Madam Chair,
9 you're not the only one who gets lost. I don't
10 think I've ever gotten out of that park without
11 making two or three wrong turns. You know, people
12 are there duck hunting, using the ball fields,
13 walking their dogs.

14 People of all stripes are there using it
15 as it is intended to be used, as a County park. I
16 wonder what that's going to be like and how many are
17 going to continue to try to do that when they have
18 to run a traffic gauntlet to get through it in the
19 summer. There was a lot that you guys were privy to
20 that couldn't see in terms of where different
21 pathways go and what road leads into what road. I
22 don't in my limited recollection of the geography,
23 how can you get into the park from that one little
24 road, whether it's for the amusement park or County
25 Park? You have a narrow road there that is going to

1 be a choke point for people trying to get in. If
2 there is people working for the amusement park
3 directing traffic, I think their primary concern
4 will be directing traffic into the parking lot, and
5 that's just going to make it difficult to get past
6 there to get in and maybe even more difficult to get
7 past it to get out.

8 I wonder too about the emergency medical
9 services trying to get into the park when its busy.
10 It's such a narrow road and particularly with the
11 thorough discussion we had about the pedestrian
12 traffic, I wonder if an emergency kind of situation,
13 it's going to become unsafe because of traffic
14 volume for pedestrians. I had concerns about people
15 parking at Laurel Hill and going into the dinosaur
16 park. I don't know if the applicant's plan will
17 solve that, but I'm glad to hear that they do have a
18 plan. It sounded to me like a lot of problems that
19 you all foresaw are going to be addressed by the
20 sheer tonnage of people parking. I don't know if
21 that's going to be practical in its actual
22 application.

23 So another thing, I wonder what the impact
24 of the amusement park will be on Laurel Hill Park in
25 terms of just overflow problems, where people using

1 the amusement park will be going into the park to
2 picnic or to throw their trash, extra use of Laurel
3 Hill's limited restrooms; what the security will be,
4 whether they'll be greater security needs for the
5 County within Laurel Hill Park because of the
6 presence of the amusement park next to it. You
7 discussed to some extent concerns about security at
8 night, and if people are at Laurel Hill Park and are
9 foolish and perhaps drunk, going into the dinosaur
10 park sounds like a lot of fun, but the sort of fun
11 that could cause problems for both parks.

12 So the last thing I wonder about too is
13 the number of people coming in on public transit.
14 Hackensack River Keeper supports public transit of
15 course, but as more people are coming in and having
16 to face the fact that they're going to pay for
17 parking, I imagine over time more people will take
18 public transit. I didn't hear about coming in from
19 New York City to the park when you have 15 million
20 people that live across the water and they hear
21 about dinosaurs, I imagine traffic by train and by
22 foot is greater than it's foreseen. I just see a
23 possible confluence of cars and people that is going
24 to make Laurel Hill Park a less special place.
25 Thank you for your time.

1 CHAIRWOMAN BETTINGER: Thank you. Do
2 you have a comment?

3 MR. TREVENEN: Yes, I'll be very
4 brief.

5 CHAIRWOMAN BETTINGER: You have more
6 than five minutes.

7 MR. TREVENEN: I'm cognizant of the
8 comments that have been made. I think you've heard
9 this evening, and I'll make a brief legal argument
10 as I'm sure your counsel would advise you just to
11 say that we are applying for site plan approval this
12 evening. We're aware and cognizant and receptive of
13 the fact that there will be conditions attached to
14 such an approval. We're not requesting any
15 variances, and we're also zoning compliant.

16 So I think you especially, I hope you got
17 from particularly from Mr. Gsell the fact that he is
18 very, very, very cognizant of and concerned that
19 what is being proposed on this property, which is
20 owned by the County, and there will be a lease
21 agreement between Hudson County and exactly Hudson
22 County Improvement Authority, there is a lease
23 between them with Mr. Gsell's organization, but he's
24 very, very cognizant and concerned about free access
25 to Laurel Hill Park, and I think hopefully

1 Mr. Arencibia's people are aware of that and
2 recognize that.

3 So when you heard about the people who are
4 going to be assisting on-site, a lot of that is to,
5 of course, bring the people into the dinosaur park
6 and make sure that there are no problems for the
7 those who still want to continue to enjoy Laurel
8 Hill Park. With this proposed use you've heard
9 testimony there is no disturbance of the wetlands.
10 There minimal disturbance of vegetation, only to
11 create to pathways so the general public can utilize
12 this.

13 The applicant does have a plan. You heard
14 from the testimony. There is anticipation about the
15 people who will be utilizing this. We're obviously
16 making the estimates as best we can. We're hopeful
17 that this will be a real resource for not only the
18 general public, but particularly the age group from
19 three to twelve, who will have an opportunity to go
20 to the park and learn as much as they can about
21 this.

22 If you'll forgive me one second, but I've
23 enjoyed working on and seeing this even though I
24 practice out in Essex County and reside in Essex
25 County. I know people there are people here who

1 would not think Kearny is part of Hudson County, but
2 I grew up in Kearny. I looked over Schyuler Avenue
3 at Snake Hill for a good part of my life. When I
4 went over to see the site, I was fascinated by
5 what's being proposed. I also have two
6 grandchildren who reside in Hoboken, and so I look
7 forward to bringing them to this to see this as
8 well. I know I have a client who is cognizant of
9 lot of these concerns that have been brought up this
10 evening, but I also have a client who has experience
11 with these types of operations and is cognizant of
12 the concerns raised by the public, and we trust
13 because they have a zoning-compliant plan, and we're
14 looking to work as much as we can with the
15 conditions that may be imposed on this application,
16 we trust that you would approve it this evening. We
17 appreciate your time.

18 CHAIRWOMAN BETTINGER: It is noted
19 for the record that Commissioner Romano is with us
20 this evening. Do you have any other comments or
21 questions?

22 COMMISSIONER ARENCIBIA: Madam Chair,
23 there was a few comments by the public. I just
24 wanted to ask Mr. Gsell some questions that they
25 brought up, and I know there's an agreement between

1 the County Parks Department. This site was used to
2 be a staging area or storage area for the Turnpike
3 project, it's going on for years, and I'm not sure
4 what wildlife you're disrupting, if you're going to
5 disrupt what hasn't been disrupted already by the
6 Turnpike project. Do you have a comment?

7 MR. GSELL: Because of the nature how
8 we're doing the trails and the fact that we're
9 leaving so much of the natural habitat in place, we
10 don't anticipate displacing any wildlife, least of
11 all migratory birds. We've absolutely kept any of
12 the wetland purposely out of our area to keep those
13 accessible to migratory birds.

14 COMMISSIONER ARENCIBIA: As far as
15 emergency vehicle fire and ambulances that need to
16 get in, how is that planned?

17 MR. GSELL: We actually met with the
18 Town of Secaucus. We have met with the fire marshal
19 and talked about emergency service. We widened our
20 gates a little bit to make sure cars could get in,
21 and we've including the fire marshal in
22 conversations about accessing the park as well. So
23 all of that is being taken into account to make sure
24 that our guests are safe and to make sure anyone who
25 is in the park has immediate and the proper response

1 time.

2 COMMISSIONER ARENCIBIA: As far as
3 overflow problems, you talked about that. There was
4 the attorney for the River Keeper, what if you have
5 a day you have the parking lot full. This park is
6 really one way in and one way out. Is there going
7 to be advance notice to the public before they
8 decide to go into New County Road and find that they
9 have to turn around and make a K turn?

10 MR. GSELL: Yeah, we're going to head
11 them off at the pass. We're going to have somebody
12 at the Edison lot if our parking lot is full. We
13 also do advance ticket sales. We'll know even if
14 parking lot isn't full if we're expecting more
15 people to be coming. Even if we had, it might not
16 look full, we might know that we're sold to
17 capacity, at which point, we would direct people
18 into the Edison lot. We will have a sign that says
19 Parking Lot Full, and direct them into the Edison
20 lot.

21 COMMISSIONER ARENCIBIA: There is a
22 point once you go on Seaview Avenue, if you find out
23 that the parking is closed, you've got to make a
24 U-turn. There should be some notice at the Seaview
25 Avenue intersection or sign or something.

1 MR. GSELL: If the park is closed, we
2 knock on wood, are sold out, we would have a sign
3 there. We would make sure that anyone coming to the
4 park that day, we would put it on our website, park
5 is sold out.

6 COMMISSIONER ARENCIBIA: The main
7 thing is really at the intersection.

8 MR. GSELL: Yes.

9 COMMISSIONER ARENCIBIA: I don't
10 know. How are you going to do it if there is a day
11 when you're sold out, no more spaces for patrons,
12 you have to provide them notice at that
13 intersection?

14 MR. GSELL: We absolutely would do
15 that because it's to nobody's advantage to have
16 people driving down the street and not being able to
17 come. We would have a system of fail-safes. When
18 we're parking people in our parking lot, we will be
19 there, and when we're directing them to Edison, we
20 will be there, and if we're sold out, we'll be on
21 the corner telling people that the park is sold out.

22 COMMISSIONER ARENCIBIA: There's been
23 a bunch of conditions and comments before. You
24 generally comply with those comments?

25 MR. GSELL: Yeah, I mean I can't say

1 that I'm completely not a little confused by some of
2 what happened. For the most part every conversation
3 landed at a place where I'm comfortable, yes.

4 COMMISSIONER ARENCIBIA: There will
5 be a coordination effort with the Parks and the
6 town. But to make sure of one last thing, it's not
7 a 365-days-a-year operation?

8 MR. GSELL: No, we're closed for the
9 winter. We're only open 178 days our first year,
10 between 175 and about 180 day.

11 COMMISSIONER ARENCIBIA: What days?

12 MR. GSELL: It's the middle of May.
13 We open for school groups. We're not open on the
14 weekends until Memorial Day, and then we close
15 Teacher's Convention Weekend, which this year is
16 November 11th, so it's May 14th to November 11th
17 this year.

18 COMMISSIONER ARENCIBIA: And during
19 that winter, is the site taken down?

20 MR. GSELL: We take everything down
21 including the dinosaurs. We just an have empty,
22 gated, locked, fenced-in lot. Right now it's not
23 fenced, so anybody can get there.

24 COMMISSIONER ARENCIBIA: When your
25 lease is up, is everything going to be restored to

1 its --

2 MR. GSELL: The crushed-stone parking
3 lot is currently a crush-stone parking lot. We
4 would -- it is in its current state.

5 COMMISSIONER ARENCIBIA: You've
6 saying it's there all ready.

7 MR. GSELL: That is the surface.

8 COMMISSIONER ARENCIBIA: There's no
9 grading work or drainage?

10 MR. GSELL: We do have to redo it so
11 that it's smooth again, but it is already a parking
12 lot. We have made an agreement with the County that
13 if and when we leave, that we would return whatever
14 it is back to the state that we found it. That
15 would be a little more because it's just a vacant
16 lot, but yes, absolutely make commitment to return a
17 vacant lot back to the County.

18 COMMISSIONER ARENCIBIA: What about
19 the fence? You said you were going to have a fence
20 around the perimeter?

21 MR. GSELL: That fence is already
22 existing. We're going to use the existing fence for
23 the parking lot. We are going to have a fence
24 around the entire site, and when we leave, that
25 fence will come down. We'll take it with us.

1 COMMISSIONER ARENCIBIA: The parking
2 lot is going to be gated and locked when you're not
3 there?

4 MR. GSELL: Yes.

5 COMMISSIONER ARENCIBIA: Well,
6 there's a little more coordination in terms of
7 signage and issues that we're going to plan.

8 CHAIRWOMAN BETTINGER: Mr. Marks.

9 MR. MARKS: Madam Chair, the title on
10 the application is temporary dinosaur exhibition,
11 and a lot of what was testified to was based on
12 either it's hard to extrapolate what kind of traffic
13 generation this would have because there is nothing
14 similar to this, whether it's like a zoo or a
15 carnival or a circus, or some of the other big
16 public attractions. Because of the temporary
17 nature, because of the three-year lease, there is, I
18 guess, a certain leap of faith like Jackie Flor said
19 before, that the Board would be taking if this is
20 approved tonight.

21 My recommendation to the Board is if the
22 County renews the lease in three years, and we have
23 three years of data, traffic data, pedestrian
24 circulation data, other data to go on, because this
25 does say "temporary," I would recommend that the

1 approval expire after three years, and request that
2 the dinosaur exhibition, if it is given a new lease
3 after the three years, come back based on that date
4 and approve it based on three years of knowledge.

5 COMMISSIONER CHOFFO: I have one
6 question. Mr. Gsell, at the site plan subcommittee,
7 you mentioned that the County has the option to give
8 a one-year notice so if things don't work after the
9 first season --

10 MR. GSELL: The County has that
11 option, yes, yes. The County has the option of
12 after one year to get out of the lease.

13 FREEHOLDER ROMANO: Just reiterate, I
14 just wanted to be sure that there no ecological
15 damage, nothing to prevent migration of birds?

16 MR. GSELL: Yeah, that it's wildly
17 important to us. Our point is that we're teaching
18 exactly about the wildlife of the Meadowlands, the
19 inter-connectivity of life. That's what we're
20 about. That's our bread and butter, and again, our
21 scientists are from the State Museum, and they are
22 looking at everything and making sure that what
23 we're doing is best for the students and the people
24 of New Jersey to learn about this, but also they're
25 very cognizant of making sure that it is a very

1 special part of New Jersey is being maintained and
2 properly used. So yes, we're cognizant of it, and
3 we're working very hard to make sure that we are
4 disruptive in the most minimal way.

5 CHAIRWOMAN BETTINGER: Anything else?
6 Mr. Curley, would you review for the Board so we
7 know what was mentioned?

8 MR. CURLEY: There were conditions
9 that were discussed, but I think the most important
10 ones for the plan to reflect the use of the sidewalk
11 on the opposite side of New County Road, I think
12 that is. Also, the provision of bicycle racks,
13 although it wasn't specified exactly how many. I'm
14 sure there is a typical number that would be
15 appropriate here. And the use of an ADA approved
16 surface for the ADA parking stalls.

17 There were numerous accommodations dealing
18 with the traffic of pedestrian into the site that
19 have to be pretty much done on an Ad Hoc basis as
20 problems arise, and we have more experience with it.
21 Lastly and most importantly, the three-year limit on
22 the approval so that there is a requirement that
23 applicant come back at the end of three years when
24 we have sufficient experience and data with the site
25 to impose additional conditions that may be called

1 for as a result of what has transpired.

2 CHAIRWOMAN BETTINGER: Who would be
3 monitoring this on the County end?

4 MR. GSELL: My day-to-day dealings
5 are with the Hudson County Improvement Authority.
6 That's who my lease is with. That's who I give my
7 notifications to. That's who I work with on a daily
8 basis as my landlord, and then because I've been
9 working along with County Parks, I've been keeping
10 everyone else in the loop as well. On a day-to-day
11 basis, my person who I talk with at the County is
12 the Hudson County Improvement, who is actually the
13 lessee party.

14 COMMISSIONER ARENCIBIA: The operator
15 of the park is the Parks Division, County Parks
16 Division, and they also have the Sheriffs as well.

17 MR. O'CONNOR: I'm Mike O'Connor, and
18 I'm here on behalf of the Hudson County Improvement
19 Authority, and we are working closely with Mr.
20 Gsell, but also with Ken Jennings and Tom McCann of
21 the Parks, and all the other representatives of
22 County government to coordinate this with Mr. Gsell.

23 COMMISSIONER ARENCIBIA: As long as
24 your coordination is there that it's going to work?

25 MR. O'CONNOR: We're here. It's a

1 visible location, and you know, we have experience
2 working on other projects like that. So we'll
3 coordinating. We've encouraged Mr. Gsell, and he's
4 been very faithfully interacting with any different
5 interested party related to the park, including the
6 Parks Department.

7 CHAIRWOMAN BETTINGER: Has this been
8 approved by the Township of Secaucus?

9 MR. GSELL: The attorney could speak
10 regarding any specific approval, but I can tell you
11 that the Town of Secaucus, the mayor is very
12 supportive of this and initially brought this to the
13 County, the County Executive DeGise and the Hudson
14 County Improvement Authority and the Freeholder
15 Board, in order to facilitate the location of this
16 facility on the County owned land adjacent to Laurel
17 Hill Park.

18 MS. FLOR: One more condition, the
19 traffic management plan would be submitted and would
20 address these various traffic concerns, and the
21 people that you put on the street, whether they be
22 trained and able to direct traffic through the park.
23 All those things should be in the traffic management
24 plan.

25 CHAIRWOMAN BETTINGER: Who is

1 monitoring it? That's my concern.

2 MR. O'CONNOR: I think HCIA is the
3 responsible party in terms of the sublease with the
4 Jersey-saurus and will be involved. Obviously,
5 we'll work with the County Sheriff's Department,
6 whoever has responsibility for the park as well the
7 City of Secaucus and the Secaucus Police Department,
8 and encourage Mr. Gsell to engage those entities
9 prior to opening up the facility and as the facility
10 is operating.

11 CHAIRWOMAN BETTINGER: We're placing
12 a lot of trust in this applicant.

13 MR. O'CONNOR: I have to tell you,
14 you know, our experience in working with him and his
15 organization now, they're organized. They seem to
16 have an excellent approach to this. You heard from
17 Mr. Gsell. He really did have answers regarding
18 this. We've actually seen how people respond to
19 this, and hopefully, it should be a very successful
20 operation, and they're experienced, professional
21 people.

22 So to the extent that you can rely on
23 someone, their professionalism and experience in the
24 area of endeavor, we've observed that. I think I
25 can personally represent to you that I feel

1 confident that we're able to do this in a way that's
2 positive for the County and for Secaucus.

3 MR. TREVENEN: Just to clarify the
4 record, I know it was mentioned of the sublease,
5 that is correct. The land is owned by the County.
6 There is a lease between Hudson County and the HCIA,
7 and the sublease is with the -- between HCIA and who
8 you know as the applicant, Field Station Dinosaurs,
9 LLC.

10 CHAIRWOMAN BETTINGER: Do I have a
11 motion?

12 COMMISSIONER CHOFFO: I'll make a
13 motion to approved based on all the conditions.

14 MR. MARKS: Madam Chair, on a motion
15 to conditionally approve Application 2012-008-SP,
16 made by Commissioner Choffo. Second by Commissioner
17 Cryan.

18 Commissioner Arencibia.

19 COMMISSIONER ARENCIBIA: Aye.

20 MR. MARKS: Commissioner Choffo.

21 COMMISSIONER CHOFFO: Aye.

22 MR. MARKS: Commissioner Cryan.

23 COMMISSIONER CRYAN: Aye.

24 MR. MARKS: Commissioner Holloway.

25 COMMISSIONER HOLLOWAY: Abstained.

1 MR. MARKS: Commissioner Romano.

2 FREEHOLDER ROMANO: Aye. Let the
3 record reflect I have reservations.

4 MR. MARKS: And Chairwoman Bettinger.

5 CHAIRWOMAN BETTINGER: I vote aye.

6 MR. MARKS: Madam Chair, the motion
7 passes.

8 MR. GSELL: Thank you.

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

11 CHAIRWOMAN BETTINGER: My apologies.

12 MR. BERGER: My kids will be thrilled
13 to see the pictures.

14 MR. MARKS: Next application is
15 2012 -- actually, strike is that, this was an error
16 in the agenda. It was Application 2011-095-SP,
17 Russo at Harrison Urban Renewal, LLC. located at
18 1000 Frank. E. Rodgers Boulevard, Block 138.03, Lot
19 1, in the Town of Harrison.

20 MR. BERGER: Good evening. My name
21 is Richard Berger, and I am representing very
22 proudly Russo at Harrison Urban Renewal on the site
23 plan application for the waterfront redevelopment
24 area in Harrison. I'm going to be very brief
25 because we've presented this application to the

1 Board. It's been carefully reviewed by the Board's
2 professionals. The Board is familiar with this at
3 least from the subdivision application that was
4 approved in 2011, when I appeared here last.

5 We're talking about Block 138.03, Lot 1.
6 It is 2.98 acres. We are proposing to build a
7 mixed-use development that is permitted in this
8 redevelopment zone, consisting of 298 rental
9 apartment units and approximately 33,054 square feet
10 of retail space with 428 parking spaces in a deck,
11 which will be wrapped around by the building.

12 If I could very briefly bring up my
13 engineer, Mr. Gregory Rapp, who is licensed engineer
14 in the state of New Jersey. Greg, while you're
15 doing your qualifications, why don't you stand by
16 the microphone.

17 (The witness is sworn.)

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

20 MR. RAPP: All right. My name is
21 Gregory Rapp. I'm a licensed professional engineer
22 in the state of New Jersey. I graduated from
23 Rutgers University in May of 2000. I've been a
24 professional engineer for five years now. I've
25 testified before multiple boards.

1 CHAIRWOMAN BETTINGER: We accept him.

2 MR. BERGER: Thank you. Greg, can
3 you just basically give the location and surrounding
4 area to this Board?

5 MR. RAPP: Okay. It is Block C per
6 the redevelopment plan, the Harrison Waterfront
7 Redevelopment Plan. We are fronting on Frank E.
8 Rodgers Boulevard with Riverbend Drive to the north,
9 5th Street, Roosevelt Drive to the south and Frank
10 E. Rodgers to the west. It is Block 138.03, Lot 1.
11 We're in the redevelopment zone with the
12 residential. It's a residential zone and mixed-use
13 zone. The residential is along the south. The
14 mixed use in an L shape along the northerly part of
15 the property.

16 MR. BERGER: When we originally
17 presented the plan to the Board's professionals and
18 to the Board, there were a couple of differences,
19 the number of units were the same?

20 MR. RAPP: The numbers of units were
21 the same. When we originally submitted, we
22 submitted in December. The retail use was 32,633
23 square feet, and the parking there, the total
24 proposed was 483. Since that time we've gone to the
25 Harrison Planning Board with an amended site plan

1 application. Speaking with the Planning Board, they
2 indicated to us that the parking we were providing
3 was in excess of what was actually required, and
4 they've learned this through the Harrison Commons
5 project. Currently, in their redevelopment plan,
6 their requirement is 1.5 parking space per
7 residential unit. They say realistically all that's
8 needed in this is one parking space per residential
9 unit.

10 They have allowed us to reduce the number
11 of spaces, and they're looking to revise the
12 redevelopment plan to require less in the near
13 future. Therefore, we've reduce the number of
14 parking spaces to 428 parking spaces. We have done
15 this by basically removing a level of parking from
16 the parking deck.

17 MR. BERGER: And Greg, what does that
18 translate to in number of parking spaces per unit,
19 if you take out 33 parking spaces for the retail?

20 MR. RAPP: If you take out the 33
21 parking spaces for the retail, it turns out to be
22 1.325 parking spaces per residential unit. So there
23 still a little excess there, just in case the demand
24 is a little bit higher.

25 MR. BERGER: Now, there were a couple

1 of areas that the Board's professionals pointed out,
2 number one, on our plan we're showing a dedication
3 area. Can you explain what that's about?

4 MR. BERGER: Sure, I'll point it out
5 along Frank E. Rodgers Boulevard.

6 MR. MARKS: Madam Chair, in your
7 packets this evening, you have the plans that were
8 submitted.

9 MR. RAPP: We have labeled on the
10 plan the dedication to the County along Frank E.
11 Rodgers Boulevard. I just wanted to clarify that
12 this dedication is part of the subdivision that's in
13 place, so that dedication has already been taken
14 care of and filed.

15 MR. BERGER: If the Board wants us to
16 remove it, we would remove it, but frankly, it does
17 show the existing four-foot deed of dedication that
18 has been filed and entered into already as part of
19 the subdivision. We thought that it adds clarity,
20 but if it's confusing to anyone, we're happy to have
21 it eliminated. The other change, Greg, is the other
22 issue was showing a four-foot encroachment line.

23 MR. RAPP: These weren't issues.
24 They were just things we would like to clarify to
25 show around the entire building a four-foot

1 projection line. I just wanted to make it clear
2 that this an allowable projection line in the
3 Harrison Redevelopment Plan. We proposed our
4 building basically up to the property line on
5 Crucible. However, on Frank E. Rodgers, we are set
6 back ten feet and moved encroachment onto the County
7 right-of-way. The entire footprint is going to be
8 within that four-foot setback line. It's not going
9 to be exactly four feet, but it will be close to it.

10 MR. BERGER: At the request of the
11 County, did we make a change with street trees along
12 the County road?

13 MR. RAPP: Yeah, the County required
14 street trees, and we originally submitted five
15 street trees, and we increased nine street trees.

16 MR. BERGER: Very briefly, why can't
17 we plant them on the sidewalk as you would normally
18 do, why do we need planter boxes?

19 MR. RAPP: In coordinating with
20 Langley Engineering, they have installed a gas line
21 and the water line, and in certain locations, we'll
22 be installing street trees in tree boxes or tree
23 pits so they don't interfere with the gas line, and
24 for public safety purposes, we've placed them in
25 these tree boxes.

1 MR. BERGER: I have no further
2 questions unless the Board or its professionals have
3 questions.

4 MR. RAPP: I mentioned change in the
5 parking. We've also increased through architectural
6 revisions, the square footage of the retail use
7 about 483 square feet from what was originally
8 submitted. This due to architectural changes during
9 the design process.

10 MR. BERGER: If there are any
11 questions.

12 MR. CONROY: Currently, there is a
13 utility pole for PSE&G. Can you talk about that?
14 Are they going to be removed?

15 MR. RAPP: They're going to be
16 removed. The lighting plan shows the proposed
17 lighting per the redevelopment plan. It's street
18 lighting. They're going to be replaced with
19 250-watt fixtures. They're large, teardrop
20 fixtures.

21 MR. BERGER: It is a decorative kind
22 of lighting, the kind of streetscape that the
23 redevelopment plan contemplated, replacing the
24 temporary lighting that had been there before.

25 MR. CONROY: My comments have been

1 addressed regarding certain signage and handicapped
2 ramps. They are replacing and relocating and
3 upgrading sidewalks along the front with the
4 appropriate ADA requirements.

5 CHAIRWOMAN BETTINGER: Any comments?

6 COMMISSIONER ARENCIBIA: Madam Chair,
7 the four-foot dedication on the County right-of-way,
8 is that approved by the Board?

9 MR. BERGER: Yes, actually that was
10 with the subdivision that was sought by Advance at
11 Harrison, and I personally delivered the deed of
12 dedication to Mr. Marks on the day we got the
13 subdivision back. That deed has already been
14 accomplished, filed and done.

15 COMMISSIONER ARENCIBIA: As far as
16 any road openings for utilities, you would have to
17 go to the County Engineer's office to get a permit
18 if you're doing any work.

19 MR. BERGER: There is one piece of
20 Frank E. Rodgers we will be affecting, can you
21 explain that?

22 MR. RAPP: We only have to put the
23 gas on Frank E. Rodgers Boulevard, and it's
24 basically extended along the curb line. So that
25 would be the only utility we're pulling. Besides

1 that, the curbs are going to remain. We are going
2 to be replacing the handicapped ramps at the corner
3 to make them ADA compliant.

4 MR. BERGER: Well, I think that the
5 curbing is in and has been in for several years now
6 along Frank E. Rodgers Boulevard. The other place
7 within that redevelopment area where they haven't
8 completed curbing yet, along the areas of 5th
9 Street, but on Frank E. Rodgers the curbing is in.
10 We're going to have to replace it for the
11 handicapped essentially.

12 MR. CONROY: I would recommend that
13 any damaged sidewalk be replaced in kind -- the
14 curbing.

15 MR. BERGER: We're bonding from curb
16 line, exterior curb line in for this project so
17 there will also be bonding in place for that.

18 CHAIRWOMAN BETTINGER: Anything else?

19 MS. MASSEY: Just for the record the
20 applicant is proposing planting native species and
21 two bicycle racks. For their two green techniques,
22 they are providing two native species and two
23 bicycle racks.

24 COMMISSIONER ARENCIBIA: So drainage,
25 I don't know if you know, are drainage hookups on

1 the project to the sewer, or they're doing a
2 combined sewer?

3 MR. RAPP: All of the drainage
4 hookups are coming right into the sewer, basically
5 drainage lines draining out the side. We do have
6 drainage on the top floor on the parking deck which
7 will connect down and tie out. They connect to the
8 adjacent, directly to infrastructures in the street.
9 We are adding an inlet on 5th Street that takes
10 interior drainage and also it functions to drain
11 some of the street, and we're connecting up to 5th
12 Street and back.

13 The drainage area was considered -- the
14 whole site was impervious. They're complying with
15 building the roof areas and parking deck. There's
16 going to be more than 50 percent, I believe, roof
17 area. It complies. The clean discharging is
18 already constructed in stormwater facilities on
19 Riverbend Drive and drains down through 5th street.

20

21 COMMISSIONER ARENCIBIA: On the other
22 side, it's all constructed?

23 MR. RAPP: Yeah.

24 COMMISSIONER ARENCIBIA: Nothing
25 further.

1 MR. BERGER: Our last witness
2 Mr. Nick Verderese, who is our traffic engineer.

3 (The witness is sworn.)

4 MR. CURLEY: Please state your name
5 for the record and spell your last name.

6 MR. VERDERESE: Nicholas Verderese.

7 MR. BERGER: Nick, can you just go
8 through your qualifications as a professional
9 traffic engineer. I know you've been qualified by
10 this Board previously.

11 MR. VERDERESE: Yes. I'm currently
12 transportation planning manager at Mazur Consulting.
13 This week I opened my own firm on Monday called
14 Dynamic Traffic, to give myself a little plug in
15 front of the Board, and I've appeared here a number
16 of time as well as throughout the state of New
17 Jersey on traffic and transportation planning
18 matters.

19 MR. BERGER: And you're a licensed
20 engineer?

21 MR. VERDERESE: Yes, I am.

22 CHAIRWOMAN BETTINGER: Good luck.

23 MR. VERDERESE: Thank you.

24 MR. BERGER: All right. Nick, very
25 briefly, have you reviewed the existing and no-build

1 and build conditions related to this proposed
2 development?

3 MR. VERDERESE: Yes, I've prepared a
4 traffic study specific to this. Also, back when we
5 got subdivision approval, there was an overall
6 traffic study. What's proposed here is consistent
7 with what was approved in the overall study. The
8 impacts from this specific project in the general
9 scheme is negligible to the existing conditions that
10 you see out there today. The roadway infrastructure
11 improvements have already been constructed along
12 Frank E. Rodgers. There's three new traffic
13 signals, removal of an existing traffic signal, a
14 widening of the roadway to a five-lane section on
15 Frank E. Rodgers, all of that has been constructed
16 and operating today, and then as we go along with
17 the six different parcels on this property, you'll
18 see me a number of times talking about traffic and
19 how it progresses as we start adding the other
20 projects in.

21 This is the first one that we're coming in
22 for site plan approval. Everything operates at
23 acceptable levels. There was a review from your
24 engineer, and we provided an updated study to
25 accommodate some of his comments he had with some of

1 the volumes. We had some typos that have now been
2 corrected, and now the latest review letter, it
3 seems that he's in agreement with what we've
4 submitted as being accurate.

5 MR. BERGER: I have no further
6 questions unless the Board or its professionals.

7 CHAIRWOMAN BETTINGER: May I have a
8 motion?

9 MR. MARKS: Madam Chair, on a motion
10 to approve Application 2011-095-SP, made by
11 Commissioner Romano. Second by Commission Choffo.

12 Commissioner Arencibia.

13 COMMISSIONER ARENCIBIA: Aye.

14 MR. MARKS: Commissioner Choffo.

15 COMMISSIONER CHOFFO: Aye.

16 MR. MARKS: Commissioner Cryan.

17 COMMISSIONER CRYAN: Aye.

18 MR. MARKS: Commissioner Holloway.

19 COMMISSIONER HOLLOWAY: Abstained.

20 MR. MARKS: Commissioner Romano.

21 FREEHOLDER ROMANO: Aye.

22 MR. MARKS: And Chairwoman Bettinger.

23 CHAIRWOMAN BETTINGER: Aye.

24 MR. MARKS: Madam Chair, the motion
25 passes.

1 MR. BERGER: Thank you very much.
2 Just so you know, we have test piles on the site
3 that we're testing. We're moving forward.

4 CHAIRWOMAN BETTINGER: Good luck.
5 Thank you for your patience.

6 MR. BERGER: It's our pleasure.

7 MR. MARKS: Madam Chair, the next
8 item on the agenda is 5G, Applications to be
9 Declared Exempt, beginning with application
10 2012-004-SP, David Lac, Applicant, located at 6815
11 Bergenline Avenue, which is Block 13, Lot 13, in the
12 Town of Guttenberg.

13 And the next is Application 2012-005-SP,
14 Pine Maple Properties, LLC, located at 148 First
15 Street, which is Block 173, Lot 128, in the City of
16 Jersey City.

17 Madam Chair, on the motion by made by
18 Commissioner Choffo. Second by Commissioner
19 Holloway.

20 Commissioner Arencibia.

21 COMMISSIONER ARENCIBIA: Aye.

22 MR. MARKS: Commissioner Choffo.

23 COMMISSIONER CHOFFO: Aye.

24 MR. MARKS: Commissioner Cryan.

25 COMMISSIONER CRYAN: Aye.

1 MR. MARKS: Commissioner Holloway.

2 COMMISSIONER HOLLOWAY: Aye.

3 MR. MARKS: Commissioner Romano.

4 FREEHOLDER ROMANO: Aye.

5 MR. MARKS: And Chairwoman Bettinger.

6 CHAIRWOMAN BETTINGER: Aye.

7 MR. MARKS: Madam Chair, the motion
8 passes. Madam Chair, old business.

9 CHAIRWOMAN BETTINGER: Yes, I spoke
10 to you briefly regarding doing something for Jude
11 Fitzgibbons?

12 MR. MARKS: We ordered a plaque.
13 It's beautiful, and when I spoke with Jude, I asked
14 him to come out so the Board could honor his 15
15 years of service. He was a little reluctant.

16 CHAIRWOMAN BETTINGER: I spoke with
17 him today, and hopefully, maybe at the next meeting.

18 MR. MARKS: The March meeting.

19 CHAIRWOMAN BETTINGER: We could put
20 something on the agenda.

21 MR. MARKS: Sure, we'll put something
22 on the agenda.

23 CHAIRWOMAN BETTINGER: Do you have I
24 motion, any other business?

25 MR. MARKS: Under new business, I

1 just want to remind the Board that the next Special
2 Meeting is a week from today. My apologizes to
3 Catholics. It is Ash Wednesday, and we have -- the
4 Board has had meetings on Ash Wednesday before. It
5 is a Special Meeting and unfortunately, it was only
6 date agreed upon by the applicant and the objectors.

7 FREEHOLDER ROMANO: Are you aware
8 that on March 6th, it's going to be heard in
9 Hoboken? For the benefit of the Board it will be
10 March 6th. I thought it would have been better if
11 we had it after.

12 MR. MARKS: Mr. Coakley, if you
13 remember when was he was here representing the
14 applicant, objected going beyond February.

15 FREEHOLDER ROMANO: I'm just saying
16 realistically, to me it's not going to make any
17 difference because we're going to catch heat here we
18 don't deserve. I'm just saying, Steve. Do you know
19 what I mean when we follow lawyers? No offense,
20 Jack. What's the statute, 45 days?

21 MR. CURLEY: No, it's shorter than
22 that. It's 30 days.

23 FREEHOLDER ROMANO: Do you know what
24 I'm saying? We're going to have a crowd, and we'll
25 have more public officials pandering for issue that

1 don't real concern us, and we're going to take hits
2 up here, and there's no reason because it's going to
3 Hoboken on March 6th, for the reality show. This is
4 like we're trivial. I don't understand. It just
5 doesn't make sense.

6 CHAIRWOMAN BETTINGER: I totally
7 agree. In fact, I spoke with Mr. Curley prior to
8 this meeting, and I think if we could do a
9 resolution that for any application that comes
10 before us it's approved by the -- it goes before the
11 municipality.

12 MR. MARKS: Madam Chair, I'm not an
13 attorney. I've consulted with attorneys in the
14 past. I'm not -- the statute and the County
15 Planning Act and Municipal Land Use Law suggests
16 that the developers get the County Planning Board
17 approval before municipal board. The statutory
18 frameworks envisions you get your Army Corp of
19 Engineers or your DEP approval, if you need a Soil
20 Conservation District approval, if you need County
21 approval, you get those approvals before you go to
22 the municipality, not the other way around, and that
23 system is not generally practical for developers.
24 Developers often will want to get municipal
25 approvals before, but that's not the way the statute

1 framework is written.

2 FREEHOLDER ROMANO: I would also like
3 to see a copy, Jack, please?

4 MR. CURLEY: Okay. I don't know if I
5 necessarily agree. I do agree that there is nothing
6 that would required an applicant to go get municipal
7 approval before getting County approval, although I
8 think that the County Board has the power to impose
9 that condition because of that statutory scheme.
10 You have to make a decision on an application within
11 30 days.

12 FREEHOLDER ROMANO: My next request
13 would be I'm asking our attorney next week so we
14 don't go off into left field, we have to keep these
15 speakers to the time limit. You have to jump up
16 when they go off on issued that aren't County
17 issues. You have to say, let's get back on track.
18 We're going to have a circus. What is the decision?
19 We're just going to let those that didn't speak last
20 time, or we're going to rejuvenate a new list?

21 COMMISSIONER CHOFFO: Freeholder, we
22 do have to be consistent. If there are people from
23 the public speaking, I don't know where we stood
24 with the people in the condo association.

25 FREEHOLDER ROMANO: That's the other

1 thing.

2 MR. CURLEY: I sent an opinion on
3 that to the County. It was a question that I guess
4 there were people at a Freeholder's meeting or
5 something of that nature, and it's clear both from
6 Cox and Frizzell, which is a New Jersey practice
7 volume and the Municipal Land Use Law suggests it as
8 well, that if a body represented by an attorney, it
9 does not have a right to independently get up and
10 make a statement at the public portion of the
11 meeting. If the attorney wishes to have a client,
12 whether it be a condominium association member or a
13 property owner the area in question, if he wishes to
14 have that client make a statement, it can be done
15 through your questions and answers, if the client
16 has cumulative evidence to give, in other words, not
17 to rehash the same evidence.

18 FREEHOLDER ROMANO: That's what's
19 obviously being done. They come up here and tell us
20 everything under the sun, and we're not staying
21 focused. Should we tell that lawyer don't come and
22 pull that trick so this way a hundred people can
23 speak? We're going to be loaded next week, guys.

24 MR. CURLEY: I suggest that the
25 applicant's lawyer also be advised because what

1 happens is that the applicants have a habit of
2 straying off is what is necessary to present to the
3 County Board, thereby opening up the discussion by
4 others. If the applicant's lawyer will narrow his
5 or her presentation, it's a lot easier to say, it's
6 nothing something we're dealing because the
7 applicant gave no evidence about that.

8 FREEHOLDER ROMANO: Can we call both
9 counsel and tell them, here's what the rules of the
10 game are so we don't waste our time? We're going to
11 be here four hours, and we are not even the main
12 event. The main event is the City of Hoboken on
13 March 6th.

14 MR. CURLEY: I will discuss it with
15 Mr. Campbell, who is going to be appearing on that
16 application because I have a conflict.

17 FREEHOLDER ROMANO: I hope he does a
18 better job than last time because I don't like it
19 turned around during a packed house and say,
20 whatever you Freeholders want to do. That's for
21 counsel to make a determination. We're not lawyers.
22 That was wrong last meeting. He left us out here to
23 dry, and Renee had to take the hit and go, what do
24 you guys want to do? That's not the way it's
25 supposed to operate. We need sound legal decisions.

1 We're in command of the meeting. We say no, this is
2 can't be done or, yes, this can be done. That
3 Councilwoman, I'm going to tell her, Councilwoman or
4 not, her time limit is five minutes. She went off
5 on tangents too. It's not fair to the Chair, and
6 it's not fair to us because we're taking shots, and
7 all they're going to do is drag this out and have
8 another Special Meeting. I think we have to impose
9 the rules right from the get-go. We've got to keep
10 them on track. I'm sorry. That's the way I feel.
11 It's honestly, I would like to see that in writing
12 where the County issues before the municipal because
13 in these cases, it doesn't make sense.

14 CHAIRWOMAN BETTINGER: It's a waste
15 of time and money for the County to have a Special
16 Meeting.

17 MR. MARKS: Madam Chair, there's two
18 30-day windows. The first 30-day window begins when
19 the applicant submits an application. There are 30
20 days to review, and you're deemed complete or
21 incomplete. At the end of 30 days if we don't deem
22 it complete or incomplete, it's a default approval.
23 In the last seven years, we haven't had one default
24 approval. I'm very pleased about that. Once an
25 application is deemed complete, we then have a

1 second 30-day statute to hear, so that's where the
2 municipalities have 45 days or 90 days or 180 days.

3 FREEHOLDER ROMANO: They already knew
4 that they had it Hoboken on the 6th. Let's play
5 him. We can play hard ball too. I'm serious.
6 We're sitting up here listening, and they're going
7 to tell us why the moon and the cow shines over the
8 stars.

9 MR. MARKS: All I'm saying, Madam
10 Chair, is we don't operate under the same rules as
11 the municipal. Our jurisdiction is much more
12 constrained and much more narrow and much more
13 focused. We have a much more limited timeframe that
14 we have to operate under. It's my opinion as a
15 licensed profession planner New Jersey, we don't
16 have as broad a latitude as we would like to have.

17 COMMISSIONER HOLLOWAY: Madam Chair,
18 what the Board needs to have people understand, we
19 cannot go out of our jurisdiction. I think that's
20 what the Commissioner is saying. They went way out
21 of our jurisdiction with stuff we can't really vote
22 on.

23 FREEHOLDER ROMANO: And it's not for
24 us to say hold on. That's the counsel to say time
25 out. He turned around and said, I don't know,

1 whatever you want to do. He left it up to Renee.
2 That was wrong. That was wrong.

3 COMMISSIONER HOLLOWAY: Citizens
4 really don't know the role of this Board. If it's
5 explained to them before we start so they don't get
6 all pissed off thinking we don't want to hear them.

7 MR. MARKS: Madam Chair, I will be
8 happy to speak with the attorney between now and
9 next week, and if you want to have a conference call
10 to lay out the rules of the meeting so we can keep a
11 strict time limit. Besides the attorney, please
12 don't take this as criticism, you have the gavel,
13 you have to use it at the end of five minutes.

14 FREEHOLDER ROMANO: If I Councilwoman
15 speaks, I'll gavel her.

16 MR. MARKS: We need a clock and the
17 gavel.

18 COMMISSIONER CHOFFO: I have had to
19 use it on some of the other Commissioners.

20 FREEHOLDER ROMANO: It's unfair to
21 us, Jack. That was so wrong last time. He made it
22 look like in the papers that we were trying to deny
23 them to speak. You know for a fact the one
24 gentleman jumping up and down screaming, and I said
25 to him, calm down. We're helping him, and we're

1 getting a bad rap in the paper.

2 Hoboken has a political issue. It's a
3 mayoral issue. That's what it's about. We may have
4 Eli Manning come so be ready for the full blown
5 circus. I don't think -- he yeses me to death. He
6 wants a circus and a show, and our counsel, if he's
7 not going to be vocal and in command, that's what
8 he's supposed to do, to be in command, I'll ask you
9 right off the bat to get somebody else. It's not
10 right to put Renee in a bad position.

11 MR. MARKS: Madam Chair, if the Board
12 wishes, we could also add into the bylaws a
13 recommendation to Mr. Curley. If we're privy to the
14 legal opinions of the Law Department, we can put the
15 recommendations into the bylaws and refer back to
16 it. From this point forward, if you have an
17 attorney, you're not able to speak outside, whether
18 you agree or disagree with your own attorney, you're
19 not able to speak to the Board outside of your
20 attorney.

21 FREEHOLDER ROMANO: I apologize to
22 other the Commissioners. I'm going speaking for
23 myself, and I just think we can spare ourselves from
24 two more Special Meetings. They're going to be all
25 over the place. They obviously wanted it the day

1 before theirs to try to go some press and beat us up
2 before they go to that meeting full steam. If they
3 bring up elected officials, five minutes, Renee.
4 That's because she was going off into other things.

5 CHAIRWOMAN BETTINGER: I was giving a
6 courtesy out of respect.

7 COMMISSIONER CHOFFO: Motion to
8 adjourn.

9 CHAIRWOMAN BETTINGER: All in favor.

10 (Whereupon the proceeding is then
11 concluded at 10:07 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,
February 15, 2011; 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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