

CITY OF JERSEY CITY
PLANNING BOARD

In the Matter of: :
: Transcript
BOARD AGENDA ITEMS: :
Call to Order, Sunshine, Roll : of
Call, Correspondence, Old/New :
Business, and Memorialization of : Proceedings
Resolutions :
-----x

Tuesday, April 2, 2013
City Hall Council Chambers
280 Grove Street
Jersey City, New Jersey
Commencing at 5:30 p.m.

BOARD MEMBERS PRESENT:

- MICHAEL RYAN, Chairman
- ROSEANNA PETRUZZELLI, Vice Chairwoman
- JAMES McNEILL, Commissioner
- ROBERT McPHERSON, Commissioner
- KAREN McINTYRE, Commissioner
- EDUARDO TORRES, Commissioner
- LARRY ECCLESTON, Commissioner
- DR. ORLANDO V. GONZALEZ, Commissioner

A P P E A R A N C E S:

JOHN F. HAMILL, ESQUIRE
Attorney for the Board

MICHAEL LOMBARDOZZI,
Registered Professional
Reporter

PRECISION REPORTING SERVICES
CERTIFIED SHORTHAND REPORTERS
(908) 642-4299

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1 ALSO PRESENT:
 2 ROBERT COTTER, P.P., A.I.C.P.
 Senior Planner
 3 City Planning Division
 4 JEFFREY WENGER, P.P., A.I.C.P.
 Senior Planner
 5 City Planning Division
 6 KRISTIN RUSSELL, P.P., A.I.C.P.
 Senior Planner
 7 City Planning Division
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1 MS. RUSSELL: In accordance with the Open
 2 Public Meetings Act, notice of this meeting was sent to
 3 the editor of the Jersey Journal, the editor of the
 4 Jersey City Reporter, and posted with the City Clerk on
 5 March 27, 2013.
 6 (Whereupon, Exhibit B-1 is marked for
 7 identification.)
 8 CHAIRMAN RYAN: Roll call.
 9 MS. RUSSELL: Commissioner Petruzzelli?
 10 COMMISSIONER PETRUZZELLI: Here.
 11 MS. RUSSELL: Commissioner McPherson?
 12 COMMISSIONER McPHERSON: Here.
 13 MS. RUSSELL: Commissioner Torres?
 14 COMMISSIONER TORRES: Here.
 15 MS. RUSSELL: Commissioner Eccleston?
 16 COMMISSIONER ECCLESTON: Here.
 17 MS. RUSSELL: Commissioner McNeill?
 18 COMMISSIONER McNEILL: Here.
 19 MS. RUSSELL: Commissioner Gonzalez?
 20 COMMISSIONER GONZALEZ: Here.
 21 MS. RUSSELL: Commissioner McIntyre?
 22 COMMISSIONER McINTYRE: Here.
 23 MS. RUSSELL: And Chairman Ryan?
 24 CHAIRMAN RYAN: Here.
 25 Swear in the staff, please.

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1 (Whereupon, all staff members present are
 2 sworn in.)
 3 CHAIRMAN RYAN: Any correspondences?
 4 MS. RUSSELL: No.
 5 CHAIRMAN RYAN: Old business?
 6 MS. RUSSELL: No.
 7 CHAIRMAN RYAN: Okay. Just a footnote
 8 here, case -- 315 Morgan, Powerhouse District, was
 9 noticed for tonight. If anybody's here for that case,
 10 it's been moved to April 16th. Okay? It's not on the
 11 agenda, but it was noticed for tonight. Okay?
 12 (Whereupon, the board hears other agenda
 13 items at this time.)
 14 CHAIRMAN RYAN: Okay. I think we have some
 15 resolutions to be memorialized.
 16 COMMISSIONER PETRUZZELLI: Mr. Chairman,
 17 I'd like to make a motion to memorialize the following
 18 resolutions.
 19 P13-012, Community Healthcare Associates.
 20 P11-064, Gerry Gas Supply.
 21 P12-040.1, 70-90 Columbus Holdings Company,
 22 LLC.
 23 COMMISSIONER McPHERSON: Second.
 24 CHAIRMAN RYAN: Motion made by Vice Chair
 25 Petruzzelli, second by Commissioner McPherson. All

1 those in favor?
 2 (Whereupon, a voice vote is taken; a chorus
 3 of "ayes" heard.)
 4 CHAIRMAN RYAN: Any opposed?
 5 None opposed, motion carried.
 6 Executive session?
 7 MR. HAMILL: If we had not had that
 8 discussion on the 70-90 litigation, I would have asked
 9 for one. But since we discussed it on the record, no
 10 need.
 11 COMMISSIONER GONZALEZ: Perfect. Move to
 12 adjourn.
 13 COMMISSIONER PETRUZZELLI: Second.
 14 CHAIRMAN RYAN: All in favor?
 15 (Whereupon, a voice vote is taken; a chorus
 16 of "ayes" heard.)
 17 CHAIRMAN RYAN: None opposed.
 18 (Whereupon, the deposition concluded at
 19 7:02 p.m.)
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1 CERTIFICATE
 2
 3
 4
 5 I, Michael Lombardozi, a Notary Public and
 6 Registered Professional Reporter of the State of New
 7 Jersey, do hereby certify that the foregoing is a true
 8 and accurate transcript of the testimony as taken
 9 stenographically by and before me at the time, place,
 10 and on the date hereinbefore set forth.
 11 I do further certify that I am neither a
 12 relative nor employee nor attorney nor counsel of any
 13 of the parties to this action, and that I am neither a
 14 relative nor employee of such attorney or counsel and
 15 that I am not financially interested in this action.
 16
 17
 18 Michael Lombardozi, RPR
 Notary Public, State of New Jersey
 19 Date: 2013-04-11
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 21
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 25

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CITY OF JERSEY CITY
PLANNING BOARD

In the Matter of: : Transcript
: of
ITEM 8 - Section 31 Review : Proceedings
BERRY LANE PARK :
-----x

Tuesday, April 2, 2013
City Hall Council Chambers
280 Grove Street
Jersey City, New Jersey
Commencing at 5:50 p.m.

BOARD MEMBERS PRESENT:

MICHAEL RYAN, Chairman
ROSEANNA PETRUZZELLI, Vice Chairwoman
JAMES McNEILL, Commissioner
ROBERT McPHERSON, Commissioner
KAREN McINTYRE, Commissioner
EDUARDO TORRES, Commissioner
LARRY ECCLESTON, Commissioner
DR. ORLANDO V. GONZALEZ, Commissioner

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1 CHAIRMAN RYAN: Let's move on to item
 2 number 8, Section 31 review, Berry Lane Park, new
 3 15-acre park in Ward F.
 4 MR. DELISLE: Hi, thank you. Ben Delisle
 5 with the Jersey City Redevelopment Agency. This has
 6 been a project of the agency, so I'm here to present
 7 it. I also have Mark Vizzini, our landscape architect,
 8 from Dresdner Robin, in case you have any other
 9 questions.
 10 MARK VIZZINI, having been duly
 11 sworn, testified to the following:
 12 MR. DELISLE: The Berry Lane Park
 13 project --
 14 CHAIRMAN RYAN: Hang on a moment.
 15 (Whereupon, there is a brief pause in the
 16 proceedings.)
 17 MR. DELISLE: The Berry Lane Park project
 18 is something that actually was -- something that came
 19 out of the Morris Canal Redevelopment Plan. Back in
 20 1999, it was adopted. So this is part of that plan
 21 being realized.
 22 The agency acquired the first parcel from
 23 Conrail in 1999, and then began acquiring the balance
 24 of the parcels in 2007. So we've acquired 11 sites so
 25 far, 13-and-a-half acres. There's one site remaining,

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1 which will be a later phase, which is up here. That
 2 will be the last site to be acquired.
 3 We acquired all the sites, relocated the
 4 tenants, performed all the environmental
 5 investigations, and what you've, kind of, seen going on
 6 recently is the environmental remediation of the park.
 7 So all this has been going on.
 8 I just want to kind of walk through some of
 9 the features of the park and then answer any questions
 10 you have, and then also talk about some of the
 11 environmental features that were put into the park
 12 design.
 13 Just for location, the site begins around
 14 1000 Garfield Avenue, here. It runs the length of
 15 Garfield down to the light rail tracks that come across
 16 the site, and then up along Woodward. Eventually, you
 17 go up to Communipaw on the east side. It's
 18 13-and-a-half acres in all.
 19 We have a lot of -- we did a lot of
 20 community charrattes back in 2008 to come up with the
 21 features and design of the park. It's athletic in
 22 nature, for the most part, soccer field, football,
 23 and -- baseball field, football/soccer field, tennis
 24 courts, basketball courts, playgrounds, spray park
 25 here, same as the Old Silos, but it's a spray park for

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1 the kids.

2 And we're widening Garfield Avenue slightly

3 to allow for street parking along the entire length

4 along Garfield where it really doesn't exist, and also

5 along Woodward. So parking for the park.

6 And there's a concession building as well

7 here, and I'm going to get into those a little bit

8 more. But just honing in on a couple of the features

9 we have, there's some existing concrete silos that are

10 out of the park what we're incorporating into the

11 design of the park. They're not quite historical in

12 nature, but certainly represent the industrial history

13 of the area, there's a lot of rail yards here. And so,

14 we want to incorporate those into a train theme, but

15 also a spray park for kids. So it'll be a water

16 feature. And we have a very large tot-lot and swing

17 set in the park, as well, things that don't exist now.

18 And then, the city has a -- the planning

19 department has the Morris Canal Greenway, a bikeway

20 along the old Morris Canal, and that will be

21 incorporated into the park, as well. I just want to

22 kind of show that here, where there will be a

23 10-foot-wide road-separated bike lane through the park

24 link into other parts of the greenway when it's built.

25 The concession building here in Berry Lane

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1 is a very green building. It is -- you can see here

2 the inception of the shape. It's an arch in the middle

3 where you can walk through. It'll be a green planted

4 roof. On the inside are the bathrooms and the

5 concession area for hotdogs and hamburgers and whatnot

6 for game days. And from an aerial view, it's kind of

7 in the shape of a butterfly, and that's why we call it

8 Butterfly Hill. Again, it's about 20 feet or so in the

9 middle, so it'll allow a lot of light inside. This

10 will be all open inside for seating for people using

11 the concession stand.

12 It's just -- talking about some of the

13 green features of the park, we have over three acres of

14 permeable pavers throughout the park, and in

15 conjunction with the large detention basins, we'll be

16 retaining 90 percent of a two-year storm, we'll be

17 actually infiltrated on site, and 70 percent of a

18 100-year storm. So a lot of great stormwater

19 management techniques going on in the park. We'll have

20 over 600 trees that we'll be planting as part of this

21 park project, and a lot of native grasses and varied

22 ecosystems as part of the park design.

23 And that's it. The only thing else to

24 mention is that the first phase of construction is

25 going on now. It's all the environmental remediation.

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1 And we'll actually be installing the baseball fields.

2 It just made a lot of sense, because they're doing so

3 much earthwork, to do this now. We should be completed

4 in another two to three weeks.

5 So far, 49,000 tons of hexavalent chromium

6 have left the site. We've tapped everything else.

7 We've pulled probably over a thousand tires out of the

8 site, 1,800 cubic yards of garbage, 13 or so

9 underground storage tanks. And you may have read in

10 the newspapers, there's some unique things we found in

11 the canal: A couple cannon balls, artillery shells,

12 plates and bottles and things like that that we're

13 saving and we're going to talk to the historical

14 society to see if they're interested in any of the

15 artifacts.

16 So that's it. I'd be happy to answer any

17 questions you may have.

18 COMMISSIONER PETRUZZELLI: I have a

19 question. It's about the concession stand. Is there

20 going to be gate -- given the neighborhood, is it going

21 to be gated at night or anything? I'm just worried

22 about safety, because that looked like a covered,

23 secluded area.

24 MR. DELISLE: Yeah, the final design, you

25 know, we can tweak it and look at safety concerns, but

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1 the interior will be all gated and locked off inside.

2 But the park will be fully lit. There's a

3 whole lighting plan of pedestrian lighting throughout

4 the entire park. So it'll be very well lit. But the

5 opening -- you could still pass through, but it'd still

6 be well lit inside. But you can see the orientation

7 here, it's open. Anyone driving down Garfield Avenue

8 can see right into it. So there wouldn't be blind

9 spots, if you will.

10 COMMISSIONER PETRUZZELLI: But it'll always

11 be lit, even at, like, two in the morning it'll be lit?

12 MR. DELISLE: Yes. And they'll be

13 decorative lights. Very similar to the decorative

14 lights you see along the streetscape, they'll be the

15 same throughout the park.

16 COMMISSIONER PETRUZZELLI: Is there a

17 camera system, as well?

18 MR. DELISLE: We could absolutely put that

19 in, and that's something we've been talking about,

20 about adding and putting it on the light system we

21 have.

22 COMMISSIONER PETRUZZELLI: I think that

23 would be a really -- given the neighborhood, a good

24 idea.

25 MR. DELISLE: Sure.

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1 COMMISSIONER PETRUZZELLI: And I didn't
 2 notice, I think I saw it, but do you have bike racks?
 3 You mentioned the bike --
 4 MR. DELISLE: Yeah, we have --what's the
 5 total count?
 6 MR. VIZZINI: It depends on the section,
 7 but we exceed the new requirement that Kristin
 8 implemented. There's over 150 bike racks -- bike
 9 parking spaces, not individual bike racks. But there's
 10 over 150 spaces to park a bike in the park, and we've
 11 scattered them throughout the different -- we located
 12 the bike racks throughout all the different entry
 13 points, we didn't just load them up in one spot. The
 14 bike racks will be located throughout the park.
 15 MR. DELISLE: And I think, you know,
 16 there's a lot of stuff packed in the small area, but
 17 there's still a lot of flexibility going forward. We
 18 can always add bike racks in different places as the
 19 need arose.
 20 COMMISSIONER PETRUZZELLI: Sounds like you
 21 have a lot.
 22 MR. VIZZINI: I just want to mention, too,
 23 we also have a fitness circuit, a fenced-in dog run,
 24 and picnic tables, and --
 25 COMMISSIONER GONZALEZ: Is there, like, a

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1 running track around?
 2 MR. VIZZINI: There's -- I mean, if you
 3 look at the -- it's not a dedicated running track, but
 4 if you look, the peach-colored area is all the wide --
 5 the sidewalks that we provide.
 6 COMMISSIONER GONZALEZ: Okay.
 7 MR. DELISLE: Right. So it's not a
 8 measured track and field track, but there is a
 9 perimeter path around the 13-acre site, so it can be a
 10 nice walking loop or jogging loop around the park.
 11 COMMISSIONER PETRUZZELLI: That's
 12 actually --
 13 MR. DELISLE: And it would be in a canopy
 14 of trees, so it'll be really nice.
 15 COMMISSIONER PETRUZZELLI: One of the
 16 comments I had heard from someone was maybe that the
 17 width was a little narrow for the sidewalks.
 18 MR. DELISLE: Along Garfield Avenue?
 19 COMMISSIONER PETRUZZELLI: Yeah.
 20 MR. DELISLE: The sidewalks are 6-foot
 21 wide, and then we'll -- there's a planting strip, and
 22 then a -- 10-to-15-foot-wide path in the park that
 23 parallels Garfield. So it's going to -- this is the
 24 path right here, and then you have the sidewalk along
 25 the street. The idea was, sidewalk to get out of your

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1 car, get into the park, and then traverse linear
 2 through the park. Again, it's only separated by a
 3 fairly narrow planting strip, but there's a lot of
 4 connections in between.
 5 The original plan had 4-foot-wide sidewalk,
 6 and incorporating planning's comments, we increased
 7 that 50 percent to a 6-foot-wide sidewalk. Keep in
 8 mind, it's a clear sidewalk. All the trees will be in
 9 the planting strip, as well as the light poles, so you
 10 won't have those obstructions that we often see in
 11 sidewalks. They'll be within the planting area. So
 12 you'll have a 6-foot-wide clear sidewalk.
 13 COMMISSIONER TORRES: Do you have any way
 14 of vehicles to get into the park, or roads for
 15 vehicles, I'd say, for safety purposes?
 16 MR. DELISLE: Berry Road dead ends here,
 17 which is a current mapped right-of-way, and then the
 18 path within the park will be wide enough to accommodate
 19 vehicles.
 20 COMMISSIONER TORRES: How would the cops
 21 secure the park? Would they just have to walk through
 22 the park, too?
 23 MR. DELISLE: Yeah. And then -- there
 24 would be both. There's Woodward Street, of course.
 25 You've got public streets on either side of the park,

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1 so you can see into the park driving by. And it's off
 2 the map here, but we're adding a road here to connect
 3 Woodward to Van Horn, so there'll be -- it won't be a
 4 dead end street, so you can kind of loop around. But
 5 the paths inside, because they're pavers, will be able
 6 to accommodate light vehicles for driving or emergency
 7 vehicles.
 8 COMMISSIONER TORRES: Like the commissioner
 9 says, like a safety aspect, because the concession
 10 stand is basically covered, if anybody was sitting
 11 inside of it at one in the morning, even though it's
 12 lit, it's --
 13 MR. DELISLE: Yeah, and these are things we
 14 can continue to work with the neighborhood and police
 15 department. When we say covered, this is 20 feet high.
 16 This is not like a little alley, this is big. It's a
 17 big canopy.
 18 CHAIRMAN RYAN: Okay. Questions?
 19 Finished?
 20 MR. DELISLE: Finished. Thank you so much.
 21 CHAIRMAN RYAN: How about the public?
 22 Anybody here from the public want to speak on this
 23 matter?
 24 COMMISSIONER GONZALEZ: Seeing none, I move
 25 to close.

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1 COMMISSIONER McINTYRE: Second.
 2 CHAIRMAN RYAN: All in favor to close
 3 public?
 4 (Whereupon, a voice vote is taken; a chorus
 5 of "ayes" heard.)
 6 CHAIRMAN RYAN: Public's closed.
 7 Staff?
 8 MS. RUSSELL: This is a project that the
 9 JCRA and City Planning have been working with the
 10 community on for years now. We've gone to -- a while
 11 back, we were having regular community meetings,
 12 charrattes, design meetings, where a lot of members
 13 from the community surrounding this park did come out,
 14 did share their ideas. There was a whole lot of
 15 community input on almost every aspect of this project.
 16 So it's definitely something that's been in the works
 17 for many years, at this point.
 18 I think that a lot of the features that are
 19 being proposed are really great and are going to be a
 20 definite benefit to the community, and also to the city
 21 as a whole, because this is a really large park. It's
 22 not just for the people who live across the street or
 23 around the corner. The Butterfly Hill is a really cool
 24 architectural feature, the ball parks are definitely
 25 needed, and I think it's really going to be an

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1 attraction that will bring people to this part of town.
 2 We did express some desire for a wider
 3 sidewalk along Garfield Avenue, and the design team did
 4 change that from 4 feet up to 6, which is a nice
 5 improvement. Actually, 10 would be ideal, but there
 6 are space constraints with the old Morris Canal, the
 7 historic Morris Canal running through there, and they
 8 want to incorporate that, which only leaves them with
 9 so much wiggle room.
 10 Also, I do want to thank them for including
 11 our recently adopted bike standards. This is the first
 12 park that has been subject to those requirements, and
 13 they -- they did include them. So, hopefully, we'll
 14 see a lot more bike use, now that this park is there
 15 and can handle the bike use and the bike parking and,
 16 you know, maybe kids will ride their bikes to the next
 17 T-ball game or whatever.
 18 So we do recommend approval or
 19 recommendation of this project, and we look forward to
 20 the park opening up.
 21 COMMISSIONER PETRUZZELLI: Okay.
 22 Mr. Chairman --
 23 MR. HAMILL: We have another speaker.
 24 MR. COTTER: Roseanna, if you will, please.
 25 COMMISSIONER PETRUZZELLI: I'm sorry.

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1 MR. COTTER: I wanted to do a couple
 2 things. One is to remind the board this is a Section
 3 31 review. So this is, how does this plan comport with
 4 the master plan in the City of Jersey City?
 5 This is a redevelopment plan area that we
 6 worked with the community intensely. This is one of
 7 those rare places, you should know, where the community
 8 asked us to blight their neighborhood. When we went in
 9 to start, we had a small area, and the neighbors around
 10 there said, what about us, what about us, include us in
 11 your redevelopment.
 12 So we did, and it really has worked. If
 13 you know the property values in Lafayette, they've
 14 probably quadrupled since we did the plan around 1998
 15 or 1999. So this is 15 years of work.
 16 And the community wanted a park here. It
 17 was an industrial wasteland. So we zoned it for
 18 low-end uses -- industrial, not residential -- to keep
 19 the value as low as we could. The Redevelopment Agency
 20 moved in too implement, under the direction of this
 21 administration, Mayor Healy, and they've made great
 22 progress.
 23 The Redevelopment Agency, especially Ben
 24 Delisle, deserve great credit for seeing this through,
 25 because the obstacles have been there forever, they're

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1 immense. This is a pretty dirty site, and to clean it
 2 up to park standards is fantastic.
 3 So this is one of those deals where
 4 community asked and is getting what they asked for. It
 5 takes time, this stuff doesn't happen overnight. This
 6 is a long, long process. Fifteen years or so since the
 7 first person said, what about a park there? We said,
 8 okay, anybody else? There's a lot of endorsement for
 9 the park. This is the largest municipal park in the
 10 history of Jersey City, and Mayor Healy deserves a lot
 11 of credit for seeing it forward and pursuing this
 12 agenda to get this done.
 13 So, with that, I just wanted to tell you
 14 that it does comport with the master plan, the
 15 redevelopment plan comports with the master plan, and
 16 you can certainly feel comfortable that this is a good
 17 project, in terms of the City of Jersey City's future
 18 and our master plan, and I thank you for that.
 19 Any questions, I'll be happy to answer.
 20 CHAIRMAN RYAN: Thank you, Mr. Cotter.
 21 So we good?
 22 MS. RUSSELL: We're good.
 23 COMMISSIONER PETRUZZELLI: Mr. Chairman, we
 24 have determined that the --
 25 MR. HAMILL: Madame vice chair, you're

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1 making a --

2 COMMISSIONER PETRUZZELLI: A motion?

3 MR. HAMILL: Go ahead, I'm sorry.

4 COMMISSIONER PETRUZZELLI: -- that we have

5 reviewed the Berry Lane Park that was presented just

6 now and determined that it comports with the master

7 plan of the City of Jersey City, and we also would

8 recommend that the cameras be installed, also, in the

9 park, and we recommend to JCRA.

10 COMMISSIONER McPHERSON: Second.

11 COMMISSIONER ECCLESTON: Second.

12 CHAIRMAN RYAN: Motion made by Vice Chair

13 Petruzzelli, second by Commissioner Eccleston.

14 MS. RUSSELL: Commissioner Petruzzelli?

15 COMMISSIONER PETRUZZELLI: I think it's a

16 fantastic addition to Jersey City. Great work, Ben.

17 Thank you so much for your hard work, and good luck.

18 Aye.

19 MS. RUSSELL: Commissioner McPherson?

20 COMMISSIONER McPHERSON: I think it's a

21 wonderful park, and a lot of effort has gone into it.

22 It'll be great for the neighborhood. I vote aye.

23 MS. RUSSELL: Commissioner Torres?

24 COMMISSIONER TORRES: This is going to be

25 really great for the neighborhood. It's a beautiful

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1 view from what was there, that industrial wasteland all

2 these years. I commend you for the work you guys are

3 doing there. I vote aye.

4 MS. RUSSELL: Commissioner Eccleston?

5 COMMISSIONER ECCLESTON: Yeah, I think the

6 park is really sound work. It's taken a lot of years,

7 but it's taken the worst to the best. You know, we've

8 gone from chromium soil and contaminated area to a

9 beautiful park. And I'm sure it's going to be used in

10 that area, and I certainly vote aye on that.

11 COMMISSIONER McNEILL: I echo my

12 commissioners' opinions. It's a great job.

13 Congratulations. I vote aye.

14 COMMISSIONER GONZALEZ: I'd like to see

15 more projects like this in the city, so I vote aye.

16 COMMISSIONER McINTYRE: This is a great

17 example of a way to do a cleanup in Jersey City. I for

18 one can't wait to go out and see this park. I vote

19 aye.

20 CHAIRMAN RYAN: I vote aye. Thank you.

21 MS. RUSSELL: Motion recommended, all in

22 favor.

23 (Whereupon, the hearing concluded at 6:10

24 p.m.)

25

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1 CERTIFICATE

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4

5 I, Michael Lombardozi, a Notary Public and

6 Registered Professional Reporter of the State of New

7 Jersey, do hereby certify that the foregoing is a true

8 and accurate transcript of the testimony as taken

9 stenographically by and before me at the time, place,

10 and on the date hereinbefore set forth.

11 I do further certify that I am neither a

12 relative nor employee nor attorney nor counsel of any

13 of the parties to this action, and that I am neither a

14 relative nor employee of such attorney or counsel and

15 that I am not financially interested in this action.

16

17

18 Michael Lombardozi, RPR

19 Notary Public, State of New Jersey

20 Date: 2013-04-11

21

22

23

24

25

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CITY OF JERSEY CITY
PLANNING BOARD

In the Matter of: : Transcript
: :
ITEM 9 - Review and discussion of: of
proposed amendments to the Bright:
Street Redevelopment Plan : Proceedings
-----x

Tuesday, April 2, 2013
City Hall Council Chambers
280 Grove Street
Jersey City, New Jersey
Commencing at 6:10 p.m.

BOARD MEMBERS PRESENT:

MICHAEL RYAN, Chairman
ROSEANNA PETRUZZELLI, Vice Chairwoman
JAMES McNEILL, Commissioner
ROBERT McPHERSON, Commissioner
KAREN McINTYRE, Commissioner
EDUARDO TORRES, Commissioner
LARRY ECCLESTON, Commissioner
DR. ORLANDO V. GONZALEZ, Commissioner

A P P E A R A N C E S:

JOHN F. HAMILL, ESQUIRE
Attorney for the Board

MICHAEL LOMBARDOZZI,
Registered Professional
Reporter

PRECISION REPORTING SERVICES
CERTIFIED SHORTHAND REPORTERS
(908) 642-4299

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1 ALSO PRESENT:
 2 ROBERT COTTER, P.P., A.I.C.P.
 Senior Planner
 3 City Planning Division
 4 JEFFREY WENGER, P.P., A.I.C.P.
 Senior Planner
 5 City Planning Division
 6 KRISTIN RUSSELL, P.P., A.I.C.P.
 Senior Planner
 7 City Planning Division
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1 CHAIRMAN RYAN: Okay. We have review and
 2 discussion of proposed amendments to the Bright Street
 3 Redevelopment Plan. Formal action may be taken. This
 4 amendment will permit professional offices as a
 5 principal use, increase permitted residential density,
 6 and reduce rear yard requirements.
 7 MR. WENGER: Good evening. First, I'd like
 8 to just hand out a map of the Bright Street
 9 Redevelopment Plan, just so you're familiar with the
 10 area that we're discussing.
 11 MR. HAMILL: Jeff, is this something that
 12 is already in the plan or is in the commissioners'
 13 packets?
 14 MR. WENGER: I can't remember if I sent
 15 this to you in your packets, that's why I'm handing it
 16 out to you now.
 17 MR. HAMILL: Let's mark one anyway.
 18 MR. WENGER: Absolutely. The map is not
 19 being amended, this is just a map that's in the back of
 20 the redevelopment plan, just to familiarize yourself
 21 with the area.
 22 (Whereupon, Exhibit A-1 is marked for
 23 identification.)
 24 MR. WENGER: Okay. That's marked A-1.
 25 This is the Bright Street Redevelopment

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1 Plan. What's being amended tonight is just Zone 3, and
 2 you can see on the map that that is just the lots along
 3 the north side of Bright Street between Grove and
 4 Barrow Street.
 5 The amendment pertains to mixed-use
 6 buildings with five or more units, and the minimum lot
 7 size is 10,000 square feet. There's really only one
 8 site that can meet that standard, and that is --
 9 there's currently a parking lot there on Bright Street.
 10 They used to have school trailers on the site for many
 11 years, and I think those were removed just a year or
 12 two ago. And that site is currently owned by the
 13 Redevelopment Agency.
 14 The change in the bulk and density
 15 standards that we're proposing for that site will
 16 reduce the rear yard requirement, will allow the ground
 17 floor to extend back to 5 feet from the rear property
 18 line. Currently, the required rear yard is the
 19 standard 30-foot rear yard that is -- that's the R-1
 20 standard throughout Jersey City. So the -- only the
 21 ground floor will be allowed to be extended 25
 22 additional feet, just shy -- 5 feet shy of the rear
 23 property line.
 24 I also have another map for you to look at
 25 that just illustrates the rear yard area. This was not

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1 in your packet, so I'll mark one of those, as well.
 2 MR. HAMILL: Jeff, that's been marked as?
 3 MR. WENGER: That's A-2.
 4 (Whereupon, Exhibit A-2 is marked for
 5 identification.)
 6 MR. WENGER: As you can see, this is an
 7 aerial photograph of the block. The area in green
 8 that's shaded on there is the standard required 30-foot
 9 rear yard, and all the areas in blue are all the
 10 existing encroachments into the rear yard. And you can
 11 see that, on that block, there are already several
 12 encroachments into the rear yard.
 13 And, typically, in Jersey City, you're --
 14 there's many garages or accessory structures that are
 15 permitted to be built in the rear yard area, so having
 16 a one-story structure right along the rear property
 17 line is fairly typical throughout Jersey City.
 18 The other bulk amendment is to allow the
 19 second through fifth floor an additional 10 feet. So
 20 floors five through -- two through five will be
 21 permitted a setback of 20 feet rather than 30. So
 22 they'll get an extra 10 feet. And that extra 10 feet
 23 is the kind of magenta bar you see on the map.
 24 And that additional setback area will only
 25 extend 5 feet beyond the structure to the west. And

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1 the structure to the east is 100 percent lot coverage,
 2 that building actually goes all the way back to the
 3 rear property line already.
 4 There's also an increase in the permitted
 5 density, as well as a minor change to the height limit,
 6 to accommodate the new FEMA flood hazard advisory base
 7 flood elevation that we're now required to meet.
 8 And that's basically it. What this will
 9 allow the Redevelopment Agency to do is to develop the
 10 site for mixed-use affordable housing and a workforce
 11 housing project, as well as ground floor offices for
 12 the Redevelopment Agency itself. They're looking for a
 13 new home and hoping to build this building and move
 14 their offices to the neighborhood.
 15 The design standards for the new
 16 construction remain the same. This is in the historic
 17 district. The buildings that will be built to these
 18 new bulk regulations all have the same design
 19 standards. They will have to go before the historic
 20 commission, and also back to the planning board for a
 21 site plan review. So the design standards have not
 22 changed at all.
 23 Do you have any questions?
 24 CHAIRMAN RYAN: Any questions?
 25 Pretty straightforward.

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1 MR. WENGER: At the end of the day, it's a
 2 minor -- fairly minor change to the bulk standards
 3 allowing a slight -- a building to be built a little
 4 bit deeper into the rear of the lot, to allow a little
 5 bit more -- add a little bit more density on the site
 6 that will make a mixed-use affordable workforce and
 7 professional office building financially feasible for
 8 the Redevelopment Agency.
 9 CHAIRMAN RYAN: Anymore questions?
 10 Okay. Anybody from the public here want to
 11 speak on this matter?
 12 COMMISSIONER GONZALEZ: Seeing none, I move
 13 to close.
 14 COMMISSIONER McINTYRE: Second.
 15 CHAIRMAN RYAN: All agree?
 16 (Whereupon, a voice vote is taken; a chorus
 17 of "ayes" heard.)
 18 CHAIRMAN RYAN: Okay. Closed.
 19 MR. WENGER: Staff recommends a positive
 20 recommendation to the City Council. I think the
 21 amendment does comply with the Jersey City master plan,
 22 which looks for reducing parking ratios and increasing
 23 density near transit. This is a very
 24 transit-accessible area. This is a couple blocks from
 25 the Grove Street PATH Station, so we recommend

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1 approval.
 2 COMMISSIONER PETRUZZELLI: Mr. Chairman,
 3 I'd like to make a motion to approve the amendments to
 4 the Bright Street Redevelopment Plan and send to City
 5 Council for approval.
 6 COMMISSIONER McPHERSON: Second.
 7 COMMISSIONER ECCLESTON: Second.
 8 CHAIRMAN RYAN: Motion made by Vice Chair
 9 Petruzzelli, second by Commissioner McPherson.
 10 MR. WENGER: Vice Chair Petruzzelli?
 11 COMMISSIONER PETRUZZELLI: Aye.
 12 MR. WENGER: Commissioner McPherson?
 13 COMMISSIONER McPHERSON: Aye.
 14 MR. WENGER: Commissioner Torres?
 15 COMMISSIONER TORRES: Aye.
 16 MR. WENGER: Commissioner Eccleston?
 17 COMMISSIONER ECCLESTON: Aye.
 18 MR. WENGER: Commissioner McNeill?
 19 COMMISSIONER McNEILL: Aye.
 20 MR. WENGER: Commissioner Gonzalez?
 21 COMMISSIONER GONZALEZ: Yeah, seems de
 22 minimis enough. I vote aye.
 23 COMMISSIONER McINTYRE: Aye.
 24 MR. WENGER: Chairman Ryan?
 25 CHAIRMAN RYAN: Aye.

1 MR. WENGER: Motion carries, all in favor.
 2 Thank you.
 3 CHAIRMAN RYAN: Thank you, Jeff.
 4 (Whereupon, the hearing concluded at 6:18
 5 p.m.)
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1 CERTIFICATE
 2
 3
 4
 5 I, Michael Lombardozi, a Notary Public and
 6 Registered Professional Reporter of the State of New
 7 Jersey, do hereby certify that the foregoing is a true
 8 and accurate transcript of the testimony as taken
 9 stenographically by and before me at the time, place,
 10 and on the date hereinbefore set forth.
 11 I do further certify that I am neither a
 12 relative nor employee nor attorney nor counsel of any
 13 of the parties to this action, and that I am neither a
 14 relative nor employee of such attorney or counsel and
 15 that I am not financially interested in this action.
 16
 17
 18 Michael Lombardozi, RPR
 Notary Public, State of New Jersey
 19 Date: 2013-04-11
 20
 21
 22
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CITY OF JERSEY CITY
PLANNING BOARD

In the Matter of: : Transcript
: :
CASE P11-066 : :
THE PEOPLE'S TABERNACLE OF : of
WORSHIP : :
683 Garfield Avenue : Proceedings
Block 23701, Lot 8 : :
-----x

Tuesday, April 2, 2013
City Hall Council Chambers
280 Grove Street
Jersey City, New Jersey
Commencing at 6:18 p.m.

BOARD MEMBERS PRESENT:

MICHAEL RYAN, Chairman
ROSEANNA PETRUZZELLI, Vice Chairwoman
JAMES McNEILL, Commissioner
ROBERT McPHERSON, Commissioner
KAREN McINTYRE, Commissioner
EDUARDO TORRES, Commissioner
LARRY ECCLESTON, Commissioner
DR. ORLANDO V. GONZALEZ, Commissioner

A P P E A R A N C E S:

JOHN F. HAMILL, ESQUIRE
Attorney for the Board

CONNELL FOLEY
BY: CHARLES F. HARRINGTON, III, ESQUIRE
Attorney for the Applicant

MICHAEL LOMBARDOZZI,
Registered Professional
Reporter

PRECISION REPORTING SERVICES
CERTIFIED SHORTHAND REPORTERS
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1 CHAIRMAN RYAN: Case P11-066. It's a
 2 preliminary and final major site plan with C variance.
 3 Applicant is The People's Tabernacle of Worship. The
 4 attorney is Chuck Harrington. Planner is Jeff Wenger.
 5 It's 683 Garfield Avenue, Block 23701, Lot 8.
 6 Residential zone. It's interior fit out of existing
 7 industrial building for a house of worship. Variance
 8 requested is minimum parking.
 9 MR. HARRINGTON: Good evening,
 10 Mr. Chairman, commissioners. For the record, Charles
 11 Harrington of Connell Foley on behalf of the applicant.
 12 Before proceeding, I'd note that this is a
 13 notice case, so I ask that they be reviewed and marked
 14 into the record.
 15 MR. HAMILL: Thank you, Chuck.
 16 Mr. Chairman, Counsel through staff has
 17 provided me with the following:
 18 Affidavit of publication from the Jersey
 19 Journal Newspaper. The affidavit is dated 03/28/13
 20 evidencing publication on 03/22/13. A very brief
 21 review of that notice indicates that it is both
 22 accurate and complete.
 23 In addition, I have an affidavit of proof
 24 of service. The affidavit is dated 03/27/13 evidencing
 25 service on those entitled way by law to receive same on

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1 03/22/13, which would be timely.
 2 And attached thereto on standard postal
 3 forms, I have a series of certified mailing receipts,
 4 each one page of which is stamped by the post office as
 5 of 03/22, consistent with the affidavit.
 6 I have a notice of hearing sent to those
 7 entitled by the law to receive same, and once again,
 8 Mr. Chairman, a quick review of same indicates that it
 9 is both accurate and complete.
 10 One thing I'm missing, Chuck, if you have a
 11 copy of it, I do not have the certified list of
 12 property owners or the requisite tax map. Is that
 13 available?
 14 MR. WENGER: I have it.
 15 MR. HAMILL: Mr. Chairman, in addition,
 16 now, I have been provided by staff with a certified
 17 list of property owners within 200 feet, along with the
 18 requisite tax map.
 19 Off the record for a moment please,
 20 Mr. Chairman.
 21 (Whereupon, there is a brief pause in the
 22 proceedings.)
 23 MR. HAMILL: Given the above, Mr. Chairman,
 24 I'd ask that the board accept this packet as both
 25 timely and complete, and mark it as such in support of

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1 the application.
 2 (Whereupon, Exhibit A-1 is marked for
 3 identification.)
 4 MR. HARRINGTON: Okay. Just to give you an
 5 overview of what we're proposing tonight, the existing
 6 property is -- it's an existing building that has
 7 historically been used for industrial, commercial
 8 purposes. It's located on Garfield Avenue. If you're
 9 not familiar with the location, it's where the exit
 10 from the Turnpike comes into Garfield Avenue. If you
 11 make a right at that corner, it's directly on the left,
 12 about 100 yards on the left. If you're familiar with
 13 the building that houses the Senior Spirit offices and
 14 their buses, that's also the location. That location
 15 is directly across the street.
 16 This property is somewhat unique in that it
 17 is located along the side street, and I believe it's
 18 called Marcus Street. And that street, it's a public
 19 street, but for all intents and purposes, it's a
 20 private street, because it's only used by the users of
 21 the two adjacent properties, because it dead-ends at
 22 the -- at the very top. It kind of goes up on a hill
 23 and dead ends. So if you go to the left, there's about
 24 eight parking spaces that are utilized by the Senior
 25 Spirit building, and then there are 21 on-street

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1 parking spaces along Market Street at this location.
 2 This building only has four spaces that are
 3 located directly behind it. Those will be used as part
 4 of the house of worship, the proposed use on the first
 5 floor that we're presenting tonight.
 6 There is no -- no other opportunity to
 7 provide parking at this -- at this property, other than
 8 the four spots. But when you look at the street, again
 9 it's unique in that, on Market Street, we already have
 10 21 on-site parking spaces, and we are proposing to use
 11 those on Sundays when they have the services. And
 12 then, they have Tuesday night services. So that would
 13 bring you up to a total of 25 possible spaces.
 14 The zoning requirements for parking for
 15 this use at this property would be 22 spaces. So we
 16 believe that, overall, we're going to have more than
 17 adequate parking for the Sunday services as required by
 18 the zoning regulations.
 19 Additionally, my client has obtained a
 20 letter from the property owner across the street at
 21 Atlantic Auto Care. His property is located at 676
 22 Garfield Avenue, and that is the old gas station that's
 23 located on the west -- I'm not sure -- no, the east
 24 side of Garfield Avenue. He has provided my client the
 25 right to use 12 parking spaces on Sundays and on

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1 Tuesdays for his services. So if I can maybe mark that
 2 into evidence, as well, as A-2.
 3 (Whereupon, Exhibit A-2 is marked for
 4 identification.)
 5 MR. HARRINGTON: So what my client's
 6 proposing to do is to use the first floor as a house of
 7 worship. That is the permitted use in the R-1 zone,
 8 which this is a part of it. So we're taking a
 9 commercial use, an industrial use, a nonconforming use,
 10 and we're converting it to a permitted use within the
 11 R-1 zone.
 12 However, as I pointed out, there really is
 13 no availability to expand or provide parking other than
 14 what's being presented tonight. So we are requesting a
 15 parking variance in connection with this use from the
 16 board.
 17 So with that said, I have my architect here
 18 who will take you through the site, and who can better
 19 identify the proposed parking that would be associated
 20 with the use.
 21 M A R T H A B R A Z O B A N, having been
 22 duly sworn, testified as follows:
 23 CHAIRMAN RYAN: You want to qualify her?
 24 MR. HAMILL: Could we put her name on the
 25 record, please? I'm sorry.

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1 THE WITNESS: Martha Brazoban, architect.
 2 MR. HAMILL: Can I ask you, please, that
 3 you spell your last name?
 4 THE WITNESS: B-R-A-Z-O-B-A-N.
 5 MR. HAMILL: Thank you.
 6 DIRECT EXAMINATION
 7 BY MR. HARRINGTON:
 8 Q. And Ms. Brazoban, can you please give the
 9 board the benefit of your professional and educational
 10 experience?
 11 **A. Bachelor's of Architecture in the City**
 12 **College of New York, and I'm licensed in the State of**
 13 **New Jersey for the last 15 years.**
 14 CHAIRMAN RYAN: Okay. Qualified. Thank
 15 you.
 16 MR. HARRINGTON: Thank you.
 17 BY MR. HARRINGTON:
 18 Q. Can you take us through the project and
 19 show us the -- specifically, as part of your
 20 presentation --
 21 **A. The existing property is located at 683**
 22 **Garfield Avenue, as has been noted. It is an existing**
 23 **two-story brick building. And our proposal is, again,**
 24 **to use the ground floor as a place of worship.**
 25 **The property has a minimal side yards and**

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1 front yards. It is an existing building. And we
 2 propose to redo the entries into the buildings and redo
 3 the exterior facade, clean it, new windows on the
 4 facade to give it -- to change the character of the
 5 existing building.
 6 Right now, it's basically a warehouse. It
 7 looks like a warehouse. The windows are blocked and
 8 there's really nothing going on along that facade.
 9 When you look at the Senior Spirit building, it has
 10 much different feel to it, rather than this building.
 11 So utilizing it for the house of worship will enhance
 12 the -- that street facade.
 13 As was previously stated, the existing
 14 building only has four parking spaces at the rear of
 15 the lot. They are 10 by 19 feet deep and an existing
 16 curb.
 17 I'll walk you into the interior. Our
 18 proposal is to create a new entry and new vestibule to
 19 come into the large open space, which will house a
 20 student lounge area, the church administrative offices,
 21 and bathrooms, and then a kitchen that will serve as
 22 part of the student lounge area for after the services.
 23 And then, the main sanctuary will house 200 -- seating
 24 for 224 people, with the main podium for the pastor.
 25 So, basically, the exterior of the building

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1 right now, as I previously noted, is -- all the windows
 2 are blocked, and what we're proposing is to clean the
 3 brick and provide new windows and new entries onto
 4 the -- the building, with new glass doors to access the
 5 vestibule and the sanctuary space.
 6 These are just a couple of photographs.
 7 This is exactly what the building looks like at this
 8 time.
 9 CHAIRMAN RYAN: What's the intent with the
 10 second floor?
 11 THE WITNESS: The second floor is not part
 12 of the sanctuary. It's rented out by the owner of the
 13 building.
 14 MR. HARRINGTON: We're a tenant at the
 15 building.
 16 MR. HAMILL: Could we clarify that? You
 17 have leased out, am I correct, Chuck -- forgive me,
 18 Mr. Chairman, just to clarify, since you asked the
 19 question -- your client has leased out the first floor
 20 of the building, and the application applies only to
 21 the first floor of the building that you have leased
 22 out?
 23 MR. HARRINGTON: That is correct.
 24 CHAIRMAN RYAN: That brings up another
 25 question. Are all the windows being replaced?

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1 THE WITNESS: It would be on the ground
 2 floor.
 3 CHAIRMAN RYAN: On the ground floor. So
 4 what's on the second floor now, from a window
 5 standpoint?
 6 MR. WENGER: If I may, I have a photograph
 7 of the building that might help.
 8 MR. HAMILL: If we're going to pass it
 9 around, please, before we do that, let's mark it.
 10 MR. WENGER: Okay.
 11 (Whereupon, Exhibit A-3 is marked for
 12 identification.)
 13 CHAIRMAN RYAN: Okay. Anybody else have a
 14 question?
 15 So have -- we he have about 25 parking
 16 spaces, plus another 12 across the way, for potentially
 17 200 people?
 18 MR. HARRINGTON: Correct.
 19 CHAIRMAN RYAN: I guess some of the people
 20 would walk there, too, from the neighborhood.
 21 MR. HARRINGTON: Yeah. The zoning
 22 requirements, I believe, are 22 spaces, and the
 23 congregation essentially, is a local congregation.
 24 Many would be walking, and I just confirmed this,
 25 actually, with my client. And you also have public

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1 transportation available, you have the light rail not
 2 far away, as well.
 3 COMMISSIONER GONZALEZ: Will there be
 4 any -- you said it is going to be mainly used on
 5 Tuesdays and Sundays. Anything in between there, any
 6 events?
 7 MR. HARRINGTON: I'd have to ask my client.
 8 COMMISSIONER GONZALEZ: All right.
 9 MR. HARRINGTON: You know, it would
 10 generally just be, like, office use, like a rectory.
 11 COMMISSIONER GONZALEZ: Okay.
 12 COMMISSIONER McPHERSON: Question, the
 13 second floor usage, do you know how many parking spots
 14 they generally utilize?
 15 MR. HARRINGTON: I don't know that.
 16 CHAIRMAN RYAN: What type of operation is
 17 up there?
 18 MR. HARRINGTON: I believe it's vacant
 19 right now. It formerly was a health club, a gym, and
 20 that's no longer -- I'm told it's no longer being used
 21 as a gym, and that's vacant.
 22 COMMISSIONER TORRES: I have a couple
 23 questions for you. You said you're going to use the --
 24 you're going to redo the front entrance of the
 25 building.

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1 THE WITNESS: Yes.

2 COMMISSIONER TORRES: You also pointed out

3 that you have the rear of the building where the ramp

4 is.

5 THE WITNESS: Yes.

6 COMMISSIONER TORRES: That's the rear of

7 the building.

8 THE WITNESS: That's --

9 COMMISSIONER TORRES: Is that going to be a

10 main entrance for people to come in when they park

11 their cars?

12 THE WITNESS: No. Actually, the way the

13 site sits, it slopes up. So the ground floor is

14 actually up -- the first floor is actually underground

15 at the rear, and you have access to the second floor

16 from that rear platform. So anyone parking here, they

17 would walk around. And we have created a second

18 entrance on the side.

19 COMMISSIONER TORRES: On Marcus Street?

20 THE WITNESS: On Marcus Street.

21 COMMISSIONER TORRES: Okay. Now, the main

22 entrance, is it going to be on Garfield Avenue?

23 THE WITNESS: The main entrance will be on

24 Garfield, and there is a second.

25 COMMISSIONER TORRES: There's no dropoff

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1 there? You can't even stop your car on that curb

2 without stopping traffic.

3 THE WITNESS: No.

4 COMMISSIONER TORRES: The traffic goes

5 straight for the people that want to go straight on

6 Garfield, and then it makes a left to the Turnpike at

7 that spot?

8 THE WITNESS: Yes.

9 COMMISSIONER TORRES: So if you stop -- any

10 car stops there, anyone parishioners, you stop all

11 traffic.

12 THE WITNESS: Well, we wouldn't be stopping

13 on Garfield, we would be coming into Marcus Street to

14 drop off.

15 COMMISSIONER TORRES: So you're not

16 dropping off on Garfield?

17 THE WITNESS: No.

18 CHAIRMAN RYAN: What I'm understanding is

19 the Marcus Street entrance is more or less the entrance

20 that everybody's going to use. The one that's on

21 Garfield is more cosmetic, to show the neighborhood

22 that we have a street presence.

23 THE WITNESS: Yes, and for anyone that's

24 walking or using mass transportation, they can use the

25 Garfield entrance. But anyone that's coming by

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1 vehicular traffic would use this.

2 COMMISSIONER TORRES: Moving into Marcus

3 and going into --

4 THE WITNESS: Yes.

5 COMMISSIONER TORRES: Okay. Because

6 there's no stop there.

7 CHAIRMAN RYAN: Okay. Any other questions?

8 Have anymore witnesses?

9 MR. HARRINGTON: No, I don't.

10 CHAIRMAN RYAN: How about the public?

11 Anybody here from the public want to speak on this?

12 COMMISSIONER McINTYRE: Seeing none, I move

13 to close.

14 COMMISSIONER McNEILL: Second.

15 CHAIRMAN RYAN: Everybody agree to close

16 the public?

17 (Whereupon, a voice vote is taken; a chorus

18 of "ayes" heard.)

19 CHAIRMAN RYAN: Public's closed.

20 Jeff?

21 MR. WENGER: So, yeah, you have an -- you

22 know, an existing vacant nonconforming structure with

23 previous nonconforming uses. They will be doing some

24 aesthetic enhancements to the ground floor and

25 introducing a permitted use into the building.

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1 They are requesting, admittedly, a rather

2 large parking variance. That is mitigated by the fact

3 that they are located along, kind of, a side street

4 that has a lot of parking in it. I did ask the

5 applicant to photograph Marcus Street on a Sunday, and

6 you can see that it really is, for the most part,

7 unused on Sunday mornings, the parking along that

8 street, which is really -- all the users along that

9 street, are all commercial and industrial users.

10 There's nobody who lives on that street, so there's

11 really no residential parking on Sunday mornings. So

12 that little Marcus Street, or alley, really, is

13 available for parking on Sundays. So I think that the

14 parking variance, while large, is fairly well mitigated

15 by the surrounding site.

16 COMMISSIONER McNEILL: Jeff, this --

17 hopefully it never changes. I'm glad to see, in

18 essence, that community. But if this use changes, the

19 building, is this variance going to be specific to the

20 building or just this use?

21 MR. WENGER: Well, the variance runs

22 with -- well, it'd be for this use in the building,

23 yes.

24 COMMISSIONER McNEILL: So if the use

25 changes, they'd have to come back -- they don't

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1 automatically have the same variance?
 2 MR. WENGER: That's correct.
 3 COMMISSIONER McNEILL: Okay.
 4 MR. WENGER: So staff does recommend
 5 approval. I think there will be sufficient parking on
 6 the surrounding streets to support the use.
 7 COMMISSIONER PETRUZZELLI: All right.
 8 Mr. Chairman, I'd like to make a motion to approve case
 9 P11-066, preliminary and final major site plan with C
 10 variance.
 11 COMMISSIONER McPHERSON: Second.
 12 CHAIRMAN RYAN: Motion made by Vice Chair
 13 Petruzzelli second by Commissioner McPherson.
 14 MR. WENGER: Vice Chair Petruzzelli?
 15 COMMISSIONER PETRUZZELLI: I wish you good
 16 luck. I vote aye.
 17 MR. WENGER: Commissioner McPherson?
 18 COMMISSIONER McPHERSON: Aye.
 19 MR. WENGER: Commissioner Torres?
 20 COMMISSIONER TORRES: Yeah, I just -- for
 21 the record, you know, my concern is the entrance of the
 22 building with the traffic there. It's a tight spot.
 23 But it's good to see houses of worship opening for so
 24 many that have been closed. So I vote aye.
 25 MR. WENGER: Commissioner Eccleston?

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1 COMMISSIONER ECCLESTON: Yeah, I am
 2 reluctant on this because of that parking problem,
 3 because other than Sunday -- I'm sure you're going to
 4 be okay on Sunday, but if you have services at any
 5 other time, it's going to be a nightmare. That street
 6 is already overcrowded. Senior Spirit runs vans in and
 7 out of there, and there's never even a curb space.
 8 Everything's double parked all day long out there.
 9 So I will vote aye, that this is a
 10 Sunday-only kind of usage, Sunday and that Tuesday
 11 night, but if it was anything more than that, I think
 12 you'd have to make other arrangements.
 13 MR. WENGER: Commissioner McNeill?
 14 COMMISSIONER McNEILL: Well, I certainly
 15 hope that they never have to change the usage, that it
 16 stays the house of worship. But echoing Commissioner
 17 Eccleston's concern, I mean, are we going to have, you
 18 know, funerals during the week and traffic problems?
 19 But I reluctantly say aye.
 20 MR. WENGER: Commissioner Gonzalez?
 21 COMMISSIONER GONZALEZ: I vote aye.
 22 MR. WENGER: Commissioner McIntyre?
 23 COMMISSIONER McINTYRE: I agree with my
 24 other commissioners, but I also vote aye.
 25 MR. WENGER: Chairman Ryan?

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1 CHAIRMAN RYAN: Aye.
 2 MR. WENGER: Motion carries, all in favor.
 3 Thank you.
 4 CHAIRMAN RYAN: Thank you.
 5 (Whereupon, the hearing concluded at 3:32
 6 p.m.)

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1 CERTIFICATE
 2
 3
 4
 5 I, Michael Lombardozi, a Notary Public and
 6 Registered Professional Reporter of the State of New
 7 Jersey, do hereby certify that the foregoing is a true
 8 and accurate transcript of the testimony as taken
 9 stenographically by and before me at the time, place,
 10 and on the date hereinbefore set forth.
 11 I do further certify that I am neither a
 12 relative nor employee nor attorney nor counsel of any
 13 of the parties to this action, and that I am neither a
 14 relative nor employee of such attorney or counsel and
 15 that I am not financially interested in this action.
 16
 17
 18 Michael Lombardozi, RPR
 Notary Public, State of New Jersey
 Date: 2013-04-11
 19
 20
 21
 22
 23
 24
 25

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CITY OF JERSEY CITY
PLANNING BOARD

In the Matter of: : Transcript
:
CASE P12-040.1 :
70-90 COLUMBUS HOLDINGS CO., LLC :
50-90 Columbus Drive :
Block 13003, Lots 1 & 2 :
-----X

Tuesday, April 2, 2013
City Hall Council Chambers
280 Grove Street
Jersey City, New Jersey
Commencing at 6:41 p.m.

BOARD MEMBERS PRESENT:

MICHAEL RYAN, Chairman
ROSEANNA PETRUZZELLI, Vice Chairwoman
JAMES McNEILL, Commissioner
ROBERT McPHERSON, Commissioner
KAREN McINTYRE, Commissioner
EDUARDO TORRES, Commissioner
LARRY ECCLESTON, Commissioner
DR. ORLANDO V. GONZALEZ, Commissioner

A P P E A R A N C E S:

JOHN F. HAMILL, ESQUIRE
Attorney for the Board

CONNELL FOLEY
BY: CHARLES F. HARRINGTON, III, ESQUIRE
Attorney for the Applicant

MICHAEL LOMBARDOZZI,
Registered Professional
Reporter

PRECISION REPORTING SERVICES
CERTIFIED SHORTHAND REPORTERS
(908) 642-4299

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1 ALSO PRESENT:
 2 ROBERT COTTER, P.P., A.I.C.P.
 Senior Planner
 3 City Planning Division
 4 JEFFREY WENGER, P.P., A.I.C.P.
 Senior Planner
 5 City Planning Division
 6 KRISTIN RUSSELL, P.P., A.I.C.P.
 Senior Planner
 7 City Planning Division
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1 CHAIRMAN RYAN: P12-040.1, preliminary and
 2 final site plan amendment or -- we're going to change
 3 this to preliminary and final major site plan
 4 amendment. It wasn't on the agenda, it's just a final
 5 site. The applicant is 70-90 Columbus Holdings, LLC.
 6 The attorney is Charles Harrington. The planner is
 7 Maryann Bucci-Carter. This is 50-90 Columbus Drive,
 8 Block 13003 Lots 1 and 2. Exchange Place North.
 9 Amendments to phase 2A to conform to new base flood
 10 elevations, show the phase 2A site surface design, and
 11 reduce dwelling unit of the first residential building
 12 to 545.
 13 Mr. Harrington?
 14 MR. HARRINGTON: Yes. Again, for the
 15 record, Charles Harrington of Connell Foley on behalf
 16 of the applicant.
 17 As the board is probably aware -- so just,
 18 kind of, a background of the project, though I know
 19 most of the members were here in July for this
 20 approval. It was initially approved in July, and the
 21 project includes three phases:
 22 A first phase, as approved in July, was a
 23 553-unit 50-story residential tower with retail on the
 24 ground floor.
 25 The second phase was what we call 80

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1 Columbus. That is a hotel that would sit above the
 2 Grove PATH street entrance.
 3 And then, the third phase would be an
 4 additional 50-story residential tower.
 5 Since that time, we have had amendments
 6 made to the redevelopment plan. So all the phases and
 7 what's being presented tonight, it's all as of right.
 8 And I say that because a complaint was filed by Port
 9 Authority in the interim with regard to some of the
 10 requested variances. So now they are no longer
 11 deviations or variances.
 12 I can also represent that the issues with
 13 the Port Authority have been worked out and a
 14 memorandum of agreement has been marked, as Mr. Hamill
 15 can tell you. And I believe that's in the process of
 16 being, you know, finally executed.
 17 MR. HAMILL: Mr. Chairman and
 18 commissioners, I'll obviously concur with what Chuck
 19 has just indicated to you. I have signed off on a
 20 stipulation of dismissal with prejudice as to the
 21 board. We have not had an executive session, so I have
 22 not had a chance to describe that to you. But Chuck is
 23 correct about the memorandum of understanding following
 24 a case management conference of a week ago, or
 25 something like that. That memorandum has been

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1 circulated and subsequently signed off on the
 2 stipulation. So Chuck is correct, that matter appears
 3 to have been resolved.

4 MR. HARRINGTON: So since July, we were
 5 back here in December, and as the board may recall, in
 6 December, we were before you and we had a change of
 7 material on the residential towers, and that was
 8 approved as an administrative amendment.

9 The reason we're back here again so soon is
 10 because of -- primarily because of all the flood plane
 11 elevation changes by the DEP. They've created a lot of
 12 issues with a lot of projects, you know, across Jersey
 13 City, especially downtown. So, you know, our
 14 professionals had to go back and sharpen their pencils
 15 and see, how do we comply with this and keep the same
 16 design and feel of the building.

17 And now they've done that, and you'll see
 18 that during the presentation. We did raise the
 19 elevations to meet the DEP requirements, but the
 20 building has essentially stayed the same in its design.
 21 And, you know, one of the other -- some of the other
 22 minor changes we've made, we have reduced the total
 23 unit count from 553 to 545, and that's just the natural
 24 progression when you do some of the interior design
 25 work after an approval.

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1 But you'll see that the changes that we're
 2 presenting tonight are, again, primarily the result of
 3 those DEP flood elevation standards. We wanted to, you
 4 know, take you around the site and show you that it
 5 really hasn't changed much, but because of the
 6 cumulative nature of those changes and, you know, the
 7 progress that we've made, we're here asking for a site
 8 plan amendment as opposed to an administrative
 9 amendment that we came before the board in December.

10 So with that said, I'm going to hand it off
 11 to Mr. Siegel, our architect, who has appeared in the
 12 past before this board, as well on this project.

13 R O B E R T S I E G E L, having been duly
 14 sworn, testified as follows:

15 CHAIRMAN RYAN: We're familiar with
 16 Mr. Siegel.

17 THE WITNESS: My name is Robert Siegel and
 18 I'm representing the firm of Gwathmey, Siegel, Kaufman
 19 and Associates Architects.

20 MR. HAMILL: Mr. Siegel, forgive me, just
 21 for the record, as the reporter had requested, just
 22 spell your name, although we know who you are.

23 THE WITNESS: S-I-E-G-E-L.

24 MR. HAMILL: Thank you.

25 MR. HARRINGTON: And Mr. Siegel has been

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1 qualified in the past as an expert architect.

2 CHAIRMAN RYAN: We accept his
 3 qualifications.

4 MR. HARRINGTON: Thank you.

5 **A. Okay. This is a plan that, I think, is**
 6 **really the best summary of the various changes that we**
 7 **made in response to the change of the flood plane.**
 8 **Basically, the flood plane data changed from elevation**
 9 **11.1 to 14.4, primarily the residential aspects of the**
 10 **building. It also impacted the hotel, which is in the**
 11 **category of a residential building.**

12 **So where you'll see the most change will**
 13 **be -- if you look at the entrance plan to 70 Columbus,**
 14 **which is -- which is the first building at the lower**
 15 **part of the plan, the stairs up to the lobby have to**
 16 **negotiate 3 more feet from grade, and the handicap ramp**
 17 **systems have to provide handicap access to the**
 18 **building.**

19 **In terms of how that actually looks, you**
 20 **can see this image here, which is a rendering of the**
 21 **canopy and the stair system going up. The lobby and**
 22 **the plan of the building remain identical.**

23 **Fortunately, there was enough vertical height in the**
 24 **lobby spaces and the retail spaces to absorb the 3 feet**
 25 **vertically without changing the entire rest of the**

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1 **building. The lobby was extremely high, I think it was**
 2 **22 feet clear, and now it's 19 feet clear. So it's**
 3 **still very generous.**

4 **As you move to the left, the space right**
 5 **next to the lobby is an entrance to the retail space.**
 6 **That would be an entrance off Columbus. The retail**
 7 **space primary entrance will be off the main plaza.**
 8 **Now, there you'll see there's a handicap ramp that's**
 9 **been introduced and a stair system. That floor is not**
 10 **raised to the height of the residential lobby, because**
 11 **the retail, actually, in fact, doesn't have to be**
 12 **elevated that way. So the entrance to that space is**
 13 **actually very similar to what you've seen before.**

14 **As you move a little further down, we have**
 15 **the hotel there. The hotel had to be raised, and so**
 16 **you'll see there are stairs up to the plaza level,**
 17 **which is the way it was before. That plaza and the**
 18 **PATH Station hasn't been changed at all. And then,**
 19 **there are additional stairs up, you can see, to the**
 20 **landing, that bring you into the hotel entrance.**
 21 **There's also a handicap ramp provided to get people up**
 22 **to the hotel entrance. The PATH station plaza and the**
 23 **PATH station, all that grading remains identically the**
 24 **same as you've seen before.**

25 **And then, as you move towards the second**

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1 tower lobby, you'll see there are changes in grade
 2 elevating the lobby up by the additional 3 feet. The
 3 lobby plan has remained identical, the ramping systems
 4 up to it, particularly on the Steuben side are
 5 obviously longer than they were before. But, in
 6 general, there's been very little negative effect.

7 As you move around Steuben and you go down
 8 Steuben, there's been basically no change. This sort
 9 of shows the images of Steuben, which is very, very
 10 similar. The parking garage portion and the utility
 11 spaces below it, the access ramp into the parking
 12 structure, all remain the same. Basically, the
 13 landscaping strategies all remain the same. So there's
 14 really no -- no real noticeable impact there at all.

15 In terms of -- I hope this works now -- in
 16 terms of the phasing, this shows our phase 1, which is
 17 made up of, actually, several parts. There's the 70
 18 Columbus residential building and the parking
 19 structure, there's the hotel and the hotel plaza, and
 20 the impact on the PATH station.

21 Phase 2 is the second residential tower.
 22 The way we're approaching -- actually implementing the
 23 project is, phase 1 is going to have an A and a B
 24 phase. The first part is the 70 Columbus building and
 25 the retail space and the stepped plazas that are above

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1 the retail space over the parking.

2 The site that's immediately next to 70
 3 along Columbus for the future, which is hopefully quite
 4 short, will be an amenity public park that will be
 5 landscaped and paved, and can be used by the general
 6 public. The accessway into the main entrance of the
 7 retail will actually be a temporary system of
 8 accessways, which eventually will be, when the next
 9 phase -- next part of phase 1 happens, will be finished
 10 off as permanently landscaped.

11 The second tower site will be fenced and
 12 landscaped and paved. It'll basically be in a holding
 13 pattern for the period of time before the second tower
 14 actually gets to be built.

15 This shows the addition of the hotel, the
 16 completion of what we call phase 1, and the completion
 17 of the landscaping and the plaza that would be all part
 18 of the phase 1 development. The very dark portion
 19 would be the zone that's left for the construction of
 20 phase 2. The reason it notches into this portion of
 21 the plaza is for just the construction purposes, the
 22 protection and the staging of actually being able to
 23 build phase 2.

24 Now, this shows the completion of the
 25 entire master plan by the addition of phase 2 and the

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1 completion of all of the landscaping. This is a plan
 2 that is taken looking down. All the buildings are
 3 shown in place, and you're looking down at the
 4 landscape deck of the stepped plateaus that sit on top
 5 of the parking. And as you'll remember, the parking
 6 structure is designed to step down towards the --
 7 towards the plaza, so as not to present a large wall.
 8 And this is a very good representation of the extent of
 9 the landscaping when the project is finally completed.

10 The images that we've tried to show you
 11 that illustrate the visual impacts of these changes,
 12 this would be -- this would be one -- I think this is a
 13 good one, although it's a little faded on my screen, I
 14 don't know if it's clear on yours. But here you can
 15 see the entrance to 70 Columbus, which is on the right,
 16 you can see the handicap ramp system and the entrance
 17 to the -- what's actually -- let's call it the
 18 secondary entrance to retail, which is off Columbus,
 19 and you can see the beginning of the transfer structure
 20 that holds the hotel up.

21 Now we're coming around the corner. You
 22 can see the transfer structure for the hotel, you can
 23 see the grade changes on either side around the PATH
 24 station are identical to what they were before, since
 25 there has been this would be, kind of, a final view of

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1 the project, and this would be a final view of the
 2 project as seen from the Steuben side. The parking
 3 garage is as it has been presented to you. It's an
 4 extension of the brick masonry detail of the parking
 5 structure. And the rest of the building architecture I
 6 think we presented the last time, which is a metal
 7 panel system, metal panel and glass system.

8 That's the summary of the changes, and I'll
 9 be glad to take questions.

10 CHAIRMAN RYAN: I understand it. Everyone
 11 else?

12 COMMISSIONER GONZALEZ: Yeah.

13 CHAIRMAN RYAN: Pretty straightforward. It
 14 went up 3 feet.

15 THE WITNESS: It was fortunate. In the
 16 beginning, we really got worried, but it turned out to
 17 have no real big impact.

18 CHAIRMAN RYAN: Yeah. It's -- you know,
 19 the original presentation was fantastic, so this is
 20 just -- all we're doing here is just amending it for 3
 21 feet. Everything's worked out so far. Looks great.

22 Any questions?

23 COMMISSIONER McNEILL: Yeah. Just out of
 24 curiosity, your mechanical and, like, your electrical
 25 vault, was that raised up also, or was that built

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1 higher into the building?

2 THE WITNESS: You know, that's an

3 interesting question. We started by elevating the big

4 transformer vaults, and then, actually, the utility

5 company didn't want them elevated. They're waterproof

6 vaults and they have access -- direct access from the

7 sidewalk level. It's a big, big heavy equipment, and

8 so we raised them up, but then we brought them back

9 down.

10 COMMISSIONER McNEILL: That was just out of

11 curiosity.

12 THE WITNESS: But that was actually one of

13 the more interesting back-and-forths, because by

14 raising them, it impacted some of our parking

15 structure, and it was -- it was much easier to be able

16 to leave them down. We were prepared to raise them,

17 but then they insisted that they be down.

18 COMMISSIONER McNEILL: What about, is there

19 a backup generator or anything like that?

20 THE WITNESS: That's fine, that's up. I

21 think that equipment we're talking about is submergible

22 equipment. It's made to be in water.

23 COMMISSIONER McPHERSON: As long as it's

24 spec'd out like that, you're good.

25 COMMISSIONER McNEILL: Sure. Okay. Thank

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1 you.

2 CHAIRMAN RYAN: Okay. Anybody here from

3 the public want to speak on this?

4 COMMISSIONER McINTYRE: Seeing none, I move

5 to close.

6 COMMISSIONER GONZALEZ: Second.

7 CHAIRMAN RYAN: Okay. All to close to the

8 public?

9 (Whereupon, a voice vote is taken; a chorus

10 of "ayes" heard.)

11 CHAIRMAN RYAN: Public's closed.

12 Staff?

13 MR. COTTER: Staff recommends approval.

14 CHAIRMAN RYAN: Staff recommends approval.

15 COMMISSIONER PETRUZZELLI: Mr. Chairman,

16 I'd like to make a motion to approve case P12-040.1,

17 preliminary and final major site plan amendment.

18 COMMISSIONER GONZALEZ: Second.

19 COMMISSIONER ECCLESTON: Second.

20 CHAIRMAN RYAN: Motion made by Vice Chair

21 Petruzzelli, second by Commissioner Gonzalez.

22 Roll call, please.

23 MR. COTTER: Commissioner Petruzzelli?

24 COMMISSIONER PETRUZZELLI: Aye.

25 MR. COTTER: Commissioner McPherson?

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1 COMMISSIONER McPHERSON: Aye.

2 MR. COTTER: Commissioner Torres?

3 COMMISSIONER TORRES: Aye.

4 MR. COTTER: Commissioner Eccleston?

5 COMMISSIONER ECCLESTON: Aye.

6 MR. COTTER: Commissioner McNeill?

7 COMMISSIONER McNEILL: Aye.

8 MR. COTTER: Commissioner Gonzalez?

9 COMMISSIONER GONZALEZ: Aye.

10 MR. COTTER: Commissioner McIntyre?

11 COMMISSIONER McINTYRE: Aye.

12 MR. COTTER: Chairman Ryan?

13 CHAIRMAN RYAN: Let's get it built. I vote

14 aye.

15 MR. COTTER: Motion approved, all in favor,

16 no abstentions.

17 MR. HARRINGTON: Thank you.

18 THE WITNESS: Thank you very much.

19 CHAIRMAN RYAN: Thank you, Mr. Siegel.

20 (Whereupon, the hearing concluded at 7:00

21 p.m.)

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1 CERTIFICATE

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5 I, Michael Lombardozi, a Notary Public and

6 Registered Professional Reporter of the State of New

7 Jersey, do hereby certify that the foregoing is a true

8 and accurate transcript of the testimony as taken

9 stenographically by and before me at the time, place,

10 and on the date hereinbefore set forth.

11 I do further certify that I am neither a

12 relative nor employee nor attorney nor counsel of any

13 of the parties to this action, and that I am neither a

14 relative nor employee of such attorney or counsel and

15 that I am not financially interested in this action.

16

17

18 Michael Lombardozi, RPR

19 Notary Public, State of New Jersey

20 Date: 2013-04-11

21

22

23

24

25

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