



Board Meeting

Thursday, July 20, 2017

10:00 a.m.



REVISED

AGENDA REGULAR SESSION

Thursday, July 20, 2017 - 10:00 a.m.
Two DeKorte Park Plaza, Lyndhurst, NJ

I. APPROVAL OF MINUTES - (Action)

- Approval of Regular Session Meeting Minutes of June 15, 2017.

II. PUBLIC PARTICIPATION ON RESOLUTIONS

III. APPROVALS – (Action)

Cash Disbursements Approval and/or Ratification of Cash Disbursements over \$100,000 for June 2017.

Resolution 2017-21 Consideration of a Resolution Authorizing NJSEA Staff to Investigate the Redevelopment Potential of the Schmitt Realty Property Identified as 1631 Paterson Plank Road, Block 191, Lots 15, 15.01, 15.02, & 15.03, in the Town of Secaucus, New Jersey.

Resolution 2017-22 Consideration of a Resolution to Adopt an Amendment to the Secaucus Transit Village Redevelopment Plan (File No. SP-728)

Resolution 2017-23 Consideration of a Resolution Issuing a Decision on the Variance Application Submitted as part of File No. 16-541 WIP Moonachie, LLC/Use Change, Site Improvements & Variance, 77 Moonachie Avenue, Block 69, Lot 10 and Block 70, Lot 5.02, in the Borough of Moonachie, New Jersey.

IV. AWARDS/CONTRACTS

Resolution 2017-24 Consideration of a Resolution Authorizing the Purchase of a 2017 Ford E-450 Medex Type III – 14 Ft. Ambulance.

V. PUBLIC COMMENT

VI. EXECUTIVE SESSION

Resolution 2017-25 Consideration of a Resolution authorizing the New Jersey Sports and Exposition Authority to conduct a meeting, to which the general public shall not be admitted for the purposes of discussing legal matters, personnel matters and contract negotiations.

VII. MOTION TO ADJOURN

MINUTES



REGULAR SESSION BOARD MEETING

DATE: June 15, 2017
TIME: 10:00 a.m.
PLACE: 2 DeKorte Park Plaza - Lyndhurst, NJ
RE: **REGULAR SESSION MEETING MINUTES**

Members in Attendance:

Ralph Marra, Assistant Secretary
Michael Ferguson, Chairman (via phone)
Joseph Buckelew, Vice Chairman (via phone)
John Ballantyne, Member
Armando Fontoura, Member
Michael H. Gluck, Esq., Member
LeRoy Jones, Member
George Kolber, Member (via phone)
Steven Plofker, Member
Andrew Scala, Member
Anthony Scardino, Member
Robert Yudin, Member
Peter Simon, NJ State Treasurer's Representative (via phone)

Absent:

Wayne Hasenbalg, Esq., President and Chief Executive Officer
Michael Gonnelli, Member

Also Attending:

Christine Sanz, Sr. Vice President/Chief Operating Officer
Adam Levy, Vice President of Legal & Regulatory Affairs
John Yarenis, Director of Finance/CFO
Sara J. Sundell, Director of Land Use Management
Lisa LeBoeuf, Governor's Authorities Unit
Christine Ferrante, Executive Assistant/Paralegal

Assistant Secretary Marra called the meeting to order.

Assistant Secretary Marra stated that the New Jersey Sports and Exposition Authority gave notice of the time, place, and date of this meeting by providing such notice to the Secretary of State for the State of New Jersey, The Star-Ledger, The Record, and other newspapers and by posting the notice at the offices of the Authority.

I. APPROVAL OF MINUTES

Assistant Secretary Marra presented the minutes of the Regular Session Board Meeting held on May 18, 2017.

Upon motion made by Commissioner Ballantyne and seconded by Commissioner Gluck, the minutes of the Regular Session Board Meeting held on May 18, 2017 were unanimously approved by a vote of 12-0.

III. PUBLIC PARTICIPATING ON RESOLUTIONS - None

IV. APPROVALS

- **Approval of Cash Disbursements Over \$100,000 and Professional Invoices**

Assistant Secretary Marra presented the report of cash disbursements over \$100,000 and Professional Invoices for the month of May 2017.

Upon motion by Commissioner Plofker and seconded by Commissioner Fontoura, the cash disbursements over \$100,000 for the month of May 2017 were approved.

Resolution 2017-20 Resolution issuing a Decision on the Variance Application Submitted as Part of File No. 17-068 PSE&G/North Bergen Substation Switchgear Upgrades/Variations Block 442, Lot 8 in the Township of North Bergen.

Ms. Sundell explained that PSE&G has requested two bulk variances in connection with their zoning certificate application for proposed upgrades at the North Bergen Substation in North Bergen. The site is located within a utility right-of-way adjacent to West Side Avenue and is deemed to be within the District's Light Industrial A zone and therefore subject to the setbacks within that zone. The first variance request involves the construction of concrete structures with a minimum front yard setback of 18.7 feet from West Side Avenue, where 50 feet is required. The second variance request involves the construction of concrete structures with a minimum rear yard setback of 19.73 feet, where 75 feet is required. The project proposes upgrades to existing switchgear equipment, as required by PSE&G's Distribution Hardening Initiative. The intent of this initiative is to improve the reliability and resiliency of PSE&G's infrastructure by raising equipment above FEMA's 100-year flood elevations. The existing utility structures at the substation site already have pre-existing nonconforming front and rear yard setbacks (21.2 feet and 22.8 feet, respectively) and the project will decrease those setbacks only slightly. In addition, the concrete structures that are proposed within the setbacks will occupy only a small portion of the lot's overall length. Ms. Sundell stated that staff recommends the approval of this bulk variance for the reasons stated in the recommendation report, which include the need to maintain required regulatory clearances between existing and proposed equipment and the promotion of the public welfare through increased energy resilience.

Commissioner Yudin inquired if there was residential in the surrounding area. Ms. Sundell stated that there is not.

Assistant Secretary Marra presented Resolution 2017-20. Upon motion by Commissioner Plofker and seconded by Commissioner Scardino, proposed resolution 2017-20 was unanimously approved by 12-0 vote.

V. PUBLIC COMMENTS

- Paulette Ramsey, Borough Councilwoman from Franklin Lakes, along with her grandchildren Richard DeKorte III and Catherine DeKorte – Spoke about her excitement on hearing of the continuation of the MOU with Ramapo College.
- Kevin O'Brien, Stagehand Local 632 – Thanked the Board, President Hasenbalg, John Duffy and Claudia Locricchio for assisting with the 4 weeks of rehearsals at the Arena. He went on to show the board a blueprint of the extensive rigging that was done and how the Arena roof was able to handle the 186,000 pound shelf to hold the 42,000 pound video wall. He noted that the Arena is not dilapidated as he understood was mentioned in the recent budget hearings. Mr. O'Brien presented Ms. Locricchio with a t-shirt on behalf of Local 632.
- Doug Doyle, attorney from the Law Offices of DeCotiis, Fitzpatrick, Cole & Giblin representing Secaucus Brownfields Redevelopment LLC – spoke about his concern for an immediate hearing before the NJSEA regarding a use variance application for redevelopment of the Malanka Landfill as well as appearing today as a courtesy before seeking court intervention. Mr. Doyle distributed to the Commissioners a letter to Adam Levy dated May 24, 2017.
- Greg Allen, Principal of Secaucus Brownfields Redevelopment, LLC – also spoke about his concern for an immediate hearing before the NJSEA regarding a use variance application for redevelopment of the Malanka Landfill. Mr. Allen distributed to Commissioners Secaucus resolutions 2013-113 and 2015-209.

VI. EXECUTIVE SESSION

Assistant Secretary Marra stated a need for the Board to enter into Executive Session to discuss contractual matters and litigation matters.

Resolution 2017-20 Resolution authorizing the NJSEA to enter into a meeting to which the general public shall not be admitted to discuss legal matters, personnel matters and contract negotiations.

Upon motion made by Commissioner Scardino and seconded by Commissioner Plofker Resolution 2017-20 was approved by a vote of 12-0.

Motion was made and seconded to enter into open session.

VII. MOTION TO ADJOURN

With no further business, motion to adjourn the meeting was made by Commissioner Scardino and second by Commissioner Scala with all in favor.

Meeting adjourned at 10:55 a.m.

I certify that on information and belief this is a true and accurate transcript of the Minutes of the Regular Session of the New Jersey Sports and Exposition Authority Board Meeting held on June 15, 2017.



Ralph J. Marra, Jr., Esq.
Assistant Secretary

June 15, 2017

Commissioner	Roll Call	2017-19	2017-20
Ferguson	P (via phone)	Y	Y
Buckelew	P (via phone)	Y	Y
Hasenbalg	--	--	--
Ballantyne	P	Y	Y
Fontoura	P	Y	Y
Gluck	P	Y	Y
Gonnelli	--	--	--
Jones	P	Y	Y
Kolber	P (via phone)	Y	Y
Plofker	P	Y	Y
Scala	P	Y	Y
Scardino	P	Y	Y
Yudin	P	Y	Y
Treasury Rep Simon	P (via phone)	Y	Y

P - Present A - Abstain
 - Absent R = Recuse
 Y = Affirmative N = Negative

APPROVALS



CASH DISBURSEMENTS
\$100,000 OR MORE
JUNE 2017

SPORTS COMPLEX

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
NEW JERSEY STATE POLICE	773,900.02	A/L	OVERTIME/SHIFT DIFFERENTIAL CHARGES: FY 2016
NRG BUSINESS SOLUTIONS	330,325.10	A	ELECTRICITY CHARGES: APR 2017
SPORTS COMPLEX TOTAL	<u>1,104,225.12</u>		

RACETRACK

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
NEW JERSEY RACING COMMISSION	120,000.00	A/L	2017 RACING PERMIT - MEADOWLANDS, MONMOUTH PARK, AND F.R. RACING
NEW JERSEY RACING COMMISSION	1,297,415.57	A/L	BUDGET FOR FISCAL YEAR 2017
RACETRACK TOTAL	<u>1,417,415.57</u>		

MONMOUTH PARK RACETRACK MAINTENANCE RESERVE/CAPITAL

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
BOROUGH OF OCEANPORT	540,807.22	A	CAFO SPECIAL ASSESSMENT AGREEMENT: 3RD QTR 2017
MPR MAINTNANCE TOTAL	<u>540,807.22</u>		

OTHER

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
KEARNY MUNICIPAL UTILITIES AUTHORITY	402,025.00	A	KEEGAN LANDFILL - SEWER USER FEES FOR PERIOD 1
WASTE MANAGEMENT OF NEW JERSEY	237,880.63	A	OPERATIONS CONTRACT - KEEGAN LANDFILL: MAY 2017
OTHER TOTAL	<u>639,905.63</u>		

OUTSTANDING PROFESSIONAL SERVICES

JUNE 2017

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>DESCRIPTION</u>
GIBBONS P.C.	124,175.85	LEGAL SERVICES - AUTHORITY TRANSACTIONS COUNSEL: JUN 2017
SPORTS COMPLEX TOTAL	<u>124,175.85</u>	



CASH DISBURSEMENTS
\$100,000 OR MORE

<u>REFERENCE LETTER</u>	<u>TYPE</u>
A	CONTRACT ON FILE
B	PURCHASE AWARDS - APPROVED AT MONTHLY BOARD MEETING
C	STATE REQUIREMENT FOR RACING
D	STATE VENDOR
E	SOLE SOURCE*
F	APPOINTED BY RACING COMMISSION
G	ADVERTISED BID
H	PRESIDENT/CEO APPROVAL
I	STATUTORY PAYMENT
J	UTILITIES
K	LOWEST PROPOSAL
L	REIMBURSABLE
M	OUTSTANDING PROFESSIONAL INVOICES APPROVED AT MONTHLY BOARD MEETING
N	PURCHASES ON BASIS OF EXIGENCY
*	PURCHASES DIRECT FROM SOURCE
	EXPENDITURE TO BE CHARGED TO MAINTENANCE RESERVE FUND

RESOLUTION 2017-21

**RESOLUTION AUTHORIZING NJSEA STAFF TO INVESTIGATE THE
REDEVELOPMENT POTENTIAL OF
THE SCHMITT REALTY PROPERTY IDENTIFIED AS
1631 PATERSON PLANK ROAD,
BLOCK 191, LOTS 15, 15.01, 15.02, & 15.03, IN THE
TOWN OF SECAUCUS, NEW JERSEY
FILE NO. SP-747**

WHEREAS, N.J.S.A. 5:10A-7(j) authorizes the New Jersey Sports and Exposition Authority (NJSEA) to determine the existence of areas in need of redevelopment or rehabilitation and to approve or undertake redevelopment projects therein; and

WHEREAS, N.J.A.C. 19:3-5.1 *et seq.* provides the regulations governing redevelopment within the Hackensack Meadowlands District, including the process and criteria for establishing redevelopment areas and the preparation and adoption of redevelopment plans; and

WHEREAS, a petition, dated July 3, 2017, was received from Katharine A. Coffey of Day Pitney, LLP, submitted on behalf of Pirlhl, requesting that the NJSEA investigate the redevelopment potential of the property located at 1631 Paterson Plank Road, Block 191, Lots 15, 15.01, 15.02, and 15.03, in the Town of Secaucus, which is located within the Low Density Residential zone of the Hackensack Meadowlands District; and

WHEREAS, the NJSEA staff has compiled preliminary information regarding the subject properties in accordance with the requirements of N.J.A.C. 19:3-5.2 to support this request; and

WHEREAS, in accordance with N.J.A.C. 19:3-5.3(e), the NJSEA staff must request authorization from the NJSEA Board of Commissioners to conduct an investigation of areas that may potentially be deemed in need of redevelopment; and

WHEREAS, the NJSEA staff requests authorization to conduct an investigation of the property at 1631 Paterson Plank Road, Block 191, Lots 15, 15.01, 15.02, and 15.03, in the Town of Secaucus to examine its redevelopment potential; and

WHEREAS, the NJSEA staff also requests authorization to prepare an "In Need of Redevelopment Report" pursuant to N.J.A.C. 19:3-5.4 and to hold a public hearing to obtain public comment on the report and its findings.

NOW THEREFORE BE IT RESOLVED, that the NJSEA staff is hereby authorized to conduct an investigation of the property at 1631 Paterson Plank Road, Block 191, Lots 15, 15.01, 15.02, and 15.03, in the Town of Secaucus to examine its redevelopment potential.

BE IT FURTHER RESOLVED, that the NJSEA staff is hereby authorized to prepare an "In Need of Redevelopment Report" pursuant to N.J.A.C. 19:3-5.4 and hold a public hearing to obtain public comment on the report and its findings.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of July 20, 2017.



Ralph J. Marra, Jr., Esq.
Assistant Secretary



MEMORANDUM

To: NJSEA Board Members and Wayne Hasenbalg, President/CEO

From: Sara J. Sundell *Date:* July 20, 2017

Subject: Request for Authorization to Investigate the Redevelopment Potential of Schmitt Realty Property in Town of Secaucus (File No. SP-747)

On July 3, 2017, the New Jersey Sports and Exposition Authority (NJSEA) received a petition from Katharine A. Coffey of Day Pitney, LLP, submitted on behalf of Pirhl, requesting that the NJSEA investigate the redevelopment potential of the property at 1631 Paterson Plank Road, Block 191, Lots 15, 15.01, 15.02, and 15.03, in the Town of Secaucus.

The NJSEA staff conducted a review of the subject property and compiled preliminary information in support of the request. Pursuant to N.J.A.C. 19:3-5.2, the NJSEA staff requests authorization from the Board of Commissioners to conduct an investigation of the redevelopment potential of the property at 1631 Paterson Plank Road, Block 191, Lots 15, 15.01, 15.02, and 15.03, in the Town of Secaucus to determine if it contains the conditions to be designated an area in need of redevelopment. The results of this investigation will be compiled in an "In Need of Redevelopment" report, in accordance with the requirements of N.J.A.C. 19:3-5.4.

Authorization is also requested to hold a public hearing to obtain public comment on this report and its findings.

**PRELIMINARY INFORMATION TO SUPPORT THE
REQUEST FOR AUTHORIZATION TO INVESTIGATE THE
REDEVELOPMENT POTENTIAL OF
THE SCHMITT REALTY PROPERTY IDENTIFIED AS
1631 PATERSON PLANK ROAD
BLOCK 191, LOTS 15, 15.01, 15.02, & 15.03, IN THE
TOWN OF SECAUCUS, NEW JERSEY
FILE NO. SP-747**

In a letter dated July 3, 2017, the New Jersey Sports and Exposition Authority (NJSEA) received a petition from Katharine A. Coffey of Day Pitney, LLP, submitted on behalf of Pirhl, requesting that the NJSEA investigate the redevelopment potential of the property located at 1631 Paterson Plank Road, Block 191, Lots 15, 15.01, 15.02, and 15.03, in the Town of Secaucus. All parcels are under the ownership of Schmitt Realty Co., Inc., and contain the remnants of a former concrete plant.

Pursuant to N.J.A.C. 19:3-5.2, the NJSEA staff must request authorization from the Board of Commissioners to conduct an investigation of areas that may potentially be deemed in need of redevelopment. The request must include the following:

1. The block and lot number designation of the properties;
2. The existing zoning and land use of the properties;
3. A map showing the boundaries of the area to be investigated;
4. A description of all existing structures on each site; and
5. A statement indicating why the property may be in need of redevelopment.

The NJSEA staff conducted a preliminary review and field inspection of the subject property.

The proposed study area is comprised of four (4) tax lots, totaling approximately 3.14 acres in area. The below chart provides the area of each individual lot within the property.

BLOCK	LOT	PROPERTY ADDRESS	NJSEA GIS LOT AREA (ACRES)	TAX LOT AREA (ACRES)
191	15	1631 PATERSON PLANK RD	1.283	3.226
191	15.01	1631 PATERSON PLANK RD	0.644	0.000
191	15.02	1631 PATERSON PLANK RD	1.092	0.000
191	15.03	PATERSON PLANK RD	0.124	0.000
			3.143	3.226

Source: NJSEA Geographic Information Systems

The proposed in need of redevelopment investigation area is delineated by a red boundary line on Figure 1. The subject property fronts on Paterson Plank Road to the north, and is bounded by the Hackensack River to the west. The property also adjoins Trolley Park, a municipal park along the Hackensack River at the terminus of Paterson Plank Road. Residential uses, primarily multifamily uses in the form of townhomes and garden apartments, adjoin the subject property to the north, east, and south.

The subject property is located in the District's Low Density Residential zone, as shown on the existing zoning map for the redevelopment investigation area on Figure 2.

The subject property was formerly utilized by the Schmitt/Eastern Concrete facility, a concrete plant that had been located on the property for over a century. This use represented a preexisting nonconforming heavy industrial use in the Low Density Residential zone. According to the petition, the property has been vacant for over a decade.

The site is identified as a Known Contaminated Site by the New Jersey Department of Environmental Protection (NJDEP) and, according to the petitioner, is currently the subject of an open NJDEP spill case. Furthermore, the site is covered by a layer of concrete approximately one to two feet in depth, and various structures in deteriorated condition associated with the abandoned concrete plant remain on the property.

Conclusion:

Based on the above information, the NJSEA staff requests authorization to conduct a more detailed study of the subject properties to analyze their redevelopment potential. The findings of this investigation will be compiled into an "In Need of Redevelopment Report" in accordance with the requirements of N.J.A.C. 19:3-5.4, and a public hearing will be held to obtain public comment on the report and its findings.

FIGURE 1. LOCATION MAP
 1631 Paterson Plank Road (Block 191, Lots 15, 15.01, 15.02, & 15.03), Secaucus, New Jersey

Redevelopment Investigation

East Rutherford



LEGEND

-  Redevelopment Investigation Boundary
-  Municipal Boundary
-  Lot Line
-  Buildings



City of Secaucus, New Jersey
 Planning and Economic Development
 1631 Paterson Plank Road, Secaucus, NJ 07094
 201.992.2000
 www.secucusnj.gov

FIGURE 2. EXISTING ZONING MAP

1631 Paterson Plank Road (Block 191, Lots 15, 15.01, 15.02, & 15.03), Secaucus, New Jersey

Redevelopment Investigation: Existing Zoning



LEGEND

- Existing Zoning Categories**
 - Low Density Residential
 - Residential Zone A - Secaucus
- Redevelopment Investigation Boundary**
- NJSEA District Boundary**
- Municipal Boundary**
- Lot Line**

Scale: 1 inch = 300 feet

0 150 300 Feet

DATE: 08/14/2013
 DRAWN BY: J. D. LEE
 CHECKED BY: J. D. LEE
 DESIGNED BY: J. D. LEE
 PROJECT NO.: 13-001
 2013 08/14/2013

MEIR | Research & Engineering

RESOLUTION 2017-22

**RESOLUTION TO ADOPT AN
AMENDMENT TO THE
SECAUCUS TRANSIT VILLAGE REDEVELOPMENT PLAN
FILE NO. SP-728**

WHEREAS, N.J.S.A. 5:10A-7(j) authorizes the New Jersey Sports and Exposition Authority (NJSEA) to determine the existence of areas in need of redevelopment or rehabilitation and to approve or undertake redevelopment projects therein; and

WHEREAS, N.J.S.A. 5:10A-24 states that the NJSEA shall prepare and adopt a redevelopment plan for each area in the District determined by the commission to be an area in need of redevelopment; and

WHEREAS, N.J.A.C. 19:3-5.1 *et seq.* provides the regulations governing redevelopment within the Hackensack Meadowlands District, including the process and criteria for establishing redevelopment areas and the preparation and adoption of redevelopment plans; and

WHEREAS, the New Jersey Meadowlands Commission originally adopted the Secaucus Transit Village Redevelopment Plan on April 16, 2004, and adopted subsequent amendments to the plan on May 24, 2006, April 23 2008, and November 21, 2011; and

WHEREAS, the Secaucus Transit Village Redevelopment Area is located within the Town of Secaucus; and

WHEREAS, the NJSEA received a petition, dated September 29, 2015, from Patrick McNamara, of the firm Scarinci Hollenbeck, on behalf of Edison Properties, to consider amendments to the Secaucus Transit Village Redevelopment Plan, pursuant to N.J.A.C. 19:3-5.15; and

WHEREAS, Edison Properties is an owner of property located within the redevelopment area; and

WHEREAS, Edison Properties proposed that the redevelopment plan be amended to extend the time period for commercial off-street parking as an interim use from 7 to 10 years, and to increase the maximum number of parking spaces permitted for commercial off-street parking as an interim use from 1,100 to 2,200 within the Station Square zone; and

WHEREAS, additional development requirements are included in the amendment to the redevelopment plan, including a timeline to submit

applications for interim uses and provisions for maximum height and minimum setbacks for vehicle lifts, car stackers and/or similar structures; and

WHEREAS, the NJSEA staff prepared the draft amendment to the Secaucus Transit Village Redevelopment Plan, dated March 2017; and

WHEREAS, a public hearing was held on March 7, 2017, to obtain public comment on the draft amendment to the redevelopment plan; and

WHEREAS, one person offered comments at the public hearing and three written comments were received; and

WHEREAS, the NJSEA staff considered all comments received, which resulted in several modifications to the draft redevelopment plan, including additional provisions regarding traffic impact assessments and corresponding mitigation measures, and prepared the final amendment to the Secaucus Transit Village Redevelopment Plan, dated July 20, 2017; and

WHEREAS, pursuant to N.J.S.A. 5-10A-9, a copy of the plan amendment was forwarded on June 28, 2017, to the Hackensack Meadowlands Municipal Committee (HMMC), and was approved at their meeting of July 17, 2017; and

WHEREAS, at this time, the NJSEA staff recommends that the NJSEA Board of Commissioners adopt the amendment to the Secaucus Transit Village Redevelopment Plan, dated July 20, 2017; and

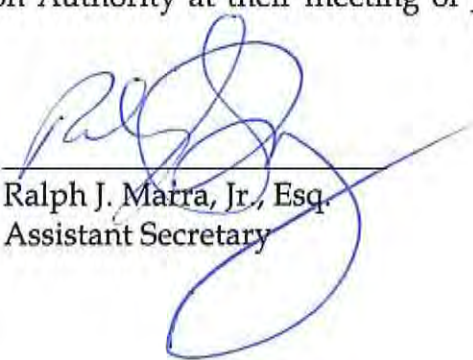
WHEREAS, the members of the NJSEA Board of Commissioners have reviewed the record in this matter and concur with the recommendations of the NJSEA staff.

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey Sports and Exposition Authority, that the amended Secaucus Transit Village Redevelopment Plan, dated July 20, 2017 is hereby adopted.

BE IT FURTHER RESOLVED, that the amended Secaucus Transit Village Redevelopment Plan shall supersede all prior redevelopment plans for the Secaucus Transit Village Redevelopment Area, which is located in the Town of Secaucus within the jurisdictional boundary of the Hackensack Meadowlands District.

BE IT FURTHER RESOLVED, as set forth in N.J.A.C. 19:3-5.10, the members of the NJSEA authorize staff to prepare a public notice to be forwarded to the Office of Administrative Law to be published in the New Jersey Register describing the amended Secaucus Transit Village Redevelopment Plan, as adopted.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of July 20, 2017.



Ralph J. Marra, Jr., Esq.
Assistant Secretary



MEMORANDUM

To: NJSEA Board Members and Wayne Hasenbalg, President/CEO

From: Sara J. Sundell

Date: July 20, 2017

Subject: Adoption of an Amendment to the Secaucus Transit Village
Redevelopment Plan (File No. SP-728)

The New Jersey Meadowlands Commission (NJMC) originally adopted the Secaucus Transit Village Redevelopment Plan on April 16, 2004, and adopted amendments to the Plan on May 24, 2006, April 23, 2008 and November 21, 2011. The Secaucus Transit Village Redevelopment Area comprises approximately 231 acres and is defined as the following properties within the Town of Secaucus: Block 5.01, Lots 3.01 and 3.02; Block 5.02, Lots 3.03 and 3.04; Block 5.03, Lot 3.05; Block 5.04, Lot 3.06; Block 5.05, Lots 3.07 and 3.08 (formerly identified as Block 5, Lots 3 and 5), Block 5, Lots 4 (including Lot 4.01), 6, 7.01, 7.02, 8 and 9; Block 8, Lots 1 and 2; Block 9, Lots, 8.05, 8.06, 9, 10 and 11; Block 10, Lots 6.01, 8.01, 9.01, 10, 11, 12, and 13; Block 12, Lot 1; and in Block 20.01, an 0.16 acre portion of Lot 16.

A petition to amend the Secaucus Transit Village Redevelopment Plan was submitted by Edison Properties on September 29, 2015. The petition was submitted pursuant to N.J.A.C. 19:3-5.15, regarding amendments to a redevelopment plan. Edison Properties is an owner of properties located within the redevelopment area.

The proposed amendments to the redevelopment plan include the following:

1. Extension of the time period for commercial off-street parking as an interim use from 7 to 10 years, the commencement of which shall coincide with the issuance of a certificate of completion.
2. Increase in the maximum number of parking spaces permitted for commercial off-street parking as an interim use from 1,100 to 2,200 within the Station Square zone.

3. Establishment of a requirement that any application for an interim use shall be submitted within two years of adoption of this amendment to the redevelopment plan.
4. Provision of a maximum height limitation of 20 feet for vehicle lifts, car stackers and/or similar structures.
5. Provision of a minimum 10 foot setback from any property line for vehicle lifts, car stackers and/or similar structures for parking vehicles.

On March 7, 2017, the NJMC conducted a public hearing to obtain comments on the proposed amendment to the Secaucus Transit Village Redevelopment Plan. One person offered comments at the public hearing. Written comments were received from Command Web Offset Co., the Hudson County Division of Planning, and the Meadowlands Regional Chamber of Commerce. The NJMC staff made several modifications to the draft plan amendment in response to comments, including the inclusion of additional provisions regarding traffic impact assessments and corresponding mitigation measures. The amendment to the plan was finalized in July 2017.

The matter was subsequently forwarded to the Hackensack Meadowlands Municipal Committee on June 29, 2017, and was approved at their meeting on July 17, 2017.

At this time, the staff recommends that the Board of Commissioners of the NJSEA approve this amendment to the Secaucus Transit Village Redevelopment Plan.

SECAUCUS TRANSIT VILLAGE REDEVELOPMENT PLAN



As Adopted by NJMC Resolution No. 04-20 on April 16, 2004,
Amended by NJMC Resolution No. 06-41 on May 24, 2006,
Amended by NJMC Resolution No. 08-32 on April 23, 2008,
Amended by NJMC Resolution No. 11-48 on October 21, 2011, and
Amended by NJSEA Resolution No. 2017-xx on July 20, 2017.

Prepared by the
New Jersey Sports and Exposition Authority



NEW JERSEY SPORTS & EXPOSITION AUTHORITY

SECAUCUS TRANSIT VILLAGE REDEVELOPMENT PLAN

July 2017

Chairman
Michael Ferguson

Vice Chairman
Joseph Buckelew

President/CEO
Wayne Hasenbalg

Board Members
John Ballantyne
Armando B. Fontoura
Michael H. Gluck
LeRoy J. Jones, Jr.
George Kolber
Steven Plofner
Andrew Scala
Anthony Scardino
Robert B. Yudin
Ford M. Scudder

It is certified that all copies of this document are in conformance with the one that was signed and sealed by Sara J. Sundell, New Jersey Professional Planner License No. 5527.

Sara J. Sundell, P.E., P.P.
Professional Planner #5527

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A. REQUISITE PLAN INFORMATION

*Pursuant to Public Law 2015, Chapter 19, the New Jersey Meadowlands Commission (NJMC) has become part of the New Jersey Sports and Exposition Authority (NJSEA), effective February 5, 2015.

The New Jersey Sports and Exposition Authority's (NJSEA) enabling legislation authorizes the NJSEA to prepare and adopt redevelopment plans within the Hackensack Meadowlands District (District), pursuant to N.J.S.A. 5:10A-24. The redevelopment area criteria are set forth in N.J.A.C. 19:3-5. This subchapter of the District Zoning Regulations states the framework for the identification of areas in need of redevelopment and provides the procedure to carry out and effectuate the redevelopment of an area.

As set forth in N.J.A.C. 19:3-5.8(a), redevelopment plans shall include the following information:

- a. An outline for the development, rehabilitation or redevelopment of the subject area, accounting for area-specific planning objectives relating to land uses; population density; traffic and public transportation improvements; public utilities; recreational and community facilities; and other public improvements;
- b. Proposed land uses and building requirements in the redevelopment area; and
- c. The relationship of the redevelopment plan to the Master Plan for the Hackensack Meadowlands District.

B. SPECIFIC PLAN REQUIREMENTS

1. Introduction

A redevelopment plan, known as the Laurel Hill Redevelopment Plan, was prepared in 1999 for the project area. Due to the lack of revitalization associated with that plan, the NJMC staff revisited the redevelopment plan to determine if changes were warranted. Enhanced transportation access in the form of roadway improvements, grade separations, and the opening of the Secaucus Junction transfer station brought to the forefront the concept of creating a transit village in the subject area.

The subject redevelopment plan, now known as the Secaucus Transit Village Redevelopment Plan, replaced the Laurel Hill Redevelopment Plan. The subject plan is applicable for the following properties: Block 5.02, Lots 3.01 and 3.02; Block 5.02, Lots 3.03 and 3.04; Block 5.03, Lot 3.05; Block 5.04, Lot 3.06; Block 5.05, Lots 3.07 and 3.08 (formerly identified as Block 5, Lots 3 and 5); Block 5, Lots 4 (including Lot 4.01), 6, 7.01, 7.02, 8 and 9; Block 8, Lots 1 and 2; Block 9, Lots 8.05, 8.06, 9, 10 and 11; Block 10, Lots 6.03, 8.01, 9.01, 10, 11, 12, and 13; Block 12, Lot 1; and Block 20.01, 0.16-acre portion of Lot 16, in the Town of Secaucus. The entire redevelopment area totals approximately 231 acres.

Upon analysis, it was determined that not all of the original lots in the Laurel Hill redevelopment area should be included in the Secaucus Transit Village Redevelopment Area.

The following blocks and lots listed in the Laurel Hill Redevelopment Plan, dated December 23, 1998, and adopted on May 26, 1999 with modifications, have been removed from the redevelopment area: Block 9, lots 4, 5, 6.03 (formerly Lots 6.01 and 6.02), 7, 8.07; and Block 10,

Lots 1, 2, 3, 4.01. The zoning for these parcels shall be as depicted on the Hackensack Meadowlands District Official Zoning Map, dated February 17, 2004.

The Secaucus Transit Village Redevelopment Area is 54 acres less in area than the Laurel Hill Redevelopment Area. The subject redevelopment area is generally bounded by the Hackensack River to the west, New County Road (also known as Paul Amico Way) and the New Jersey Turnpike to the southeast, Jersey City Water Supply line to the north, and Meadowland Parkway to the northwest. The properties directly to the northeast of the area are located in the Light Industrial A zone. Several sites contain warehouse/office facilities. Hudson County Park at Laurel Hill is located to the southwest. The approximately 304-acre park is improved with lighted soccer, cricket, football and baseball fields, a playground, walking paths, and a boat launch facility. Wetlands exist in the western portion of the redevelopment area adjacent to the Hackensack River.

2. Redevelopment Plan History

The District's first Official Zoning Map designated a portion of the area to the south of New County Road Extension as Parkside Residential 3, Specially Planned Area (SPA). The SPA afforded the opportunity to require comprehensive large-scale development planning. Residential development was originally contemplated here because the area is adjacent to the Hackensack River. However, site conditions hindered residential development as the location was isolated along the Hackensack River with very poor vehicular and transit access. Adjacent industrial development was in a dilapidated state. Soil conditions would have required improvement since the property was formerly a landfill for incinerator ash.

Land to the north and west of the New Jersey Transit (NJ Transit) Main Line and New County Road was originally zoned Light Industrial and Distribution, permitting industrial facilities at the periphery of the redevelopment area.

In October 1996, the Commission authorized staff to conduct a preliminary investigation to determine if redevelopment conditions existed for the Laurel Hill study area for the properties then identified as Block 5, Lots 3 and 5 in the Town of Secaucus. In 2007, these properties were subdivided into Block 5.01, Lots 3.01 and 3.02; Block 5.02, Lots 3.03 and 3.04; Block 5.03, Lot 3.05; Block 5.04, Lot 3.06; and Block 5.05, Lots 3.07 and 3.08. In February 1997, the study concluded that the area was in need of redevelopment. Upon further investigation, the Commission, in May 1997, authorized staff to expand the Laurel Hill study area. In October 1997, the Commission authorized the preparation of the Laurel Hill Redevelopment Plan. The redevelopment process examined several options for the area including the following: retaining the existing zoning designations; continuing warehouse/distribution development, commercial/retail outlets, communications/production center, convention center, and mixed use development. Several zoning designations permitting various types of development such as a convention center, mixed use development, and communications production center were recommended for the study area. The Commission adopted the Laurel Hill Redevelopment Plan, with modifications, in May 1999.

A convention center was actively pursued on a 60-acre tract in the redevelopment area. However, interest in the convention center project waned following the events related to September 11, 2001. Office and commercial markets in the District also experienced a downturn at this time, while the demand for residential uses increased due to low interest rates. Coinciding with the demand for

housing, NJ Transit's Secaucus Junction Transfer Station (also known as the Frank R. Lautenberg Rail Station), which links ten NJ Transit commuter rail lines, was nearing completion.

Due to these market changes, Commission staff decided to reconsider the land uses permitted within the redevelopment area.

The updated District Master Plan, adopted on January 8, 2004, called for a mixed-use, transit-oriented development, incorporating "smart growth" policies in and around the transfer station. The Master Plan incorporated the goals and objectives for development of this area in the Secaucus Transit Center Area Plan. The Master Plan states, "Consistent with smart growth principles, the station is a focal point of a major development node that offers potential as a 'transit village.'" Additionally, in 2003, the NJMC, NJ Transit and the Town of Secaucus jointly developed a "Secaucus Junction Area Vision Plan" with Ehrenkrantz, Eckstut & Kuhn and Clarke Canton Hantz. This redevelopment plan is consistent with the planning objectives set forth in these documents. It is the Commission's objective to encourage the development of transit-oriented land uses, including housing, retail, office and hotels. Further goals of the redevelopment plan consist of attracting desirable retail and jobs, as well as providing for orderly development and the health, safety and welfare of the general public.

3. Land Use

In developing potential land use options for the area, NJMC staff focused on transit-friendly and transit-oriented uses. The following assumptions were made:

- a. The Secaucus Junction Area Vision Plan shall provide the conceptual basis for the redevelopment plan.
- b. Smart growth principles shall be incorporated into the project design. Consistent with the goals of the State of New Jersey, design standards shall incorporate a sense of place, mixed land uses, cluster development, pedestrian scale, traffic calming devices, multi-modal transportation access, and usable public spaces.
- c. Within the limits outlined in this plan, development shall be permitted only to the extent that existing utility, transportation, and municipal infrastructure can support it or to the extent that the developer is willing to provide improvements that will support it.
- d. A redeveloper shall be required to submit a Project Impact Assessment (PIA). The required elements of a PIA are set forth in N.J.A.C. 19-4-30.1, et seq.
- e. A detailed traffic impact study as set forth in R.J.A.C. 19-4-7.10, shall be prepared identifying mitigating measures to be performed by the developer, if required.
- f. For any proposal that requires an improvement to mitigate an impact identified in the PIA, the developer shall enter into an agreement with the NJSEA within 60 days of issuance of a zoning certificate for the project.
- g. Appropriate buffers shall be provided adjacent to wetlands and/or environmentally sensitive areas.
- h. It is the sole responsibility of the developer to perform due diligence in order to determine if there is any contamination remaining from a former use of any site or from any other activity that may have occurred on a site. The developer shall perform any environmental clean-up deemed necessary, in accordance with approved methodology of the New Jersey Department of Environmental Protection.

4. Transportation Infrastructure

The transit village concept envisions a mix of land uses oriented physically and/or visually to a transit facility. As a focal point of the transit village, Secaucus Junction is intended to encourage transit ridership while decreasing dependence on automobile usage. Secaucus Junction is NJ Transit's only facility that connects ten out of the state's eleven commuter rail lines, permitting transfers between the Main, Bergen County, Port Jervis and Pascack Valley lines, and the Northeast Corridor, North Jersey Coast Line and Morris and Essex lines via Mid-town Direct. Pedestrian access between the Secaucus Junction Transfer Station and the Secaucus Transit Village area is limited. Safe and continuous pedestrian connections are envisioned for the future, including elevated and at-grade walkways from the Secaucus Junction Transfer Station to the village components.

Since the adoption of the original Laurel Hill Redevelopment Plan, several infrastructure improvements that enhance vehicular and bus access to the general area have advanced. A major portion of Castle Road has been reconstructed, including new curbing, storm sewers, and sanitary sewers. New County Road reconstruction, extending from the Laurel Hill Park area to County Avenue, is also complete. Additionally, a grade separation over the Main Line, as well as a grade separation over the Croton Yards, has been completed.

The New County Road-County Avenue-County Road interchange is also complete. The Seaview Drive extension, from Meadowland Parkway to New County Road, provides two lanes in each direction and a direct connection with the New Jersey Turnpike I-5X interchange. The extension of Seaview Drive was constructed along the abandoned NJ Transit Bergen Line right-of-way. A new signalized intersection at Seaview Drive and New County Road has been provided at the perimeter of the Secaucus Transit Village Redevelopment Area.

The "Secaucus Junction Area Vision Plan" contemplated several new access points to, and improved circulation within, the Transit Village area including a connection from Seaview Drive beyond Castle Road and over the NJ Transit Main Line to the New County Road Extension, a boulevard over and along the Jersey City Water Supply line, and a traffic circle at the intersection of Meadowland Parkway and Castle Road. Traffic circulation for different user groups is proposed to be controlled by varying street widths throughout the project. On-site parking requirements shall be reduced to the greatest extent possible by utilizing shared parking areas in mixed-use developments with access to various mass transit modes throughout the transit village.

5. Public Utilities

Within the redevelopment area, United Water Company provides potable water; Public Service Electric and Gas provides both gas and electricity; and the Secaucus Municipal Utility Authority provides sanitary sewerage services.

6. Recreation Facilities

Adjacent to the redevelopment area is the 104-acre Hudson County Park at Laurel Hill. The park includes lighted soccer, football, cricket, and baseball fields, a playground, walking paths, and a boat launch facility. Linkages from the park to the adjacent development, specifically along the Secaucus Greenway, shall be incorporated into development projects within this redevelopment area.

Community space in the form of village greens, pocket parks, and other passive recreational areas is encouraged throughout the redevelopment area.

7. Community Services

The demand for police, fire, and emergency medical services shall be identified in the Project Impact Assessment (PIA) at the time of development application. The required elements of a PIA are set forth in N.J.A.C. 19:4-10.1 et seq.

8. Identification of Property to be Acquired

The NISEA does not intend to acquire any of the property within the redevelopment area at this time. However, the NISEA notes that any property in the redevelopment area may be subject to acquisition in the future in order to meet the goals of implementing this redevelopment plan.

9. Relationship to Hackensack Meadowlands District Master Plan and Regulations

During the preparation of the District Master Plan, input was sought from constituent municipalities and stakeholders to coordinate a balance between economic vitality and environmental preservation. The NJMC and NJ Transit took a similar approach with the Town of Secaucus during the conceptual phase of the Secaucus Junction Area Vision Plan. Creating a plan to address developmental pressures around the transfer station was vital input from Secaucus town officials, local stakeholders, and property owners was encouraged during the visioning process. Compatibility between existing development in the Town of Secaucus and future development was sought through this process. The resulting vision plan was presented at a public informational session and included a fiscal and traffic analysis.

This redevelopment plan supersedes the existing zoning regulations and/or prior redevelopment plans. Any development standard not specifically addressed within this redevelopment plan will revert back to the District Zoning Regulations for appropriate review and regulatory criteria.

10. Smart Growth and Sustainability

The NISEA recognizes the State of New Jersey's use of smart growth principles to guide land use decisions and develop strategies to address conservation challenges. In the Hackensack Meadowlands District, smart growth principles such as economic growth and redevelopment are promoted in the planning and zoning activities of the NISEA.

The District's Zoning Regulations also promote smart growth through sustainability initiatives, including the adoption of regulations encouraging sustainable green building practices. N.J.A.C. 19:4-5.6 provides incentives for applicants to the NISEA to utilize green building practices or install alternative green building components, such as those recognized in green building certification programs, including the U.S. Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) certification.

II. Potential Implementation Strategies

A. POWERS OF THE REDEVELOPMENT AGENCY

The following provides the statutory provisions, pursuant to N.J.S.A. 5:52A-24, which can be utilized to implement this redevelopment plan:

1. The NISEA shall prepare and adopt a redevelopment plan for each area in the district determined by the NISEA to be an area in need.
2. A municipality which has had subject to the jurisdiction of the NISEA and adopts the NISEA's redevelopment plan shall have the authority to approve or reject an application for a permit. The municipality shall provide the NISEA all documentation, plans, and information regarding all applications. All fees generated by these applications and approvals shall be retained by the municipality. Any approval of any plan review or subdivision application by a municipality pursuant to this subsection shall be limited by, and based upon, the rules, regulations, and standards in a resolution adopted by the NISEA and the municipality. All fees generated by these applications and approvals shall be retained by the municipality.
3. For those municipalities that do not adopt the NISEA's redevelopment plan, the NISEA may issue the permit for the proposed construction or alteration as being in conformity with the redevelopment plan. Any variations and modifications of the redevelopment plan shall be the responsibility of the NISEA. A permit shall not be issued without a certificate from the Chief Engineer or equivalent official of the NISEA that the proposal is in conformity with the NISEA's redevelopment plan.
4. In undertaking projects pursuant to any redevelopment plan, the NISEA may:
 - a. Acquire, by condemnation or otherwise, real or personal property, or any interest therein, including such property as it may deem necessary or proper, although temporarily not required for such purposes, in an area in need and in any area within the district designated by the NISEA as necessary for relocation of residents, industry, or commerce displaced from a redevelopment area;
 - b. Clear or reclaim any area so acquired and install, construct, or reconstruct projects therein necessary to prepare such area for development;
 - c. Relocate or arrange or contract with public or private agencies for the relocation of residents, industry, or commerce displaced from the area in need;
 - d. Dispose of real property so acquired by sale, lease, or exchange for the uses and purposes specified in the redevelopment plan, to any person or public agency;
 - e. Study the recommendations of the constituent municipality's planning board impacted by the redevelopment plan for redevelopment of any area within that municipality and make its own investigations as to current trends in the area in need, as established by the NISEA;
 - f. By contract or contracts with public agencies or developers or by its own employees' or consultants' plan, plan, construct, reconstruct, operate, maintain, and repair any redevelopment or other project or any part thereof, and

g. Make and adopt plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements, and for the enforcement of codes and laws relating to the use of land, the use and occupancy of buildings and improvements, and the control over the pollution of water and air and the disposal of solid waste.

B. NUSEA INVOLVEMENT

The NUSEA has wide ranging powers to effectuate a redevelopment plan, ranging from the rezoning of property for private development, up to and including condemnation, ownership, and public development of the tract. The authority of the NUSEA in undertaking redevelopment projects is enumerated under N.J.S.A. 5:10A-1 et seq.

iii. Selected Land Use Option

A. SELECTION OF RECOMMENDED LAND USE

In the drafting of the 2004 District Master Plan, the NIMC sought to create a balance between economic development and environmental conservation. This created opportunities for the NIMC to evaluate areas where development pressures were apparent. In south Secaucus, NJ Transit's Secaucus Junction was substantially larger construction and nearing completion. In 2002, NIMC and NJ Transit discussed the potential development of lands immediately adjacent and surrounding Secaucus Junction with an eye towards establishing a "transit village." Transit villages are typically compact, mixed-use developments located within a quarter to a half-mile walk (approximately five to fifteen-minutes) to a transit station. The concept was to incorporate Secaucus Junction as a focal point for transit-friendly, transit-oriented development. The NIMC, NJ Transit, and the Town of Secaucus jointly developed a station area vision plan. The plan represents an economically feasible vision of smart growth in and around the station. A comparable balance of jobs, population, and housing is a prime goal of the plan. The plan proposes a mix of land uses including residential, hotel, commercial, and office development. Block plans are intended to provide flexibility and open space, encouraging people to reside, work and enjoy leisure activity within the transit village.

Subsequent to the visioning process, the NIMC engaged the services of the Urban Land Institute (ULI) for expert review of the concept presented in the Secaucus Junction Area Vision Plan. The ULI is a nonprofit research and education organization that promotes responsible leadership in the use of land in order to enhance the environment. Their research includes analysis of topics, which anticipate emerging land use trends and issues, and proposes creative solutions. The ULI assembled an advisory panel of professionals with expertise in transportation, transit villages and redevelopment. The advisory team focused on and evaluated the potential of the area as a transit village with an eye towards incorporating innovative planning techniques. The ULI's findings confirmed the viability of the vision plan and emphasized that the train station is just one of the many amenities that lend to the potential for success of the area for redevelopment. As suggested by ULI, one of the main goals of the redevelopment plan should be to create a sense of place, which can be done through implementation of the Transit Village concept.

B. REDEVELOPMENT STANDARDS

1. Definitions

All words not described in this redevelopment plan shall have the definitions as listed in the adopted District Zoning Regulations, or in absence of such, in the dictionary.

- a. "Neighborhood retail" means commercial establishments developed in a village setting for the purpose of retail sales and personal services designed to meet the needs of the immediate trade area. No single tenant shall occupy more than 25,000 square feet of space in any one building.
- b. "Active Adult Residential Unit" means a deed-restricted residential unit occupied by at least one person who is 55 years of age or older and having no permanent resident under the age of 18.
- c. "Interim Use" means a use that is temporary in nature and subject to an agreement between the redeveloper and the NJSEA, which agreement shall set forth the term of the Interim Use and contain any other necessary provisions including but not limited to penalties for violations. The

agreement shall be executed prior to submittal of an application for zoning certificate for such Interim Use.

2. Other Standards Not Discussed Herein

The standards contained within this redevelopment plan shall supersede existing regulations as contained in § J.A.C. 19-5-1 et seq. and § J.A.C. 19-5-1 et seq. Existing District Zoning Regulations shall be consulted for any site requirements or standards not specifically set forth herein.

IV. Land Use and Bulk Standards

A. PURPOSE

The purpose of this redevelopment plan is to permit the subject area to become a transit-oriented, transit-friendly development. The plan is designed to accommodate compact, mixed-use development with the Secaucus Junction transfer station as a focal point. The requirements of the plan seek to meet the needs and conveniences of residents, workers, and visitors of the area. Land uses, including retail, office, residential, and public spaces, located within short distances of each other and the station, are intended to support a variety of transportation options. A pedestrian-friendly environment shall be established by requiring attention to scale of development, architectural standards, provisions for open space, site amenities and streetscapes. These standards are designed to:

1. Encourage the improvement of properties consistent with the overall redevelopment concept expressed herein;
2. Encourage new construction to relate appropriately to the surrounding environment, including other buildings, parking, landscaping, site amenities, architectural elements, and pedestrian circulation;
3. Provide increased housing opportunities;
4. Provide a positive municipal tax base; and
5. Provide community and economic development opportunities that will integrate the station with the community through enhanced pedestrian linkages and complementary land uses.

B. LAND USES

Four zoning districts have been established in order to meet the stated planning objectives for the redevelopment area. The zones are as follows:

1. **Station Square Zone**
Block 9, Lots 8.05, 8.06, 9, 10, and 11; Block 10, Lots 6.01, 8.01, 9.01, 10, 11, 12, and 13; Block 12, Lot 1; and Block 20.A1, 0.16 acre portion of Lot 16.

The Station Square zone shall serve as the core of the redevelopment area. The area comprising this zone is the most accessible to Secaucus Junction, located within a ¼ to ½ mile walking distance to the station. The Station Square zone shall provide land uses that benefit both community and transit users.

Some of the densest uses are proposed to be located closest to the station. The zone shall provide for the safe and efficient movement of pedestrian and vehicular traffic. Pedestrian connections shall be established to and from Secaucus Junction. Sidewalks shall use complementary materials and design elements. Open spaces shall be conducive for pedestrian, bicyclists and transit users. Shared parking shall be permitted.

- a. Permitted Uses
 - i. Banks;
 - ii. Business support services;

be encouraged between the Transition zone and Station Square, the Riverfront Landing zone, and Secaucus Junction.

a. Permitted Uses

- i. Banks;
- ii. Business support services;
- iii. Commercial recreation, indoor;
- iv. Cultural facilities;
- v. Day care facilities;
- vi. Health centers;
- vii. Offices;
- viii. Parks or recreation facilities;
- ix. Personal services;
- x. Restaurants;
- xi. Retail; and
- xii. Social services.

b. Use Limitations

- i. All operations, activities and storage shall be conducted within completely enclosed buildings, unless otherwise specified herein. The following outdoor operations, activities, and storage shall be permitted when conforming to all other requirements:
 - (a) Off-street parking of registered and operating vehicles.
 - (b) Restaurants shall not contain drive-through or drive-in facilities.
 - (c) Recycling and refuse areas provided in accordance with District Zoning Regulations.
 - (d) Off-street loading within designated loading areas.
- ii. Parking decks shall not exceed two levels at or above grade in height.

3. Riverfront Landing Zone

Block 5.03, Lots 3.01 and 3.02; Block 5.02, Lots 3.03 and 3.04; Block 5.03, Lot 3.05; Block 5.04, Lot 3.06; and Block 5.05, Lots 3.07 and 3.08 (formerly identified as Block 5, Lots 3 and 5).

The Riverfront Landing zone shall allow for the primary concentration of residential development within the Secaucus Transit Village Redevelopment Area. This zone shall also provide open space and site amenities for use by the general public. Sidewalks shall use complementary materials and design elements. Pedestrian connections shall be established to the Secaucus Greenway and Secaucus Junction.

a. Permitted Uses

- i. Cultural facilities;
- ii. Day care facilities;
- iii. Dwelling, multi-family;
- iv. Marinas;
- v. Parks or recreation facilities;

- iii. Commercial recreation, indoor;
- iv. Cultural facilities;
- v. Day care facilities;
- vi. Dwelling, multi-family, above the first floor level of a building;
- vii. Essential public services;
- viii. Health centers;
- ix. Hotel and ancillary meeting facilities;
- x. Neighborhood retail;
- xi. Offices;
- xii. Parks or recreation facilities;
- xiii. Personal services;
- xiv. Restaurants; and
- xv. Social services.

b. Use Limitations: Applicable to Permitted Uses

- i. All operations, activities and storage shall be conducted within completely enclosed buildings, unless otherwise specified herein. The following outdoor operations, activities, and storage shall be permitted when conforming to all other requirements:
 - (a) Off-street parking of registered and operating vehicles.
 - (b) Restaurants shall not contain drive-through or drive-in facilities.
 - (c) Recycling and refuse areas provided in accordance with District Zoning Regulations.
 - (d) Off-street loading within designated loading areas.
- ii. Parking decks shall not exceed 3 levels in height for mixed-use buildings and 1/3 the number of stories for a hotel use.

c. Interim Uses

- i. Commercial off-street parking facilities, for a period not to exceed 10 years, the commencement of which shall coincide with the issuance of a certificate of completion.

d. Use Limitations: Applicable to Interim Uses:

- i. The maximum number of parking spaces permitted for commercial off-street parking facilities shall be 2,200 within the Station Square zone.
- ii. Any application for interim use shall be submitted within two years of adoption of the amendment to this redevelopment plan, dated July 20, 2017.

2. Transition Zone

Block 5, Lots 7.01, 7.02, 8, and 9.

North of New County Road Extension there shall be a transition area between the Station Square zone and the Riverfront Landing zone. This zone shall serve as an extension of the uses permitted in the transit village planning area with less density and at a lower scale. Sidewalks shall use complementary materials and design elements. Attractive, safe pedestrian circulation routes shall

- vi. Social services; and
- viii. Supporting neighborhood retail uses.

b. Use Limitations

- i. All operations, activities and storage shall be conducted within completely enclosed buildings, unless otherwise specified herein. The following outdoor operations, activities, and storage shall be permitted when conforming to all other requirements:
 - (a) Off-street parking of registered and operating vehicles.
 - (b) Recycling and refuse areas provided in accordance with District Zoning Regulations.
 - (b) Off-street loading within designated loading areas
- ii. Supporting neighborhood retail uses shall not exceed a total of 150,000 square feet in the zone, subject to the limitations below:

	Max Floor Area (GSF) per individual
Use	Tenant space
Grocery stores	40,000
Health clubs	20,000
Personal services	20,000
Pharmacies	15,000
Restaurants, excluding drive-in or drive-through facilities	20,000
Retail	20,000

- iii. Parking decks located under residential or commercial structures shall not exceed 3 levels at or above grade in height.

4. Passive Recreation Zone Block 5, Lots 4 (which includes Lot 4.01) and 5.

The Passive Recreation zone shall provide open space and passive recreation opportunities for residents, employees, and visitors to the Town of Secaucus and the Transit Village. This zone shall maximize the opportunities for passive enjoyment of the Hackensack River by providing for the following:

- a. Public access features including trails, site furnishing, signage, and structures that facilitate wildlife observation;
- b. Scientific and educational study and experimentation in regard to wetland ecology and nature;
- c. Wetland enhancement, restoration or creation activities; and
- d. Wildlife habitat creation.

C. DESIGN CRITERIA

A goal of this redevelopment plan is to promote sufficient flexibility to encourage innovative and creative design. The following design criteria provide a degree of detail in order to achieve a cohesive, pedestrian-friendly, transit-oriented development.

Unless specifically superseded in this redevelopment plan, the design standards shall be in compliance with N.J.A.C. 19-4-8. Existing District Zoning Regulations shall be consulted for any site requirements or other standards not specifically set forth herein.

1. Site Layout

- a. Encourage compact land uses that serve transit supportive and transit friendly development;
- b. Ensuring ample provision of pedestrian areas and circulation routes;
- c. Promoting high standards in site layout, design, and construction; and
- d. Paying attention to architectural details, signage, landscaping, lighting, and other site amenities.

2. Lot Area and Density Requirements

- a. Minimum lot size: three acres.
- b. Minimum lot width: 200 feet.
- c. Floor Area Ratio (FAR) not to exceed 0.75 for all commercial uses, except hotels, which shall have a FAR not to exceed 1.00.
- d. A maximum of 1,805 market rate dwelling units shall be permitted in the Riverfront Landing zone.
- e. A maximum of 150 market rate dwelling units shall be permitted in the Station Square zone.
- f. The proportionate share of affordable housing units required by applicable State of New Jersey regulations shall be provided on a pro rata basis during the construction of the development. These affordable units shall be in addition to the aforementioned maximum number of market rate dwelling units.
- g. All affordable housing units required by the applicable State of New Jersey regulations shall be provided on site.

3. Bulk Regulations

- a. For all Permitted Uses, the following standards shall apply:
 - i. Staggered building frontage setbacks are desirable.
 - ii. Maximum lot coverage: 40 percent.
 - iii. Minimum open space: 30 percent.
 - iv. Minimum lowest floor elevations for structures within designated 100-year flood zones shall be established one foot above the applicable 100-year base flood elevations determined by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM).
 - v. The maximum height of vehicle lifts, car stackers and/or similar structures shall be 20 feet.
 - vi. Vehicle lifts, car stackers and/or similar structures for parking vehicles shall be set back a minimum of 10 feet from any property line.

b. The following shall apply to all interim uses:

- i. Minimum open space: Open space shall be provided and shall consist of, at a minimum, the provision of shade trees, concrete sidewalks and landscaped islands.
- ii. A minimum of ten shade trees per acre shall be provided.
- iii. Each shade tree in commercial parking facilities shall have a minimum caliper of 2 1/2 - 3 inches and a minimum height of 12 feet.
- iv. Concrete sidewalks shall have a minimum width of 4 feet.
- v. A safe and accessible pedestrian route to Secaucus Junction shall be provided, including appropriate connections across public rights-of-way.
- vi. The maximum height of vehicle lifts, car stackers and/or similar structures shall be 20 feet.
- vii. Vehicle lifts, car stackers and/or similar structures for parking vehicles shall be set back a minimum of 10 feet from any property line.

4. Height limitations

Height limitations are specified to regulate the maximum scale of overall development while at the same time encouraging variety in layout and scale of individual land use components. Height limitations shall be exclusive of any roof top mechanical equipment or antennas.

a. Station Square zone

Except for hotels, a maximum building height of 4 stories shall be permitted for all non-residential and mixed-use structures.

b. Transition zone

A maximum building height of three stories, which may be located over two levels of at or above grade parking, shall be permitted.

c. Riverfront Landing zone

- i. A maximum of 30 percent of the total market-rate dwelling units may be permitted in structures containing 9 to 12 stories. The maximum overall height of any residential building located in the zone shall be 12 stories over a maximum of 3 levels of parking.
- ii. A maximum of 65 percent of the total market-rate dwelling units may be permitted in structures containing 5 to 8 stories, over a maximum 3 levels of parking.
- iii. A minimum of 25 percent of the total market-rate dwelling units shall be provided in structures containing 4 stories, over a maximum of 3 levels parking.
- iv. Non-residential structures shall not exceed 3 stories in height. Such limitation shall not apply to residential parking structures.
- v. Where residential units are proposed above commercial uses, the commercial portion of the structure shall not exceed 3 stories, and the total number of the combined residential and commercial stories of the structure shall comply with the residential limitations set forth above.

d. Passive Recreation zone

A maximum building height of one story shall be permitted for all structures.

5. Architectural Design Standards

Together with the streets and public spaces, the architecture of buildings will shape the character of the districts and neighborhoods. Strict attention to the design of buildings, and to those elements that will have the most dramatic impact on the public realm, is key to the creation of a character that is human-scaled and visually attractive. Design principles and guidelines for architecture are important in achieving the character that is inviting to residents, businesses and patrons.

- a. Large, horizontal buildings shall incorporate architectural elements or physical offsets to create breaks in the linear dimension of building walls. All building foundations shall be appropriately landscaped.
- b. Appropriate facade treatments shall be used to ensure that individual buildings are integrated with one another.
- c. Architecturally interesting entrances and corners shall be incorporated into building design as a means to provide a visually attractive environment.
- d. Cornices, awnings, canopies, flagpoles, signage, and other ornamental features are encouraged as a means to enhance the visual environment.
- e. Mechanical and electrical equipment shall be screened from public view with architecturally, and vegetative material where appropriate, integrated materials.

6. Facade Treatment

All facades within the Secaucus Transit Village Redevelopment Area visible from public rights of way shall be of a similar character. The exterior of all structures shall be designed to be aesthetically pleasing. Variations in color, height, finish and materials are strongly encouraged.

- a. The selection of materials and textures for buildings shall be compatible with and complement other buildings.
- b. Use of synthetic sidings such as vinyl, aluminum and synthetic stucco (EIF products) are discouraged. Composite materials, such as Hardie-plank, may be used in place of wood cladding, where appropriate.
- c. The selection and use of colors for new buildings shall be coordinated and compatible with adjacent buildings.
- d. Colors shall be compatible with the materials used within the building construction, such as stone, brick or masonry.
- e. Color and material combinations and contrast are encouraged for decorative purposes in special locations, such as rooftops, building entrances and other articulations. An unusual amount of contrasting color is discouraged.
- f. Human-scale development shall be achieved at grade levels and along street frontages through the use of such elements as windows, doors, columns, awnings and canopies.
- g. Side and rear elevations shall receive architectural treatments comparable to the front facade when public access or public parking is provided to the buildings.
- h. Rhythms that carry through a development complex such as facade patterns, window spacing, entrances, canopies or awnings, shall be incorporated into facades, when appropriate.

7. Sustainable Design and Building Practices

Developers are encouraged to incorporate sustainable design principles in the Secaucus Transit Village Redevelopment Area. Employing green building methods from the onset of a project provides environmental, economic, and social benefits. Benefits of building with sustainable methods include the reduction in energy costs and waste.

Green building incentives within the District Zoning Regulations are provided at N.J.A.C. 19:4-6.6 and promote sustainable green building practices in the Meadowlands District. In addition, the NJSEA's Guidelines for Green Development and Redevelopment, Part 1 – Low Impact Development provide a reference of permissible low impact design techniques.

8. Landscape and Open Space

a. The following shall only apply to Permitted Uses:

- i. **General Landscape Features:** Landscape architectural elements shall be conceived as part of a comprehensive integrated plan, incorporating the various entities of site design. Design elements may include plant materials such as trees, shrubs, ground cover, perennials, annuals, rocks, water, sculptures, and art. Landscaped areas shall be provided throughout the redevelopment area.

Plant materials shall accentuate the visual environment by integrating with building design, entranceways, and parking and loading areas. Plants and other materials shall be selected for aesthetic and functional considerations. The landscape design shall create visual diversity and contrast through variation in size, shape, texture and color.

Shade trees shall be required along roadway frontages. Shade trees shall be planted at a spacing of 30 feet. Species with a tall, heavy-branching form that are resistant to urban factors shall be used. Ornamental trees may be appropriate in open spaces, but not directly adjacent to streets. Trees shall be located so as not to interfere with utilities, roadways, sidewalks, sight triangles or streetlights.

Planters provided adjacent to building foundations throughout the commercial areas are encouraged. Planting beds shall be permitted at the base of buildings. Planters shall not obstruct pedestrian flow.

Open space shall include public plazas and seating areas. All hardscape areas such as gazars and walkways shall be designed to promote the use and enjoyment of outdoor spaces by area users. Such spaces shall be visually integrated with the architecture of surrounding buildings.

Seating areas shall take maximum advantage of views and lively pedestrian areas. Seasonal elements such as outdoor furniture for dining use are encouraged. Such seasonal elements shall not obstruct the circulation of pedestrians around the site and the surrounding buildings. Consideration shall be given to glare and heat absorption when selecting the paving materials for areas such as plazas and pedestrian walkways.

- ii. **Primary Open Space Areas:** Each of the primary open space areas within the redevelopment area warrants a description in order upon which to base the ultimate design. These areas are described below:

(a) **Station Square Park:** The Station Square zone shall include a public park amenity. It shall be a passive open space framed on a minimum of two sides with active, first floor uses. It may contain furnishings to support transit use, particularly if it relates closely to the pedestrian connection to Secaucus Junction. Other encouraged amenities include lighting, seating, trash receptacles, information kiosks, bicycle storage and drinking fountains.

(b) **Secaucus Greenway:** The redevelopment area shall offer connections to and improve sections of the Secaucus Greenway as shown on the most recent District Green Map. The Secaucus Greenway is a collaborative venture involving the NJSEA, local municipalities, private utility companies, and private property owners to create a 15-mile greenway east of the Hackensack River. The greenway runs along the western edge of the redevelopment area, along the Hackensack River. Most of the greenway is wetlands. It forms a green connection between the redevelopment area, the Town of Secaucus, and Laurel Hill Park. The greenway is based on the principle of providing public access to the Hackensack River via parks, marinas, and canoe launching areas and developing passive recreational opportunities for neighboring residential and office populations. Design elements encouraged for Secaucus Greenway include pedestrian and bicycle paths, canoe launches and marinas, outdoor classroom amenities for environmental education, and wetland restoration projects.

(c) **Riverfront Landing Waterfront Park:** The Riverfront Landing zone shall contain a public park along the Hackensack River. This open space should serve as a focal point of the Riverfront Landing zone. The character of this space should reflect its unique riverfront setting. The park shall accommodate both active and passive recreational uses, including boat launches or marinas, as contemplated for the Secaucus Greenway. A waterfront walkway shall be provided. Furnishings should include lighting, seating, trash receptacles, information kiosks, bicycle storage and drinking fountains. It may also contain furnishings to support transit use.

(d) **Riverfront Landing Neighborhood Park:** The Riverfront Landing zone shall also contain one or more neighborhood parks for active and passive recreational uses. Furnishings may include lighting, seating, trash receptacles, information kiosks, bicycle storage and drinking fountains.

3. The following shall apply to interim uses:

Landscaping features shall be subject only to the following provisions of the District Zoning Regulations:

- i. N.J.A.C. 19:4-8.9(a);
- ii. N.J.A.C. 19:4-8.9(b);
- iii. N.J.A.C. 19:4-8.9(c);

the zones of the redevelopment area. Pedestrian routes shall be separated from vehicular and truck traffic to the greatest extent possible. Sidewalks shall use complementary materials and design elements. Where necessary, pedestrian protection devices such as bollards or buffer vegetation shall be provided.

- ii. Sidewalks shall be designed in accordance with District Zoning Regulations.
- b. The following shall apply to any Interim Uses:
 - i. Sidewalks shall be subject only to the following provisions of the District Zoning Regulations:
 - (a) N.J.A.C. 19-4-8.12(a);
 - (b) N.J.A.C. 19-4-8.12(b);
 - (c) N.J.A.C. 19-4-8.12(c); and
 - (d) N.J.A.C. 19-4-8.12(d).
 - ii. Within a commercial off-street parking facility, parking facilities shall be designed to minimize conflicts between vehicular and pedestrian movements.

- (a) Where possible, all pedestrian walkways shall connect to existing sidewalks at the perimeter of the property.
- (b) The minimum width of concrete sidewalks within the site shall be 4 feet.

12. Public Improvements, Vehicular Circulation, and Parking

A comprehensive traffic impact study shall be required in accordance with the requirements for a Project Impact Assessment (PIA). The developer shall be responsible for mitigating traffic impacts through construction of roadway improvements and/or providing for the fair share of the costs of off-site transportation improvements as deemed appropriate.

a. Streets

A goal of this redevelopment plan is to have traffic circulate at a slow speed giving motorists ample opportunity to see storefronts and other neighborhood attractions and to promote pedestrian safety. On-street parking will help slow vehicular traffic to make it more compatible with pedestrian traffic. Generous sidewalks with street trees, decorative lampposts, and street furnishings will make the streets within the Secaucus Junction Redevelopment Area attractive to pedestrians.

Each street in the redevelopment area shall contribute to a walkable, livable character. Streets within the redevelopment area shall provide mobility for pedestrians, cyclists, transit patrons and vehicle drivers. The design shall promote a balance between pedestrians and vehicles. Non-vehicular travel and recreation are strongly encouraged.

x. N.J.A.C. 19-4-8.9(d)1, 5 and 6; and

v. N.J.A.C. 19-4-8.9(d)3, with the following modifications:

- (a) A minimum of ten shade trees per acre shall be provided, which shall be distributed evenly within the vehicular use area and positioned in a manner so as not to interfere with the placement of light poles and/or signage.

9. Fences and Screening Walls

- a. The following shall apply to Permitted Uses:
 - i. All fences and screening walls shall be designed in accordance with N.J.A.C. 19-4-8.10.
- b. The following shall apply to Interim Uses:
 - i. All fences and screening walls shall be subject only to the following provisions of the District Zoning Regulations:
 - (a) N.J.A.C. 19-4-8.10(a)2;
 - (b) N.J.A.C. 19-4-8.10(a)3;
 - (c) N.J.A.C. 19-4-8.10(a)4; and
 - (d) N.J.A.C. 19-4-8.10(a)5.

10. Lighting

- a. The following shall apply to Permitted Uses:
 - i. The use of creative lighting schemes to highlight building facades and related areas of a property shall be encouraged. Light fixtures should be human-scaled and used sparingly to create a pleasant and safe urban village atmosphere that is not overly bright.
 - ii. Lighting plans, including a maintenance provision, shall be prepared in accordance with N.J.A.C. 19-4-8.13.

b. The following shall apply to Interim Uses:

- i. Lighting plans shall be subject only to the following provisions of the District Zoning Regulations:

- (a) N.J.A.C. 19-4-8.13(a)1, 2, 3, 4, 5, 6i, 6ii, 6iii, 6iv, 6v, 6vi, 6x, and 6xi; and
- (b) N.J.A.C. 19-4-8.13(a)6vi, with the following modifications:

(1) Poles installed for the purpose of illuminating a surface parking facility shall not exceed 25 feet in height, and shall utilize underground wiring.

11. Pedestrian Circulation

- a. The following shall apply to Permitted Uses:
 - i. A pedestrian circulation plan shall be submitted detailing pedestrian routes throughout the redevelopment area. Connections shall be made between the Secaucus Transit Station and

b. Design Principles for Streets

- i. Streets shall serve as essential elements in the definition of the visual and spatial character of the redevelopment area and shall exhibit a high quality, human-scaled environment.
- ii. Streets shall be oriented equitably towards the safe accommodation of pedestrians and bicycles as they are towards the accommodation of vehicular traffic.
- iii. Streets shall be designed with the minimum lane width necessary to accommodate the anticipated volume of vehicular traffic. The preference is for vehicular lane widths not to exceed 12 feet. In certain circumstances, as dictated for safety, lanes 12 feet in width may be used.
- iv. Streets shall be designed to calm traffic, with maximum traffic speeds ranging from 20 to 30 mph.
- v. Streets shall be activated with uses that attract pedestrians to the street level, particularly at public open spaces and at prominent intersections.
- vi. Designated bicycle lanes shall be provided on all primary circulation routes. Local streets shall be designed to calm traffic to be compatible with bicycle speeds, but should not require bicycle lanes.
- vii. Walks shall be comprised of concrete, with contrasting patterns, colors and materials where appropriate.
- viii. Crosswalks at intersections shall be delineated by contrasting decorative pavement.

c. Street Design

The dimensions of streets within the redevelopment area are based upon analysis of existing conditions and reasonable assumptions of how the street shall function. Therefore, the recommended street cross-sections should be viewed as preferred alternatives that may be subject to modification as approved by the District.

i. Primary Access Routes

The primary access routes include existing roads including New County Road (also known as Paul Amico Way), Meadowland Parkway, Seaview Drive and Castle Road and future/proposed roads including Seaview Drive Extension, Aqueduct Boulevard and the roadway connecting Seaview Drive to the Riverfront Landing zone.

New County Road is a primary circulation route that connects the redevelopment area to downtown Secaucus via County Avenue. It also serves as a connection between Secaucus Junction and Hudson County's Laurel Hill Park.

Meadowland Parkway is another primary circulation route that connects the redevelopment area to the rest of Secaucus. The character of Meadowland Parkway shall be a continuation of the existing Meadowland Parkway to the north of the former Bergen line. In the future, Meadowland Parkway shall terminate in a roundabout/circle at its intersection with Aqueduct Boulevard.

Seaview Drive, including the Seaview Drive Extension, is a primary circulation route that runs along the northern border of the redevelopment area from Meadowland Parkway to the New Jersey Turnpike interchange 15X and Secaucus Junction. The character of Seaview

Drive is that of a collector street, that links the bulk of the redevelopment area and surrounding warehouse uses with the New Jersey Turnpike Interchange.

Castle Road is a primary route that connects the end of Meadowland Parkway at the future roundabout to the redevelopment area. The character of Castle Road is that of a collector street for the uses along the road.

Aqueduct Boulevard is a primary circulation route within the existing aqueduct right-of-way. The Jersey City water supply line will be maintained in the center median of this street. The character of Aqueduct Boulevard is that of a grand street with a wide swath of green space in the center, more akin to a linear park than a thoroughfare. It shall begin at the roundabout/circle at Meadowland Parkway and extend to Seaview Drive.

The future roadway connecting Seaview Drive to the Riverfront Landing zone is a primary circulation route that connects the residential portion of the redevelopment area to the intersection of Seaview Drive and Aqueduct Boulevard by crossing the NJ Transit Main Line. The roadway is envisioned as an elegant corridor that terminates at the open space of the Riverfront Landing zone.

The following shall only apply to Permitted Uses:

The following amenities are strongly encouraged to be incorporated into existing and future primary access route right of ways to provide a transitional pedestrian and vehicular linkage between downtown Secaucus and the redevelopment area:

- a) Travel Lanes: 11 ft., one lane each direction preferred;
- b) Bike Lanes: 5 ft., both sides preferred;
- c) Parking Lanes: 8 ft., both sides preferred, parallel;
- d) Sidewalk and Landscape Strip: 11 ft. minimum;
- e) Sidewalk Trees: 30 ft. on-center, single row both sides;
- f) Planted Median, where appropriate, required for Aqueduct Boulevard; street trees planted at 30 ft. on-center

ii. Local Streets

Local streets shall be of a smaller scale than the primary access routes. Local commercial streets shall be adjacent to mixed-use and non-residential uses. Local residential streets shall be adjacent to residential uses. All local streets shall be organized to connect to primary access routes at appropriate locations. The arrangement of local streets shall be based on a grid that serves its main orientation from the primary access routes and is modified to reflect existing conditions, such as natural features and fixed man-made elements. Buff-outs of up to 8 feet are recommended at crosswalks and in areas adjacent to parallel parking where parking is not required to provide for a pedestrian-friendly environment.

The following shall only apply to Permitted Uses:

The following amenities are strongly encouraged to be incorporated into both local commercial and residential right of ways to promote a pedestrian-oriented environment within the redevelopment area.

- (a) Local Commercial Streets:
 - (1) Travel Lanes: 11 ft., one lane each direction preferred;
 - (2) Parking Lanes: 8 ft., both sides preferred, parallel or diagonal;
 - (3) Sidewalk and Landscape Strip: 11 ft. minimum, sidewalk-oriented uses such as cafes and outdoor seating encouraged;
 - (4) Sidewalk Trees: 30 ft. on-center, single row both sides;
 - (5) Planted Median, where appropriate: Street trees planted at 30 ft. on-center
- (b) Local Residential Streets:
 - (1) Travel Lanes: 10 ft., one lane each direction preferred;
 - (2) Parking Lanes: 8 ft., both sides preferred, parallel or diagonal;
 - (3) Sidewalk and Landscape Strip: 10 ft. minimum;
 - (4) Sidewalk Trees: 30 ft. on-center, single row both sides.

d. Pedestrian Access

i. Station Square to Secaucus Junction

This pedestrian route is a key thoroughfare within the Secaucus Junction Redevelopment Area. The purpose of this route is to convey pedestrians between the Station Square zone and Secaucus Junction. The distance between these two locations is approximately 900 feet, including the right of way of the New Jersey Turnpike Eastern Spur. A portion of the route lies within a development block slated for hotel use. As such, to construct this thoroughfare, accommodations for its alignment shall be made within the hotel development. The passage shall be open to the public, weather-protected, internal to the building where possible, and shall have a minimum width of 20 feet.

The character of this connection shall be consistent with the architectural themes established by the hotel building and shall be aesthetically pleasing. Public access to this pedestrian route via the hotel lobby shall be maintained at all times. The terminus of the route at Station Square is encouraged to relate functionally, as well as aesthetically, to the open space at the center of Station Square. The terminus at Secaucus Junction shall be incorporated into the architecture of the building. Additional connections to Secaucus Junction are also encouraged.

ii. Secaucus Greenway

The Secaucus Greenway is a linear open space area that is proposed to border the western edge of the Secaucus Junction Redevelopment Area, at the Hackensack River and connect to Laurel Hill Park and pedestrian access points within the redevelopment area. Within this open space, bicycle and pedestrian paths and other forms of passive recreation are envisioned. Development of the Secaucus Greenway paths should be undertaken according to the standards set forth by the NJSEA.

Waterway buffers and public access/walkways shall be provided in accordance with N.J.A.C. 19-4-8.7 with the exception that the Secaucus Greenway may be located within the required buffer.

In areas where bulkhead or riprap exists, there shall be a 30-foot wide public access easement located as close to the water's edge as practical which shall include a walkway, no less than 15 feet wide. Such walkway shall be designed to connect to the adjacent County Park property and a future connection to the Secaucus Greenway trail.

e. Parking

i. The Station Square and Riverfront Landing zones will contain a vibrant combination of uses, including retail, entertainment, office, residential and recreation. Such mixed-use development has been acknowledged to result in increased efficiencies with respect to the utilization of parking spaces. Some of these uses may be able to share parking depending on their peak hours of operation. The efficiencies that are created through this mixture of land uses tends to reduce automobile dependence below that which is precipitated by single-use, stand-alone development.

Access to public transportation also plays a part in the amount of necessary available parking. NJ Transit's Secaucus Junction is located adjacent to the Secaucus Junction Redevelopment Area. This station provides rail access for residents to all of NJ Transit's lines, including destinations such as Trenton and Manhattan.

Proximity to a fixed rail station provides legitimate rationale for a reduction in the number of parking spaces according to NJ Transit's Planning for Transit-Friendly Land Use. These planning guidelines contain a series of reductions in residential and non-residential parking use based on the proximity to various types of transit elements, such as hubs, stations and corridors. According to NJ Transit, the Secaucus Junction Redevelopment Area would be considered to lie within a transit node, which is defined as an area within a 1/4-mile radius of a station. Under this scenario, non-residential parking use may be reduced by 10% to 15%, office by 5% to 25% and residential parking use may be reduced by 25% to 30%.

Bicycle and pedestrian enhancements within the redevelopment area shall also serve to reduce the dependence on vehicular transportation. Streets will be designed with generous sidewalks, including extensive shade tree plantings. This will encourage pedestrian access throughout the redevelopment area. Bicycle lanes and traffic-calmed streets will encourage bicycle use within the district.

ii. The following shall apply to Interim Uses:

(a) The following parking standards shall apply:

(1) The design and construction of parking facilities shall be subject only to the following provisions of the District Zoning Regulations:

- (i) N.J.A.C. 19-4-8.2(a)(4), 5, 6 and 7;
- (ii) N.J.A.C. 19-4-8.2(b)(3);
- (iii) N.J.A.C. 19-4-8.2(c)(2), 3, 4, 6, 9, and 12;

- (v) N.J.A.C. 19-A-8.2(c)5, only to the extent that the site shall be paved or otherwise improved with an all-weather dustless material;
 - (vi) N.J.A.C. 19-A-8.2(c)7 and 8, as amended in the Lighting, Drainage, Fencing and Screening Walls, Landscaping, and Open Space sections of this Redevelopment Plan.
 - (vii) N.J.A.C. 19-A-8.2(c)13, with the following modifications: self-parking spaces shall be 8.5 feet wide by 18 feet deep; valet parking spaces may be reduced to 8 feet wide by 17 feet deep.
- (2) In the event that a design issue arises not contemplated by either the redevelopment plan or District Zoning Regulations, the standards set forth in the New Jersey Transit 2015 Guidelines and Standards Manual for Commuter Rail Stations, and subsequent updates, shall apply.

f. Parking Structures

Parking structures shall be designed to fit within the fabric of the redevelopment area and shall typically form the core of a development block. They shall be designed as follows:

- i. Parking structures shall be enclosed by buildings containing active ground floor uses to the maximum extent practicable.
- ii. The finish of exterior walls shall read as a typical building, not a parking structure. Walls that are not enclosed with actively used buildings shall be designed to appear so.
- iii. Top floors of parking structures shall be finished to visually screen parked cars, lights and other utilitarian elements from adjacent properties.

g. Parking Principles

The off-street parking ratios shall take into consideration the on-street parking facilities and access to mass transit, including Secaucus Junction and local bus routes. All new development within the redevelopment area shall provide off-street parking. All streets shall permit on-street parking. A limited percentage of parking spaces within structures may be designated for compact vehicles only. Limited driveway entrance openings for parking structures located within the core of the block will be subject to the approval of the NJSEA.

Required Parking Ratios

Residential Uses	
Dwelling, multi-family	A maximum of 1.75 parking spaces per unit
Dwelling, active adult	A maximum of 1 parking space per unit

Non-Residential Uses

Hotel	1 parking space per employee per shift plus 0.75 parking spaces per sleeping unit.
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Where number of employees cannot be determined, 1 parking space per sleeping unit.

**Other non-residential uses
3 spaces/1000 s.f. or as based upon a shared parking study approved by the NJSEA.**

h. Traffic Reduction

i. This section shall apply to Permitted Uses:

Developers shall collaborate with EZ Ride, the transportation management association serving the region, in developing a memorandum of understanding to provide for innovative programs to reduce traffic congestion and improve mobility. The memorandum of understanding shall include an implementation plan determining the stage of development at which these programs are to be applied. Programs emphasizing congestion relief and improving mobility in the Secaucus Transit Village Redevelopment Area may include car sharing facilities, shuttle services, and bike locker programs.

Car sharing facilities will provide instant access to vehicles near transit, home, or work. These facilities allow individuals to reserve and drive a car on demand. The self-service cars are picked up from and returned to the same designated parking space. Car sharing facilities are encouraged in both residential and commercial areas as an efficient use of existing parking.

Shuttle services will provide convenient access between the residential areas at the Riverfront Landing zone, the commercial areas in the Station Square zone, the Secaucus Junction train station, and downtown Secaucus. Shuttle services are a convenient method to promote accessibility and reduce congestion.

Bike locker programs will provide safe and secure storage and weather protected locations to park bicycles. These facilities can provide for both short and long term storage for the bicycles. Well planned bicycle facilities can serve to provide an additional transportation connection for all land uses within the Transit Village.

ii. This section shall apply to Interim Uses:

Any shuttles to Secaucus Junction provided for commuters shall be coordinated with NJ Transit. Proof of such coordination shall accompany the zoning certificate application.

13. Drainage

Drainage plans, including a maintenance provision, shall be prepared in accordance with N.J.A.C. 19-A-8.6. All drainage ways shall be properly maintained and planted, where appropriate.

14. Utilities

The developer is responsible for providing and obtaining all applicable permits and easements where necessary for the installation of all required utilities. All utilities shall be located underground.

15. Signs

a. The following shall apply to Permitted Uses:

Signage in the redevelopment area shall be aesthetically pleasing. A balance shall be struck between the need to call attention to individual businesses and the need for a positive image of the entire redevelopment area. All signs shall be oriented to pedestrians rather than motorists. Where not provided for in the redevelopment plan, design control for signage shall be governed by N.J.A.C. 19:4-3.34.

i. Sign Placement

- (a) Signs shall not obstruct architectural elements and details that define the design of the building. Flat wall signs for buildings may be located above the storefront, within the frieze of the cornice, on covered transoms, or on the pier that frames display windows or generally on flat, unadorned surfaces of the facade or in areas clearly suitable as sign locations.
- (b) Freestanding signs, in general, are not an appropriate sign type and shall only be permitted at the discretion of the NJSEA provided the sign advances the intent of the redevelopment plan.

ii. Materials

- (a) Sign materials such as wood, glass, gold leaf, raised individual metal or painted wood letters, and painted letters on wood, metal, or glass are encouraged.
- (b) Wall signs shall not be painted directly on the surface or masonry walls.

iii. Color

Sign colors shall complement the materials and color scheme of the building, including accent and trim colors.

iv. Buildings with Multiple Tenants

A master sign plan shall be developed for an entire building.

v. Awnings & Canopies

Awnings can contribute to the overall image by providing visual continuity for an entire block, helping to highlight specific buildings. They also protect pedestrians from the weather, shield window displays from sunlight and conserve energy. These include standard sloped fabric awnings, standard sloped fabric awnings, boxed or curved fabric awnings, canopies and marquees.

vi. Design and Placement

- (a) Awnings shall be placed within the storefront, porch, door, or window openings in a manner that does not obscure building elements.
- (b) Awnings shall be of a design that does not interfere with adjacent signs, distinctive architectural features of the building, street trees or other elements along the street.
- (c) The bottom of an awning valance shall be at least 7 feet above the sidewalk.
- (d) Metal or plastic awnings are not permitted.

vii. Fabric and Color

- (a) Awning colors shall be coordinated with the overall building color scheme. Solid colors, wide stripes, and narrow stripes may be permitted at the discretion of the NJSEA provided the color scheme advances the intent of the redevelopment plan.
- (b) Overly bright or complex patterns are discouraged.

viii. Signs on Awnings

- (a) As appropriate, use the front panel or valance of an awning for a sign.
- (b) Letters may be sewn, screened, applied or painted on the awning fabric. Hand-painted or individually made fabric letters that are not professionally applied are discouraged.

b. The following shall apply to Interim Uses:

i. Signage Types

(a) Signage types are as follows:

- (1) "Identification Billboard sign" means a sign that directs attention to the identity of the owner and/or operator of the interim use at the site, as well as information regarding the location or availability of the interim use.
- (2) "Business sign" means a sign that includes information appropriate to identify the owner and/or operator and hours of operation of the interim use at the site.
- (3) "Rate sign" means a sign that includes information appropriate to identify the owner and/or operator of the site, the rates being charged, and the hours of operation of the interim use at the site.
- (b) Identification Billboard, Business, and Rate signs may not advertise any other product or service other than that of the interim use on the site.

ii. Sign Placement

- (a) Identification Billboard, Business, and Rate signs may only be placed on the same site as the interim use.
- (b) Identification Billboards shall only be permitted within 50 feet of a ROW having a posted speed limit of 55 mph or higher, and shall be oriented towards such a ROW.
- (b) Freestanding signs shall be permitted and shall be set back a minimum of 5 feet from all property boundaries.
- (c) Identification Billboard signs shall receive the prior approval(s) of the New Jersey Department of Transportation (NJDOT), New Jersey Turnpike Authority, and any other agencies having jurisdiction, as applicable. A copy of such approval(s) shall accompany the zoning certificate application.

iii. Height and Size

(a) Identification Billboards shall be limited as follows:

- (1) Minimum height of sign: 30 feet above the grade level of the adjacent roadway surface. For signs located adjacent to the NJ Turnpike, the maximum permitted height shall be 30 feet above the grade level of the NJ Turnpike roadway surface.
- (2) Maximum size of signs: 14 feet high by 48 feet wide
- (3) Maximum number of signs: 1 per commercial off-street parking facility.

acting as municipal approval authority pursuant to the Hackensack Meadowlands Agency Consolidation Act, N.J.S.A. 5:10A-1 et seq., prior to the issuance of a zoning certificate for the project.

2. Traffic Impact Assessment

All projects shall prepare a Traffic Impact Assessment (TIA) in accordance with N.J.A.C. 19:4-7.10 et seq. The TIA shall assess the traffic and circulation impacts, both vehicular and pedestrian, of a proposed development and identify mitigation measures to be implemented to improve mobility and safety of all modes of transportation. Mitigation measures shall be designed, permitted and implemented by the applicant. Proposed mitigation measures shall consider the State guidelines developed for Transit Oriented Development.

Any mitigation measures required by the approval authority with jurisdiction, as a condition of zoning certificate approval, shall be constructed and functioning prior to the issuance of any temporary or final certificate of completion and/or occupancy approval for the development. Applicants for the development shall not be permitted to rely upon unimplemented transportation improvements approved as mitigation of their transportation impacts, including such improvements proposed by others. However, a phased development project may be permitted based upon the implementation of phased mitigation measures that adequately address the impacts of the proposed phase(s) of development, subject to acceptance and prior approval by the authority(ies) with jurisdiction.

3. Riparian Rights

Riparian grants shall be secured for any land subject to the State's riparian interest pursuant to District Zoning Regulations.

4. Affordable Housing Considerations

With regard to affordable housing, the developer shall comply with the applicable requirements of the NJSEA; all applicable State of New Jersey regulations; and P.L. 2008, Chapter 46, an act concerning affordable housing, revising and supplementing various parts of the statutory law, effective July 27, 2008, and any applicable laws of other agencies having jurisdiction.

5. Redeveloper Requirements

- a. If the NJSEA elects to contract with a prospective redeveloper, pursuant to its authority under N.J.S.A. 13:17-6(j), 2016, and or 21(b)6, prior to entering such contract, the redeveloper shall provide a financial report to the NJSEA assessing the financial viability of the redeveloper and/or redevelopment project. Such report shall contain, at a minimum, the following information:
 - i. Identification of each financial and/or equity partner having any financial contribution to ownership of, or like interest in, the project.
 - ii. Identification of each member of the redevelopment team and major consultants, including, but not limited to, attorneys, engineers, architects, planners, project and construction managers, financial consultants, lobbyists, and public relations consultants. Resumes

- (4) Maximum of two (2) faces per sign
- (b) Rate signs shall be limited as follows:
 - (1) Minimum height of the bottom of the sign: 4 feet
 - (2) Maximum height of the top of the sign: 22 feet
 - (3) Maximum size of sign face: 50 square feet
 - (4) Maximum number of signs: 1 per driveway location
 - (5) Maximum of two (2) faces per sign
- (c) Business signs shall be limited as follows:
 - (1) Minimum height of the bottom of the sign: 10 feet
 - (2) Maximum height of the top of the sign: 30 feet
 - (3) Maximum size of sign face: 100 square feet
 - (4) Maximum number of signs: 1 per driveway location
 - (5) Maximum of two (2) faces per sign

iv. Signs shall be subject only to the following provision of the District Zoning Regulations: N.J.A.C. 19:4-8.14(g)

16. Site Amenities

The following site amenities are permitted:

- a. Kiosks to provide both shelter and directional information;
- b. Features such as fountains, sculptures, decorative tree grates, planters, plaques and other artistic displays (whether permanent or seasonal) in the redevelopment area. These may be used to depict historic, cultural and environmental resources in the area;
- c. Bike racks and storage facilities;
- d. Tennis courts; and
- e. Swimming pools.

17. Environmental Performance Standards

All uses shall comply with the Category A environmental performance standards N.J.A.C. 19:4-7. All water quality standards contained in N.J.A.C. 19:4-7.9 et seq. shall apply.

D. ADDITIONAL APPLICATION REQUIREMENTS

1. Project Impact Assessment

- a. All projects shall prepare a Project Impact Assessment (PIA) when required pursuant to N.J.A.C. 19:4-10.1 et seq. The PIA shall provide information to allow the assessment of the probable effects of a proposed project. The Town of Secaucus, when acting as the municipal approval authority pursuant to the Hackensack Meadowlands Agency Consolidation Act, N.J.S.A. 5:10A-2 et seq., shall be responsible for review of any PIA that may be required for any project under its review.
- b. The PIA, if required, for any development proposed in phases shall assess the impacts for each individual phase and the project as a whole.
- c. For a development proposal that requires an improvement to mitigate an impact identified in a PIA, the developer shall enter into an agreement with the NJSEA, or the Town of Secaucus when

- and/or curricula vitae and a statement clearly identifying the roles of each member shall be provided.
- iii. The composition of the redeveloper's current real estate portfolio, including details regarding the type of project and number of square feet or units developed, owned and/or managed.
 - iv. Details regarding the redeveloper's history of securing financing for real estate development projects within the past 10 years, at a minimum, detailing the type of project, financing method(s), source(s) and amounts committed, and proposed and actual completion dates of projects.
 - v. A description of all pending real estate development projects by the redeveloper, under development pursuant to enforceable contracts, including project type, status, development schedule, and the financial commitment required by the redeveloper, including a description of the financing method(s), source(s) and amounts committed.
 - vi. Audited financial statements, including balance sheets and operating statements, prepared by a Certified Public Accountant (CPA) in accordance with Generally Accepted Accounting Principles (GAAP), established by the Financial Accounting Standards Board (FASB), 401 Merritt 7, PO Box 5116, Norwalk, CT 06856-5116; <http://www.fasb.org>, for the five most recent fiscal years, for the redeveloper and any financial and/or equity partner(s). Such statements shall evidence the ability to financially perform, including the value of assets each participant would contribute to the project and verification that such assets are available.
 - vii. A statement describing the methods and anticipated and committed sources for financing the project, including its construction, and identifying the expected equity requirements and anticipated sources of working capital.
 - viii. For the redeveloper, including both the corporate or business entity and the principals of the corporate or business entity and each member of the development team, a statement and complete listing regarding any delinquencies, suspensions, bankruptcy or loan defaults, legal proceedings, and/or adverse judgments, regarding any real estate development project and/or government contract regardless of the date of such occurrence.
 - ix. A fiscal impact analysis for the proposed redevelopment project pursuant to the requirements of H.J.A.C. 19-4-10.4(a)(14).
 - x. Such other information as may be deemed necessary by the NUSEA staff.

- b. Any redeveloper shall provide the following to the NUSEA, which shall be updated, at a minimum, every three months, beginning from the contract date, including any amendments:
 - i. The project pro-forma statement, prepared by a CPA in accordance with GAAP, which shall include, at a minimum, an income statement, balance sheet, and statement of cash flows.
 - ii. The projected development timeline.
 - iii. Any change in the financial report required in 5a above.

- c. Any redeveloper applying to any federal, state, county or municipal government entity for financial assistance, including, but not limited to, loans, grants, or bonds, shall notify the NUSEA of such application in writing and shall provide copies to the NUSEA of all correspondence and information regarding the requested financial assistance. The NUSEA staff shall provide any of the aforementioned entities with information about the project upon request. The NUSEA shall make a request to the applicable government entity to participate in the process for the evaluation of financial assistance to facilitate communication among public entities involved in

the project. Such participation shall include, but is not limited to, attendance at meetings with the redeveloper and the government entity from whom financial assistance is requested.

- d. Any redeveloper of a project within a redevelopment area for which municipal payment-in-lieu-of-taxes (PILOT) bonds are sought shall notify the NUSEA contemporaneously with the commencement of discussions with municipal officials regarding PILOT bonds and shall provide copies to the NUSEA of all correspondence and information regarding the PILOT bonds. The NUSEA staff shall provide the municipality with information about the project upon request. The NUSEA shall make a request to the applicable government entity to participate in the process for the evaluation of PILOT bonds to facilitate communication among public entities involved in the project. Such participation shall include, but is not limited to, attendance at meetings with the redeveloper and municipality. The fiscal impact analysis required above shall evaluate the impact of PILOT bond financing on municipal tax rates and the Intermunicipal Tax Sharing Formula.

6. Approvals of Other Governmental Entities

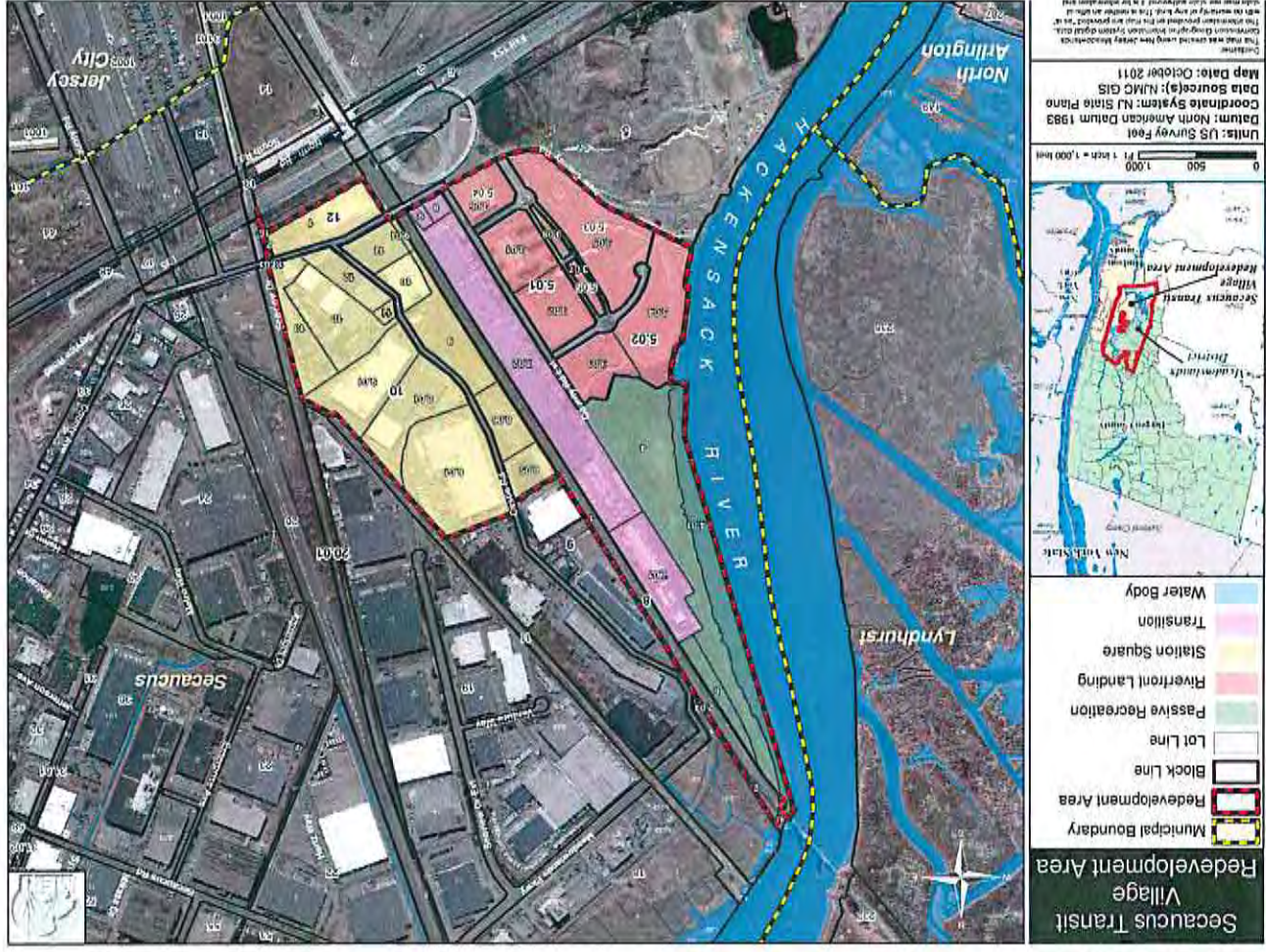
- a. Prior to the redevelopment of any property within the redevelopment area, the redeveloper shall procure any and all necessary permits and approvals from any federal, state, county, local, or municipal agency having jurisdiction.
- b. Any redeveloper filing an application with any other State entity for any permit related to the redevelopment project shall provide a copy of such permit application to the NUSEA contemporaneously with its filing and shall provide copies to the NUSEA of all correspondence and information regarding the permit application. The NUSEA staff shall provide the regulatory entity with information about the project upon request. The NUSEA shall make a request to the regulatory entity to participate in the permitting process to facilitate communication among public entities involved in the project. Such participation shall include, but is not limited to, attendance at meetings with the redeveloper and the regulatory entity.

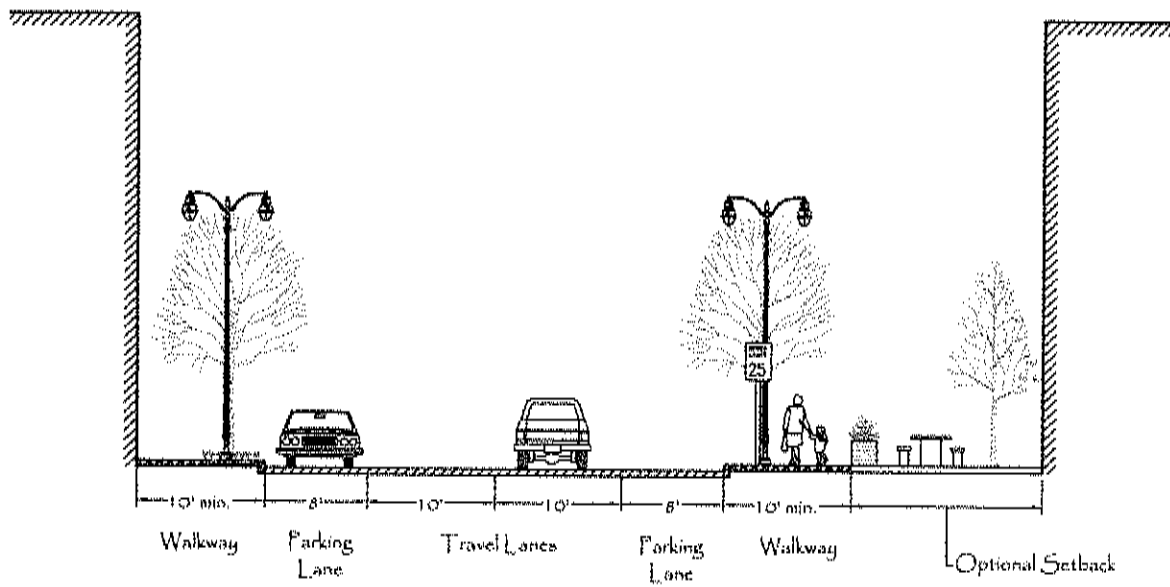
V. Selected Redevelopment Plan

A. IMPLEMENTATION STRATEGY

This redevelopment plan shall be the regulatory instrument for the Secaucus Transit Village Redevelopment Area, along with the District Zoning Regulations, where applicable, and shall supersede all redevelopment plans and prior zoning for parcels of land contained within this redevelopment area.

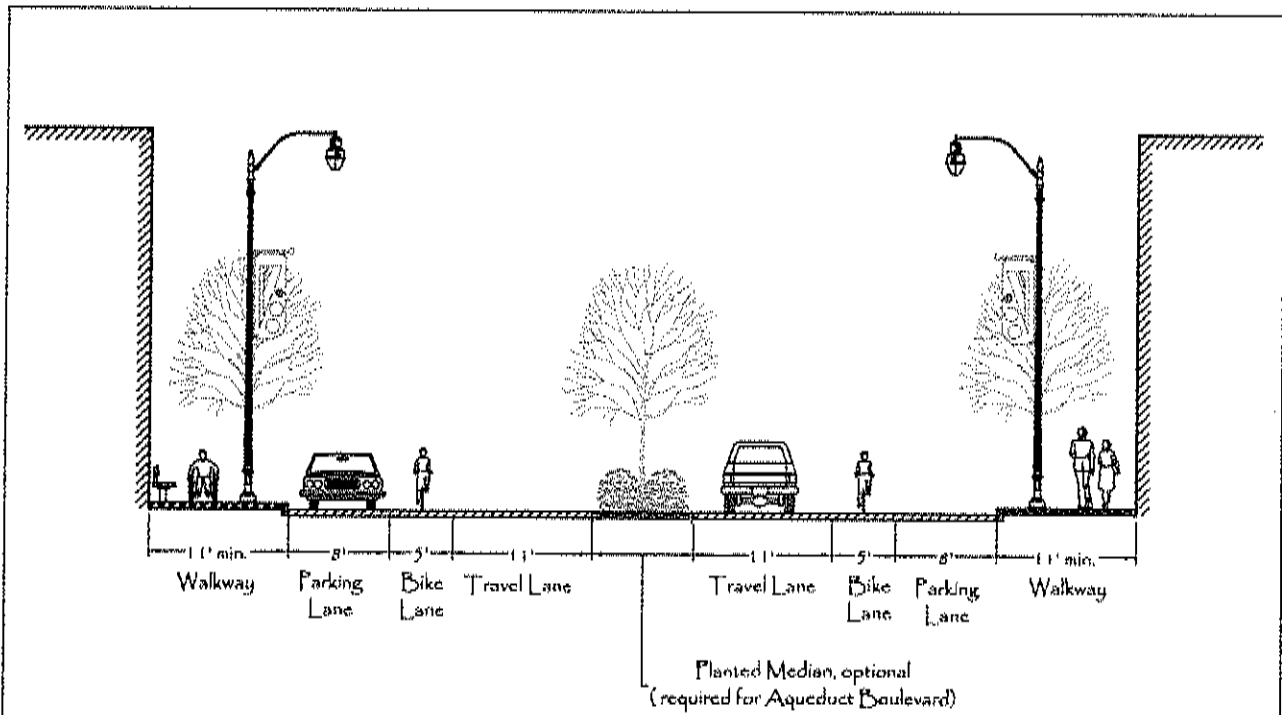
No actions, other than the adoption of this plan and review of applications submitted by the private sector to implement this plan, are proposed or contemplated by the NJSEA at this time.





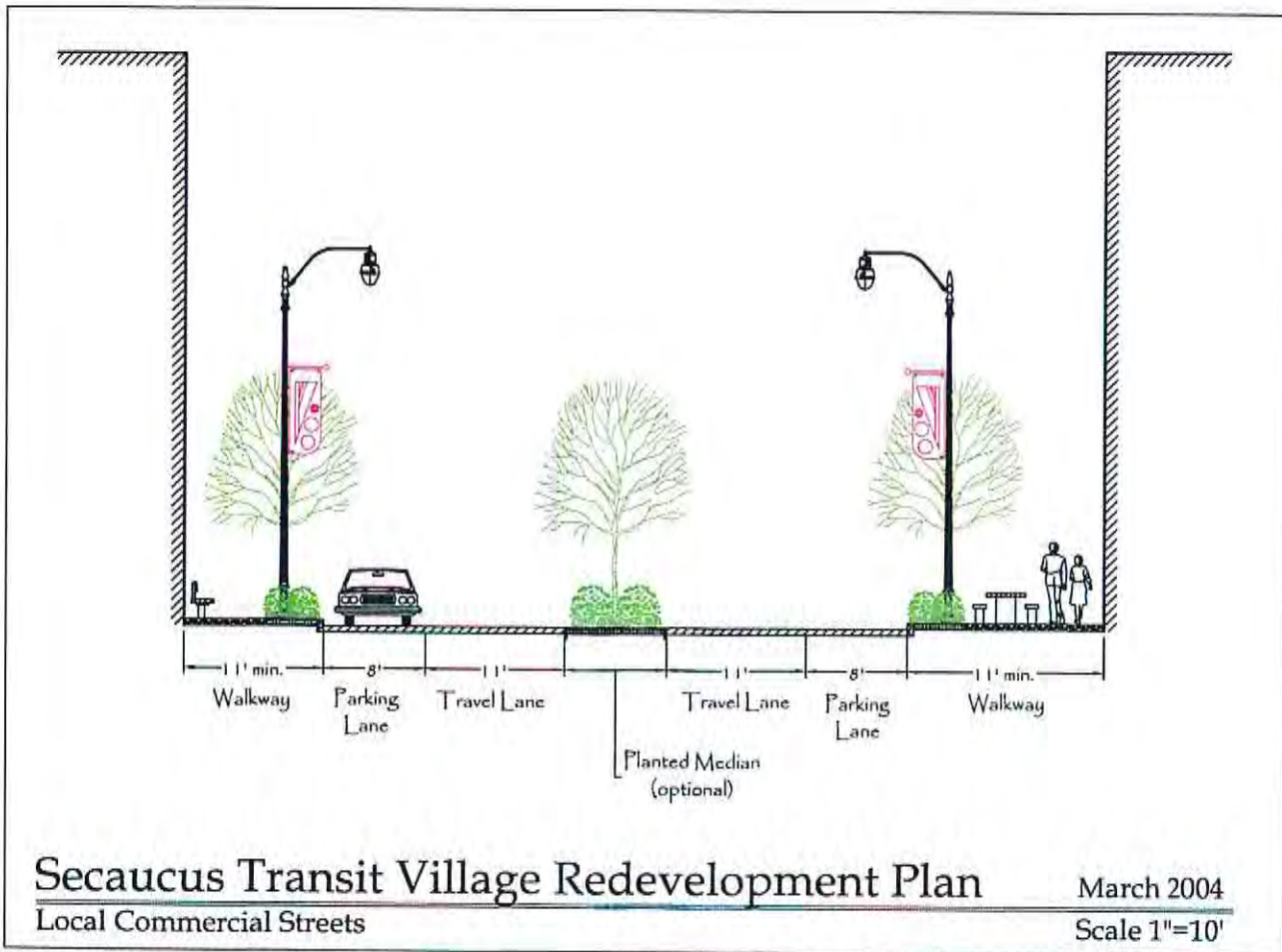
Secaucus Transit Village Redevelopment Plan
 Local Residential Streets

March 2004
 Scale 1"=10'



Secaucus Transit Village Redevelopment Plan
 Primary Access Routes

March 2004
 Scale 1"=10'



RESOLUTION 2017-23

**RESOLUTION ISSUING A
DECISION ON THE VARIANCE APPLICATION
SUBMITTED AS PART OF FILE NO. 16-541
WIP MOONACHIE, LLC/USE CHANGE, SITE IMPROVEMENTS & VARIANCE
77 MOONACHIE AVENUE, BLOCK 69, LOT 10 AND BLOCK 70, LOT 5.02,
IN THE BOROUGH OF MOONACHIE, NEW JERSEY**

WHEREAS, applications for two bulk variances have been filed with the New Jersey Sports & Exposition Authority (NJSEA) by Eric Witmond, WIP Moonachie, LLC, for the premises located at 77 Moonachie Avenue, identified as Block 70, Lot 5.02, and Block 69, Lot 10, in the Borough of Moonachie, New Jersey; and

WHEREAS, the subject premises are located within the Hackensack Meadowlands District's Light Industrial B zone, and are part of an NJSEA zoning lot of record pursuant to N.J.A.C. 19:4-3.22; and

WHEREAS, the bulk variances are sought in connection with the applicant's proposal to construct new loading facilities as part of renovations to an existing building on Block 70, Lot 5.02; and

WHEREAS, the applicant requested relief from N.J.A.C. 19:4-8.3(b)1, which prohibits loading in any front yard, whereas four loading doors are proposed in the front yard facing Grand Street on Block 70, Lot 5.02; and

WHEREAS, the applicant has also requested relief from N.J.A.C. 19:4-8.4(a), which requires 56.8 parking spaces for 85,200 square feet of warehouse use and 49.1 parking spaces for 19,650 square feet of office use, for a total requirement of 106 parking spaces, whereas 101 parking spaces are proposed, consisting of 82 parking spaces on Block 70, Lot 5.02, and 19 parking spaces on Block 69, Lot 10; and

WHEREAS, notice of the requested bulk variance relief was given to the public and all interested parties as required by law and was published in The Record newspaper; and

WHEREAS, a public hearing was held in the Office of the NJSEA on Tuesday, May 2, 2017, before Sara Sundell, P.E., P.P., Director of Land Use Management and Chief Engineer, Sharon Mascaró, P.E., Deputy Director of Land

Use Management and Deputy Chief Engineer, and Mia Petrou, P.P., AICP, Senior Planner; and

WHEREAS, a comprehensive report dated July 10, 2017, has been prepared indicating the recommendations of the Director of Land Use Management and the Senior Vice President, Legal & Regulatory Affairs in this matter; and

WHEREAS, a copy of the recommendation and comprehensive report was provided to the applicant on July 10, 2017; and

WHEREAS, the report recommends the conditional approval of the requested bulk variance from N.J.A.C. 19:4-8.3(b)1, to install four loading doors in the front yard facing Grand Street on Block 70, Lot 5.02; and

WHEREAS, the report also recommends the conditional approval of the requested bulk variance from N.J.A.C. 19:4-8.4(a), to provide 101 parking spaces, whereas 106 parking spaces are required on the subject premises; and

WHEREAS, the Board of Commissioners of the NJSEA has reviewed the full record, including the transcripts of the public hearings, recommendations on the application by the Director of Land Use Management and the Senior Vice President, Legal & Regulatory Affairs, and the submissions of the applicant; and

WHEREAS, the Board of Commissioners concurs with the recommendations of the Director of Land Use Management and the Senior Vice President, Legal & Regulatory Affairs; and

WHEREAS, the Board of Commissioners hereby determines that the requested bulk variance application from N.J.A.C. 19:4-8.3(b)1, to install four loading doors in the front yard facing Grand Street on Block 70, Lot 5.02 conditionally conforms with the standards for approving applications for variances as set forth in N.J.A.C. 19:4-4.14(e); and

WHEREAS, the Board of Commissioners hereby determines that the requested bulk variance application from N.J.A.C. 19:4-8.4(a), to provide 101 parking spaces, whereas 106 parking spaces are required on the subject premises conditionally conforms with the standards for approving applications for variances as set forth in N.J.A.C. 19:4-4.14(e).

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the New Jersey Sports and Exposition Authority, that the WIP Moonachie, LLC/Use Change, Site Improvements & Variance application to install four loading doors in the front yard facing Grand Street on Block 70, Lot 5.02 is

hereby **APPROVED WITH THE FOLLOWING CONDITION** for the reasons set forth in the recommendation dated July 10, 2017:

1. The three southerly-most loading doors shall be restricted to use by vehicles not exceeding 40 feet in length, and adequate signage and pavement striping, determined in consultation with the NJSEA Chief Engineer, shall be provided and maintained regarding this restriction.

BE IT FURTHER RESOLVED, by the Board of Commissioners of the New Jersey Sports and Exposition Authority, that the WIP Moonachie, LLC/Use Change, Site Improvements & Variance application to provide 101 parking spaces, whereas 106 parking spaces are required on the subject premises, is hereby **APPROVED WITH THE FOLLOWING CONDITION** for the reasons set forth in the recommendation dated July 10, 2017:

1. A crosswalk and in-street pedestrian crossing signage, in accordance with the federal Manual on Uniform Control Devices (MUTCD), shall be provided, in addition to signage directing pedestrians to a safe route of travel across Grand Street between Block 70, Lot 5.02, and Block 69, Lot 10, subject to the approval of the Borough of Moonachie.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of July 20, 2017.


Ralph J. Marra, Jr., Esq.
Assistant Secretary



MEMORANDUM

To: NJSEA Board Members and Wayne Hasenbalg, President/CEO

From: Sara J. Sundell

Date: July 20, 2017

Subject: Variance Recommendation for WIP Moonachie, LLC/Use Change, Site Improvements & Variance (File No. 16-541)

Applications for two (2) bulk variances have been filed with the New Jersey Sports & Exposition Authority (NJSEA) by Eric Witmond, WIP Moonachie, LLC, for the premises located at 77 Moonachie Avenue, identified as Block 70, Lot 5.02, and Block 69, Lot 10, in the Borough of Moonachie, New Jersey. Said premises are located within the Hackensack Meadowlands District's Light Industrial B zone and are part of an NJSEA zoning lot of record pursuant to N.J.A.C. 19:4-3.22. The variances are sought in connection with the applicant's proposal to construct new loading facilities as part of renovations to an existing building at Block 70, Lot 5.02.

The applicant requested variance relief from the following:

1. N.J.A.C. 19:4-8.3(b)1, which prohibits loading in any front yard, whereas four loading doors are proposed in the front yard facing Grand Street on Block 70, Lot 5.02; and
2. N.J.A.C. 19:4-8.4(a), which requires 56.8 parking spaces for 85,200 square feet of warehouse use and 49.1 parking spaces for 19,650 square feet of office use, for a total requirement of 106 parking spaces, whereas 101 parking spaces are proposed, consisting of 82 parking spaces on Block 70, Lot 5.02, and 19 parking spaces on Block 69, Lot 10.

A public hearing was held in the Office of the NJSEA on Tuesday, May 2, 2017.

In a comprehensive report dated July 10, 2017, the Director of Land Use Management and the Senior Vice President of Legal & Regulatory Affairs recommended the conditional approval of the bulk variances requested above. A copy of the comprehensive report and variance recommendation was provided to the applicant July 10, 2017.

At this time, the Board of Commissioners is required to issue a decision on the variance applications described above. A resolution requesting the same is attached for your consideration.

**RECOMMENDATION ON THE VARIANCE APPLICATION OF
WIP Moonachie, LLC/Use Change, Site Improvements & Variance**

FILE #16-541

I. INTRODUCTION

Applications for two bulk variances have been filed with the New Jersey Sports & Exposition Authority (NJSEA) by Eric Witmond, WIP Moonachie, LLC, for the premises located at 77 Moonachie Avenue, identified as Block 70, Lot 5.02, and Block 69, Lot 10, in the Borough of Moonachie, New Jersey. Said premises are located within the Hackensack Meadows District's (District) Light Industrial B zone and are part of an NJSEA zoning lot of record pursuant to N.J.A.C. 19-4-3.22. The variances are sought in connection with the applicant's proposal to construct new loading facilities as part of renovations to an existing building at Block 70, Lot 5.02.

Specifically, the applicant is requesting relief from the following:

1. N.J.A.C. 19-4-3.3(b)1, which prohibits loading in any front yard, whereas four loading doors are proposed in the front yard facing Grand Street on Block 70, Lot 5.02; and
2. N.J.A.C. 19-4-8.4(a), which requires 56.8 parking spaces for 85,200 square feet of warehouse use and 49.1 parking spaces for 19,650 square feet of office use, for a total requirement of 106 parking spaces, whereas 101 parking spaces are proposed, consisting of 82 parking spaces on Block 70, Lot 5.02, and 19 parking spaces on Block 69, Lot 10.

Notice was given to the public and all interested parties as required by law. The public notice was published in The Record newspaper. No written objections were received. A public hearing was held in the NJSEA Office on Tuesday, May 2, 2017. All information submitted to the Division of Land Use

Management relative to this application is made part of the record of this recommendation.

II. GENERAL INFORMATION

A. Existing and Proposed Use

The properties in question, Block 70, Lot 5.02, and Block 69, Lot 10, are part of an NJSEA zoning lot of record within the Light Industrial B zone in the Borough of Moonachie, New Jersey, and together they have a total approximate area of 4.86 acres. The property at Block 70, Lot 5.02 contains approximately 4.63 acres and is currently improved with a 104,850-square-foot vacant industrial building that formerly had been used by a printing and mailing company. The building contains four existing loading docks facing Grand Street. The property at Block 69, Lot 10 contains 0.23 acres and is currently improved with 19 accessory parking spaces for use by the occupants of the building at Block 70, Lot 5.02.

The property identified as Block 70, Lot 5.02 contains frontage on three rights-of-way (ROWs): Moonachie Avenue to the north, Grand Street to the east, and Anderson Avenue to the south. The site's westerly boundary contains Berry's Creek/West Riser Ditch and a 45-foot-wide drainage easement to the Borough of Moonachie. The property containing the existing accessory parking lot at Block 69 Lot 10 is located across Grand Street from Lot 5.02.

The surrounding area is improved with a variety of uses. Properties to the east in the vicinity of the site along Grand Street contain a mix of commercial and industrial uses and pre-existing nonconforming single-family residences, which in some cases contain commercial and industrial uses, all in comparatively small lots ranging in area from approximately 3,000 to 11,000 square feet. Properties to the south opposite Anderson Avenue and to the east and west along Moonachie Avenue are developed primarily with light industrial and warehouse uses. Teeterboro Airport is located to the north of the site.

The applicant proposes to renovate the existing building by converting all former light industrial space and 5,960 square feet of existing office space on the premises to warehouse use. As part of these renovations, the applicant also proposes to raise the roof of the existing building to accommodate a ceiling height of 28 feet, install four additional loading docks to the south of the existing loading area in an area of the site that had formerly accommodated one side-loading door, and provide a new building entrance along Grand Street. These improvements will require a reconfiguration of the site's vehicular use areas, and the associated site improvements necessitate a parking variance for providing 101 parking spaces, whereas 106 spaces are required. A variance is also required for the location of the proposed loading area in the front yard along Grand Street.

B. Response to the Public Notice

No written comments were submitted to this Office prior to the public hearing.

III. PUBLIC HEARING (May 2, 2017)

A public hearing was held on Tuesday, May 2, 2017. NJSEA staff in attendance were Sara J. Sundell, P.E., P.P., Director of Land Use Management and Chief Engineer; Sharon Mascaró, P.E., Deputy Director of Land Use Management and Deputy Chief Engineer; and Mia Petrou, P.E., AICP, Senior Planner.

A. Exhibits

The following is a list of the exhibits submitted by the applicant at the public hearing and marked for identification as follows:

<u>Number</u>	<u>Description</u>
A-1	"Aerial Exhibit," Dwg. E-100, prepared by Gerard P. Cesario, P.E., Jarmel Kizel Architects and Engineers, Inc., dated 04/28/2017, revised through 05/02/2017.
A-2	"Site Plan" (Colorized), Dwg. E-200, prepared by Gerard P. Cesario, P.E., Jarmel Kizel Architects and Engineers, Inc., dated 05/01/2017, revised through 05/02/2017.
A-3	"Demolition Plan," Dwg. C-200, prepared by Gerard P. Cesario, P.E., Jarmel Kizel Architects and Engineers, Inc., dated 10/12/2016, revised through 04/11/2017.
A-4	"Site Layout & Dimensional Plan," Dwg. C-300, prepared by Gerard P. Cesario, P.E., Jarmel Kizel Architects and Engineers, Inc., dated 10/12/2016, revised through 04/11/2017.
A-5	"Grading & Drainage Plan," Dwg. C-400, prepared by Gerard P. Cesario, P.E., Jarmel Kizel Architects and Engineers, Inc., dated 10/12/2016, revised through 04/11/2017.
A-6	"Demolition Plan," Dwg. C-500, prepared by Gerard P. Cesario, P.E., Jarmel Kizel Architects and Engineers, Inc., dated 01/24/2017, revised through 04/11/2017.
A-7	"Lighting Plan," Dwg. C-700, prepared by Gerard P. Cesario, P.E., Jarmel Kizel Architects and Engineers, Inc., dated 01/24/2017, revised through 04/11/2017.
A-8	"Detail Sheet," Dwg. C-900, prepared by Gerard P. Cesario, P.E., Jarmel Kizel Architects and Engineers, Inc., dated 10/12/2016, revised through 04/11/2017.

- A-9 "Circulation Plan," Dwg. C-100, prepared by Gerard P. Gesario, P.E., Jarmel Kizel Architects and Engineers, Inc., dated 10/12/2016, revised through 04/11/2017.
- A-10 "Cover Sheet," Dwg. C-001, prepared by Gerard P. Gesario, P.E., Jarmel Kizel Architects and Engineers, Inc., dated 10/12/2016, revised through 04/11/2017.
- A-11 Photo booklet, 77 Moonachie Avenue, Moonachie, New Jersey, prepared by Woodmont Properties, undated, including the following:
 1. Cover Sheet containing location map, aerial map, and tax map insets;
 2. Photo entitled "Existing Building Face along Moonachie Avenue;"
 3. Photo rendering entitled "Rendered Post-Construction Building Face along Moonachie Avenue;"
 4. Photo entitled "Existing Building Face along Grand Street;"
 5. Photo rendering entitled "Rendered Post-Construction Building Face along Grand Street."

B. Testimony

Antimo DeVecchio, Esq., of the firm, Beattie Padovano, LLC, represented WTP Moonachie, LLC at the hearing. The following witnesses testified in support of the application:

1. Anthony Amadeo, WTP Moonachie, LLC;
2. Gerard P. Gesario, P.E., Jarmel Kizel Architects and Engineers, Inc.; and
3. Irwin Kizel, AIA, P.P., Jarmel Kizel Architects and Engineers, Inc.

Staff findings and recommendations are based on the entire record. A transcript of the public hearing was prepared and transcribed by Beth Calderone, Certified Shorthand Reporter.

C. Public Comment

No members of the public were present at the public hearing.

IV. RECOMMENDATION(S)

A. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19:4-8.3(b)(1), which prohibits loading in any front yard, whereas four loading doors are proposed in the front yard facing Grand Street on Block 70, Lot 5.02.

The Hackensack Meadowlands District Zoning Regulations at N.J.A.C. 19:4-4.14(e) state in part that, *a variance shall not be granted unless specific written findings of fact directly based upon the particular evidence presented are made that support conclusions that...*

1. Concerning bulk variances:
 - i. *The variance requested arises from such condition that is unique to the property in question, is not ordinarily found in the same zone, and is not created by any action of the property owner or the applicant.*

The subject 4.86-acre property parcel, consisting of the zoning lot of record combining Block 70, Lot 5.02 and Block 69, Lot 10, is almost five times larger than the Light Industrial 3 zone's minimum lot area requirement of one acre. Despite the large size of the property, the ability to accommodate conforming loading areas is affected by a unique combination of conditions. Block 70, Lot 5.02 contains three front yards, having frontage along Moonachie Avenue to the north, Grand Street to the east, and Anderson Avenue to the south.

Additionally, the configuration of Lot 5.02 is irregular due to the curvature of the site's easterly lot line and a flagged portion in the southerly area of the site. Berry's Creek/West Riser Ditch and a 45-foot-wide drainage easement to the Borough of Moonachie also run along the westerly boundary of Lot 5.02.

Lot 5.02 is currently improved with a 104,850-square-foot industrial building with existing parking areas located within the front yards along Grand Street and Moonachie Avenue. The site's pre-existing nonconforming loading areas are located in the easterly front yard along the Grand Street frontage. No vehicular access is provided to the westerly portion of the site, nor is access provided at the site's Anderson Avenue frontage.

The zoning regulations require that loading doors and facilities be located in rear and side yards. The requested variance to install four additional loading doors in the easterly front yard along Grand Street arises from the unique conditions related to the configuration of the existing building and improvements on the site, which limit the provision of new loading areas with adequate and appropriate building access and vehicle circulation in a manner that would conform with the regulations. These conditions were not created by the property owner.

ii. The granting of the variance will not adversely affect the rights of neighboring property owners or residents.

The granting of the requested variance will not adversely affect the rights of neighboring property owners or residents. While most

properties in the vicinity of the subject property are developed with industrial and commercial uses, four properties classified by tax records as residential uses are located along Grand Street opposite the subject property. However, one dwelling is vacant, and most others contain some type of commercial and/or industrial usage despite their residential tax classification. Although these residences are pre-existing nonconforming uses that pre-date the formation of the Hackensack Meadowlands District, the requested variance to permit loading in the front yard along Grand Street may not adversely affect these properties. In order to safeguard against potential negative impacts to these residential uses, the applicant will install a raised berm along a portion of the Grand Street frontage opposite the proposed loading areas, and will provide landscaping to obscure visibility of the loading areas and screen headlights glare from vehicles utilizing the new loading doors. Landscaped screening is a required element of the site plan pursuant to NJSEA regulations.

The four new loading doors are proposed in an area of the site that had formerly accommodated one side-loading door, in an area already utilized for tractor trailer circulation, and where no existing landscaped screen exists. All circulation and truck turning movements can be accommodated within the site, based on the applicant's proposal to limit the use of the three southerly-most loading doors to vehicles not exceeding 40 feet in length.

The four additional loading areas in the front yard facing Grand Street will not affect the ability of neighboring commercial and industrial properties to continue their existing operations. All

loading operations will occur on-site and will not require maneuvering within adjacent ROWs or neighboring properties to access the new loading areas.

Therefore, with the provision of a landscaped berm along Grand Street and a condition that limits use of the three southerly-most loading doors to vehicles not exceeding 40 feet in length, the granting of the requested variance will not adversely affect the rights of neighboring property owners or residents.

iii. *The strict application of the regulations will result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the property owner.*

The subject property contains a number of characteristics that result in peculiar and exceptional practical difficulties in the ability to install loading areas on the site in a conforming location outside of a front yard. The site contains three front yards where loading is not permitted. The remaining available yard is the westerly rear yard. However, loading cannot be accommodated in this yard due to the presence of Berry's Creek/West Riser Ditch, as well as a 45-foot-wide drainage easement to the Borough of Moonachie. There is insufficient area remaining between these features and the building wall to accommodate any loading areas in the rear yard on this site. The construction of any new loading areas would, by default, be placed in a front yard. The Grand Street frontage contains the site's existing loading areas and the majority of the site's parking spaces.

Therefore, the strict application of the zoning regulations prohibiting loading in a front yard leaves no other practicable alternative to accommodate additional loading doors on the site, and therefore, results in significant practical difficulties, which were not caused by the property owner.

iv. *The variance will not result in substantial detriment to the public good and will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.*

There will be no substantial detriment to the public good and no adverse impact to the public health, safety, morals, order, convenience, prosperity or general welfare by the granting of the requested variance. The placement of the loading areas within the front yard facing Grand Street will have no adverse impact on public safety or health.

The applicant's site plan and testimony provide that vehicles utilizing three of the new loading areas will not exceed 40 feet in length, and all loading and truck movements needed to access the new loading doors can be accommodated on the site, and, not within any ROWs. The truck circulation on the site will take place in areas of existing truck circulation, and adequate landscaping will be provided to screen the visibility of the proposed loading operations.

v. *The variance will not have a substantial adverse environmental impact.*

The granting of the requested variance will not have any adverse environmental impacts. The new loading area is proposed in an area of existing pavement, and additional landscaping is proposed on the site, both within the site's vehicular use areas and along the site's Grand Street frontage. Development within environmentally sensitive areas in the rear yard of the site will be avoided by accommodating loading in the easterly front yard.

Additionally, the requested variance to locate four new loading doors within the front yard facing Grand Street will not cause the NJSEA's environmental performance standards for noise, glare, vibrations, airborne emissions or hazardous materials to be exceeded.

vi. *The variance represents the minimum deviation from the regulations that will afford relief.*

The requested variance represents the minimum deviation from the regulations that will afford relief. The ability to accommodate conforming loading areas on the site is significantly constrained by its three front yards. Potential locations to provide alternative loading areas outside of a front yard are not available, due to the site's frontage on three ROWs, in addition to environmental constraints in the rear yard where loading operations would normally be permitted. The proposed location of the new loading doors represent the preferred planning alternative for the site, as they are proposed to be installed proximate to existing loading

doors on the site, and in an area used for truck circulation associated with an existing loading area on the site. Therefore, the variance represents the minimum deviation that will afford relief.

vii. *Granting the variance will not substantially impair the intent and purpose of these regulations.*

The intent and purpose of front yard loading regulations are rooted in the promotion of public safety and aesthetics. Although this proposal locates loading areas in a front yard, public safety is not adversely impacted. All maneuvering to access the loading areas will occur entirely within the vehicular use area on site, will not impede on-site or off-site circulation, and will not occur within any of the three adjoining rights of way. The applicant will limit vehicle sizes at three of the proposed new loading spaces to 40 feet in length in order to ensure on-site circulation continues to function safely and efficiently. The new loading areas will not be a significant detriment to area aesthetics, as they will be located within an existing paved vehicular use area and will be effectively screened from neighboring properties. The site will function in a safe and orderly manner, and, therefore, the four new loading doors facing Grand Street will not substantially impair the intent and purpose of these regulations.

B. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19-4-4.8(a) which requires 56.8 parking spaces for 85,200 square feet of warehouse use and 49.1 parking spaces for 19,650 square feet of office use, for a total requirement of 106 parking spaces, whereas 101 parking spaces are proposed, consisting of 82 parking spaces on Block 70, Lot 5.02, and 19 parking spaces on Block 69, Lot 10.

The Hackensack Meadowlands District Zoning Regulations at N.J.A.C. 19-4-4.14(e) state in part that, a variance shall not be granted unless specific written findings of fact directly based upon the particular evidence presented are made that support conclusions that...

1. Concerning bulk variances:

i. *The variance requested arises from such condition that is unique to the property in question, is not ordinarily found in the same zone, and is not created by any action of the property owner or the applicant.*

The overall 4.86-acre property parcel, consisting of the zoning lot of record combining Block 70, Lot 5.02 and Block 69, Lot 10, is almost five times larger than the Light Industrial B zone's minimum lot area requirement of one acre. Despite the large size of the property, the ability to accommodate a conforming number of parking spaces is affected by a unique combination of conditions. Lot 5.02, the property containing the building, has three front yards, with frontage along Moonachie Avenue to the north, Grand Street to the east, and Anderson Avenue to the south. Additionally, the site's configuration is irregular due to the curvature of the site's easterly lot line and a flagged portion in the southerly area of the site. Berry's Creek/West Riser Ditch and a 45-foot-wide drainage

easement to the Borough of Moonachie also runs along the site's westerly boundary.

Lot 5.02 is currently improved with a 104,850-square-foot industrial building with existing parking areas located within the front yards along Grand Street and Moonachie Avenue. The site's existing loading areas are located in the easterly front yard along the Grand Street frontage. No vehicular access is provided to the westerly portion of the site, nor is access provided along the site's Anderson Avenue frontage. As part of a zoning lot of record, an accessory parking lot containing 19 parking spaces is located across Grand Street on Lot 10, to the east of the lot containing the building.

The requested parking variance arises from the unique conditions related to the configuration of the existing site and improvements, which limit the provision of additional parking spaces in a manner that would conform with the regulations. These conditions were not created by the property owner.

ii. *The granting of the variance will not adversely affect the rights of neighboring property owners or residents.*

The granting of the requested variance will not adversely affect the rights of neighboring property owners or residents. While most properties in the vicinity of the subject property are developed with industrial and commercial uses, four properties classified in tax records as residential uses are located along Grand Street opposite the subject property. However, one dwelling is vacant, and most others contain some type of commercial and/or industrial usage

despite their residential tax classification. Although these residences are pre-existing nonconforming uses that pre-date the formation of the Hackensack Meadowlands District, the requested parking variance may not adversely affect these properties.

The site comprising the zoning lot of record currently contains 112 parking spaces, whereas 117 parking spaces are required to accommodate the existing uses in the building. The proposed building renovations will involve the conversion of 3,960 square feet of office space to warehouse space, resulting in a reduced overall parking requirement of 106 parking spaces, whereas 101 parking spaces are proposed to be provided. The existing and proposed deficit of five parking spaces will be equal.

Approval of the requested variance will not result in overflow parking on neighboring properties, and will enable the provision of additional landscaping on the property to screen the existing parking areas on the site. Therefore, the requested variance will not result in an adverse negative impact to the neighborhood.

iii. The strict application of the regulations will result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the property owner.

The subject property contains a number of characteristics that result in peculiar and exceptional practical difficulties in the ability to install additional parking spaces on the site in a conforming manner. Lot S.01 contains three front yards where parking must maintain a required front yard setback of 35 feet. With the

exception of the westerly rear yard, all other locations on the site that could potentially be used for an expansion of parking on the site would be located in a required front yard. When combining the required front yard setback with the required dimensions for parking spaces, drive aisles, and building buffers, there is insufficient space in the northerly and southerly front yards to accommodate a parking area expansion. Lot S.01's easterly front yard along Grand Street, which contains the bulk of the site's parking areas, is not a practicable location to accommodate additional parking spaces on the site, as they would interfere with the site's circulation pattern or impact the provision of safety islands between parking and loading areas.

Additional parking cannot be provided in the westerly rear yard due to constraints associated with the presence of Berry's Creek/West Riser Ditch, as well as 45-foot-wide drainage easement to the Borough of Moonachie. There is insufficient area remaining between these features and the building wall to accommodate functional vehicular use areas while providing sufficient access and required buffers to the waterway on this site.

The applicant has maximized the amount of parking provided on site to the greatest extent possible and utilizes an accessory parking lot on another property joined within a zoning lot of record. Alternative locations to further expand parking on the subject property are not available due to the site's particular characteristics.

Therefore, the strict application of the zoning regulations results in practical difficulties due to these characteristics, which were not caused by the property owner.

iv. *The variance will not result in substantial detriment to the public good and will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.*

The requested variance will not result in substantial detriment to the public good and will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.

The parking spaces provided on site are sufficient to serve the proposed uses. The proposal balances the need to provide the sufficient number of parking spaces to support the uses on the site with the design requirements for a safe and efficient layout, including landscaped safety islands. The property, as part of an existing zoning lot of record, contains an accessory parking lot on Grand Street opposite the building. In order to ensure the public safety, it is recommended that a crosswalk and in-street pedestrian crossing signage, in accordance with signage, in accordance with the federal Manual on Uniform Control Devices (MUTCD), shall be provided, in addition to signage directing pedestrians to a safe route of travel shall be provided across Grand Street between Block 70, Lot 5.02, and Block 69, Lot 10, subject to the approval of the Borough of Moonachie

v. *The variance will not have a substantial adverse environmental impact.*

The granting of the requested variance will not have any adverse environmental impacts. This application will not cause the District's environmental performance standards for noise, glare, vibrations, airborne emissions, or hazardous materials to be exceeded.

Approval of the requested variance will avoid the expansion of impervious surfaces on the site, and subsequent loss of open space, to accommodate additional parking stalls. The proposed variance will also avoid potential impact to areas of environmental sensitivity on the site, given its proximity to Berry's Creek/West River Ditch.

vi. *The variance represents the minimum deviation from the regulations that will afford relief.*

The applicant requests a variance to provide 101 parking spaces on the site, whereas 106 parking spaces are required to support the uses on the subject property. The site currently contains 112 parking spaces, whereas 117 parking spaces were required to accommodate the prior uses in the building. The applicant proposes significant renovations to the existing building on the property, including the alteration of office space, which has a higher parking requirement, to warehouse use, which will reduce the parking demand at the premises. The building renovations will also involve the conversion of 5,960 square feet of office space to warehouse space, resulting in a new parking requirement of 116

parking spaces, whereas 101 parking spaces are proposed to be provided. The existing and proposed deficit of five parking spaces will be equal.

The proposal balances the need to provide the required number of parking spaces versus the design requirements for a safe and efficient site layout, including landscaped safety islands separating loading and parking areas. The number of parking spaces proposed to be provided will be adequate to satisfy the applicant's anticipated parking demand. The applicant has, furthermore, demonstrated there is no feasible alternative location on the site to accommodate a conforming number of parking spaces. Therefore, the requested variance represents the minimum deviation from the regulations that will afford relief.

vii. Granting the variance will not substantially impair the intent and purpose of these regulations.

The granting of the requested variance to provide fewer parking spaces than required will not substantially impair the intent and purpose of the regulations. The site is located within the District's Light Industrial B zone. The purpose of the Light Industrial B zone is to accommodate a wide range of industrial, distribution, and commercial uses that generate a minimum of detrimental environmental effects. In this particular instance, the proposed parking variance will enable significant renovations to an existing, vacant building, thereby promoting this purpose and the orderly and comprehensive development of the subject property.

The renovations to the site include the alteration of existing uses in the building which will reduce the amount of required parking spaces versus existing conditions, and sufficient parking will be available to accommodate the parking demand for the applicant's proposed uses. Therefore, the requested variance will not result in a significant impairment to the intent and purpose of the District's parking regulations.

V. SUMMARY OF CONCLUSIONS

A. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19-4-8.3(b)1, which prohibits loading in any front yard, whereas four loading doors are proposed in the front yard facing Grand Street on Block 70, Lot 5.02.

Based on the record in this matter, the bulk variance application to permit four new loading doors in the front yard facing Grand Street on Block 70, Lot 5.02, whereas loading is not permitted in any front yard, is hereby recommended for APPROVAL SUBJECT TO THE FOLLOWING CONDITION:

1. The three southerly-most loading doors shall be restricted to use by vehicles not exceeding 40 feet in length and adequate signage and pavement striping determined in consultation with the NJSEA Chief Engineer, shall be provided and maintained regarding this restriction.

Conditional Approval 7/10/2017
Recommendation on Date
Variance Request Sara J. Sundell, P.E., P.P.
Director of Land Use Management

CONDITIONAL APPROVAL 7/10/2017
Recommendation on Date
Variance Request Ralph J. Marra, Jr.
Senior Vice President
Legal & Governmental Affairs

B. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19-4-8.3(a), which requires 56.8 parking spaces for 85,200 square feet of warehouse use and 49.1 parking spaces for 19,650 square feet of office use, for a total requirement of 106 parking spaces, whereas 101 parking spaces are proposed, consisting of 82 parking spaces on Block 70, Lot 5.02, and 19 parking spaces on Block 69, Lot 10.

Based on the record in this matter, the bulk variance application to permit 101 parking spaces, whereas 106 parking spaces are required on the subject premises, is hereby recommended for APPROVAL SUBJECT TO THE FOLLOWING CONDITION:

1. A crosswalk and in-street pedestrian crossing signage, in accordance with the federal Manual on Uniform Control Devices (MUTCD), shall be provided, in addition to signage directing pedestrians to a safe route of travel across Grand Street between Block 70, Lot 5.02, and Block 69, Lot 10, subject to the approval of the Borough of Moonachie.

Conditional Approval 7/10/2017
Recommendation on Date
Variance Request Sara J. Sundell, P.E., P.P.
Director of Land Use Management

CONDITIONAL APPROVAL 7/10/2017
Recommendation on Date
Variance Request Ralph J. Marra, Jr.
Senior Vice President
Legal & Governmental Affairs

AWARDS/ CONTRACTS

RESOLUTION 2017-24

**RESOLUTION AUTHORIZING THE PURCHASE OF A
2017 FORD E-450 MEDEX TYPE III - 14 FT. AMBULANCE**

WHEREAS, the NJSEA Medical Department's existing 2004 Ford E-450 ambulance is at the end of its useful life; and

WHEREAS, this ambulance is used as a back-up ambulance on the field for the players at football games held at Meadowlands Stadium; and


WHEREAS, there are no ambulance contracts in place under the state contract program; and

WHEREAS, upon advice of the Division of Purchase and Property, NJSEA staff reached out to the Houston-Galveston Area Council's ("H-GAC") "HGACBuy" program, a nationwide Government-to-Government cooperative purchasing program, as allowed by N.J. PL2011.c.139. Since the NJSEA is currently a member of this program, the staff was able to obtain competitive pricing and immediate availability for a replacement ambulance, which meets our requirements; and

WHEREAS, staff is recommending the award of a purchase agreement to Southwest Ambulance Sales in the amount of \$132,000 through the NJSEA's Interlocal Contract #13-3649 via HGAC. The agreement amount includes a \$1,000 H-GAC program fee for the purchase of an ambulance.

NOW, THEREFORE, BE IT RESOLVED that the President and Chief Executive Officer is hereby authorized to enter into a purchase agreement with Southwest Ambulance Sales in the amount not to exceed \$132,000.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of July 20, 2017.



Ralph J. Marra, Jr., Esq.
Assistant Secretary

EXECUTIVE SESSION

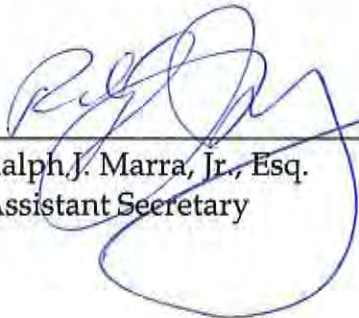
RESOLUTION 2017-25

**RESOLUTION AUTHORIZING THE
NEW JERSEY SPORTS AND EXPOSITION AUTHORITY
TO CONDUCT A MEETING TO WHICH
THE GENERAL PUBLIC SHALL NOT BE ADMITTED**

BE IT RESOLVED by the New Jersey Sports and Exposition authority ("Authority") that it shall conduct a meeting to which the general public shall not be admitted to discuss personnel matters, the status of pending and anticipated litigation and other matters within the attorney client privilege, contract negotiations, and, if necessary, to act upon pending contracts.

BE IT FURTHER RESOLVED that the time when such discussions may be disclosed to the public shall be when and as such disclosure may be made without adversely affecting the Authority's pending and/or anticipated legal, personnel, contractual matters and other matters within the exceptions provided for by the statute.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of July 20, 2017.



Ralph J. Marra, Jr., Esq.
Assistant Secretary