



Virtual Board Meeting  
Thursday, July 16, 2020

10:00 a.m.



**AGENDA  
REGULAR SESSION  
Remote Access Meeting**

Thursday, July 16, 2020 - 10:00 a.m.

I. **PLEDGE OF ALLEGIANCE**

II. **OPENING STATEMENT**

III. **ROLL CALL**

IV. **APPROVAL OF MINUTES AND CASH DISBURSEMENTS** (Action)

- Approval of Regular Session Remote Meeting Minutes of June 18, 2020
- Approval and/or Ratification of Cash Disbursements over \$100,000 for the month of June 2020.

V. **PUBLIC PARTICIPATION ON RESOLUTIONS**

VI. **APPROVALS** (Action)

Resolution 2020-19 Consideration of a Resolution Authorizing Action on a Petition for the Rezoning of Block 7, Lot 4 and Block 3, Lot 4 in Secaucus (File SP-766 Secaucus Brownfields Redevelopment LLC/Rezoning 2019)

VII. **PUBLIC PARTICIPATION**

VIII. **EXECUTIVE SESSION**

Resolution 2020-20 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.

IX. **MOTION TO ADJOURN**

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<https://www.njsea.com/monthly-meetings/>***



REGULAR SESSION BOARD MEETING  
REMOTE VIA ZOOM

DATE: June 18, 2020  
TIME: 10:00 a.m.  
PLACE: Remote via Zoom  
RE: REGULAR SESSION MEETING MINUTES

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**Members in Attendance:**

John Ballantyne, Chairman  
Joseph Buckelew, Vice Chairman  
Vincent Prieto, President and CEO  
Robert J. Dowd, Member  
Michael H. Gluck, Esq., Member  
Michael Griffin, NJ State Treasurer's Representative  
Woody Knopf, Member  
Steven Plofker, Member  
Anthony Scardino, Member  
Louis J. Stellato, Member  
Robert Yudin, Member

**Absent:**

Michael Gonnelli, Member  
Armando Fontoura, Member  
Andrew Scala, Member

**Also Attending:**

Christine Sanz, Senior Vice President/Chief Operating Officer  
Frank Leanza, Senior Vice President/Chief of Legal & Regulatory Affairs  
Adam Levy, Vice President of Legal & Regulatory Affairs  
Sara Sundell, Director of Land Use Management and Chief Engineer  
Steven Cattuna, Chief of Staff  
John Duffy, Senior Vice President of Sports Complex Operations & Facilities  
Lisa LeBoeuf, Senior Legal Specialist  
Brian Aberback, Public Information Officer  
Lauren LaRusso, Governor's Authorities Unit  
Christine Ferrante, Executive Assistant/Paralegal

Chairman Ballantyne called the meeting to order.

- I. Opening Statement - Chairman Ballantyne read the Notice of Meeting required under the Sunshine Law.
- II. Roll Call

### III. APPROVAL OF MINUTES AND CASH DISBURSEMENTS

Chairman Ballantyne presented the minutes of the Regular Session Remote Board Meeting held on May 21, 2020.

Upon motion made by Commissioner Scardino and seconded by Commissioner Yudin, the minutes of the Regular Session Remote Board Meeting held on May 21, 2020 were unanimously approved.

Chairman Ballantyne presented the report of cash disbursements over \$100,000 and Professional Invoices for the month of May 2020.

Upon motion by Commissioner Plofker and seconded by Commissioner Dowd, the cash disbursements over \$100,000 for the month of May 2020 were unanimously approved.

### IV. PUBLIC PARTICIPATING ON RESOLUTIONS - None

Commissioner Yudin asked about assisting the Riverkeeper after the fire. President Prieto stated that he spoke with Captain Bill and let him know that with Commissioner Yudin's suggestion, the NJSEA would be happy to lend a hand and to offer the Riverkeeper temporary office space. President Prieto indicated that Captain Bill was appreciative and would reach out if they needed assistance.

Commissioner Yudin asked about American Dream and if NJSEA has any involvement regarding them defaulting on collateral. Mr. Leanza replied that the NJSEA is twice removed from this issue. He indicated that the default is on the mortgage for the Mall of American in Minnesota. Mr. Leanza stated that there is no direct impact upon the NJSEA or State of New Jersey at this point. Mr. Leanza indicated that the NSEA is monitoring the situation and that at this time there is no action to take as there is no violation of our lease or violation with the American Dream lender. Mr. Leanza also indicated that there is enough in escrow to pay both the construction lending as well as the bonds which were issued through the NJSEA to pay debt service thru 2021. President Prieto stated that anything further can be discussed during Executive Session.

### V. APPROVALS

Resolution 2020-18 Resolution Consideration of a Resolution Authorizing the NJSEA to Resume Operation of the Meadowlands Environmental Research Institute and Authorizing Funding from MAGNET.

Chairman Ballantyne expressed how pleased he was to see the Meadowlands Environmental Research Institute once again falling under the operation of the NJSEA. He stated that MERI, through its research, studies and ongoing monitoring of everything from water, soil and air quality to marsh elevations and carbon dioxide

sequestration, has played, and continues to serve an absolutely vital role in the environmental comeback of the Meadowlands, especially improvements to the Hackensack River. He also stated that MERI is also preparing for the future. Current studies are measuring elements of marshland to help understand, prepare for and protect against looming future environmental challenges, specifically, sea level rise and climate change.

President Prieto spoke about the importance of MERI not only to the NJSEA but also to multiple stakeholders including District municipalities, first responders, the environmental community, and State and federal agencies, cannot be emphasized enough. President Prieto stated that he is constantly amazed by MERI's ingenuity and resources. Through its Geographic Information Systems mapping and drone deployment, to name just a few of its remarkable programs, MERI has made the Meadowlands a better place and a safer place. He explained that MERI has been part of the history of Meadowlands and welcomes MERI back to the NJSEA.

Ms. Sanz explained that this resolution would authorize the NJSEA to resume the operation of MERI and permit the use of MAGNET funds in the amount of \$800,000 for a period of operation of one year beginning July 1, 2020 to June 30, 2021. Ms. Sanz also explained that the NJSEA staff will continue to analyze the operation of MERI to ensure it is operating in an effective and cost conscious manner.

Commissioner Scardino complimented bringing MERI back to the agency. He stated that it has been a significant part of the agency's identity in the past and now in the present and future and is delighted the agency is taking it back.

Chairman Ballantyne presented Resolution 2020-18. Upon motion made by Commissioner Scardino and seconded by Commissioner Plofker. Resolution 2020-18 was unanimously approved by a vote of 11-0.

## **VI. PUBLIC PARTICIPATION -**

- John Pinho, Harrison resident commented on the following:
  - Keegan Landfill status reports not being made in a timely manner.
  - Continued to smell the gas on several occasions even through his N95 mask.
  - Asked if NJSEA will provide real-time monitoring since Kearny has removed their meters?
  - Commented that he has no confidence with NJDEP complaint line.

Chairman Ballantyne stated that the NJSEA continues to move forward in its efforts to properly close and cap the Keegan Landfill including grading and contouring of the site so that it will be ready for the installation of the final cover system. He also stated that there have been no regulatory exceedances of hydrogen sulfide since February 16, 2020. He explained that the gas collection and control system expansion has been installed and is operational as of March 16, 2020 and that the permanent enclosed blower/flare system and hydrogen sulfide treatment system has been installed and is ready to operate upon receipt of a permit from the New Jersey Department of Environmental Protection. He stated that the NSEA has met all requirements, deadlines and deliverables of the Administrative Consent Order entered into with the NJDEP in March 2020 regarding the process of closing and capping the Keegan Landfill while eliminating hydrogen sulfide exceedances and any off-site odors in the interim. He indicated that

the next deliverable is to submit the closure and post closure plan to the NJDEP on July 7, 2020, which will include the engineering design of the final cover system in accordance with NJDEP regulations and approvals.

Ms. Sanz stated that data continues to be posted daily along with charts summarizing the data. She indicated that the hydrogen sulfide levels have been extremely low. President Prieto indicated that there is a number to call at DEP for odors. He stated that the NJSEA is monitored by the DEP and that our monitors have not picked up anything since February. Ms. Sanz explained that there has been no indication from DEP of any verified odor complaints from Keegan.

**VII. EXECUTIVE SESSION**

Chairman Ballantyne stated that there is no need to enter into Executive Session.

**VIII. ADJOURNMENT**

With no further business, motion was made to adjourn by Commissioner Dowd and seconded by Commissioner Knopf with all in favor.

Meeting adjourned at 10:26 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 Remote Board Meeting held on June 18, 2020.**



**Christine Sanz**  
Assistant Secretary

June 18, 2020 –Remote Board Meeting

| Commissioner            | Roll Call | 2020-18 |
|-------------------------|-----------|---------|
| Ballantyne, Chairman    | P         | Y       |
| Buckelew, Vice Chairman | P         | Y       |
| Prieto                  | P         | Y       |
| Dowd                    | P         | Y       |
| Fontoura                | --        | --      |
| Gluck                   | P         | Y       |
| Gonnelli                | --        | --      |
| Knopf                   | P         | Y       |
| Plofker                 | P         | Y       |
| Scala                   | --        | --      |
| Scardino                | P         | Y       |
| Stellato                | P         | Y       |
| Yudin                   | P         | Y       |
| Treasury Rep Griffin    | P         | Y       |

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



CASH DISBURSEMENTS  
\$100,000 OR MORE  
JUNE 2020

EAST RUTHERFORD - SPORTS COMPLEX

| <u>PAYEE</u>                          | <u>\$ AMOUNT</u>  | <u>REFERENCE LETTER</u> | <u>ACCOUNT DESCRIPTION</u>          |
|---------------------------------------|-------------------|-------------------------|-------------------------------------|
| NEW JERSEY STATE POLICE               | 126,036.58        | A/L                     | OVERTIME CHARGES: APR-MAY 2020      |
| NRG BUSINESS SOLUTIONS                | 289,435.30        | J/L                     | ELECTRICITY CHARGES: APR-MAY 2020   |
| PUBLIC SERVICE ELECTRIC & GAS COMPANY | 150,518.37        | J/L                     | ELECTRIC TRANSMISSION: APR-MAY 2020 |
| <b>EAST RUTHERFORD SC TOTAL</b>       | <u>565,990.25</u> |                         |                                     |

MONMOUTH PARK RACETRACK MAINTENANCE RESERVE/CAPITAL

| <u>PAYEE</u>                 | <u>\$ AMOUNT</u>  | <u>REFERENCE LETTER</u> | <u>ACCOUNT DESCRIPTION</u>                      |
|------------------------------|-------------------|-------------------------|---|
| BOROUGH OF OCEANPORT         | 552,032.22        | A                       | CAFO SPECIAL ASSESSMENT AGREEMENT: 3RD QTR 2020 |
| <b>MPR MAINTENANCE TOTAL</b> | <u>552,032.22</u> |                         |   |

LYNDHURST

| <u>PAYEE</u>              | <u>\$ AMOUNT</u>  | <u>REFERENCE LETTER</u> | <u>ACCOUNT DESCRIPTION</u>  |
|---------------------------|-------------------|-------------------------|-----------------------------|
| NORTH BERGEN, TOWNSHIP OF | 108,565.45        | A                       | REAL ESTATE AGREEMENT: 2020 |
| <b>LYNDHURST TOTAL</b>    | <u>108,565.45</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 2020-19**

**RESOLUTION AUTHORIZING ACTION ON A PETITION FOR THE  
REZONING OF BLOCK 7, LOT 4 AND BLOCK 3, LOT 4,  
IN THE TOWN OF SECAUCUS, NEW JERSEY  
(FILE SP-766 SECAUCUS BROWNFIELDS  
REDEVELOPMENT LLC/REZONING 2019)**

**WHEREAS**, the New Jersey Sports and Exposition Authority ("NJSEA") is authorized by N.J.S.A. 5:10A-1, et seq. to adopt codes and standards regarding the zoning and rezoning of lands within the Hackensack Meadowlands District ("HMD"); and

**WHEREAS**, the HMD Official Zoning Map may be amended from time to time in accordance with N.J.A.C. 19:3-1.3 et seq. upon submittal of a petition to the NJSEA; and

**WHEREAS**, the NJSEA received a Petition dated September 9, 2019, from Adam J. Faiella, Esq. of Sills Cummis & Gross, P.C., on behalf of the property owner, Secaucus Brownfields Redevelopment, LLC, ("Petitioner") requesting a rezoning of two properties, identified as Block 7, Lot 4 and Block 3, Lot 4, ("Subject Properties") in the Town of Secaucus, New Jersey; and

**WHEREAS**, the Subject Properties contain the location of two former landfills, identified as the Malanka and Mall Landfills, totaling 65.6 acres; and

**WHEREAS**, the Petitioner is seeking to rezone the Subject Properties from the Environmental Conservation zone to the Transportation Center zone;

**WHEREAS**, the Petitioner states that it intends to develop the uplands on the Subject Properties for a proposed commercial parking lot, with a future hotel and convention center, which are not permitted under the current zoning, but would be a permitted use in the Transportation Center zone; and

**WHEREAS**, in support of the Petition, a Planning Report regarding the requested rezoning was prepared by George D. Cascino, P.E., P.P., dated September 5, 2019, and revised on September 23, 2019; and

**WHEREAS**, the Petition was deemed a complete petition for rulemaking on November 22, 2019 by NJSEA Director of Land Use Management and Chief Engineer, Sara Sundell; and

**WHEREAS**, a Notice of Receipt of Petition for Rezoning was filed by the NJSEA with the New Jersey Office of Administrative Law, which was published in the January 21, 2020 edition of the New Jersey Register (52 N.J.R. 112); and

**WHEREAS**, thereafter, the NJSEA staff evaluated the Petition for rezoning and prepared a Memo Report, dated July 10, 2020, containing an analysis of and recommendation regarding the requested rezoning; and

**WHEREAS**, under the recently adopted Hackensack Meadowlands District Master Plan Update 2020, the Subject Properties are classified within the newly created Sustainable Uplands Reserve Planning Area; and

**WHEREAS**, the principal objectives of the Sustainable Uplands Reserve Planning Area are to properly close the landfills in the planning area and allow for uses that promote economic development in a manner that avoids negative impacts to the environment; and

**WHEREAS**, previously, the Subject Properties were classified within the Preserve Planning Area, which does not permit development; and

**WHEREAS**, the Planning Report, prepared by the petitioner, states that the location of the Subject Properties adjacent to the Lautenberg Rail Station and proximity to road and rail ROWs are supportive of the rezoning; and

**WHEREAS**, the Memo Report identifies concerns with the project concept including feasibility of the proposed access, the need for proper closure of the landfills, and the potential impact to surrounding wetlands, but also notes that the Sustainable Uplands Reserve Planning Area is intended to provide owners with revenue generating uses to aid in the funding of required landfill closure activities; and

**WHEREAS**, the Memo Report also discusses the current economic downturn precipitated by the COVID-19 pandemic and the initiation of the rulemaking process in response to this Petition for Rezoning as a means of advancing the economic growth goals of the State; and

**WHEREAS**, striking a balance between economic benefits and environmental protection, including incentivizing the proper closure of landfills by repurposing them and allowing for uses that promote economic development, is a function properly within the purview of the NJSEA commissioners; and

**WHEREAS**, the approval of this petition for rezoning through the rulemaking process constitutes authorization to initiate a rulemaking proceeding, which is only the first step in this public process, involving a public hearing, comment period, and remains subject to Board action prior to adoption; and

**WHEREAS**, the NJSEA recognizes that any future development of the Subject Properties shall be subject to a multi-agency regulatory review and approval process where the enumerated concerns shall be appropriately addressed and resolved before any development can occur.

**NOW, THEREFORE, BE IT RESOLVED**, that the NJSEA Board of Commissioners hereby grants the petition to initiate a rulemaking proceeding for the potential rezoning of the Subject Properties from the Environmental Conservation zone to the Transportation Center zone.

**BE IT FURTHER RESOLVED**, that the Board hereby authorizes the NJSEA staff to prepare and submit a Notice of Proposal to the Office of Administrative Law for publication in the New Jersey Register and to hold a public hearing in order to receive input from the petitioner and the general public regarding the possible rezoning of Block 7, Lot 4 and Block 3, Lot 4, in the Town of Secaucus, New Jersey.

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 16, 2020.



Vincent Prieto  
Secretary



## *MEMORANDUM*

*To:* File SP-766 Secaucus Brownfields Redevelopment LLC/Rezoning 2019

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*From:* Sara Sundell, P.E., P.P., Director of Land Use Management and Chief Engineer  
Sharon A. Mascaro, P.E., Deputy Director of Land Use Management and Deputy Chief Engineer  
Mia A. Petrou, P.P., AICP, CFM, Principal Planner

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*Date:* July 10, 2020

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*Subject:* Analysis and Recommendation on Petition for Rezoning  
(Block 7, Lot 4 and Block 3, Lot 4, in the Town of Secaucus)

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### **INTRODUCTION**

On September 9, 2019, the New Jersey Sports and Exposition Authority (NJSEA) received a petition for rezoning from Adam J. Faiella, Esq. of Sills Cummis & Gross, P.C., on behalf of the property owner, Secaucus Brownfields Redevelopment, LLC, ("Petitioner") requesting the rezoning of two properties, identified as Block 7, Lot 4 and Block 3, Lot 4, in the Town of Secaucus, which are located in the Hackensack Meadowlands District ("District") and are under the zoning jurisdiction of the NJSEA. The petition was supplemented by a planning report in support of the requested rezoning, prepared by George D. Cascino, P.E., P.P., dated September 5, 2019, and revised on September 23, 2019 (attached hereto as Appendix A). The Petitioner is seeking to rezone the subject properties from the Environmental Conservation zone to the Transportation Center zone.

In a letter dated November 22, 2019, NJSEA Director of Land Use Management and Chief Engineer, Sara Sundell, determined that the Petition was in substantial compliance to be deemed a complete petition for rulemaking. Subsequently, the NJSEA staff prepared and filed a Notice of Receipt of Petition for Rezoning with the New Jersey Office of Administrative Law, which was published in the January 21, 2020 edition of the New Jersey Register (52 N.J.R. 112). The NJSEA staff is required to review the petition and prepare an analysis with

recommendations that shall be submitted to the NJSEA Board of Commissioners and President/CEO for their consideration and approval. The below constitutes this required analysis and recommendations regarding NJSEA action on the subject Petition.

## **EXISTING CONDITIONS**

The subject properties are currently vacant sites that contain the former Malanka Landfill at Block 7, Lot 4, and the former Mall Landfill at Block 3, Lot 4, in the Town of Secaucus. According to Geographic Information Systems (GIS) map data provided by the Rutgers Meadowlands Environmental Research Institute (MERI), the area of the Malanka site is approximately 30.2 acres, and the area of the Mall site is 35.4 acres, totaling 65.6 acres in the Town of Secaucus. The sites are not contiguous, but are separated by the NJ Transit Boonton Rail Line and two (2) privately-owned properties containing wetlands. Petitioner states that the properties are joined by an access easement, which appears to consist of an unimproved former haul road that crosses over the Boonton Rail Line at grade, which is approximately at elevation 8 feet between the properties. An aerial view of the subject properties and their neighbors is provided at Figure 1 – Location Map, as well as within the Petitioner’s planning report.

The Malanka Landfill site is approximately triangularly-shaped, and is bounded by the Amtrak Northeast Corridor along its northerly boundary. The site comes to a point at its easterly boundary adjacent to the Exit 15X Ramp of the New Jersey Turnpike Eastern Spur Right-of-Way (ROW) and the NJ Transit Main Rail Line. The Frank R. Lautenberg Rail Station at Secaucus Junction (“Lautenberg Rail Station”) is located on the other side of the Exit 15X Ramp and the NJ Transit Main Line, and the New Jersey Turnpike Eastern Spur is located just beyond the Northeast Corridor. Adjoining property to the south and east is owned by HRP Hudson, LLC, and is predominantly wetlands. The western-most tip of the property touches the NJ Transit Boonton Rail Line.

The NJ Transit Boonton Rail Line also bounds the Mall Landfill site to the northeast. The Mall Landfill adjoins wetlands to the northwest and west, which are part of the Riverbend Wetland Preserve site, and wetlands to the east on the HRP Hudson, LLC property. The Hackensack River forms the Mall Landfill’s southerly boundary.

These features result in each of the subject parcels being landlocked, with no existing frontage on ROWs from which the sites are accessible. Minimal access to the sites is available

through Hudson County's Laurel Hill Park via New County Road through easements, and requires traversing along the NJ Transit Boonton Rail Line ROW prior to entering either landfill site. This existing access contains narrow, unimproved paths formed by former hauling operations, including locations alongside the rail line within the NJ Transit Boonton Line ROW.

The subject properties are classified in the Existing Land Use Plan of the Hackensack Meadowlands District Master Plan Update 2020 ("Master Plan 2020") as Altered Lands (see Figure 2 – Existing Land Use), which are defined as areas that have been changed due to human activities, such as solid waste disposal areas, dredge material disposal, stone quarries, sand and gravel pits, and mining. According to the Petitioner's planner, the subject properties were each utilized as a sanitary landfill from the late 1960's until July 1, 1978, and were filled to elevations of approximately 50 feet on the Malanka Landfill site and 70 feet on the Mall Landfill site.

The subject landfills are not environmentally closed. In his report, Mr. Cascino inaccurately refers to the subject landfills as orphan landfills, inferring that there is no designated party responsible for their closure. An Administrative Consent Order (ACO) between the New Jersey Department of Environmental Protection and the Petitioner, signed by both parties on July 15, 2011, establishes that the Petitioner is responsible for the closure of the Malanka Landfill.

The Petitioner acquired the subject properties in 1999. The ACO states that the Petitioner submitted a Phase I Landfill Closure and Post-Closure Plan for the Malanka site in February 2009 and documents the deposit of approximately 240,000 cubic yards of fill material at the Malanka site between 1999 and 2010. The ACO also permitted up to 150,000 cubic yards of additional fill for the purposes of landfill closure, although correspondence from the Petitioner's consulting engineer stated that almost 560,000 cubic yards of fill, more than 3.5 times the approved amount, were accepted and deposited on the Malanka Landfill between 2011 and 2016. The ACO agreement requires that 15 percent of the revenue generated as a tipping fee from fill material accepted pursuant to the approved Material Acceptance Protocol (MAP) be deposited into an account dedicated to funding closure of the Malanka Landfill.

The Mall Landfill was the subject of a 1976 agreement between then owner Carmine Malanka and the then-Hackensack Meadowlands Development Commission (predecessor to this agency) that required environmental controls be installed on the Mall Landfill by the property owner.

## EXISTING AND PROPOSED ZONING

The Petitioner is seeking to rezone the subject properties from the Environmental Conservation zone to the Transportation Center zone. Figure 3 – Existing Zoning Map, shows the existing zoning on the subject properties and properties in their vicinity. The Environmental Conservation zone is designed to preserve and enhance the ecological value of wetlands, open water, and adjacent uplands within the District and seeks to provide public access to these areas and encourage scientific and educational study in regard to wetland ecology, as per N.J.A.C. 19:4-5.8. The Transportation Center zone is designed to accommodate a major commuter transfer center and associated office, hotel, and other commercial uses, as per N.J.A.C. 19:4-5.117. The Petitioner states that the rezoning of the subject property is requested in order to develop the uplands on the site for a proposed commercial parking lot, with a future hotel and convention center, which are not permitted under the current zoning, but would be a permitted use in the Transportation Center zone.

The Transportation Center zone was created in 2004 during a comprehensive overhaul to the Hackensack Meadowlands District Zoning Regulations. These revised zoning regulations eliminated the Specially Planned Area (SPA) zones, including the Transportation Center – 3 Specially Planned Area that encompassed the land housing the transit station, and the new Transportation Center zone was created in order to accommodate vested approvals issued under the “General Plan for the Transportation Center-3/Allied Junction Specially Planned Area” for approximately 4.7 million square feet of new commercial development, mostly located above the Lautenberg Rail Station. In 2008, a 5.8-acre parcel containing an industrial building, owned by Intermodal Properties, was rezoned to the Transportation Center zone to accommodate a future bus garage. Since that time, Norfolk Southern has acquired the property for intermodal usage.

The following table lists the zoning requirements of the Environmental Conservation and Transportation Center zones:

| REQUIREMENT                   | ENVIRONMENTAL CONSERVATION ZONE   | TRANSPORTATION CENTER ZONE  |
|-------------------------------|---|---|
| <b>Permitted Uses</b>         | <ol style="list-style-type: none"> <li>1. Existing public utility equipment and appurtenances, including operating, maintaining, reconstructing, inspecting, testing, and removing such equipment;</li> <li>2. Public access to water features, including trails, boat/canoe launches, water crossings, site furnishings, signage and structures that facilitate wildlife observation;</li> <li>3. Scientific and educational study and experimentation in regard to wetland ecology;</li> <li>4. Wetland enhancement, restoration or creation activities, performed either individually or in conjunction with wetland mitigation banks; and</li> <li>5. Wildlife habitat creation.</li> </ol> | <ol style="list-style-type: none"> <li>1. Banks;</li> <li>2. Bus garages;</li> <li>3. Business support services;</li> <li>4. Commercial off-street parking;</li> <li>5. Commercial recreation, indoor;</li> <li>6. Cultural facilities;</li> <li>7. Day care facilities;</li> <li>8. Essential public services;</li> <li>9. Helistops;</li> <li>10. Hotels;</li> <li>11. Institutional uses;</li> <li>12. Offices;</li> <li>13. Parks or recreation facilities;</li> <li>14. Passenger rail terminals;</li> <li>15. Personal services;</li> <li>16. Public utility uses, light;</li> <li>17. Restaurants;</li> <li>18. Retail; and</li> <li>19. Taxi and limousine services.</li> </ol> |
| <b>Special Exception Uses</b> | <ol style="list-style-type: none"> <li>1. Communications transmission towers;</li> <li>2. Electric transmission towers;</li> <li>3. Marinas;</li> <li>4. The construction of any element or other physical device to fulfill a requirement of another regulatory agency which has an interest in, or some level of jurisdiction over, a wetlands enhancement, restoration or creation activity; and</li> <li>5. Structures and improvements essential for and used solely in conjunction with a permitted use.</li> </ol>   | <ol style="list-style-type: none"> <li>1. Communications transmission towers; and</li> <li>2. Heliports.</li> </ol>   |
| <b>Use Limitations</b>        | No use shall be operated, conducted or maintained that may impair the quality of the zone as an environmental conservation area. Any use that discourages or interferes with the purpose of the zone is prohibited.   | n/a   |
| <b>Lot Size Requirements</b>  | n/a   | <ol style="list-style-type: none"> <li>1. Minimum lot area: one acre;</li> <li>2. Minimum lot width: 100 feet; and</li> <li>3. Minimum lot depth: 150 feet.</li> </ol>  |
| <b>Bulk Regulations</b>       |   | <ol style="list-style-type: none"> <li>1. Maximum lot coverage: 70 percent;</li> <li>2. Minimum open space: 15 percent;</li> <li>3. Minimum setback from front lot line for commercial off-street parking facilities: 20 feet;</li> <li>4. Maximum building height: 40 stories, excluding antennas;</li> <li>5. Maximum floor area: 4.7 million gross square feet for projects proceeding in accordance with approvals issued by the NJMC prior to February 17, 2004; and</li> <li>6. Maximum FAR: 4.0 for commercial off-street parking uses, where one square foot</li> </ol>   |

|                              |   |   |
|------------------------------|---|---|
|                              |   | of every two square feet of floor area shall apply to the FAR calculation.  |
| <b>Performance Standards</b> | <ol style="list-style-type: none"> <li>1. All category A performance standards shall apply, with the exception of particulate source emissions.</li> <li>2. Particulate source emissions shall not exceed 0.2 pounds per hour, per acre of lot for all uses on the lot, or New Jersey State Air Pollution Control Laws and Codes (N.J.A.C. 7:27), whichever is more restrictive.</li> </ol> | <ol style="list-style-type: none"> <li>1. All category B performance standards shall apply, with the exception of hazardous materials, liquids, and chemicals.</li> <li>2. Category A performance standards shall apply for hazardous materials, liquids, and chemicals.</li> </ol> |

The Petitioner’s planning report states that the Environmental Conservation zone is not an appropriate zone for the subject properties due to the lack of existing public utility equipment on the site, the absence of water features or wetlands on the subject properties to be either studied or enhanced, and that no public access can readily be provided to the Hackensack River adjacent to the southerly Mall Landfill property. Mr. Cascino asserts the sites should be rezoned to a more appropriate zone to accommodate realistic uses.

Mr. Cascino opines that the Transportation Center zone is the appropriate zone to accommodate realistic use of the property as a commercial parking facility, with future uses to include a hotel and convention center. According to the Petitioner, the rezoning of the subject parcels would permit a revenue-generating use to enable the environmental closure of the landfills.

**MASTER PLAN**

The governing documents under which the proposed rezoning is reviewed are the Hackensack Meadowlands District Zoning Regulations, current through August 28, 2019, and the Master Plan 2020, adopted by the NJSEA Board of Commissioners on February 6, 2020. The Master Plan 2020 classifies the subject properties within the Sustainable Uplands Reserve Planning Area, whereas they were previously within a Preserve Planning Area in the 2004 NJMC Master Plan. The goals for these areas in the Master Plan 2020 are as follows:

- Preserve Planning Area:

*“The Preserve Planning Area classification is comprised of the Hackensack River, its tributary network, and adjoining lands in the District. The Hackensack River system is recognized as a defining attribute of the Meadowlands District, and this category*

*includes most of the existing wetland areas in the District. Some uplands are also included within this Planning Area, particularly along the Hackensack River where they are important for recreation, habitat, or open space protection.*

*The Preserve Planning Area permits uses that are consistent with the preservation of open space and habitat protection and enhancement. Wildlife management areas are encouraged. The plan promotes the formulation of a habitat enhancement program for the Preserve Planning Area, as well as edge parks and waterfront park areas for the public. Preserve Planning Areas also accommodate existing public utilities and radio towers. Wetland restoration and/or mitigation is provided in connection with programs and regulations of other State and Federal agencies.”*

- Sustainable Uplands Reserve Planning Area:

*“The Sustainable Uplands Reserve Planning Area designation is associated with landfill areas in Rutherford, Lyndhurst, North Arlington, Secaucus, and Kearny, including the Keegan Landfill and the former Viola, Avon, Rutherford, Kingsland, Erie, 1-A, 1-D, 1-E, Mall, and Malanka Landfills.*

*The principal objectives of this area classification are to properly close the landfills using techniques that are proven to protect the environment, and, thereafter, to allow for uses that promote economic development in a manner that avoids negative impacts to the environment. Landfills in the Sustainable Uplands Reserve Planning Area may be utilized for the installation of renewable energy facilities, such as the NJSEA’s photovoltaic installation atop the former 1-A Landfill in Kearny, along with other forms of environmentally sound development that can reasonably be accommodated on landfill areas given site constraints while preserving the integrity of remedial/closure measures.*

*The plan also envisions the conversion of landfills and adjacent areas to open space and/or recreation areas. Former landfill areas also present an opportunity to create upland habitats in synergy with adjoining wetlands ecosystems. Landfill areas, with their history of scarring the Meadowlands landscape, will be repurposed to benefit the Meadowlands environment and economy.”*

The Petitioner provided comments on the Draft Master Plan 2020 during the master plan public comment period and public hearing in 2019, including comments supporting that the subject properties be included within the Secaucus Transit Center Planning Area designation, which applied to the Lautenberg Rail Station and properties within the NJSEA’s Secaucus Transit Village Redevelopment Area. The goals for the Secaucus Transit Center Planning Area are as follows:

- Secaucus Transit Center Planning Area:

*“Planning goals for this area include supporting the ongoing redevelopment of the area’s industrial character into uses consistent with the redevelopment plan for the area, inclusive of promoting vertical development above surface commuter parking lots, as well as promoting commercial development above Secaucus Transfer, to encourage the creation of a true transit village at Secaucus Junction. Potential development in this planning area must take special consideration of traffic and its potential impacts to the capacity of the local and regional street network. Development that favors usage of the area’s mass transit infrastructure as a destination, as opposed to a starting point, is preferred. Safe pedestrian and bicycle connections to the transit station must be included as a part of any new development in this area.”*

The NJSEA staff evaluated the possible inclusion of the subject properties within the Secaucus Transit Center Planning Area during development of the 2020 Land Use Plan. Staff’s evaluation concluded that the subject properties were not viable options to implement the planning objectives for the Planning Area.

Notwithstanding, the NJSEA staff recognized that former landfills in the District, many of which are located in the Environmental Conservation zone, including the Malanka and Mall Landfills, are not environmentally closed. These landfill areas were formerly located in the Preserve Planning Area of the 2004 NJMC Master Plan, which is principally intended to protect wetlands and associated environmentally sensitive areas, and does not permit development. In an effort to allow some means of economic return on properties that ordinarily cannot support vertical development due to constraints commonly associated with landfill sites, including steep slopes, geotechnical concerns, and preserving final closure methods, the NJSEA staff created the Sustainable Uplands Reserve Planning Area classification in the Master Plan 2020 to provide property owners with a potential revenue source to aid in the funding of required landfill closure activities.

## **ACCESS**

The Petitioner’s planning report states that initial access to the site, which would be improved to accommodate at-grade passenger vehicle and bus parking to service the nearby transit station in the Transportation Center zone, would be through historic easements from New County Road, through Laurel Hill Park, and private easements to the parcel. However, it is

uncertain how such vehicles would gain access to the Malanka Landfill site due to the grade elevation and lack of area on the landfill site to address an access ramp on-site. Access to the Mall site would occur via an at-grade crossing of the NJ Transit Boonton Rail Line.

Future access is proposed through adjoining properties owned by HRP Hudson, LLC, NJ Transit, and the New Jersey Turnpike Authority. The access would be elevated approximately 70 feet above grade and would require crossing over Penhorn Creek, the four-lane New Jersey Turnpike Exit 15X Ramp, the NJ Transit Main Line rail line, and multiple wetland areas in the Environmental Conservation zone. Access to the Mall site would also require crossing of the NJ Transit Boonton Rail Line in the proposed condition.

## **RECOMMENDATION**

The NJSEA staff has identified concerns with the subject Petition to rezone the subject properties, identified as Block 7, Lot 4 and Block 3, Lot 4, in the Town of Secaucus, from the Environmental Conservation zone to the Transportation Center zone. However, the NJSEA staff is aware of the overriding economic growth goals of the State in light of the current economic downturn precipitated by the COVID-19 pandemic. Therefore, the NJSEA staff accepts that an initiation of the rulemaking process will provide the Petitioner an opportunity to address the concerns in this memo.

The Petitioner's planning report asserts that the site's location adjacent to the Lautenberg Rail Station and proximity to road and rail ROWs are supportive of the rezoning. However, it is the existence of these very features that landlock the parcel and constrain the ability to provide viable public access to the site. While the Petitioner does discuss conceptual plans for site access, both the existing and proposed means of access raise concerns.

The Petitioner's planning report states that "the initial use of the northerly parcel for a parking facility could be accessed by vehicles through historic easements from New County Road, through Hudson County's Laurel Hill Park, and private easements to the parcel." (page 5) The existing access to the site was intended to accommodate access to a landfill, not a commercial use for access by the public. There exists a substantial elevation differential between the landfills and their points of access along the Boonton Line. The Petitioner has not established the appropriateness or feasibility of this route as a means of access for the intended purposes. Sound planning principles do not support funneling commuter or other commercial

traffic through the local street network to the west of the Lautenberg Rail Station (which is also used for access to a county high school, recreational, and residential uses) or through the county park.

The proposed future infrastructure necessary for access also presents concerns of paramount importance. Proposed access is indicated to occur via an elevated access roadway, principally located over sensitive environmental features, including Penhorn Creek and separate swaths of wetlands (on either side of the NJ Transit Main Line and New Jersey Turnpike Exit 15X Ramp ROW) located in the Environmental Conservation zone, which would unavoidably impact Army Corps of Engineers jurisdictional wetlands in order to achieve access. Furthermore, the Petitioner does not hold ownership of the multiple properties over which the access road would traverse, and, despite stating that agreements with some, but not all, adjoining property owners have been obtained, no feasible plan, economic or otherwise, has been provided to implement the proposed means of access. For example, no easements showing clear rights to utilize adjoining properties for an elevated access structure as intended have been provided, and no environmental permits have been produced. Therefore, the proposed access cannot be considered a reasonably feasible access plan that could implement the goals for the Transportation Center zone. Rather, the implementation of the requested rezoning ostensibly would require trading one adverse environmental impact (unclosed landfills) for another (multiple wetlands impacts).

In this instance, the Malanka Landfill is required to be closed pursuant to the Petitioner's ACO with NJDEP, and funds were to have been set aside by the Petitioner during the conduct of their own solid waste operations to fund the landfill's closure. The requested rezoning of the site to a Transportation Center zone is not a prerequisite to closing the landfill, as agreements in place already require that the Petitioner close the landfill due to the solid waste operations conducted by the Petitioner at the premises.

The closure of landfills is indeed an important planning objective, and the NJSEA is mandated to ensure that sound environmental policies are followed in its land use decisions. The closure of landfills is promoted through a change in the 2020 Land Use Plan Planning Area category of several landfill properties, including the subject properties, from a Preserve Planning Area to a Sustainable Uplands Reserve Planning Area. While no zoning regulations have yet been promulgated for this new planning area designation, the NJSEA staff intends to incorporate uses that would support some economic return on landfill properties, such as renewable energy

facilities, to assist property owners in generating revenue to implement required landfill closure activities.

Therefore, the NJSEA staff seeks authorization to initiate a rulemaking process to obtain public comment and hold a public hearing in consideration of the proposed rezoning.

**Figure 1: Location Map - Secaucus  
Block 7 Lot 4 & Block 3 Lot 4**

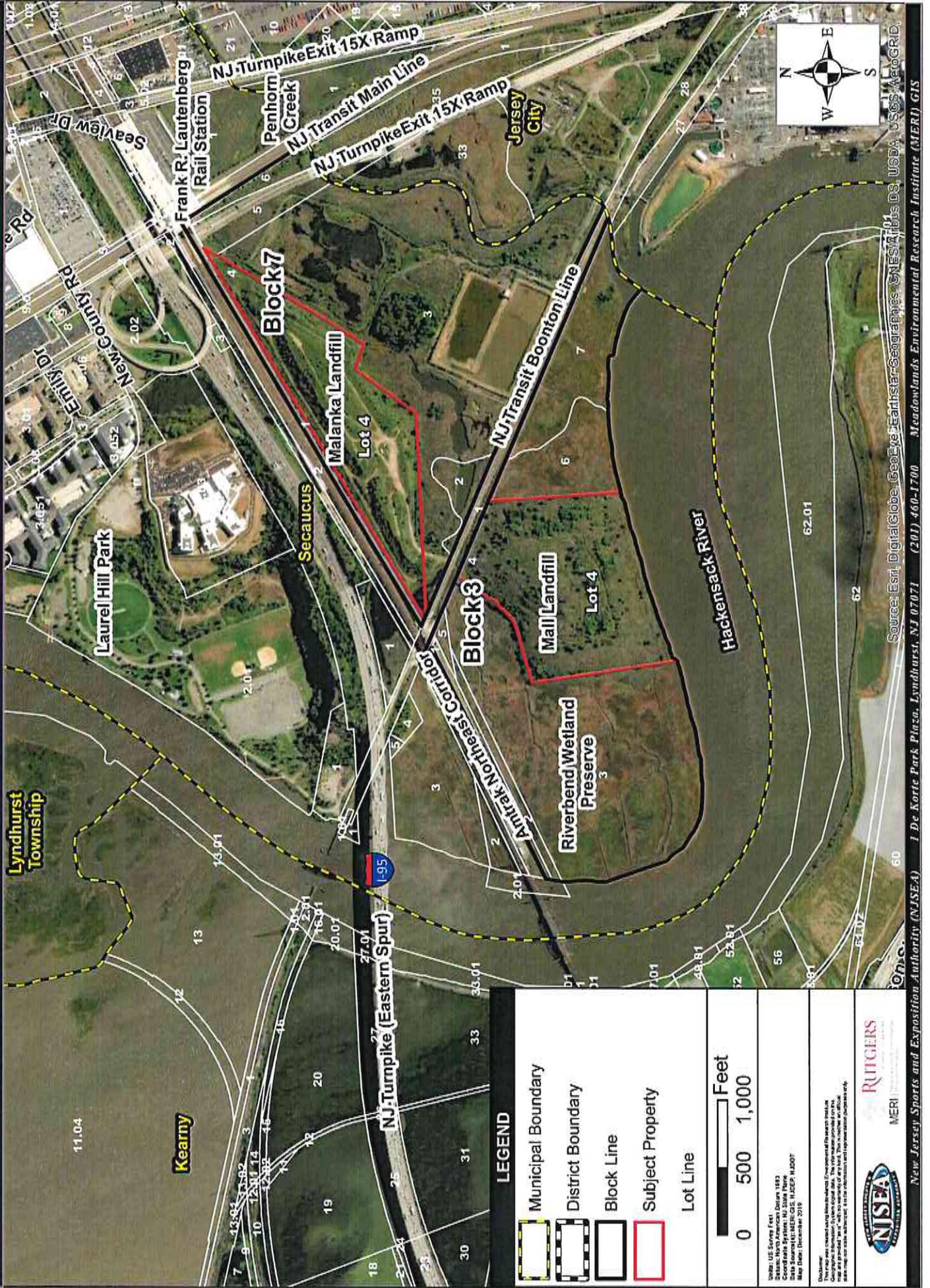


Figure 2: Existing Land Use - Secaucus  
Block 7 Lot 4 & Block 3 Lot 4

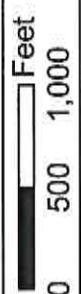


**LEGEND**

| Existing Land Use |                              |
|-------------------|------------------------------|
|                   | Allered Lands                |
|                   | Industrial                   |
|                   | Public/Quasi Public Services |
|                   | Recreational Land            |
|                   | Residential                  |
|                   | Transitional Lands           |
|                   | Transportation               |
|                   | Utility                      |
|                   | Water                        |
|                   | Wetlands                     |

|  |                    |
|--|--------------------|
|  | Municipal Boundary |
|  | District Boundary  |
|  | Block Line         |
|  | Subject Property   |
|  | Lot Line           |



Source: US Survey Feet, 1983  
 Coordinate System: NAD83  
 Data Source: NJ State Plane  
 Data Source: MERI GIS, NJDEP, NJDOT  
 Map Date: December 2018

This map was created using ArcGIS Desktop software. The data was obtained from the NJ State Plane coordinate system. The map is not intended to be used for any other purpose. It is for informational purposes only.



Est. HERE, Garmin, © OpenStreetMap contributors, and the GIS user community. Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the

Figure 3: Existing Zoning Map - Secaucus  
Block 7 Lot 4 & Block 3 Lot 4

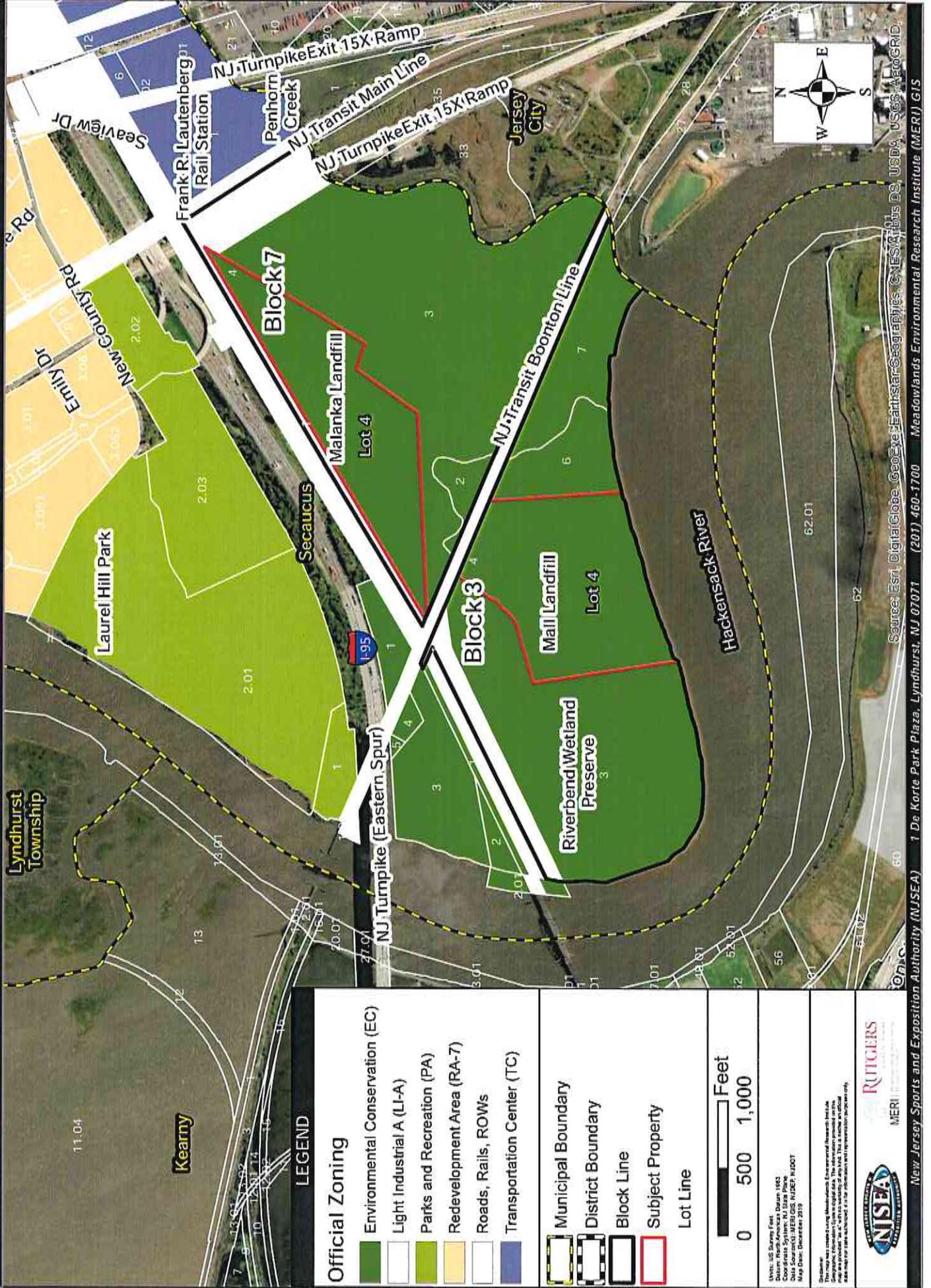


Figure 4: Land Use Plan 2020 - Secaucus  
Block 7 Lot 4 & Block 3 Lot 4



# **APPENDIX**

**- A -**

PLANNING REPORT  
IN SUPPORT OF A PETITION  
TO AMEND THE OFFICIAL ZONING MAP  
OF THE NEW JERSEY SPORTS & EXPOSITION AUTHORITY

BLOCK 3, LOT 4 & BLOCK 7, LOT 4  
SECAUCUS, NEW JERSEY  
PREPARED FOR SUBMITTAL TO  
THE NEW JERSEY SPORTS & EXPOSITION AUTHORITY

PREPARED FOR  
SECAUCUS BROWNFIELDS REDEVELOPMENT, LLC  
11 Birch Street  
Midland Park, NJ 07432

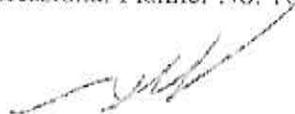
PREPARED BY  
George D. Cascino, P.E., P.P.  
Professional Engineer & Professional Planner  
2 East Greenbrook Road  
North Caldwell, NJ 07006

Project #08-11

The original document was appropriately signed and sealed on September 5, 2019 in accordance with Chapter 41 of Title 13 of the State Board of Professional Planners

Revised 9/23/19

George D. Cascino, P.P.  
Professional Planner No. 1096



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NJSEA

SEP 11 2019

LAND USE MANAGEMENT

SP-766

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## LIST OF EXHIBITS

|            |   |
|------------|---|
| Exhibit 1  | Google Aerial, circa 2008 depicting Block 7, Lot 4 & Block 3, Lot 4 & Adjacent Land Uses  |
| Exhibit 2  | Subject property depicted on HMDC Zoning Map as Research Park, on initial Zoning Map dated 11/8/72.                               |
| Exhibit 3  | Subject property depicted on NJMC Zoning Map as Research Park effective between 9/27/78 - 2/16/04.                                |
| Exhibit 4  | Subject property depicted on NJMC 2/17/04 Zoning Map as Environmental Conservation.   |
| Exhibit 5  | Subject property depicted on current 1/20/09 Zoning Map as Environmental Conservation.  |
| Exhibit 6  | Subject property depicted on Proposed NJMC Zoning Map as Transportation Center  |
| Exhibit 7  | Aerial View of proposed superimposed pedestrian access to Allied Junction Train Station from northerly portion of Block 7, Lot 4. |
| Exhibit 8  | Subject property depicted on current Jan. 2004, Master Plan.  |
| Exhibit 9  | Subject properties depicted on proposed 2020 Master Plan.   |
| Exhibit 10 | Proposed access to site, T&M Associates, 2019   |

## SELECTED BIBLIOGRAPHY

- Hackensack Meadowlands Master Plan, Dated 5/1/70
- N.J. Meadowlands Commission Master Plan, Dated 2/17/04.
- NJSEA Proposed Master Plan, Dated August 2019
- N.J. Meadowlands Commission District Zoning Regulations NJSC 19:4-1.1, Et Seq., Revised Through 3/6/06, With Updates Through 1/20/09.
- Planning Report In Support Of An Application By Intermodal Properties To The NJMC To Rezone Block 16, Lot 5.01 To A Transportation Center Zone To Enable The Construction Of A Multi-Level Commuter Parking Garage, Burgis Associates, Inc., Dated 5/3/06.
- Planning Report Submitted in Support Of An Application to The NJSEA For The Grant Of A Use Variance, Prepared By Cascino Engineering, Dated 7/7/15, Revised 3/21/17.
- Traffic Impact Study, Proposed Parking Garage For Intermodal Properties, LLC, Michael Maris Associates, Inc., Dated August 2006.
- Traffic Impact Report, Prepared For A Commercial Parking Lot, Prepared By T&M Associates, Dated 7/29/14, Revised Through 2/29/16.
- Feasibility And Size Analysis For A Convention Center At The 15X Site In Secaucus, N.J., September 2007, Presented To Secaucus Brownfield Redevelopment, LLC, Prepared By Edward J. Bloustein School Of Planning And Public Policy, Rutgers University.
- N.J. Meadowlands Commission Proposal No. PRN 2008-13, To Rezone Block 16, Lot 5.01 In Secaucus, From Intermodal B To Transportation Center, Adopted 4/23/08.
- Boundary Survey, Block 3, Lot 4, Town Of Secaucus, Prepared By T&M Associates, Dated 10/10/08, Revised 11/17/08.
- Boundary Survey, Block 7, Lot 4, Town Of Secaucus, Prepared By T&M Associates, Dated 10/10/08, Revised 11/17/08.
- Site Suitability Determination In Accordance With Interim Policies Governing Affordable Housing Development In The Meadowlands District, Block 3, Lot 4 & Block 7, Lot 4 Secaucus, Prepared By George D. Cascino, P.E., P.P., Dated 8/30/19.
- Plan & Profile, Prepared By T&M Associates, Dated 2019.
- Overall Aerial Plan With Landfill Access Prepared By Michael R. Thomas, P.E., of T&M Associates, Dated 4/27/16.

## SECTION I INTRODUCTION

Secaucus Brownfields Redevelopment, LLC, has submitted a Petition to the New Jersey Sports & Exposition Authority (NJSEA) pursuant to NJAC 19:3-1.3 et seq., to amend its official Zoning Map in order to change the zoning for two parcels they own in Secaucus, from an Environmental Conservation Zone to the Transportation Center Zone. If approved, it is the intent of the applicant to establish uses permitted within the existing TC Zone and would include a commercial parking lot on the northerly parcel as an initial use, and future construction on either or both parcels of uses currently permitted within the TC Zone, or within the zoning district resulting from the recently proposed 2020 Update of the District Master Plan. The properties proposed for rezoning are commonly known as the old "Malanka Site," and are identified on the current tax map of Secaucus as Block 7, Lot 4 and Block 3, Lot 4, sites of 30.42 acres and 36.6 acres, respectively.

NJAC 19:3-1.3(a)(3) requires that such petitions contain a Report, signed and sealed by a N.J. Licensed Professional Engineer or Professional Planner, including a description of the rezoning being requested, the location of the property, Block, Lot and Municipality, existing zoning, and proposed zoning; and a statement explaining why the proposed zoning designation is more appropriate than the current zoning designation.

Beginning in the late 1960's, and extending until 7/1/78, the property was utilized as a sanitary landfill. At the time the landfill stopped accepting solid waste the properties had been filled to elevations approximately 50' and 70' on the northerly and southerly portions, respectively. Secaucus Brownfields has received conditional approval from the NJDEP of a Landfill Closure Plan for the northerly site in accordance with their standards. The condition is that Secaucus Brownfields demonstrates that they have financial assurances in place to implement the closure plan. A pre-requisite for obtaining this financial assurance is a rezoning by the NJSEA to a productive use, such as the construction of a commercial parking lot.

This Report describes the manner in which the proposed rezoning complies with the goals and objectives of the original HMDC 1970 Master Plan, the current NJMC 2004 revised Master Plan,

and the recently proposed NJSEA 2020 Master Plan. It concludes that the rezoning proposal is in conformance with both the current and proposed Master Plans of the NJSEA, as well as conforming to accepted professional planning criteria, so as to enable the NJSEA to approve this request. Further, this report demonstrates that the proposed rezoning to a TC Zone is both appropriate and reasonable and will result in a development consistent with its surrounding environment. This report will also demonstrate that, by providing uses permitted within either the existing Transportation Center Zone, or the resultant zone implemented to foster the purposes of the current 2004 and proposed 2020 Master Plans, and specifically the multi-modal transportation network and facilities envisioned for the Meadowlands District.

The value and importance of the site was well expressed in an Analysis prepared in September 2007 by the Edward J. Bloustein School of Planning and Public Policy at Rutgers (See Selected Bibliography). In this Analysis the subject sites are referred to as Site 15X. At Page 38 of that Analysis it reports ..."*Site 15X represents one of the most valuable economic development sites in New Jersey and the broader region. It is uniquely positioned in terms of transportation accessibility, particularly public transportation accessibility. This is the result of substantial public transit infrastructure investments made over the last decade. These investments have made 15X a premier location to implement the State's "smart growth" plan of placing high-density and high-end land-use activities at points at high public transit accessibility. At the same time, the site has unique highway accessibility as a result of new public highway infrastructure. In order to leverage the full benefits of such public investment, advanced economic infrastructure must be located at the key points of maximum accessibility. Site 15X is extraordinarily valuable in this context.*"

This Report will conclude that the proposed zoning designation for the subject parcels as part of a Transportation Center is more appropriate than the current zoning designation of Environmental Conservation for the reasons expressed herein.

## SECTION II Property Description

The properties proposed for rezoning are comprised of two separate tax lots, a northern portion and a southern portion. These two tax lots are adjacent, by virtue of connecting access easements, and generally separated only by the Boonton Rail Line. The northern portion (30.42 acres) is generally bounded by the former PSE&G power plant property\* to the east, the Boonton rail line to the south, and the high speed Amtrak railroad tracks on the northwest, with the NJ Turnpike just beyond. The southern portion (36.6 acres) is generally bounded by the former PSE&G power plant property to the east, the Hackensack River to the south, wetlands to the west with the high speed Amtrak less than 400 feet beyond, while a rail line (Boonton line - NJ Transit) is directly adjacent on the north. (See Aerial Exhibit 1). Presently both properties have historic, albeit somewhat limited, access by easements to public streets. Both properties are located in a Zone X Flood Zone as shown on FEMA Map #34003CO264 H, dated 8/28/19. As such, it is in an area outside of a 500 year flood plain.

Both properties are currently zoned by the NJSEA as Environmental Conservation. Permitted uses within the zone, as listed at 19:4-5.9 (a), include (1) existing public utility equipment; (2) public access to water features; (3) scientific and educational study and experimentation in regard to wetland ecology; (4) wetland enhancement, restoration or creation activities; and (5) wildlife habitat creation. There is no public utility equipment on either property. Further, no water features exist at the northerly property and no public access can be readily provided to the Hackensack River adjacent to the southerly property; therefore, uses (1) and (2) are not applicable. As there are no wetlands on either property to be either studied or enhanced, uses (3) and (4) are not possible. Finally, since there are no wetlands on the properties, (5) creation of associated wetland wildlife habitat is not possible.

Therefore, the Environmental Conservation zone is not appropriate and, thus, should be rezoned to a more appropriate zone to accommodate realistic uses.

\*Portions of this property are presently (August 2019) undergoing an evaluation by NJSEA as to whether or not the area east of Penhorn Creek lying in Jersey City is in need of redevelopment.

### SECTION III Proposed Use

Secaucus Brownfields is requesting that the NJSEA rezone the property from an Environmental Conservation Zone to its Transportation Center Zone. Permitted uses within the current TC Zone include: Banks, bus garages, business support services, **commercial off-street parking**, commercial indoor recreation, cultural and daycare facilities, essential public services, helistops, **hotels**, institutional uses, offices, parks or recreational facilities, passenger rail terminals, personal services, light public utility uses, restaurants, retail and taxi and limousine services. (Emphasis added).

The Petitioner has received conditional approval from NJDEP of a Landfill Closure Plan for the northerly landfill in accordance with their permitted uses as herein proposed. The initial use proposed for the northern parcel is to be a commercial at-grade parking lot for passenger vehicles and buses, to service the adjacent train station located within the existing Transportation Center Zone. Future uses include a major hotel, also a permitted use within the Transportation Center Zone.

While the initial use of the northerly parcel for a parking facility could be accessed by vehicles through historic easements from New County Road, through Hudson County's Laurel Hill Park, and private easements to the parcel, the proposed access will be by means of an access road to the subject site including traversing a portion of the property currently owned by HRP Hudson, LLC, who recently acquired the property from PSE&G. An elevated road is proposed, approximately 70' above grade. It would intersect Seaview Drive to the north and also traverse properties of NJ Transit and the NJ Turnpike prior thereto. Agreements with several of those property owners for this access has been successfully negotiated.

#### **SECTION IV Zoning History Of Subject Parcels & Adjacent Transportation Center**

**Hackensack Meadowlands Comprehensive Land Use Plan - October 1970.** This first Master Plan produced by the HMDC depicted both subject parcels in an area planned for uses associated with rail terminals.

This Plan also depicted three proposed Transportation Centers; one in Teterboro, one in Kearny, and one in North Bergen. These three Transportation Centers were to encompass 150 acres.

**HMDC Zoning Map - Adopted 11/8/72.** The HMDC's first zoning map depicted both subject parcels to be in a Research Park Zone. At that time the HMDC was aware of early sanitary landfill activities at the site and, thus, proposed a zone with minimal density in an effort to attract a Princeton type Corporate Building Layout which emphasized major undeveloped open space with small building coverages so as to minimize future site grading and structural restrictions. (See Exhibit 2).

This map also depicted three Transportation Center Specially Planned Areas, including one in Teterboro and one in Kearny. The third TC/SPA, previously proposed in 1970 to be in North Bergen, was shifted to Secaucus, and encompassed both the present location of the Transportation Center Zone (south of County Avenue) and an additional even larger area north of County Avenue. These three Transportation Centers encompassed 205 acres. (See Exhibit 2).

**NJMC Zoning Map - Revised and Adopted 9/27/78.** This revised zoning map continued to depict both subject parcels in a Research Park Zone. (See Exhibit 3).

This map also continued to depict three Transportation Center Specially Planned Areas, including one in Teterboro and one in Kearny. However, the size of the third TC/SPA located in Secaucus was reduced in size by half, the resultant size and shape being similar to its current orientation. It was intended to accommodate the future Allied Junction Train Station, then on the drawing boards. (See Exhibit 3).

**NJMC Zoning Map - Revised through 5/13/03.** This revised zoning map continued to depict both subject parcels in a Research Park Zone.

This revised map depicted only two Transportation Center Specially Planned Areas, one in Teterboro (reduced in size) and the one in Secaucus (the TCA/SPA in Kearny had been eliminated). The size and location of the Secaucus TC/SPA remained the same.

**NJMC Zoning Map - Adopted 2/17/04.** This zoning map was enacted so as to be ostensibly consistent with the adoption in January of 2004 by the NJMC of an updated Master Plan. For the first time since the original 11/1/72 Zoning Map, this revised Zoning Map **changed the zoning for both subject parcels from the Research Park Zone to the Environmental Conservation Zone.** (See Exhibit 4).

This revised map also eliminated the other Transportation Center in Teterboro. Further, the previously proposed Secaucus Transportation Center/SPA was rezoned to be the **only** Transportation Center Zone proposed in the Meadowlands District, retaining its size as shown on the previous zoning map. This property encompassed the Allied Junction Train Station, and a few properties of others. (See Exhibit 4).

**NJMC Zoning Map - Adopted 1/20/09.** This revised and current zoning map reflected several zoning changes enacted since the 2/17/04 version. The zoning changes enacted during this timeframe did not affect either subject parcel which remained in an Environmental Conservation zone. (See Exhibit 5).

**However,** this map did reflect changes to the boundaries of the Transportation Center Zone as they had been expanded to reflect a rezoning approval granted by the NJMC on 4/23/08. The rezoning approval had changed the zoning of a 5.81 acre lot from an Intermodal B Zone to the TC Zone to accommodate a commercial parking garage to service the Allied Junction Rail Station. (See Exhibit 5).

**Summary of Zoning History** - The 40 year history of the zoning of the subject two parcels began in 1970 with Rail Terminal, became Research Park in 1972, and only became Environmental Conservation in 2004.

Over the same 40 years, the nature, number, locations, sizes and orientations of the original three, and now one Transportation Center Zone, changed dramatically, prior to its current single location in Secaucus. Interestingly, the three transportation centers envisioned in the original HMDC/NJMC Master Plan covered 205 acres in three municipalities, while the one remaining Transportation Center in Secaucus in the current 2004 Master Plan covers only 33.3 acres.

## SECTION V Conformance With Original HMDC 1970, Current NJMC 2004 & Proposed 2020 Master Plans

### 1970 Master Plan Objectives

The NJMC (then the Hackensack Meadowlands Development Commission) was created by an Act of the N.J. Legislature in 1969. The NJMC operated in accordance with its original 1970 Master Plan, and enabling zoning regulations, (modified from time to time), until January 2004 when the Master Plan was updated.

The proposal by Secaucus Brownfields to rezone their property from an Environmental Conservation zone to the Transportation Center zone is in conformance with the objectives of the original 1970 Master Plan which reflected the objectives of the 1/13/69 enabling legislation.

The objectives of the 1969 Act were:

- The preservation of the delicate balance of nature.
- The provision of special protection from air and water pollution and a special provision for solid waste disposal, and
- The orderly, comprehensive development of the Hackensack Meadowlands in order to provide more space for industrial, commercial, residential, public recreational and other uses.

In accordance with these three objectives, Secaucus Brownfields proposes to 'close' the old landfill areas on the site in accordance with the current standards of the NJDEP. This closure **will protect the delicate balance of nature**, contain/harvest methane gas within the landfills, and contain/treat any water pollution that may be leaching from those landfills today. The redevelopment of those landfills in an orderly comprehensive manner **will result in commercial uses complementary with the Allied Junction Transportation Center.**

### **2004 Master Plan - Goals**

The proposal by Secaucus Brownfields to rezone their property from an Environmental Conservation zone to the Transportation Center zone is in conformance with the goals of the updated 2004 Master Plan.

The 7 goals of the 2004 Master Plan were:

- To preserve and enhance wetlands and other valuable natural resources, open space, energy resources, and the historical heritage of the Meadowlands District.
- To promote a suitable array of land uses which encourage economic vitality with job creation and support the public health, safety, and general welfare.
- To prevent urban sprawl and degradation of the environment through improper use of land.
- To cultivate a strong sense of place in a desirable visual environment through creative development and design techniques.
- To foster the availability of various efficient transportation choices with emphasis on mass transit and the improvement of existing transportation facilities.
- To encourage the development of a balanced mix of housing types and costs within the limits of available infrastructure and community facilities of the District's municipalities; and
- To strengthen communication and coordination among the various public and private stakeholders shaping land use.

In accordance with these 7 goals, the closure of the two landfills, which are in areas adjacent to wetlands, will protect these wetlands from potential environmental degradation. Providing land uses in their places consistent with current regulations will encourage economic vitality and advance the general welfare. Redeveloping this existing brownfield site is an example of the proper use of land. More importantly, the proposed rezoning will enhance the availability of efficient mass transportation choices by improving the accessibility and the vitality of the adjacent Allied Junction Train Station. Providing accessory commuter parking today, and commercial activity tomorrow, will further promote the economic viability of the train station.

## **2004 Master Plan Vision Re: Proposed Rezoning**

Chapter 3 - Land Use @ Page 13, discusses "altered land" in the District, noting that the most noteworthy altered lands are solid waste disposal areas. It reports that private developers have shown considerable interest in redeveloping some of these "orphan" landfill areas for redevelopment projects. If the rezoning proposed is approved by the NJMC, it is the intention of the property owner to close and then redevelop this landfill for commercial purposes as permitted within the Transportation Center Zone.

Chapter 5 - Environmental Preservation and Enhancement @ Page 25, discusses the former Malanka landfill in Secaucus. Its analysis concludes that ..."**the site may have redevelopment potential due to its proximity to Secaucus Junction.**" If the rezoning proposed is approved, it is the intention of the property owner to redevelop the site for uses complementary and accessory to the Secaucus Junction Rail Station.

Chapter 6 - Circulation @ Page 6, discusses NJ Transit's recent gains reflecting a 20% increase over the last 9 years for its rail service, bus service, and park and ride facilities. It further reports that existing park and ride facilities within the District operate at or near capacity, and the parking lot for the rail station at Harmon Cove in Secaucus operates over capacity with 89% of its patrons having destinations in Manhattan. If the rezoning proposed is approved, the property owner will initially provide a parking lot for approximately 2,500 vehicles.

Chapter 10 - Systems Plans @ Page 5, explains their Strategy #2 for Economic Development to realize the opportunities provided by the redevelopment of Brownfields and Grayfields within the District. Further, for brownfield sites, the NJMC offered to assist redevelopers with the remediation process. If the rezoning proposal is approved it is the intention of the property owner to first 'close' the landfill site in accordance with the standards of the NJDEP for the intended use, and then develop those uses as permitted within the TC Zone.

Chapter 10 - Systems Plans @ Page 9, explains their Strategy #2 for Transportation. Regarding Secaucus, the plan reports that ..."Secaucus Junction contains the right components for the establishment of a Transportation District that could serve as a regional model of relating

transportation uses to land uses. The Secaucus Junction area would also serve as the main hub to other district transportation hubs that may be established." If the rezoning proposal is approved the acreages and uses provided within the Secaucus Junction Area will enhance the Allied/Secaucus Junction Train Station, and surrounding areas.

Chapter 10 - Systems Plans @ Page 10, explains their Strategy #4 for Transportation, to encourage the use of transit through an integrated transit and multi-modal transportation system. It proposes that alternative transportation modes, particularly rail, will need to assume a larger role in reducing traffic problems. The Transportation Center Zone in Secaucus, containing the Allied/Secaucus Junction Rail Station, affords the opportunity to provide park and ride facilities for bus and rail access, coordination of public transit modes between bus and train transfers, and improved modal choices, including vehicles and public transit for residents, employees and travelers within and through the District. If the rezoning proposal is approved it is the intention of the property owner to initially provide for a commercial parking lot to service Allied Junction, and in the future to provide permitted uses within the TC Zone complementary with Allied Junction.

Chapter 11 - Area Plans @ Page 5, describes the "Secaucus Transit Center". At its center is the Frank R. Lautenberg Station at Secaucus Junction, the most significant transportation improvement in the northeastern United States in the past decade. Secaucus Junction connects every major rail commuter line in northeast New Jersey and allows transfers to various destinations in the region. Officially opened in September 2003, Secaucus Junction is establishing itself as a transit hub. Consistent with smart growth principles, permitted uses immediately above and adjacent to Secaucus Junction, may include uses such as retail, office, and hotels. Commercial space in conjunction with Secaucus Junction will accommodate the needs of the local employee base and residents. If the rezoning proposal is approved it is the intention of the property owner to provide such type uses adjacent to Secaucus Junction.

Chapter 11 - Area Plans @ Page 11, lists the "Secaucus Transit Center" as an area of 137.3 acres and occupying 0.7% of the District area. In 2004 the Transportation Center Zone encompassed approximately 27.5 of those acres, and includes the actual Allied Junction Train Station on only

2.3 acres within. In 2008 the NJMC approved the inclusion of an additional 5.81 acres to the TC Zone. If this rezoning proposal is approved, the TC Zone would include an additional 67 acres. This additional property would then be available to provide for the extensive list of permitted uses envisioned by the NJMC for the TC Zone.

The 2004 Land Use Plan depicts the subject parcels in a Hackensack River Preserve Use. (See Exhibit 8).

## 2020 PROPOSED MASTER PLAN

The NJSEA has recently released for public comment an August 2019 Draft of an update to their 2004 Master Plan to become effective in 2020. Section 3 (Land Use) of the Plan, at Page 3-1, states “This analysis lays the groundwork for the formulation of an updated land use plan and, **ultimately, amended District zoning regulations.**” Furthermore, Section 7 (Systems Plan) at Page 7-8, contains a Strategic Action Plan – Economic Development System. Sub-Section 1 thereat states “Prepare amendments to District Zoning Regulations to implement the goals and objectives of this Master Plan, including changes to the official zoning map to implement the 2020 Land Use Plan.”

Map #16 within the 2020 Plan (Exhibit 9) changes the proposed Land Use Designation for the subject parcel from “Hackensack River Preserve” (2004 Plan) to “Sustainable Upland Reserve” for the northerly parcel and retains a “Preserve” designation for the southerly parcel (2020 Plan). The Sustainable Uplands Reserve is defined at Section 8(1)(A)(10) as a planning area associated with landfill areas, including the Malanka Landfills. It describes the principal objectives of this area classification as the proper closure of the landfills using techniques that are proven to protect the environment, and thereafter, to allow for uses that promote economic development in a manner that avoids negative impacts to the environment. Furthermore, it describes that landfills in this planning area may be utilized for uses including certain forms of environmentally sound development that can reasonably be accommodated on landfill areas given the site constraints while preserving the integrity of remedial/closure measures. Finally, it suggests that these landfill areas be repurposed to benefit the Meadowlands environment and economy.

The goals and objectives listed at Section IV thereat, also recount the original goals and objectives for the Hackensack Meadowlands District, and proposes to build on those goals re-established in the current 2004 Master Plan. (See previous description at Pages 9-12 of this Report).

Section IV also closes by expounding the past success of the NJSEA due to the implementation of its founding mandates, including having closed more than 50 orphaned landfills. A rezoning as proposed by Secaucus Brownfields within this Report will result in the environmental closure

of one of the oldest landfills within the District at no cost to the NJSEA, with a resultant conversion into a needed complementary use associated with the adjacent Secaucus Junction Train Station, the rail hub in the Meadowlands District.

The 2020 Master Plan reports at Page 3-14 of heightened interest in hotel development and redevelopment in the District over the past few years, presumably in anticipation of the opening of the American Dream Meadowlands. It recounts how the District is currently home to approximately 4,000 existing hotel rooms. The future development of the sites, after temporary usage as a commercial parking lot, includes a hotel. As this location is adjacent to the Secaucus Junction Train Station, it affords interconnections not only to New York City and most of New Jersey, but directly to the facilities at the Meadowlands Sports Complex.

Furthermore, Page 7-5 of the Master Plan concerning Economic Development, lists as Objective #2 the promotion of the redevelopment of properties in the District, and Page 7-6 calls for the promotion of the clean-up of contaminated sites in the District.

**Northerly Site** – The Master Plan depicts this site as in a “sustainable uplands reserve.” The Plan at Page 8-8 states, “The principal objectives of this area classification are to properly close the landfills using techniques that are proven to protect the environmental, and, thereafter, to allow for uses that promote economical development in a manner that avoids negative impacts to the environment.”

**Southerly Site** – The Master Plan depicts this site as in a “preserve”. The Plan at Page 8-6 states this planning area “... permits uses that are consistent with the preservation of open space and habitat protection and enhancement.”

**SECTION VI Existing Transportation Center Zone**

The existing Transportation Center Zone as shown on the current 1/20/09 NJMC Zoning Map, includes 5 general areas encompassing approximately 33.3 acres as follows.

- Allied Junction Train Station            2.3            Station area outside of ROW
- Vacant Land East of Train Station    13.7            Wetlands
- Croxton Yards                                10.3            Rail lines and related facilities
- Block 16, Lot 6                                1.2            Industrial building parking lot
- Intermodal Properties                        5.8            Proposed for parking garage

Total: 33.3 acres

A review of the properties within the existing TC Zone reflects that there is **no** available area (other than wetlands or air space above existing rail lines) for the development of other multiple uses as permitted within the TC Zone. If this rezoning proposal is approved, the TC Zone would include an additional 67 acres, raising its total to approximately 100. This additional redeveloped property can be made available to provide for the extensive list of other permitted uses envisioned by the NJSEA within either a TC Zone or within a new zone enacted subsequent to the adoption of the 2020 Master Plan, to enable the property to achieve the lofty goals of the NJSEA for a Transit Station and related development that would serve as the transit hub for the Meadowlands District. The proposed rezoning to an expanded Transportation Center is depicted on Exhibit 6 herein.

## **SECTION VII Statement Regarding Proposed Zoning Designation**

This Planning Report has been prepared to demonstrate why the proposed zoning of either Transportation Center or a to-be-enacted new zone subsequent to the adoption of the 2020 Master Plan, is more appropriate than the current zoning designation of Environmental Conservation for the subject parcels. Previous Sections of this Report documented how the a proposed zoning change would be compatible with the goals and objectives of the 1970, current 2004, and proposed 2020 Master Plans.

The current NJSEA zoning map depicts dozens of parcels totaling over 8,400 acres to be within the Environmental Conservation Zone. The vast majority of these parcels contain wetlands subject to the jurisdiction of the Army Corps of Engineers, and include 12 wetland conservation parks totaling almost 2,000 acres. A few of these parcels contain upland parks and/or parcels in public ownership. None of the other properties zoned Environmental Conservation, except for the two subject parcels totaling 67 acres, are in private ownership and were sites of former sanitary landfills. Therefore, the zoning of these former sanitary landfills, in private ownership, into Environmental Conservation, is not only unique in the Meadowlands District, but tantamount to zoning the properties into economic inutility.

**The purpose of the Environmental Conservation Zone**, as found at 19:4-5.8 of the Regulations is ..."The Environmental Conservation Zone is designed to preserve and enhance the ecological values of wetlands, open water and adjacent uplands within the District. The Zone seeks to provide public access to these areas and encourage scientific and educational study in regard to wetland ecology." As stated earlier in this Report, there are **no wetlands** or open waters on the subject parcels.

**The purpose of the Transportation Center Zone**, as found at 19:4-5.117 of the regulations is ..."The Transportation Center Zone is designed to accommodate a major commuter transfer center and associated office, hotel, and other commercial uses. Appropriate supporting uses are encouraged to service the daily needs of the users of the Zone." As stated earlier in this Report,

it is the intention of the Petitioner, Secaucus Brownfields, to establish supporting uses on the site to complement the major commuter transfer center at Allied Junction.

The NJSEA has specifically identified these two sites (aka old Malanka landfills) which are the subject of this Petition, as 'orphan landfills'. There are no known available governmental funds for the closing of these private landfills in an environmentally acceptable manner. Thus, these landfills could continue to potentially cause environmental damage to adjacent sensitive uses, which include the Hackensack River and adjacent wetlands surrounding the southern site, and wetlands along three sides of the northern site.

If the zoning were to remain as it is on the current zoning map which would restrict future development, and the Petitioner would have no economic where-with-all to close these landfills in accordance with NJDEP Standards. The Petitioner, who bears no legal responsibility to close these landfills, is prepared to do so. However, they can only accomplish this environmental closure under the framework of the development of the property in an economically feasible manner. This can be accomplished through a rezoning to a Transportation Center Zone, as well as subsequent zoning designation in accordance with the 2020 Master Plan that allows such development.

Either a Transportation Center Zone or a "Secaucus Transit Center Zone" as described in the 2020 Master Plan at Page 8-7, would be more appropriate than a "Sustainable Upland Reserve" and "Preserve" Zone depicted on the Land use map within the 2020 Master Plan, as it would afford the Petitioner/property owner the opportunity to develop economical uses for the property. The Transit Center Zone includes a planning goal for uses consistent with the redevelopment plan for the area, including promoting vertical development above surface commuter parking lots, and developments that favor usage of the area's mass transit infrastructure as a destination, including safe pedestrian connections to the transit station. A correct mix of those uses will result in a development which would be economically feasible even recognizing the extensive costs to be expended to close those landfills before development. At this time the property owner is proposing a commercial parking lot as an initial use to service the adjacent Allied Junction Train Station, and future uses that would include an hotel and accessory convention

center that would complement the adjacent Allied Junction Train Station. In order to implement those uses, a change in zoning from Environmental Conservation would be appropriate. For example, the existing TC Zone would permit uses which are compatible with the surrounding area. The northerly portion of the **northerly site** is contiguous to the platforms presently servicing the Allied Junction Rail Station. In conjunction with an interim commercial parking facility for at least 2,554 (see T&M Associates Site Plan for proposed facility on file with the NJSEA for a previously submitted use variance) cars, pedestrian access can be gained directly to those platforms. (See Exhibit 7). Permanent access to the subject property is proposed via a roadway to connect with Seaview Drive as seen on attached Exhibit 10. Traffic Reports, prepared by T&M Associates, associated with that roadway connection are on file with the NJSEA as part of the prior use variance application and is dated 7/29/14, revised through 2/29/16, in response to comments received from the NJSEA. It is respectfully requested that this Traffic Report and the hereto referenced roadway connection on file with the NJSEA be incorporated into this Rezoning Petition. The site is particularly suitable for the proposed use as it is adjacent to the Amtrak Train Line on the northwest, and directly adjacent to the platforms of the Allied train station at its northern tip. Other nearby compatible uses include, to the east and beyond, the Turnpike Interchange, property of the former PSE&G Hudson Generating Station, and the Boonton Transit Rail Line.

The **southerly site** is accessible to the northerly site by way of access easements. This site has the Hackensack River as its southerly boundary, and is surrounded by wetlands on the east and west. Its northerly boundary is the Boonton Rail Line. Permitted uses within a TC or Secaucus Transit Center Zone can be designed and established on the southerly site so as to be both compatible with the wetlands and Hackensack River and be supportive of the train station. Thus, these sites are particularly suitable for the proposed future uses; e.g., hotel/convention center.

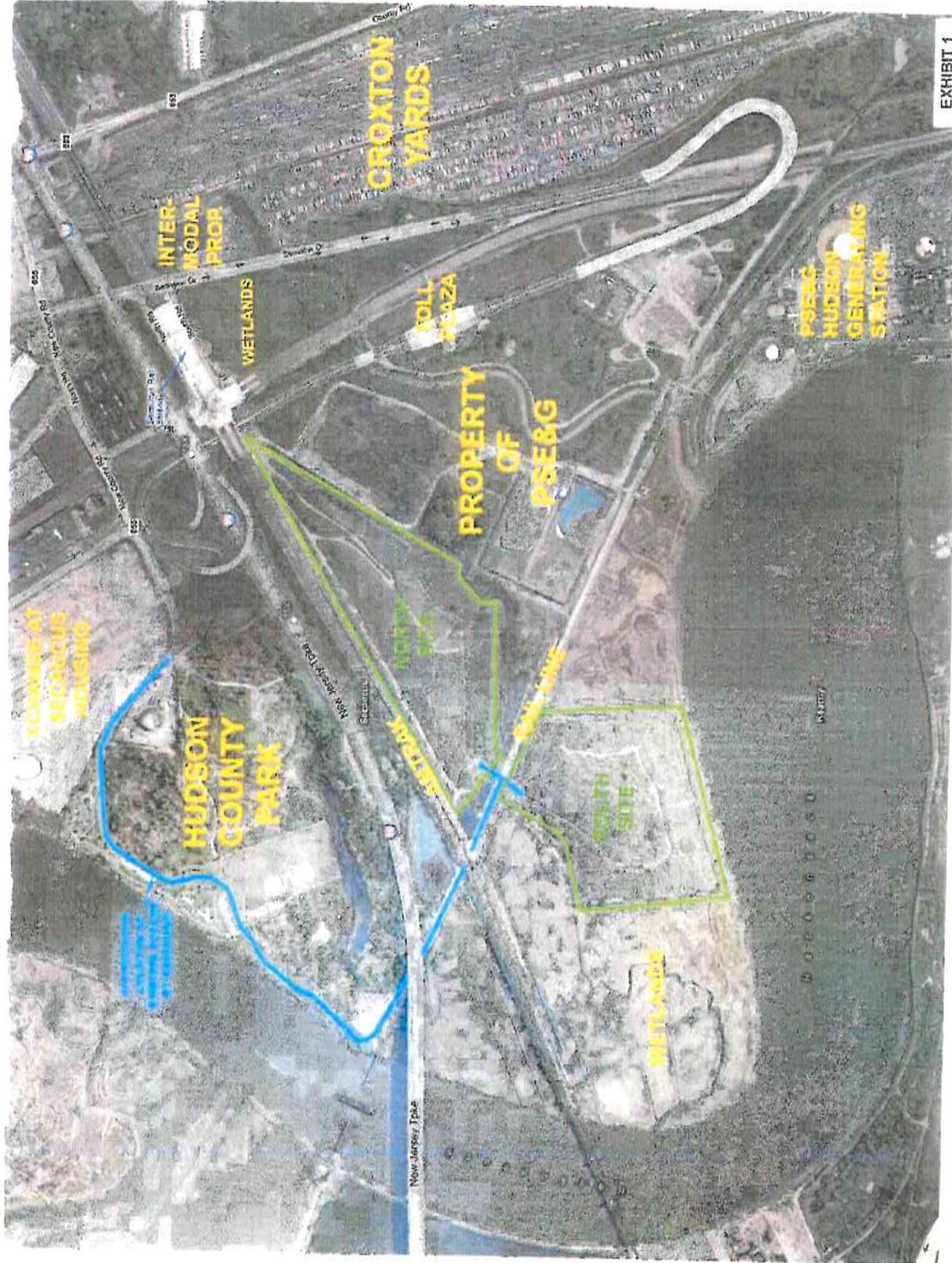
The New Jersey Meadowlands District is anxiously awaiting the opening of the major redevelopment project, the American Dream Facility within the Sports Complex at the end of this year. The Sports Complex benefits from a rail link to the Allied Junction Train Station. This development joins prior important development over the last 15 years surrounding the Allied Junction Train Station; i.e., Seaview Drive Extension to new Turnpike Exit 15X, 2000

housing units at Xchange At Secaucus, and Hudson County Laurel Hill Park Development. The rail link from Allied Junction to the rail station at the Sports Complex ties these development areas together, thereby encouraging further development within either a Transportation Center or Secaucus Transit Center Zone, to which this Petition requests the subject property be joined.

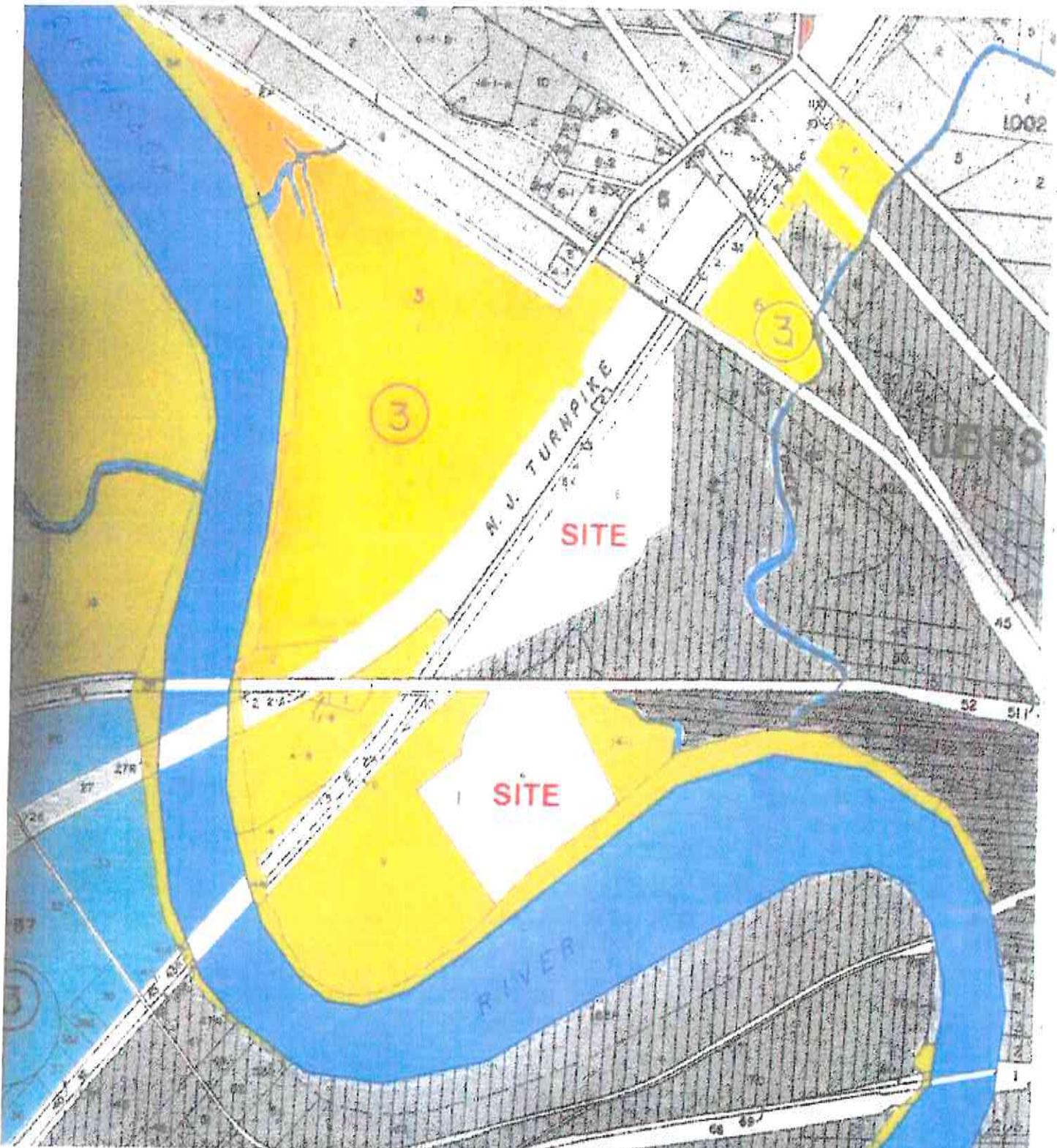
Section 6 of this Report documented that little, if any, other land is available within the current 33.3 acre TC Zone to accommodate the multiple commercial uses permitted within the TC Zone that were intended to complement the Allied Junction Train Station. Even though past rezoning by NJMC allowed for the construction of a commercial parking garage on about 5.8 acres near the Train Station, all other land within the existing TC Zone either contains undevelopable wetlands or is already developed with rail facilities. The only "area", other than the subject parcels that is currently available for development, is potentially "air space". The two subject parcels which constitute the Petition for rezoning are available, and can afford the NJSEA the opportunity to both close an old landfill, and provide redevelopment thereon with uses not only appropriate and reasonable for the property, but uses that will advance the specific goals and objectives of the current 2004 and proposed 2020 Master Plans, with particular attention to fostering accessibility and economic viability to the Allied Junction Train Station.

**Therefore, as detailed in this Report, the proposed rezoning designation to a Transportation Center Zon is more appropriate than the current zoning designation as Environmental Conservation.**

# EXHIBITS





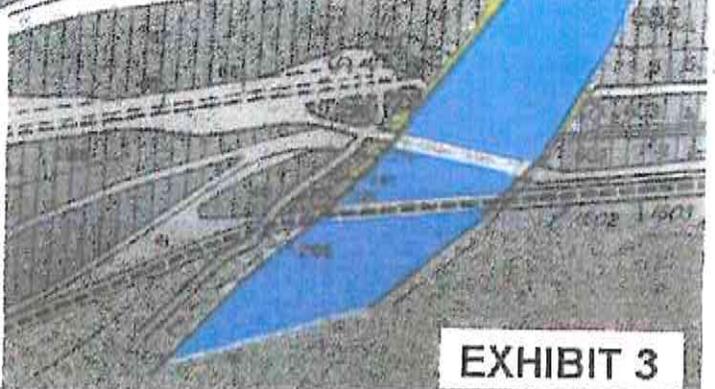


**ZONING**  
**9/27/78 - 2/16/04**

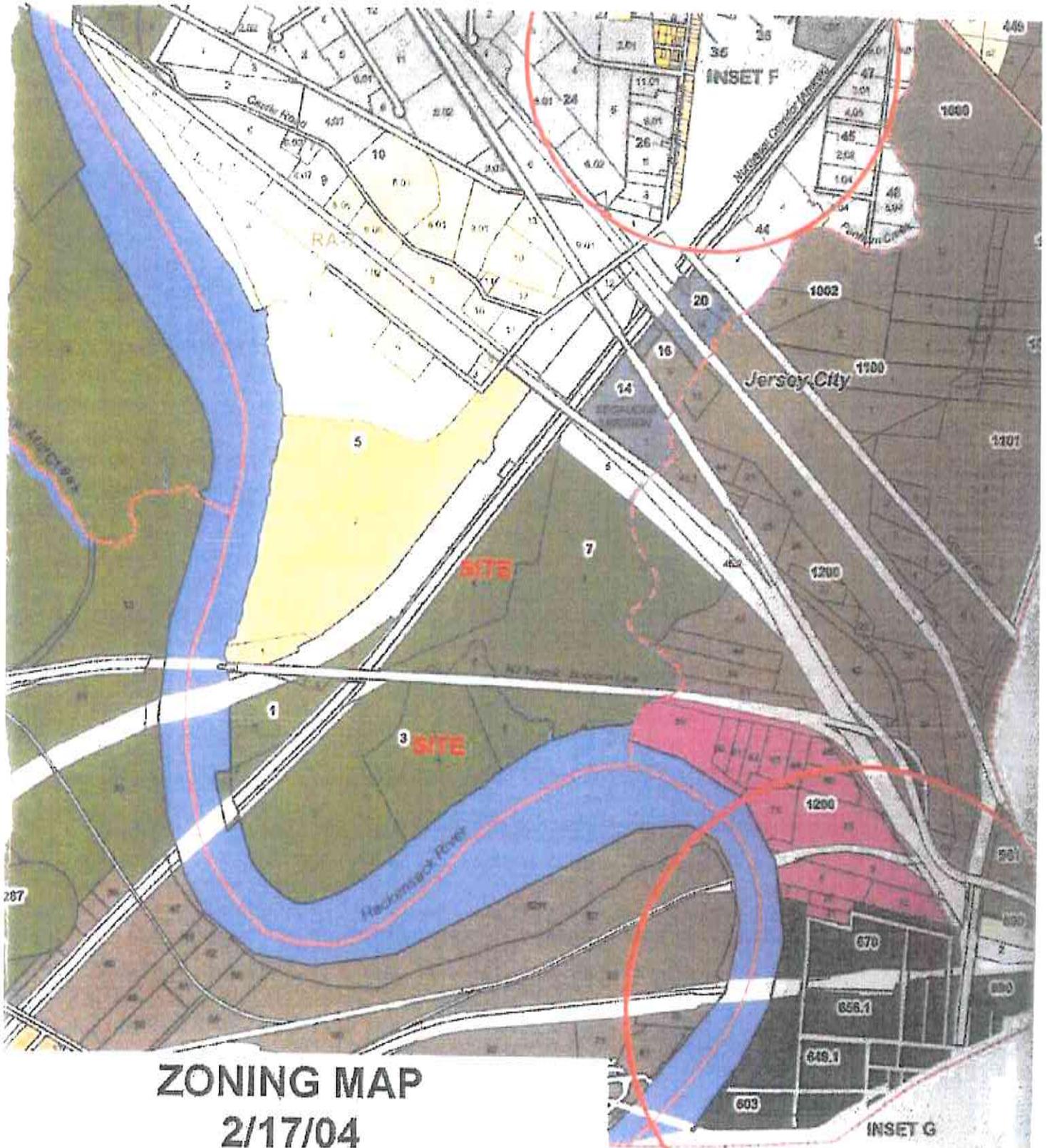


RESEACH PARK

TRANSPORTATION CENTER  
(SPECIALLY PLANNED AREAS)



**EXHIBIT 3**



**ZONING MAP  
2/17/04**



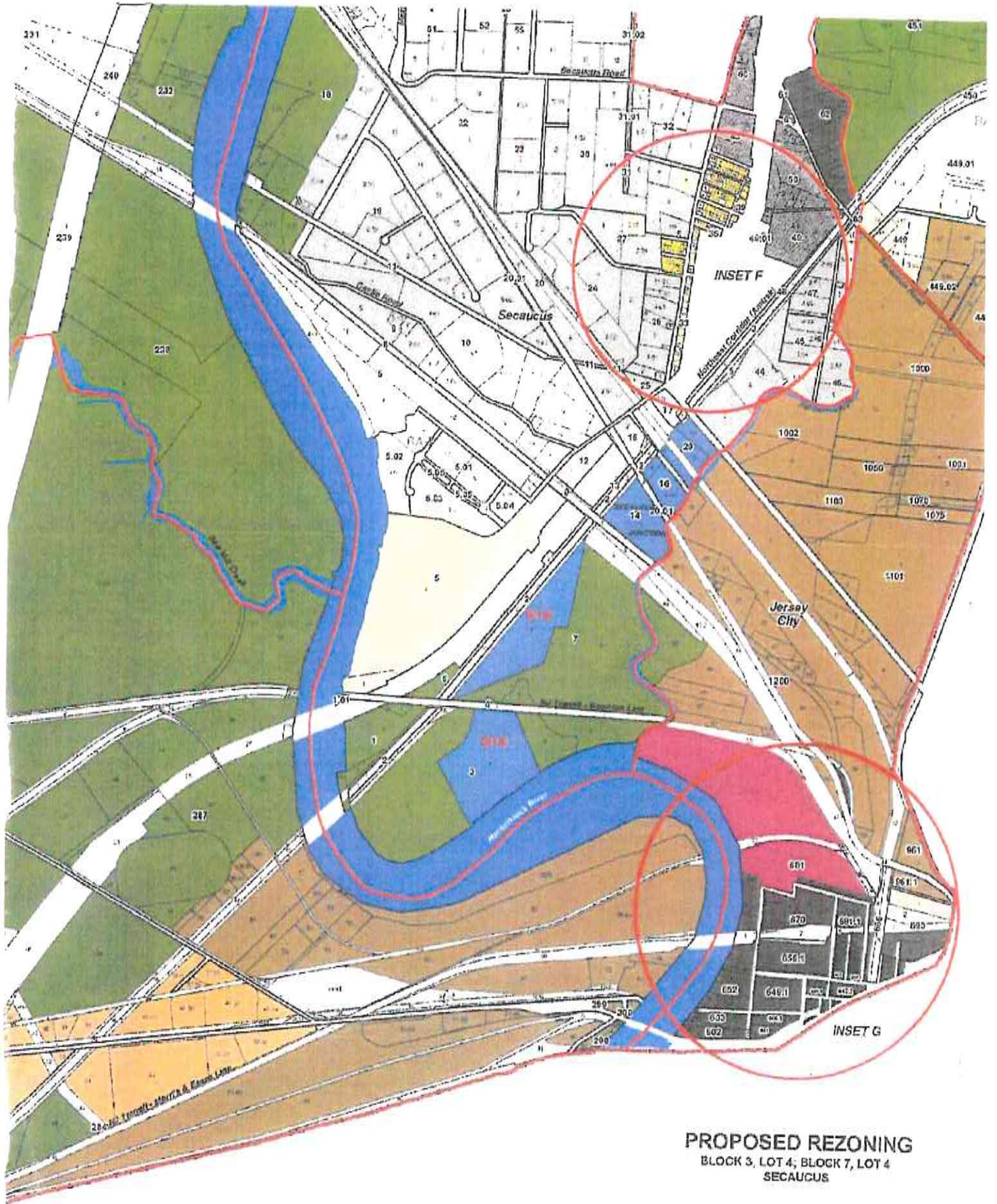
TRANSPORTATION CENTER (TC)



ENVIRONMENTAL CONSERVATION (EC)

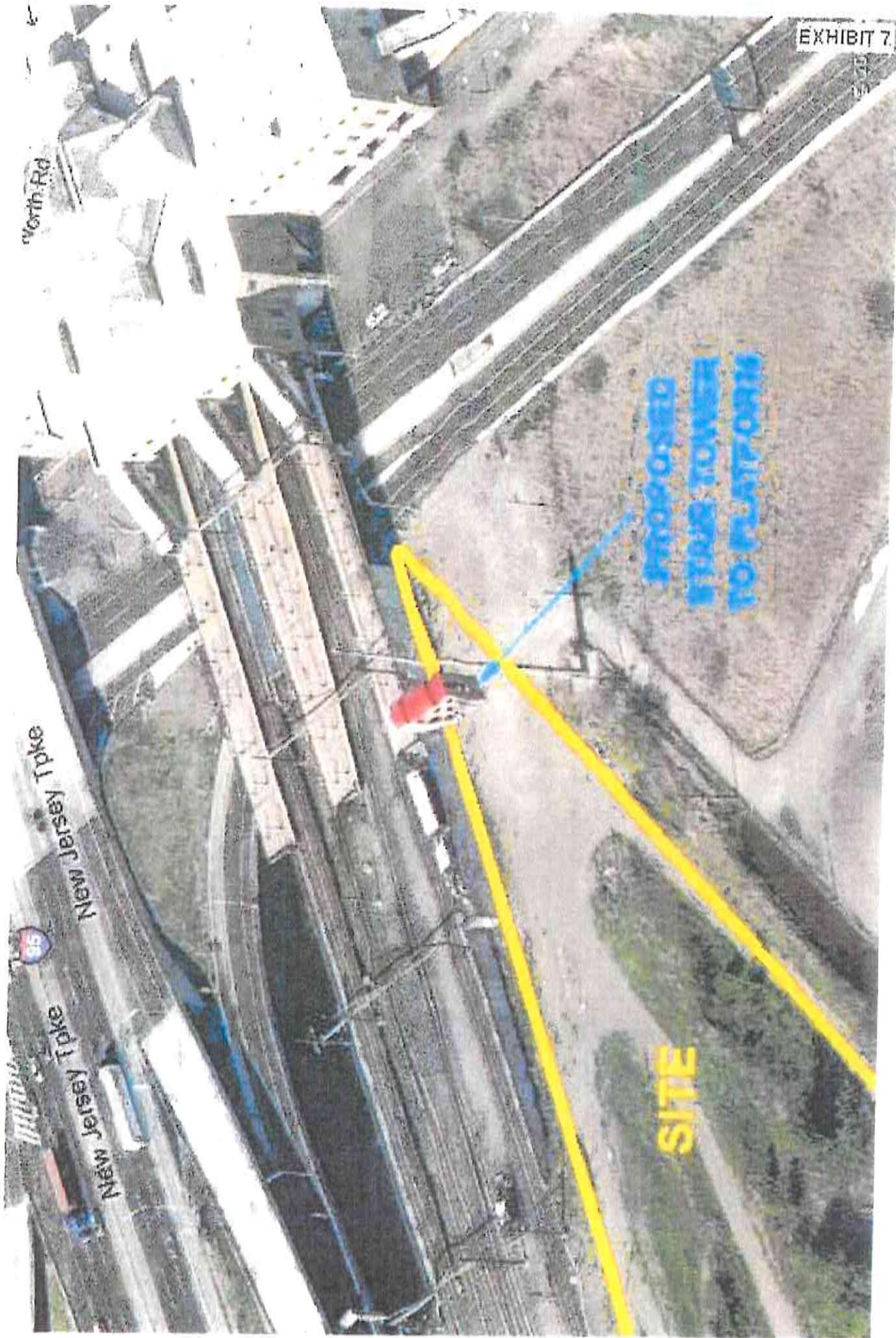
**EXHIBIT 4**





**PROPOSED REZONING**  
 BLOCK 3, LOT 4; BLOCK 7, LOT 4  
 SECAUCUS

TRANSPORTATION CENTER (TC)



North Rd

New Jersey Turnpike

New Jersey Turnpike

PROPOSED  
TOWER PLATFORM  
TO PLATFORM

SITE



# HACKENSACK MEADOWLANDS DISTRICT MASTER PLAN 2020

## LAND USE PLAN

**LEGEND**

- District Boundary
- Municipal Boundary
- Major Roadways
- Water

**PLANNING AREAS**

- Airport
- Commercial Center
- Employment Center
- Logistics/Industrial Center
- Neighborhood
- Paterson Plank Corridor
- Preserve
- Secaucus Transit Center
- Sports and Entertainment Center
- Sustainable Uplands Reserve
- Transportation
- Waterfront Development

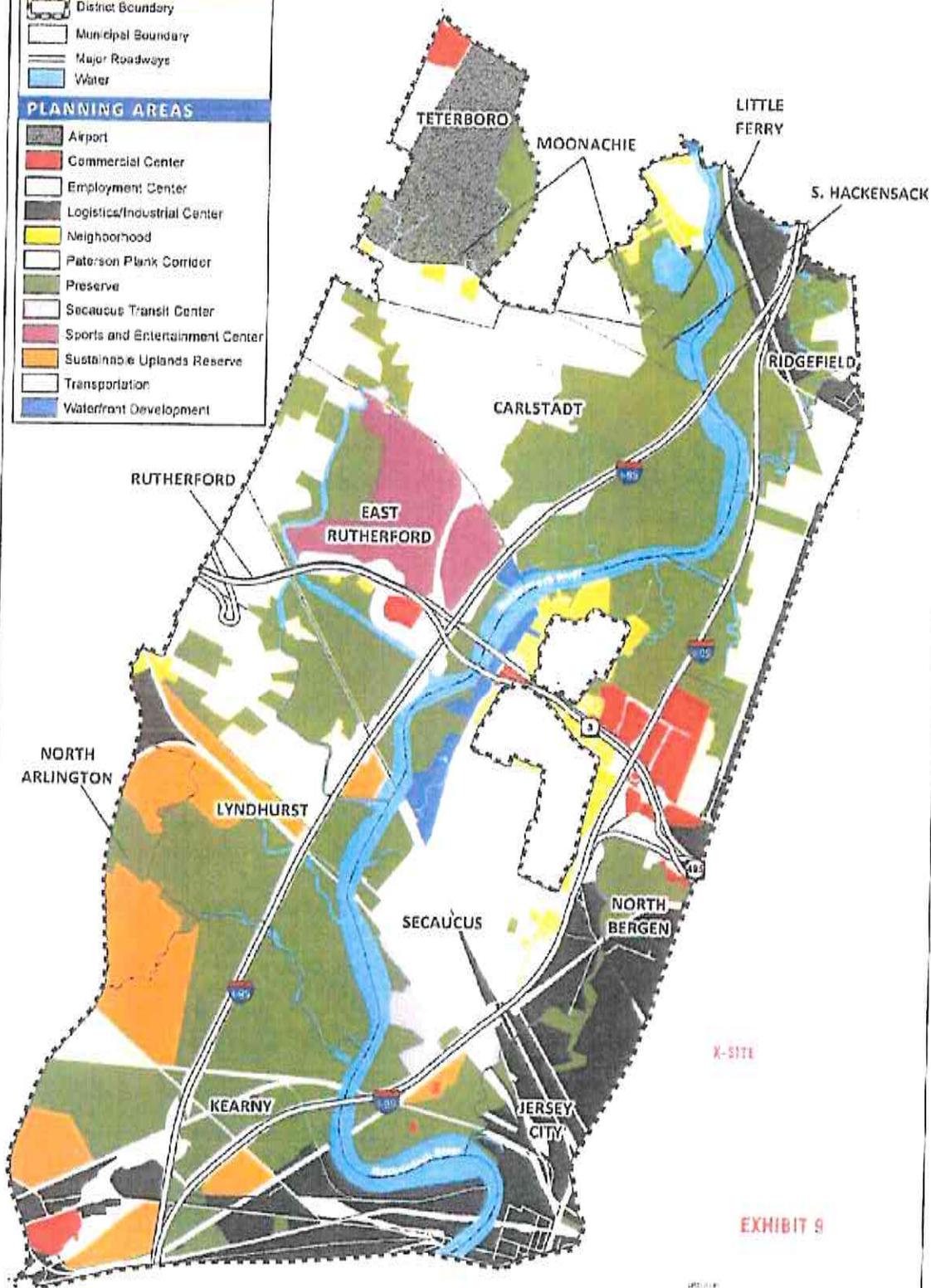
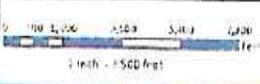


EXHIBIT 9

DATE: 10/15/10  
 BY: [unreadable]  
 FOR: [unreadable]  
 PROJECT: [unreadable]



DATE: 10/15/10  
 BY: [unreadable]  
 FOR: [unreadable]  
 PROJECT: [unreadable]



**LAND USE PLAN**

**Map 16**

