



Virtual Board Meeting

Thursday, June 24, 2021

10:00 a.m.



AGENDA
REGULAR SESSION
Remote Access Meeting via Zoom
Thursday, June 24, 2021 - 10:00 a.m.

Zoom Link: <https://us02web.zoom.us/j/87450725073>

Zoom via phone: **929-205-6099** / Meeting ID: **874 5072 5073**

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 May 27, 2021.
- Approval and/or Ratification of Cash Disbursements over \$100,000 for the month of May 2021.

V. **SPECIAL PRESENTATION**

Fishery Resources Inventories - A. Brett Bragin, Senior Natural Resources Specialist

VI. **PUBLIC PARTICIPATION ON RESOLUTIONS**

VII. **APPROVALS**

Resolution 2021-14 Resolution to Adopt an Amendment to the Belleville Turnpike Redevelopment Plan (File No. SP-769)

Resolution 2021-15 Resolution Authorizing the New Jersey Sports and Exposition Authority to Designate SM Kearny Associates, LLC as Redeveloper and Enter Into a Redeveloper Agreement for the Standard Chlorine Site Located within the Koppers Coke Peninsula Redevelopment Area in the Town of Kearny

VIII. **PUBLIC PARTICIPATION**

IX. **EXECUTIVE SESSION**

Resolution 2021-16 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 counsel regarding the award of a lease to I.W.S. Transfer Systems of NJ, Inc. for the NJSEA Transfer Station/Materials Recovery Facility

X. **CONTRACTS/AWARDS**

Resolution 2021-17 Resolution Authorizing the Award of a Lease to I.W.S. Transfer Systems of NJ, Inc. for the Operation of the New Jersey Sports and Exposition Authority Transfer Station/Materials Recovery Facility

XI. **MOTION TO ADJOURN**

MINUTES



**REGULAR SESSION BOARD MEETING
MINUTES
REMOTE VIA ZOOM**

DATE: May 27, 2021
TIME: 10:00 a.m.
PLACE: Remote via Zoom
RE: **REGULAR SESSION MEETING MINUTES**

Members in Attendance:

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

Absent:

Michael Gonnelli, Member

Also Attending:

Christine Sanz, Senior Vice President/Chief Operating Officer
Adam Levy, Vice President of Legal & Regulatory Affairs
Sara Sundell, Director of Land Use Management and Chief Engineer
Steven Cattuna, Chief of Staff
Dr. Francisco Artigas, Co-Director of Environmental Research and Ecological Restoration
Brian Aberback, Public Information Officer
Brian Wlodawski, GIS Technician and Field Researcher
Lauren LaRusso, Governor's Authorities Unit
Colleen Mercado, Senior Operations Administrator

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 from the April 22, 2021 Regular Session Board meeting and noted that an amendment needed to be made on the minutes

correcting the motion approving the Cash Disbursements which indicated they were the February disbursements and should have read March Disbursements. The correction was noted and will be made to the minutes.

Upon motion made by Commissioner Gluck and seconded by Commissioner Scardino the minutes of the Regular Session Remote Board Meeting held on April 22, 2021 were unanimously approved with the correction noted by Chairman Ballantyne.

Chairman Ballantyne presented the report of cash disbursements over \$100,000 for the month of April 2021.

Upon motion by Commissioner Dowd and seconded by Commissioner Fontoura the cash disbursements over \$100,000 for the month of April 2021 were unanimously approved.

IV. SPECIAL PRESENTATION

Chairman Ballantyne advised there would be a special presentation by NJSEA GIS Technician and Field Researcher, Brian Wlodawski, on the NJSEA Drone Program. He said that this initiative entails the Authority deploying state-of-the-art drones to collect data on otherwise inaccessible areas of wetlands, ditches, and berms to identify debris, blockages and erosion. He added that the drone flights also assist both MERI and NJSEA Natural Resources Department in their work in helping preserve, protect and enhance the Hackensack Meadowlands' critical urban eco-system.

President Prieto thanked the drone team for their exceptional work. He commented that the pinpoint accuracy of the imagery and videos they produce are amazing; and a tremendous asset to the Authority. He stated that MERI had created a municipal drone program through which District municipalities can request imaging in their communities at no charge.

Commissioner Scardino said that the NJSEA is embracing leading technology to further its scientific and environmental research and habitat monitoring. He continued by saying that over 40 years ago the NJSEA office building and Environment Center were surrounded by contaminated water on one side and active landfills on the other; and today it is a restored living laboratory for how mankind and nature can work in harmony. He said that the unique insight and results we learn in the process are a scientific phenomenon. He stated that to date drone missions had been conducted in North Arlington, Rutherford, Secaucus, and Little Ferry. Commissioner Scardino introduced Brian Wlodawski. He noted that Mr. Wlodawski was instrumental in developing NJSEA's drone capabilities since the program's inception in 2016 and is an FAA certified drone pilot.

Mr. Wlodawski began his presentation by highlighting the NJSEA Property Management Information Web Access Program:

- provides staff access to the most recent imagery of open space property and Authority owned-property;
- contains over 4,000 acres imaged by drone;
- Natural Resource staff are able to access the program while working in the field and update information using their tablets;
- Assists with property maintenance

He discussed some of the many benefits and uses of the drone program:

- supports storm water management and flood control;
- assists in inspection of District tidegates and monitoring water levels;
- monitors water quality in the District;
- performs inspections of inaccessible ditches;

- monitors illegal dumping;
- identifies trespassing on Authority property;
- supports Solid Waste department with inspecting the flare and bird netting installed around the flare; and monitoring the fill and grading on the landfills;
- supports the CRS flood insurance discount program;
- many of the drone images are used for Authority's website, annual reports and brochures.

Mr. Wlodawski concluded his presentation by mentioning some future projects that were being looked into:

- remote water quality sampler
- thermal imaging
- wireless screen sharing capabilities

Commissioner Yudin addressed Mr. Wlodawski and asked the following questions relative to one of the slides in the presentation which showed ATV tracks on two Authority properties:

- are ATV's running illegally on the property?
- has the Authority in anyway dealt with illegal ATV's on the subject properties?
- shouldn't NJSEA start enforcing the ban of ATV's on all Authority properties and how do we do it like it is being done in Little Ferry?
- Shouldn't our professional staff start reaching out to police and any other law enforcement to enforce bans on ATV's on our property?

He said the NJSEA should start enforcing a ban of ATV's on all Authority property, just as it is doing in Little Ferry. He also asked Mr. Wlodawski if a procedure could be set up when flying a drone program and an ATV is spotted illegally on a property make immediate notification so that a helicopter could be launched, possibly through Port Authority. He asked if that kind of assistance would be helpful in catching the trespassers in the act and if this was something that could be looked into.

Mr. Wlodawski responded that staff could look into that type of procedure. He advised Commissioner Yudin that staff had set up time-lapsed cameras in a lot of these areas and they have been monitoring certain areas where they see fence lines have been broken.

Chairman Ballantyne also responding by saying that staff has been working diligently and doing everything in their power at this moment in time to really move forward and that the Authority has been working with conservation officers to hopefully have someone assigned directly in this area.

President Prieto stated that it is through this drone imagery that staff has been able to identify and address the ATV issue. He said that meetings have been set up with the Governor's office and DEP conservation officers; signage has been put up in these areas, and staff is diligently working on curtailing this problem.

Dr. Artigas also commented and said that MERI had deployed time-lapsed cameras at these locations and they are learning about the habits of the trespassers and building files of images of these individuals in the act. The drone is a great tool but the camera surveillance is a sure way to be able to identify the trespassers.

Commissioner Fontoura emphasized that the ATV's are a serious problem in every community in New Jersey and throughout the nation. He said that it is almost impossible to deal with and it is not an issue that can be dealt with as quickly as you think and a helicopter

can't be launched in 30 seconds. He stated that we need to be vigilant and have the state police's assistance in patrolling the areas. He concluded by saying that "we have to deal with this as best as we can and control it the best we can".

Chairman Ballantyne said that Mr. Wlodawski and CEO Sanz would look into seeing if there was any type of procedure that could be set up with the Port Authority to assist in identifying trespassing by ATV's.

Chairman Ballantyne thanked Mr. Wlodawski for a great presentation and complimented him on his design, build out and 3D printing of the water collection system.

Commissioner Scardino thanked Mr. Wlodawski for a truly fascinating presentation and gave compliments to Chairman Ballantyne and everyone involved in this program.

V. PUBLIC PARTICIPATION ON RESOLUTIONS - None

VI. APPROVALS

Resolution 2021-12 Consideration of a Resolution Issuing a Decision on the Suitability Recommendation as Required by the NJMC Interim Policies Governing Affordable Housing Development in the Meadowlands District – File No. 21-112, SOF/ Command Enterprises/100 Castle Rd -Addition/Variances Block 9, Lots 9 & 10, Block 10, Lot 11 in the Town of Secaucus

Ms. Sundell explained that NJSEA had received a zoning certificate application for the proposed construction of a 9,140 square foot addition to an existing structure located at 100 Castle Road in Secaucus. She stated that in accordance with the Interim Policies, the application was first forwarded to the Site Suitability Review Team for review. She said that the proposed addition was intended to be an expansion of the business support service use in the existing 104,120 square foot facility located on Block 9, Lots 9 and 10 and that the subject property was located within the Station Square zone of the Secaucus Transit Village Redevelopment Area. She noted that neighboring uses included industrial, warehouse and distribution facilities, and surface parking lots for train commuters. Ms. Sundell said that the future addition was proposed to be located between the main existing building and the adjacent NJ Transit Main Line tracks; and that the surrounding development pattern was not compatible with the siting of residential uses, due to the heavy reliance by industrial, warehouse and distribution facilities on trucking services to move products. She explained that trucks maneuvering on adjacent sites and in the streets result in safety concerns for pedestrians and render this site unfavorable to residential uses. She stated that the proximity of overhead PSEG electric transmission lines which span the site is not conducive to residential uses. She said that a residential structure could not be constructed on the subject property with a reasonable separation distance and appropriate buffering from the active industrial and distribution uses, and overhead transmission lines.

Ms. Sundell concluded by stating that the site suitability review team, including a representative from the Town of Secaucus, evaluated the site, and a suitability review was prepared indicating that 100 Castle Road, Block 9, Lots 9 and 10 was recommended to be deemed unsuitable for housing. She stated that Staff requests that the Board concur with the Review Team's recommendation that the site be deemed unsuitable for residential use.

Chairman Ballantyne presented Resolution 2021-12. Upon motion made by Commissioner Scardino and second by Commissioner Dowd Resolution 2021-12 was unanimously approved by a vote of 13-0.

Resolution 2021-13 Consideration of a Resolution Issuing a Decision on the Variance Application Submitted as Part of File NO. 20-036 HV Rail LLC/6000 West Side Ave. – Building Material Yard & Facility (Use Variance) Block 453.01, Lot 5.012 in the Township of North Bergen

Ms. Sundell stated that Mr. Steve Caruso, of Quarry Management and HV Rail LLC, submitted an application to construct and operate a building material yard and facility at the premises located at 6000 West Side Avenue in North Bergen, which is located in the District's Intermodal A zone. She said that since the building material yard and facility was not a permitted use in the Intermodal A zone, the applicant had requested a use variance. She explained that the currently vacant property is bordered by an NYS&W Railway siding and rail line to the east, a transload facility operated by NYS&W to the south, and an undeveloped parcel to the north, with warehouse and distribution facilities located across the street on West Side Avenue. She noted that there were no residences in the area. She went on to explain that the applicant had negotiated with NYS&W to transport quarry materials by rail to the proposed facility from its source quarry in Pennsylvania and that the railcar-delivered quarry materials would be unloaded to the site via a series of conveyors, including a Telestacker, and transferred onto trucks by a front-end loader for delivery to end users. She stated that the applicant testified that the truck deliveries would be made during specific off-peak traffic hours. She said that the applicant's proposed operations are dependent upon access to a freight line, as they will receive delivery of products solely by rail, and alternate sites located with freight rail access in a zone that would permit the proposed use do not appear to be available in the vicinity. She noted that the delivery of product to the site via rail would eliminate dump truck trips on roadways between the Pennsylvania quarry and the North Bergen site, and the pick-ups and deliveries from the site would be limited to overnight hours to avoid conflict with the peak hour traffic on West Side Avenue. Ms. Sundell concluded by saying that the proposed building materials yard and facility would comply with the bulk requirements of the zone; however, the applicant would be required to demonstrate that it would meet the NJSEA performance standards for noise levels, which shall be a condition of approval of this recommendation.

She stated that Staff was recommending the conditional approval of this use variance to permit a building material yard and facility on this site, subject to the nine conditions listed in the recommendation, to ensure that the use does not have any detrimental impacts to the surrounding area.

Commissioner Yudin addressed Ms. Sundell and said that in reading her summary, it stated that the conveyor/telestacker could be used but could not exceed a height of 44 feet. He said it also stated that the Chief engineer was going to evaluate the alternative configurations of lowering that height. He asked if the height was lowered, would she lower the 44 foot maximum height requirement.

Ms. Sundell replied that the condition would not be changed, and stated that the 44 foot number was a "not to exceed" number, however, if the applicant could show that they have minimized the height, the NJSEA zoning certificate could be conditioned on that lower height.

Chairman Ballantyne presented Resolution 2021-13. Upon motion made by Commissioner Dowd and second by Commissioner Scardino Resolution 2021-13 was unanimously approved by a vote of 13-0.

VII. CONTRACTS/AWARDS - None

VIII. PUBLIC PARTICIPATION - None

IX. EXECUTIVE SESSION - Chairman Ballantyne stated that there was no need for Executive Session.

Before adjourning, Commissioner Yudin asked whether the Authority was starting to look at going back to in-person meetings, following protocols, of course.

President Prieto replied that it was absolutely being looked at and that the Authority was waiting on guidance relative to public meetings from the State.

IX. ADJOURNMENT

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

Meeting adjourned at 10:48 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 May 27, 2021.



**Christine Sanz
Assistant Secretary**

May 27, 2021

Commissioner	Roll Call	2021-12	2021-13
Ballantyne, Chairman	P	Y	Y
Buckelew, Vice Chairman	P	Y	Y
Prieto	P	Y	Y
Dowd	P	Y	Y
Fontoura	P	Y	Y
Gluck	P	Y	Y
Gonnelli	--	--	--
Knopf	P	Y	Y
Plofker	P	Y	Y
Scala	P	Y	Y
Scardino	P	Y	Y
Stellato	P	Y	Y
Yudin	P	Y	Y
Treasury Rep Griffin	P	Y	Y

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

APPROVALS



CASH DISBURSEMENTS
\$100,000 OR MORE
MAY 2021

EAST RUTHERFORD - SPORTS COMPLEX

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
NEW JERSEY RACING COMMISSION	1,491,993.81	A	NJRC BUDGET FOR FISCAL YEAR 2021
NEW MEADOWLANDS STADIUM CO., INC.	550,000.00	A	ARMY-NAVY GAME CONTRIBUTION: DEC 2021
NRG BUSINESS SOLUTIONS	364,402.71	J/L	ELECTRICITY CHARGES: APR 2020
PUBLIC SERVICE ELECTRIC & GAS COMPANY	106,796.19	J/L	ELECTRIC TRANSMISSION: APR 2021
<u>EAST RUTHERFORD - SC TOTAL</u>			
	<u>2,513,192.71</u>		

LYNDHURST

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
JERSEY CITY, CITY OF	349,626.00	I	TAX SHARING: CY 2021 1ST INSTALLMENT
KEARNY, TOWN OF	2,187,339.00	I	TAX SHARING: CY 2021 1ST INSTALLMENT
NORTH ARLINGTON, BOROUGH OF	381,828.00	I	TAX SHARING: CY 2021 1ST INSTALLMENT
NORTH BERGEN, TOWNSHIP OF	109,987.20	I	TAX SHARING: CY 2021 1ST INSTALLMENT
RIDGEFIELD, BOROUGH OF	263,643.00	I	TAX SHARING: CY 2021 1ST INSTALLMENT
WASTE MANAGEMENT OF NEW JERSEY	125,434.29	A	KEEGAN LANDFILL SOIL PLACEMENT & GRADING: APR 2021 AND WASTE REMOVAL SERVICE: MAY 2021
<u>LYNDHURST TOTAL</u>			
	<u>3,417,857.49</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 2021-14

**RESOLUTION TO ADOPT AN
AMENDMENT TO THE
BELLEVILLE TURNPIKE REDEVELOPMENT PLAN
(FILE NO. SP-769)**

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

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

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

WHEREAS, the Hackensack Meadowlands Development Commission was originally adopted the Belleville Turnpike Redevelopment Plan on February 28, 1996, and the New Jersey Meadowlands Commission adopted subsequent amendments to the plan on June 26, 2002, February 28, 2005, October 13, 2006, and September 28, 2011; and

WHEREAS, the Belleville Turnpike Redevelopment Area is located within the Town of Kearny; and

WHEREAS, the NJSEA received a petition, dated December 20, 2019, from Thomas O'Connor, Esq. of Waters, McPherson, McNeill, P.C., on behalf of Amazon.com Services, Inc., a lessee of property located within the redevelopment area, to consider amendments to the Belleville Turnpike Redevelopment Plan, pursuant to N.J.A.C. 19:3-5.15; and

WHEREAS, Amazon.com Services, Inc. proposed the addition of "e-commerce delivery vehicle parking" as a Permitted Use, as well as associated use limitations and standards; and

WHEREAS, the plan has also been updated to reflect the provisions of the Hackensack Meadowlands Agency Consolidation Act (P.L. 2015, c. 19); and

WHEREAS, the NJSEA staff prepared the draft amendment to the Belleville Turnpike Redevelopment Plan, dated April 2021; and

WHEREAS, an electronic public hearing was held via Zoom video conferencing on May 4, 2021, to obtain public comment on the draft amendment to the redevelopment plan; and

WHEREAS, no written or verbal comments were received; and

WHEREAS, the NJSEA staff prepared the final amendment to the Belleville Turnpike Redevelopment Plan, dated May 2021; and

WHEREAS, a copy of the plan amendment was forwarded to the Hackensack Meadowlands Municipal Committee (HMMC) on May 13, 2021, for a 30-day review period, pursuant to N.J.S.A. 5:10A-9; and

WHEREAS, no comments were provided to the NJSEA by the HMMC prior to the expiration of the HMMC's 30-day review period on June 11, 2021; and

WHEREAS, at this time, the NJSEA staff recommends that the NJSEA Board of Commissioners adopt the amendment to Belleville Turnpike Redevelopment Plan, dated May 2021; and

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

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey Sports and Exposition Authority, that the amended Belleville Turnpike Redevelopment Plan, dated May 2021, is hereby adopted.

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of June 24, 2021.



Vincent Prieto
Secretary



MEMORANDUM

To: NJSEA Board Members and Vincent Prieto, President/CEO

From: Sara J. Sundell

Date: June 24, 2021

Subject: Adoption of an Amendment to the Belleville Turnpike Redevelopment Plan (File No. SP-769)

The Belleville Turnpike Redevelopment Plan, was originally adopted by the HMDC on February 28, 1996, and amended by the NJMC on June 26, 2002, February 28, 2005, October 13, 2006, and September 28, 2011. The Belleville Turnpike Redevelopment Area, located in the Town of Kearny, within the Hackensack Meadowlands District, comprises approximately 79 acres and is defined as the following: Block 150, Lots 30, 30.01, 31, 33, 34, 35.01, 35.02, 36, 37, 38, 39, 40, 41, 42, 43, 44.01 & 45.01, and Block 150.01, Lots 52.04, 52.01, 52.02, 64.01 & 64.02 in the Town of Kearny.

A petition to amend the Belleville Turnpike Redevelopment Plan was submitted on December 20, 2019, by Thomas O'Connor, Esq. of Waters, McPherson, McNeill, P.C., on behalf of Amazon.com Services, Inc. The petition was submitted pursuant to N.J.A.C. 19:3-5.15, regarding amendments to a redevelopment plan.

The proposed amendments to the redevelopment plan include the addition of "e-commerce delivery vehicle parking" as a Permitted Use, as well as associated use limitations and standards. The plan has also been updated to reflect the provisions of the Hackensack Meadowlands Agency Consolidation Act (P.L. 2015, c. 19).

Prior to selecting the date for the public hearing, the draft plan was provided to the Town of Kearny for comment.

A virtual public hearing regarding the redevelopment plan amendment was held via Zoom on May 4, 2021 at 10:00 a.m. No written or verbal comments were received. The public comment period closed at the conclusion of the public hearing.

The amendment to the plan was finalized in May 2021.

The matter was subsequently forwarded to the Hackensack Meadowlands Municipal Committee on May 13, 2021, for a 30-day review period, pursuant to N.J.S.A. 5:10A-9b, which expired on June 11, 2021. The HMMC did not provide comment on this matter.

At this time, the staff recommends that the Board of Commissioners of the NJSEA approve this amendment to the Belleville Turnpike Redevelopment Plan.

BELLEVILLE TURNPIKE REDEVELOPMENT PLAN

Town of Kearny, New Jersey



June 2021

Adopted by HMDC Resolution #96-07 on February 28, 1996
Amended by NJMC Resolution #02-28 on June 26, 2002
Amended by NJMC Resolution #05-31 on February 23, 2005
Amended by NJMC Resolution #06-82 on October 13, 2006
Adopted by NJMC Resolution #11-37 on September 28, 2011
Amended by NJSEA Resolution #21-XX on June 24, 2021.

New Jersey Sports and Exposition Authority
One DeKorte Park Plaza ▪ PO Box 640 ▪ Lyndhurst, New Jersey 07071
www.njsea.com

**BELLEVILLE TURNPIKE REDEVELOPMENT PLAN
TOWN OF KEARNY**

**BLOCK 150, LOTS 30, 30.01, 31, 33, 34, 35.01, 35.02, 36,
37, 38, 39, 40, 41, 42, 43, 44.01, & 45.01,
BLOCK 150.01, LOTS 52.01, 52.02, 52.04, 64.01, & 64.02**

June 2021



NEW JERSEY SPORTS & EXPOSITION AUTHORITY

John Ballantyne, *Chairman*
Joseph Buckelew, *Vice Chairman*
Vincent Prieto, *President/CEO*

Board Members

Robert J. Dowd
Armando B. Fontoura
Michael H. Gluck
Arthur Kapoor
Woody Knopf
Elizabeth Maher Muoio*
Steven Plofker, Esq.
Andrew Scala
Anthony Scardino
Louis J. Stellato
Robert B. Yudin
**NJ State Treasurer*

*Adopted by HMDC Resolution #96-07 on February 28, 1996
Amended by NJMC Resolution #02-28 on June 26, 2002
Amended by NJMC Resolution #05-31 on February 23, 2005
Amended by NJMC Resolution #06-82 on October 13, 2006
Adopted by NJMC Resolution #11-37 on September 28, 2011
Amended by NJSEA Resolution #21-XXX on June 24, 2021.*

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

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

TABLE OF CONTENTS

I. REDEVELOPMENT PLAN STATUTORY CRITERIA.....	5
A. Requisite Plan Information.....	5
B. Specific Plan Requirements	5
1. Introduction.....	5
2. Context.....	8
3. Goals and Objectives.....	8
4. Land Uses.....	9
5. Transportation Infrastructure	9
6. Public Utilities.....	9
7. Recreational Facilities.....	9
8. Relationship to the Hackensack Meadowlands District Master Plan and Regulations.....	10
9. Smart Growth and Sustainability.....	11
II. POTENTIAL IMPLEMENTATION STRATEGIES.....	12
A. Powers of the Redevelopment Agency.....	12
B. NJSEA Involvement.....	13
III. SELECTED LAND USE OPTION	14
A. Selection of Recommended Land Uses.....	14
IV. REDEVELOPMENT PLAN STANDARDS.....	15
A. Redevelopment Standards.....	15
B. Purpose.....	15
V. LAND USE AND BULK STANDARDS.....	16
A. Definitions	16
B. Land Uses	17
C. Use Limitations.....	17
D. Bulk Requirements	19
1. Lot Size Requirements.....	19
2. Bulk Regulations	19
E. Design Criteria	20
1. Parking and Loading Minimum Requirements	20
2. Site Service Improvements.....	20
3. Signage	21
4. Drainage	21
5. Floodplain Management.....	21
6. Environmental Performance Standards.....	21
7. Building Façades	21
8. Circulation	21
9. Landscape and Open Space.....	21
10. Improvements within Rights-of-Way.....	22
11. Sustainable Design	22
F. Additional Development Requirements.....	22
1. Project Impact Assessment.....	22
2. Traffic Impact Analysis.....	22
3. Riparian Rights	22

4. Affordable Housing Considerations 23
5. Redeveloper Requirements 23
6. Approvals of Other Governmental Entities..... 25

VI. SELECTED REDEVELOPMENT PLAN IMPLEMENTATION STRATEGY26

LIST OF FIGURES

1. Map: Belleville Turnpike Redevelopment Area: Location Map6
2. Figure: Properties within the Belleville Turnpike Redevelopment Area7

I. REDEVELOPMENT PLAN STATUTORY CRITERIA

A. REQUISITE PLAN INFORMATION

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

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

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

B. SPECIFIC PLAN REQUIREMENTS

1. Introduction

This plan is intended to provide for the implementation of the Belleville Turnpike Redevelopment Area, identified as Block 150, Lots 30, 30.01, 31, 33, 34, 35.01, 35.02, 36, 37, 38, 39, 40, 41, 42, 43, 44.01, & 45.01, and Block 150.01, Lots 52.01, 52.02, 52.04, 64.01, & 64.02 in the Town of Kearny, New Jersey. The redevelopment area totals approximately 79 acres and is generally bounded to the northeast by Belleville Turnpike (State Route 7) and the NJSEA's 1-E Landfill, to the south by NJ Transit's Boonton Line and the Kearny Freshwater Marsh, and to the northwest by the Harrison-Kingsland rail line and a mix of light and heavy industrial land uses that are outside of the Hackensack Meadowlands District. The redevelopment area location within the District may be found on the Location Map in **Figure 1**. Acreage and zoning information for each parcel can be found in **Figure 2**.

A petition dated December 20, 2019, submitted by Thomas J. O'Connor, Esq. of Waters McPherson McNeill, P.C. on behalf of Amazon.com Services, Inc., requested that the NJSEA consider an amendment to the Belleville Turnpike Redevelopment Plan to include "off-site accessory parking" as a Permitted Use within the redevelopment area, and to adopt bulk standards associated with this use.

Figure 1: Location Map



Figure 2: Properties within the Belleville Turnpike Redevelopment Area

Block	Lot	Address	Acres (GIS)	Acres (Tax)	Land Use	Zoning
150	30	630 BELLEVILLE TPK	0.82	3.49	Industrial	RA
150	30.01	642 BELLEVILLE TPKE	0.12	0.11	Industrial	RA
150	31	630 BELLEVILLE TPK	0.90	0	Industrial	RA
150	33	BELLEVILLE PIKE	1.80	1.83	Open Lands	RA
150	34	630 BELLEVILLE TPK	0.90	0	Industrial	RA
150	35.01	630 BELLEVILLE TPK	0.63	0	Industrial	RA
150	35.02	BARSZCEWSKI ST	0.29	7.66	Industrial	RA
150	36	BARSZCEWSKI ST	0.92	0	Industrial	RA
150	37	BARSZCEWSKI ST	0.92	0	Industrial	RA
150	38	BARSZCEWSKI ST	0.92	0	Industrial	RA
150	39	BARSZCEWSKI ST	0.92	0	Industrial	RA
150	40	BARSZCEWSKI ST	0.92	0	Industrial	RA
150	41	BARSZCEWSKI ST	0.92	0	Industrial	RA
150	42	BARSZCEWSKI ST	0.92	0	Altered Land	RA
150	43	BARSZCEWSKI ST	0.92	0	Altered Land	RA
150	44.01	660 BELLEVILLE TPKE	3.30	3.3	Transitional Land	RA
150	45.01	680 BELLEVILLE TPKE	11.04	11.09	Industrial	RA
150.01	52.01	650 BELLEVILLE TPKE	0.46	0.46	Industrial	RA
150.01	52.04	670 BELLEVILLE TPKE	9.52	9.57	Industrial	RA
150.01	64.01	700 BELLEVILLE TPKE	31.73	31.85	Industrial	RA
150.01	64.02	720 BELLEVILLE TPKE	8.84	9.06	Industrial	RA

Source: NJSEA Geographic Information Systems (GIS), February 2021

2. Context

The District's 1972 official zoning regulations and map initially designated the subject area as being in the Research Distribution Park Zone. This zone was intended to accommodate research, office, and warehouse facilities in a park-like environment, with substantial amounts of landscaped open space. Permitted uses included establishments for scientific research and development, manufacturing, processing, and fabricating facilities, office facilities and warehouse facilities.

The subject properties were deemed to be in need of redevelopment in 1995 due to several factors, including a lack of sanitary sewer service, ongoing illegal dumping, and the potential for direct access to the CONRAIL freight line.

The original Belleville Turnpike Redevelopment Plan, dated February 28, 1996, provided for a targeted approach to the revitalization of the area by permitting distribution facilities only. As the industrial sector continued to evolve, subsequent amendments in June 2002, February 2005, October 2006, and September 2011, expanded development opportunities through the inclusion of complementary uses in the plan. These amendments were intended to be responsive to market demands and support the Plan's implementation. More recently, the strength of the industrial market is being fueled largely by the rapidly changing e-commerce industry and last mile logistics. Last mile logistics refers to the final step of the delivery process from a distribution facility to the end user. These industry trends prompt a review of the current redevelopment plan standards to ensure the plan remains effective and relevant. The requested amendment is intended to provide for a use supportive of existing industrial development and, specifically, e-commerce capabilities, in the region.

To successfully encourage coordinated growth in the Belleville Turnpike Redevelopment Area, a balance of other interrelated land uses has been incorporated into the Plan. Further goals of the redevelopment plan consist of attracting desirable ratables and jobs, as well as providing for orderly development and the public health, safety, and welfare.

3. Goals and Objectives

This redevelopment plan is predicated on the following goals and objectives:

- a. To promote the public health, safety, and general welfare through the NJSEA's redevelopment powers.
- b. To promote economic development and create job opportunities in the District.
- c. To support opportunities for properties deemed in need of redevelopment to meet current environmental standards.
- d. To accommodate regional demand for modern industrial development and e-commerce logistics.
- e. To promote safe and efficient circulation for both vehicles and pedestrians within, and in the vicinity of, the redevelopment area.

4. Land Uses

The following general assumptions were made in the selection of the land uses for the redevelopment area:

- a. Development shall be permitted only to the extent that existing utility, transportation, and municipal infrastructure can support it, or to the extent that such improvements will be provided to support it.
- b. A redeveloper shall be required to submit a Project Impact Assessment (PIA) in accordance with N.J.A.C. 19:4-10.
- c. A detailed traffic impact study, as set forth in N.J.A.C. 19:4-7.10 et seq., shall be prepared identifying mitigating measures to be performed by the developer, if required.
- d. For any proposal that requires an improvement to mitigate an impact identified in the PIA in accordance with N.J.A.C. 19:4-10.10, the developer shall enter into an agreement with the NJSEA within 60 days of issuance of a zoning certificate for the project.
- e. Appropriate buffers shall be provided adjacent to wetlands and/or environmentally sensitive areas.
- f. It is the sole responsibility of the developer to perform due diligence in order to determine if there is any contamination remaining from the former use of any site or from any other activity that may have occurred on a site. The developer shall perform any environmental clean-up deemed necessary, in accordance with New Jersey Department of Environmental Protection (NJDEP) requirements.

5. Transportation Infrastructure

Since the inception of the initial plan, Barszcewski Street has been reconstructed to accommodate the truck and automobile traffic generated by new development to date. Development along Belleville Turnpike and Barszcewski Street may result in the need for a traffic signal at the intersection of Barszcewski Street and Belleville Turnpike, subject to the approval of the New Jersey Department of Transportation (NJDOT).

6. Public Utilities

Within the redevelopment area, the Kearny Water Department provides potable water and PSE&G provides both gas and electricity. The Passaic Valley Sewerage Commission (PVSC) provides wastewater treatment.

7. Recreational Facilities

There are no public recreation facilities currently located within the redevelopment area. The Essex-Hudson Greenway, a 9-mile linear park, is proposed to be located along the inactive NJ Transit Boonton Line, which serves as the southern boundary of the redevelopment area. The Essex-Hudson Greenway is proposed to run from Montclair in Essex County to the Croxton section of Jersey City in Hudson County. The Kearny Marsh, located just south of the redevelopment area, was purchased by the New Jersey Meadowlands Commission (NJMC), predecessor agency to the NJSEA, for preservation in 2002. Gunnell Oval and Harvey Field are two municipal recreation facilities located outside of the District on Schuyler Avenue in Kearny.

8. Relationship to Hackensack Meadowlands District Master Plan and Regulations

Relationship to Master Plan

The current Master Plan for the Hackensack Meadowlands District was adopted in February 2020. The Land Use Plan of the Hackensack Meadowlands District Master Plan Update 2020 designates 12 Planning Areas in the District. The subject property is located in the Employment Center Planning Area. Employment Centers are located in Teterboro, Little Ferry, Carlstadt, Moonachie, South Hackensack, East Rutherford, Secaucus, North Bergen, and Ridgefield.

The Employment Center Planning Area contains the workplaces for a large number of the District's employment population. Employment Centers may include a mix of uses including office, warehouse and distribution facilities, and light industrial facilities. The planning area also supports flex space and research facilities. The Area Plan calls for centers with a concentration of industrial and warehouse distribution businesses, business and professional services, and the continuation of office development.

Employment centers have been adept at adapting to current market conditions. Planning considerations for this classification include maintaining a high level of transit services available to these areas, and providing for limited complementary commercial uses to support the needs of the workforce within this area.

The District Zoning Regulations and Official Zoning Map serve as the implementation tool for the land use planning objectives of the master plan. Pursuant to the NJSEA statute at N.J.S.A. 5:10A-1 et seq., the NJSEA is authorized to adopt codes and standards with regards to the zoning and rezoning of lands within the Meadowlands District, and to conduct redevelopment activities. Regulations specific to the planning and zoning of redevelopment areas are provided in N.J.A.C. 19:3-5.1 et seq.

Since the adoption of the Belleville Turnpike Redevelopment Plan in February 1996, and amendments in June 2002, February 2005, October 2006, and September 2011, portions of the area have been developed with regional distribution uses consistent with the redevelopment plan.

Several redevelopment area designations and open space acquisitions have been initiated in the District in close proximity to the Belleville Turnpike tract. Land to the north was designated as part of the Meadowlands Golf Course Redevelopment Area, adopted February 2001 and amended in September 2001, July 2002, February 2003, and June 2005, which was subsequently renamed the Kingsland Redevelopment Area in May 2009, and revised in its entirety in January 2011. South of the redevelopment area is the 330-acre Kearny Freshwater Marsh, which was acquired by the NJSEA for the purposes of enhancement and preservation. Further south of the redevelopment area is the Kearny Area Redevelopment Area, adopted in May 2000 and amended in March 2002, July 2004, September 2011 and June 2014.

The Town of Kearny's 2013 Industrial Park Redevelopment Plan proposed a mix of industrial and retail uses for an area just west of the subject redevelopment area in the vicinity of Sellers Street. The Town's 2008 Master Plan Reexamination Report, which does

not specifically address the Belleville Turnpike Redevelopment Area because it is within the zoning jurisdiction of the NJSEA, does contain an objective to encourage planned, control growth in the Kearny Meadowlands. Planning concepts in these planning documents are compatible with the goals of the Hackensack Meadowlands District Master Plan Update 2020 and this redevelopment plan. Other than North Arlington, there are no other communities in close proximity to the subject area. The Borough of North Arlington has adopted several redevelopment plans in the immediate vicinity of Belleville Turnpike proximate to the redevelopment area. To the north, the Porete Avenue Redevelopment Plan, last updated in 2015, includes industrial uses compatible with those proposed in this Plan. To the northwest of the site, the Belleville Turnpike (North Arlington) Redevelopment Plan includes a variety of service and light industrial uses.

This amended Redevelopment Plan supersedes the existing zoning regulations and/or prior redevelopment plan(s) applicable to the redevelopment area, per N.J.A.C. 19:3-5.11(a) and 5.15(i). Any zoning or planning standard not specifically addressed within this redevelopment plan will be subject to the District Zoning Regulations for appropriate review and regulatory criteria. Any redevelopment project must address relevant development regulations of the NJSEA.

9. Smart Growth and Sustainability

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

The District's regulations also promote Smart Growth through sustainability initiatives, including the adoption of regulations encouraging sustainable green building practices. N.J.A.C. 19:4-6.6 provides incentives for applicants to the NJSEA to utilize green building practices or install alternative green building components, such as those recognized in green building certification programs, including the U.S. Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) certification.

II. POTENTIAL IMPLEMENTATION STRATEGIES

A. POWERS OF THE REDEVELOPMENT AGENCY

The following provides the statutory provisions, pursuant to N.J.S.A. 5:10A-24, which the NJSEA may utilize to implement this redevelopment plan:

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

- vi. By contract or contracts with public agencies or redevelopers or by its own employees' or consultants' plan, plan, construct, reconstruct, operate, maintain and repair any redevelopment or other project or any part thereof;
- vii. Make and adopt plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements, and for the enforcement of codes and laws relating to the use of land, the use and occupancy of buildings and improvements and to the control over the pollution of water and air and the disposal of solid waste.

B. NJSEA INVOLVEMENT

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

No condemnation by the NJSEA is anticipated to be necessary to implement this redevelopment plan. The role of the NJSEA is to provide the zoning that will enable the redevelopment of the subject properties.

III. SELECTED LAND USE OPTION

A. SELECTION OF RECOMMENDED LAND USES

This Redevelopment Plan recommends that standards be established that will promote the development of a large scale, regional distribution complex in the redevelopment area. Such distribution facilities distinguish themselves with high ceilings and mechanized racking systems, or high intensity vertical storage capabilities. High-rise systems have eased storage challenges and improved inventory controls to meet the demands of “just in time” manufacturing. The subject redevelopment area is strategically located for such uses within the Hackensack Meadowlands District. The District is home to a high concentration of distribution and intermodal facilities. The New Jersey Turnpike and Route 280 are in close proximity to the redevelopment area, precluding the need to have trucks travel through the residential areas of Kearny.

As this industry continues to evolve in order to keep pace with distribution needs of suppliers and customers, the expansion of complementary uses is recognized as beneficial to the Plan. The logistical demands of e-commerce have necessitated a fresh look at the goals of this plan and what, if any, new uses might align it more closely with industry trends. To successfully encourage coordinated growth in the Belleville Turnpike Redevelopment Area, a number of interrelated and complementary land uses have been made available as development options.

IV. REDEVELOPMENT PLAN STANDARDS

A. REDEVELOPMENT STANDARDS

The standards contained within this redevelopment plan shall supersede existing regulations as contained in N.J.A.C. 19:4-1 *et seq.* District regulations at N.J.A.C. 19:3, 19:4, 19:5, 19:6, and 19:7 shall be consulted for any site requirements or standards not specifically set forth herein.

B. PURPOSE

The purpose of the Belleville Turnpike Redevelopment Plan is to accommodate large-scale distribution facilities that are efficient and flexible, as well as a variety of related land uses. The plan is designed to accommodate uses that support the movement of products to the market in a timely fashion. Additionally, the proximity of the redevelopment area to the Port Newark/Elizabeth Marine Terminal provides an opportunity for large-scale distribution facilities in the area to handle the volume of goods from the Port.

The land use standards in the plan have been designed to:

1. Encourage the improvement of properties consistent with the overall redevelopment plan goals and standards expressed herein;
2. Encourage a symbiotic relationship among buildings, parking and landscaped areas, and vehicular and pedestrian circulation;
3. Encourage the development of green technologies;
4. Promote for the creation of positive tax ratables; and
5. Provide economic development opportunities through complementary land uses in order to create a high quality distribution complex.

IV. LAND USE AND BULK STANDARDS

A. DEFINITIONS

All words not described in this redevelopment plan shall have the definitions as listed in adopted Meadowlands District Zoning Regulations, or in the absence of such, as defined in the most recent edition of Merriam-Webster's Collegiate Dictionary.

"Data center" means a building dedicated to the storage, processing, management and dissemination of data in servers and/or associated computer equipment.

"Limited contractor's yard or facility" means a facility utilized for the provision of general contracting services whose activities and operations may include, but are not limited to the following: office; maintenance, shop, and assembly areas; and areas for the outdoor storage of materials, equipment, and construction vehicles used in connection with the business operating on the subject site. No more than one limited contractor's yard may be located on a property. A limited contractor's yard or facility is required to include a minimum of 5,000 square feet of space within a structure on the subject property.

"Limited restaurant facility" means an establishment, having a maximum area of 5,000 square feet, where food is prepared, served and consumed within the structure on a lot or taken out and consumed elsewhere.

"Limited retail food establishment" means an establishment, having a maximum area of 2,500 square feet, engaged in selling pre-packaged goods or merchandise, such as food products, household items, newspapers, sandwiches, and other prepared foods to the general public for use or consumption elsewhere.

"Methane recovery system" means a facility or equipment system primarily designed to recover methane gas from landfills for utilization as an energy source.

"E-commerce delivery vehicle parking" means the use of a site or a building for the provision of parking spaces as a principal use, including associated driveways, aisles, turning and maneuvering areas, clearances, and similar features.

"Renewable and/or sustainable energy systems" means a system utilizing renewable and/or sustainable energy systems, such as wind energy, hydropower, or geothermal system installations, recognized under the New Jersey Energy Master Plan.

"Solar farm" means a facility composed of a system of photovoltaic cells utilized to convert sunlight into energy.

B. LAND USES*

**Permitted and special exception uses are subject to the applicable use limitations set forth in subsection C below.*

1. Permitted Uses

- a. Business support services;
- b. Data centers;
- c. Day care facilities;
- d. Disaster recovery facilities;
- e. E-commerce delivery vehicle parking;
- f. Essential public services;
- g. Light industry;
- h. Limited contractor's yards or facilities;
- i. Public utility uses, light;
- j. Renewable and/sustainable energy system;
- k. Research and development facilities;
- l. Solar farm; and
- m. Warehouse and distribution facilities.

2. Special Exceptions

- a. Banks;
- b. Communications transmission towers;
- c. Health care centers;
- d. Institutional uses;
- e. Methane recovery system;
- f. Social services;
- g. Limited restaurant facilities; and
- h. Limited retail food establishments.

C. USE LIMITATIONS

1. Limited restaurant facilities, shall exclude drive-in or drive through facilities, are only permitted on the ground floor, and shall not exceed a floor area of 5,000 square feet.
2. Limited retail food establishments are only permitted on the ground floor, and shall not exceed a floor area of 2,500 square feet.
3. Outdoor storage shall not be permitted in the redevelopment area with the following exceptions: trucks/trailers within designated and approved on-site parking facilities, temporary recycling/waste storage in designated and approved areas, and materials and/or equipment used in conjunction with an approved limited contractor's yard or facility.
 - a. Outdoor storage areas used in conjunction with a limited contractor's yard or facility shall be permitted in accordance with an approved site plan and shall be fenced and heavily screened in accordance with N.J.A.C. 19:4-8.9. Materials within the outdoor storage area shall not exceed the height of the screening.

- b. The maximum area of the outdoor material and/or equipment storage area of a limited contractor's yard or facility shall be as follows:
 - c. The outdoor material and/or equipment storage areas associated with a limited contractor's yard or facility are permitted in side and rear yards only. No associated material and/or equipment storage shall be permitted in the front yard or located adjacent to a residential zone and/or use.
 - d. The following materials and/or equipment are specifically prohibited from being deposited and/or stored on a property associated with a limited contractor's yard or facility: compost, mulch, yard waste, grass clippings, leaves, rubbish, and inoperable or unlicensed vehicles.
 - e. Sand, stone, gravel, topsoil, cement and/or similar materials stockpiled at a limited contractor's yard or facility shall be stored in weatherproof, covered containers that do not allow the runoff of stormwater or stored product to exit the containers and enter the stormwater management system. Materials shall not be placed directly on the ground.
4. All accessory truck/trailer and equipment repairs shall take place within completely enclosed buildings.
5. Accessory offices shall be permitted.
6. Cafeteria, recreation, or training facilities for employees shall be permitted as accessory uses.
7. Maintenance, utility and storage facilities shall be permitted as uses accessory to distribution facilities and limited contractor's yards or facilities.
8. An accessory truck washing facility shall be permitted only in connection with the operation of a warehouse and distribution facility where such vehicles are owned or leased by the owner or tenant of the warehouse and distribution facility. Truck washing facility operations shall take place within a completely enclosed building and shall occupy a maximum area of 20,000 square feet.
9. The yard fronting on a railroad right-of-way shall not be considered a front yard for the purposes of this Redevelopment Plan.
10. E-commerce delivery vehicle parking as a principal use shall be restricted in accordance with the following limitations:
 - a. E-commerce delivery vehicle parking shall be deemed a permitted use only when used to support the approved occupancy of a warehouse/distribution facility on another property within the redevelopment area.
 - b. A maximum lot area of 15 acres within the redevelopment area, including total footprint of buildings containing interior e-commerce delivery vehicle parking, may be utilized for e-commerce delivery vehicle parking.

- c. Parking spaces for e-commerce delivery vehicles shall not exceed a dimension of 11 feet by 27 feet.
- d. E-commerce delivery vehicles shall be single-unit vehicles and shall not exceed 27 feet in length. The parking of longer vehicles, including tractor trailers, shall be prohibited.
- e. E-commerce delivery vehicles shall not be parked in required parking and loading spaces required in accordance with N.J.A.C. 19:4-8.2 through 8.4.
 - i. E-commerce delivery vehicle parking shall not be permitted in areas designated for loading. Existing loading areas that are intended to be repurposed to accommodate e-commerce delivery vehicle parking shall be required to physically block the existing loading doors in a manner that is integrated with the building façade and promotes visual aesthetics.
- f. Outdoor loading operations shall be prohibited.
- g. Accessory interior vehicle maintenance areas for e-commerce delivery vehicles parking on the site shall be permitted. Vehicle maintenance shall not include major engine and transmission repair and replacement, chassis and suspension repair, body work, and/or vehicle painting.

D. BULK REQUIREMENTS

1. Lot Size Requirements and Bulk Regulations

- a. Minimum lot area: 5 acres;
- b. Minimum lot width: 200 feet.

2. Bulk Regulations

- a. Minimum front yard:
 - i. For yards fronting on Belleville Turnpike: 75 feet;
 - ii. For yards fronting on Barszcewski Street: 25 feet.
- b. Minimum side yard:
 - i. 100 feet, if the yard is to be used for loading;
 - ii. 30 feet, otherwise.
- c. Minimum rear yard:
 - i. 100 feet, if the yard is to be used for loading;
 - ii. 30 feet, otherwise.
- d. Maximum lot coverage: 50 percent.
- e. Maximum building height: 70 feet, not including rooftop mechanical equipment, which shall be properly screened.
- f. Minimum open space: 15 percent.

E. DESIGN CRITERIA

Unless superseded in this redevelopment plan, all improvements shall be in compliance with the Site Plan Requirements of the District Zoning Regulations, as set forth in N.J.A.C. 19:4-8.1 *et seq.*, except as noted herein.

1. Parking and Loading Minimum Requirements

- a. Limited contractor's yard and facility: one space per employee and one truck parking space per facility vehicle.
- b. Auto parking areas shall be separated from truck/trailer parking and maneuvering areas by a 5 foot wide curbed and landscaped strip.
- c. Truck/Trailer Parking: Accessory truck/trailer parking shall be permitted subject to the following conditions:
 - i. Truck/trailer parking shall be arranged in an orderly fashion in allocated spaces as indicated on a plan approved by the NJSEA;
 - ii. Truck/trailer parking areas shall be paved;
 - iii. Trailers and containers may not be stacked on top of one another; and
 - iv. Truck/trailer parking areas shall be effectively screened with a decorative fence supplemented by evergreen plant material capable of maturing to a height and width sufficient to screen the trailers.
- d. Loading shall only be permitted in side and rear yards.
- e. All loading areas shall be paved and curbed, and reinforced concrete-dolly pads shall be provided under trailer support devices.

2. Site Service Improvements

- a. The provisions of N.J.A.C. 19:4-8.15, governing site service improvements, shall apply.
- b. With the exception of utility-related uses, a refuse and/or recycling area in accordance with N.J.A.C 19:4-8.15(f) shall be provided.
- c. Generators shall be located in side or rear yards, shall meet required setbacks, and shall be screened in accordance with N.J.A.C. 19:4-8.9(d)6iv and 8.10. District Environmental Performance Standards Category B shall apply to generators.
- d. The installation of electric vehicle charging stations for employee, visitor and fleet vehicles is encouraged. Rideshare drop-off locations incorporated into the site circulation plan are also encouraged.

3. Signage

Signage, for all proposed development within the redevelopment area shall comply with N.J.A.C. 19:4-8.14, with the following exception: roof signs, visible only from above, shall be permitted.

4. Drainage

Drainage plans, including maintenance provisions, shall be prepared in accordance with NJSEA regulations at N.J.A.C. 19:4-8.6. All drainage ways shall be properly maintained and planted, and designed in accordance with the NJSEA's *Guidelines for Green Development and Redevelopment, Part 1 - Low Impact Development*, where appropriate. Drainage designs shall not include permanent standing water.

5. Floodplain Management

For structures within designated 100-year flood zones, the provisions of N.J.A.C. 19:4-5.2(a)3 and N.J.A.C. 19:4-9.1 *et seq.* shall apply.

6. Environmental Performance Standards

All proposed development shall comply with Category B of the Environmental Performance Standards found at N.J.A.C. 19:4-7.1 *et seq.*

7. Building Façades

All facades visible from public rights-of-way shall consist of a finished decorative material. Architectural techniques shall be utilized to project variations in material, height, and color.

8. Circulation

- a. Access for lots with frontage on both Belleville Turnpike and Barszcewski Street shall be from Barszcewski Street; there shall be no access directly from Belleville Turnpike.
- b. Pedestrian circulation routes shall be provided on site and shall be separated from truck/trailer traffic.

9. Landscape and Open Space

- a. In addition to the requirements of N.J.A.C. 19:4-8.8 and 8.9, the following shall apply:
 - i. Buffers: There shall be a minimum, 30-foot wide heavily landscaped shade tree and evergreen buffer along Belleville Turnpike. There shall be a minimum 15-foot wide buffer, landscaped with shade and evergreen trees, along Barszcewski Street. There shall be a minimum 5-foot wide, curbed strip, landscaped with shade trees along all side and rear property lines and pedestrian circulation routes.
- b. Sidewalks shall be provided in accordance with N.J.A.C 19:4-8.12.

- c. Possible bicycle and/or pedestrian connections to the planned Essex-Hudson Greenway are encouraged to be incorporated in proposed site designs.

10. Improvements within Rights-of-Way

All developments shall include provisions for installation of curbing, sidewalks, and street trees within the Belleville Turnpike and Barszcewski Street rights-of-way, subject to approval of the governmental authority having jurisdiction.

11. Sustainable Design

The NJSEA encourages developers to incorporate sustainable design within the redevelopment area. Employing green building methods from the onset of a project provides environmental, economic, and social benefits, including increased efficiency and reduction in energy costs. The NJSEA's green building regulations at N.J.A.C. 19:4-6.6 provide zoning and fee incentives to promote sustainable green building practices in the Meadowlands District.

F. Additional Development Requirements

1. Project Impact Assessment

All projects are subject to the requirements of N.J.A.C. 19:4-10.1 *et seq.* The Project Impact Assessment (PIA), if required, shall provide information to allow the NJSEA to assess the probable effects of a proposed project.

- i. Any development proposed in phases shall assess the impacts for each individual phase and the project as a whole.
- ii. For a development proposal that requires an improvement to mitigate an impact identified in a PIA, the developer shall enter into an agreement with the NJSEA prior to the issuance of a zoning certificate for the project.

2. Traffic Impact Assessment

All projects are subject to the requirements of N.J.A.C. 19:4-7.10 *et seq.* The Traffic Impact Assessment (TIA), if required, shall assess the traffic and circulation impacts of a proposed development and identify improvements required. The scope of the TIA shall be determined in consultation with the Chief Engineer.

3. Riparian Rights

Pursuant to District zoning regulations, riparian instruments shall be secured for any land subject to the State's riparian interest.

4. Affordable Housing Considerations

With regard to affordable housing, the developer shall comply with the applicable requirements of the NJSEA; the New Jersey Council on Affordable Housing (COAH) or any future entity assuming the legal responsibilities of the Fair Housing Act; and P.L. 2008, Chapter 46, an act concerning affordable housing, revising and supplementing various parts of the statutory law, effective July 17, 2008, and any applicable laws of other agencies having jurisdiction. Non-residential development shall comply with State of New Jersey statutes and regulations governing payment of non-residential development fees.

5. Redeveloper Requirements

- a. If the NJSEA elects to contract with a prospective redeveloper, pursuant to its authority under N.J.S.A. 5:10A, prior to entering such contract, the redeveloper shall provide a financial report to the NJSEA assessing the financial viability of the redeveloper and/or redevelopment project. Such report shall contain, at a minimum, the following information:
 - i. Identification of each financial and/or equity partner having any financial contribution to, ownership of, or like interest in, the project.
 - ii. Identification of each member of the redevelopment team and major consultants, including, but not limited to, attorneys, engineers, architects, planners, project and construction managers, financial consultants, lobbyists, and public relations consultants. Resumes and/or curricula vitae and a statement clearly identifying the roles of each member shall be provided.
 - iii. The composition of the redeveloper's current real estate portfolio, including details regarding the type of project and number of square feet or units developed, owned and/or managed.
 - iv. Details regarding the redeveloper's history of securing financing for real estate development projects within the past 10 years, at a minimum, detailing the type of project; financing method(s), source(s) and amounts committed; and proposed and actual completion dates of projects.
 - v. A description of all pending real estate development projects by the redeveloper, under development pursuant to enforceable contracts, including project type, status, development schedule, and the financial commitment required by the redeveloper, including a description of the financing method(s), source(s) and amounts committed.
 - vi. Audited financial statements, including balance sheets and operating statements, prepared by a Certified Public Accountant (CPA) in accordance with Generally Accepted Accounting Principles (GAAP), established by the Financial Accounting Standards Board (FASB), 401 Merritt 7, PO Box 5116, Norwalk, CT 06856-5116, <http://www.fasb.org>, for the five most recent fiscal years, for the redeveloper and any financial and/or equity partner(s). Such statements shall evidence the ability to financially perform, including the value of assets each participant would contribute to the project and verification that such assets are available.
 - vii. A statement describing the methods and anticipated and committed sources for financing the project, including its construction, and identifying the expected equity requirements and anticipated sources of working capital.

- viii. For the redeveloper, including both the corporate or business entity and the principals of the corporate or business entity and each member of the development team, a statement and complete listing regarding any debarments, suspensions, bankruptcy or loan defaults, legal proceedings, and/or adverse judgments, regarding any real estate development project and/or government contract regardless of the date of such occurrence.
 - ix. A fiscal impact analysis for the proposed redevelopment project pursuant to the requirements of N.J.A.C. 19:4-10.4(a)14.
 - x. Such other information as may be deemed necessary by the NJSEA staff.
- b. The redeveloper shall provide the following to the NJSEA, which shall be updated, at a minimum, every three months, beginning from the contract date, including any amendments:
 - i. The project pro-forma statement, prepared by a CPA in accordance with GAAP, which shall include, at a minimum, an income statement, balance sheet, and statement of cash flows.
 - ii. The projected development timeline.
 - iii. Any change in the financial report required in 5a above.
 - c. Any redeveloper applying to any federal, state, county, or municipal government entity for financial assistance, including, but not limited to, loans, grants, or bonds, shall notify the NJSEA of such application in writing and shall provide copies to the NJSEA of all correspondence and information regarding the requested financial assistance. The NJSEA staff shall provide any of the aforementioned entities with information about the project upon request. The NJSEA shall make a request to the applicable government entity to participate in the process for the evaluation of financial assistance to facilitate communication among public entities involved in the project. Such participation shall include, but is not limited to, attendance at meetings with the redeveloper and the government entity from whom financial assistance is requested.
 - d. Any redeveloper of a project within a redevelopment area for which municipal payment-in-lieu-of-taxes (PILOT) bonds are sought shall notify the NJSEA contemporaneously with the commencement of discussions with municipal officials regarding PILOT bonds and shall provide copies to the NJSEA of all correspondence and information regarding the PILOT bonds. The NJSEA staff shall provide the municipality with information about the project upon request. The NJSEA shall make a request to the applicable government entity to participate in the process for the evaluation of PILOT bonds to facilitate communication among public entities involved in the project. Such participation shall include, but is not limited to, attendance at meetings with the redeveloper and municipality. The fiscal impact analysis required above shall evaluate the impact of PILOT bond financing on municipal tax rates and the Intermunicipal Tax Sharing Formula.

6. Approvals of Other Governmental Entities

- a. Prior to the redevelopment of any property within the redevelopment area, the redeveloper shall procure any and all necessary permits and approvals from any federal, state, county, local, or municipal agency having jurisdiction.
- b. Any redeveloper filing an application with any other State entity for any permit related to the redevelopment project shall provide a copy of such permit application to the NJSEA contemporaneously with its filing and shall provide copies to the NJSEA of all correspondence and information regarding the permit application. The NJSEA staff shall provide the regulatory entity with information about the project upon request. The NJSEA shall make a request to the regulatory entity to participate in the permitting process to facilitate communication among public entities involved in the project. Such participation shall include, but is not limited to, attendance at meetings with the redeveloper and the regulatory entity.
- c. The applicant shall provide, to the NJSEA, proof of compliance with any requirements and/or restrictions from other regulatory agencies associated with the intended use(s) of the site. Additionally, copies of any future requirements and/or restrictions shall be submitted to the NJSEA by the designated developer immediately upon receipt.

VI. SELECTED REDEVELOPMENT PLAN IMPLEMENTATION STRATEGY

This redevelopment plan shall be the regulatory instrument for the development of the Belleville Turnpike Redevelopment Area, along with the District Regulations at N.J.A.C. 19:3, 19:4, 19:5, 19:6 and 19:7, where applicable, and shall supersede all redevelopment plans and prior zoning for parcels of land contained within this redevelopment area. Any zoning or planning standard not specifically addressed within this redevelopment plan is subject to the District Zoning Regulations for the appropriate review and regulatory criteria.

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

RESOLUTION 2021-15

**RESOLUTION AUTHORIZING THE NEW JERSEY SPORTS AND EXPOSITION
AUTHORITY TO DESIGNATE SM KEARNY ASSOCIATES, LLC AS REDEVELOPER
AND ENTER INTO A REDEVELOPER AGREEMENT FOR THE STANDARD
CHLORINE SITE LOCATED WITHIN THE KOPPERS COKE PENINSULA
REDEVELOPMENT AREA IN THE TOWN OF KEARNY**

WHEREAS, on February 27, 2013, by Resolution 13-07, the New Jersey Meadowlands Commission approved the Koppers Coke Peninsula Redevelopment Plan for properties located within the Koppers Coke Peninsula Redevelopment Area in the Town of Kearny; and

WHEREAS, by letter dated June 15, 2021, SM Kearny Associates, LLC, a joint venture of Sitex MO, LLC and Morris Kearny Associates II, LLC, requested that the NJSEA designate it as redeveloper of the properties known as Block 287, Lots 48, 49, 49.01, 50, 51, 52, 52.01 in the Town of Kearny (also known as the Standard Chlorine Site), and the portion of Block 287, Lot 32.01 in the Town of Kearny that bisects the Standard Chlorine Site (hereinafter referred to, collectively, as the "Site"); and

WHEREAS, the Standard Chlorine Site is currently owned by the Town of Kearny and Block 287, Lot 32.01 is currently owned by Morris Kearny Associates Urban Renewal, LLC; and

WHEREAS, the Town of Kearny, by Resolution 2021-145, adopted March 23, 2021, consented, as owner of the Standard Chlorine Site, to the designation by NJSEA of SM Kearny Associates, LLC as redeveloper of the Site; and

WHEREAS, Morris Kearny Associates Urban Renewal, LLC, by letter dated June 4, 2021, as owner of Block 287, Lot 32.01, consented to the designation by NJSEA of SM Kearny Associates, LLC as redeveloper of the Site; and

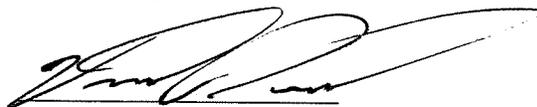
WHEREAS, SM Kearny Associates, LLC, by letter dated June 15, 2021, referencing a proposal for a warehouse and distribution use on the Site and seeking to support and facilitate the development of the Site, is requesting that the NJSEA designate SM Kearny Associates, LLC as redeveloper of the Site; and

WHEREAS, in accordance with N.J.S.A. 5:10A-24d(6), the NJSEA may enter into agreements with redevelopers for projects undertaken pursuant to a redevelopment plan.

NOW, THEREFORE, BE IT RESOLVED, that the New Jersey Sports and Exposition Authority authorizes the President/CEO or his designee to designate SM Kearny Associates, LLC as Redeveloper of the Site and to negotiate and enter into a Redeveloper Agreement with SM Kearny Associates, LLC regarding the development of the Site.

BE IT FURTHER RESOLVED that the designation of SM Kearny Associates, LLC as Redeveloper of the Site is contingent upon the execution of a Redeveloper Agreement between SM Kearny Associates, LLC and the New Jersey Sports and Exposition Authority.

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 June 24, 2021.



Vincent Prieto
Secretary

EXECUTIVE SESSION

RESOLUTION 2021-16

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

WHEREAS, the Open Public Meetings Act, NJSA 10:4-12 (b), permits the holding of closed sessions by public bodies in certain circumstances; and

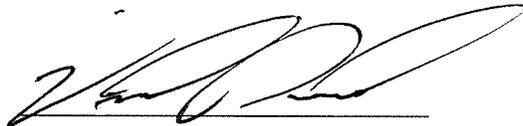
WHEREAS, the New Jersey Sports and Exposition Authority (NJSEA) is of the opinion that those circumstances presently exist.

BE IT RESOLVED by the New Jersey Sports and Exposition authority (“Authority”) that it shall conduct a meeting to which the general public shall not be admitted to discuss the following:

- Legal counsel regarding the award of a lease to I.W.S. Transfer Systems of NJ, Inc. for the NJSEA Transfer Station/Materials Recovery Facility

This resolution shall become effective immediately.

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 June 24, 2021.



Vincent Prieto
Secretary

AWARDS / CONTRACTS

RESOLUTION 2021-17

**RESOLUTION AUTHORIZING THE AWARD OF A LEASE TO I.W.S
TRANSFER SYSTEMS OF NJ FOR THE OPERATION OF THE NEW JERSEY
SPORTS AND EXPOSITION AUTHORITY TRANSFER
STATION/MATERIALS RECOVERY FACILITY**

WHEREAS, the New Jersey Sports and Exposition Authority ("NJSEA") desires to enter into a 10-year lease, with an optional five-year extension, for the operation of the NJSEA Transfer Station/Materials Recovery Facility located in North Arlington; and

WHEREAS, the NJSEA issued a Request for Bids on April 28, 2021; and

WHEREAS, the bid release included placing legal notices in the Record and Star Ledger as well as posting on the NJSEA webpage; and

WHEREAS, although seven firms requested the bid documents, only one bid proposal was received: and

WHEREAS, the sole bid received was from I.W.S. Transfer Systems of NJ, Inc. ("IWS"), for the operation of the site primarily as a state-of-the-art materials recovery facility; and

WHEREAS, IWS proposed a lease rate of \$550,000 per year (with annual increases indexed to inflation), which is the minimum bid mandated in the bid documents, and the installation of automated processing equipment to upgrade the site; and

WHEREAS, under the terms of the Lease, the Lessee must repair or replace the dry sprinkler system, facility roof, weigh scales and tipping floor and may request reimbursement of up to \$50,000 per year for each of the first two years of the Lease to offset a portion of the cost of the capital improvements to be made at the site; and

WHEREAS, under its proposal, upon the permitting of the facility by NJDEP, IWS will accept the Borough of North Arlington's residential solid waste at a nearby IWS transfer facility, without disposal fees, consistent with current practice; and

WHEREAS, in keeping with the State's recycling goals, the NJSEA supports the use of the facility as a Materials Recovery Facility.

NOW, THEREFORE, BE IT RESOLVED that the President/CEO is authorized to enter into a lease with I.W.S. Transfer Systems of NJ, Inc. to operate the NJSEA Transfer Station/Materials Recovery Facility for a period of 10 years with an optional five-year extension.

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 June 24, 2021.

A handwritten signature in black ink, appearing to read 'V. Prieto', written over a horizontal line.

Vincent Prieto
Secretary