



FINAL

Board Meeting

Thursday, March 23, 2023

10:00 a.m.



**AGENDA
REGULAR SESSION**

Two DeKorte Park Plaza, Lyndhurst, NJ
Thursday, March 23, 2023 - 10:00 a.m.

I. PLEDGE OF ALLEGIANCE

II. OPENING STATEMENT

III. ROLL CALL

IV. EXECUTIVE SESSION

Resolution 2023-11 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:

- New Jersey Meadowlands Commission v. SVD Family Associates, LP.
- Legal counsel regarding protest of intent to award a lease for the operation of the NJSEA Vegetative Waste Transfer Facility.

V. APPROVAL OF MINUTES AND CASH DISBURSEMENTS (Action)

- Approval of Regular Session Meeting Minutes of February 23, 2023.
- Approval of Executive Session Meeting Minutes of February 23, 2023.
- Approval and/or Ratification of Cash Disbursements over \$100,000 for the month of February 2023.

VI. PUBLIC PARTICIPATION ON RESOLUTIONS

VII. APPROVALS

Resolution 2023-12 Consideration of a Resolution Issuing a Decision on the Suitability Recommendation as Required by the NJSEA Interim Policies Governing Affordable Housing Development in the Meadowlands District File No. 23-030, BLPF NJ 10 Empire Boulevard LLC - New Building Block 39, Lot 6.02 in the Borough of Moonachie.

Resolution 2023-13 Consideration of a Resolution to Adopt an Amendment to the Secaucus Transit Village Redevelopment Plan (File No. SP-756)

Resolution 2023-14 Consideration of a Resolution Issuing a Decision on the Bulk Variance Application Submitted as Part of File No. 22-046 TTOO, LLC - Bio Compression Systems, Inc. – Addition (Variances) Block 60, Lots 6 and 7 in the Borough of Moonachie.

Resolution 2023-15 Consideration of a Resolution Authorizing the Execution of Personal Injury Confidential Settlement Agreement and Release.

VIII. **CONTRACTS/AWARDS**

Resolution 2023-16 Consideration of a Resolution Authorizing the President and CEO to Enter into a Contract for Outdoor Market Operators.

Resolution 2023-17 Consideration of a Resolution Authorizing the President and CEO To Enter Into a Contract with Netovo Group, LLC for On-Call and Project Based IT Services.

Resolution 2023-18 Consideration of a Resolution Regarding the Award of a Lease for the NJSEA Vegetative Waste Transfer Facility.

IX. **PUBLIC PARTICIPATION**

X. **MOTION TO ADJOURN**

EXECUTIVE SESSION

RESOLUTION 2023-11

**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:

- New Jersey Meadowlands Commission v. SVD Family Associates, LP
- Consideration of a Resolution Regarding the Award of a Lease for the NJSEA Vegetative Waste Transfer 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 March 23, 2023.

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

Vincent Prieto
Secretary

REGULAR SESSION MINUTES



REGULAR SESSION
BOARD MEETING
MINUTES

DATE: February 23, 2023

TIME: 10:00 a.m.

PLACE: Two DeKorte Park Plaza, Lyndhurst

Members in Attendance:

John Ballantyne, Chairman

Joseph Buckelew, Vice Chairman (via phone)

Vincent Prieto, President and CEO

Robert Dowd, Member

Armando Fontoura, Member

Michael H. Gluck, Esq., Member

Michael Griffin, NJ State Treasurer's Representative (via phone)

Woody Knopf, Member

Steven Plofker, Member (via phone)

Andrew Scala, Member

Anthony Scardino, Member

Louis J. Stellato, Member (via phone)

Robert Yudin, Member

Absent:

Michael Gonnelli, 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

John Duffy, Senior Vice President of Sports Complex Operations & Facilities

Sara Sundell, Director of Land Use Management and Chief Engineer

Anna Acanfora, Director of Finance

Francisco Artigas, Co-Director MRRI

Teresa Doss, Co-Director MRRI

Steven Cattuna, Chief of Staff

Lauren LaRusso, Governor's Authorities Unit

Robert Davidow, Governor's Authorities Unit

Brian Aberback, Public Information Officer

Colleen Mercado, Senior Operations Administrator

Chairman Ballantyne called the meeting to order.

- I. **PLEDGE OF ALLEGIANCE**
- II. **OPENING STATEMENT** – Chairman Ballantyne read the Notice of Meeting required under the Sunshine Law.
- III. **ROLL CALL**

IV. APPROVAL OF MINUTES AND CASH DISBURSEMENTS

Chairman Ballantyne presented the minutes from the January 26, 2023 Remote Regular Session Board meeting.

Upon motion made by Commissioner Scala and seconded by Commissioner Dowd the minutes of the Remote Regular Session Board Meeting held on January 26, 2023 were unanimously approved.

Chairman Ballantyne presented the minutes from the January 26, 2023 Remote Executive Session meeting.

Upon motion by Commissioner Gluck and seconded by Commissioner Fontoura the minutes of the Remote Executive Session meeting held on January 26, 2023 were unanimously approved.

Chairman Ballantyne presented the report of cash disbursements over \$100,000 for the month of January, 2023.

Upon motion by Commissioner Gluck and seconded by Commissioner Dowd the cash disbursements over \$100,000 for the month of January 2023 were unanimously approved.

V. COMMITTEE ON SCIENCE AND THE ENVIRONMENT

Chairman Ballantyne stated that earlier this month the Science and Environment Committee met with staff and the Committee was very pleased to learn about several environmental and scientific research activities that the Authority is undertaking through MRRI.

Committee Chairman Scardino provided the Board with an overview of the topics and presentations given by staff:

- Proposed public access projects:
 - Keegan Landfill/Kearny Marsh – some of the proposed enhancements include a paved walking/bike trail, observation decks, a wildlife preservation area, and other passive and active recreation areas.
 - Losen Slote Creek would include the construction of a wooden boardwalk that would improve access into the meadows and out to Losen Slote Creek.
- Fourth Fishery & Benthic Survey:
 - These surveys go back forty years – with a voluminous amount of information being acquired.
 - Fourth Survey will include eel monitoring and eDNA testing.
- HOPE Spot
 - NY-NJ Harbor Estuary recently selected as a Hope Spot.
 - Hope Spots are special places that are scientifically identified as critical to the health of the ocean.
 - NJSEA, working with the other agencies that compose the NY-NJ Harbor Estuary Program's Restoration Working Group, developed application to create the designation for the Harbor.
 - A formal announcement to made in April/May this year.
- ELM Project Schedule:
 - ELM is the consulting firm coordinating the remediation at Berry's Creek.
 - Remediation area contains hundreds of acres and inundated with mercury.
 - Remedial action planned for Berry's Creek is based on a remedial investigation that lasted over a decade; makes Berry's Creek one of the most studied tidal creeks in the world.

- Water Level Observations 2020-2022:
 - Observations indicate water levels have risen.
 - Berms and tidegates are at a level too low to withstand serious conditions that may occur in the future.
 - This is an area NJSEA needs to stay on top of and hopefully remedy.

He concluded by saying that he looked forward to staff providing presentations to the Board in the future. He reiterated that the Authority still has a lot of work as it relates to the environment and the continuing work on the economic development portion. He said that staff is absolutely on top of this and he appreciates their presence.

President Prieto thanked Commissioner Scardino for his report and said that he shows a great passion for this committee. He commented that he was the right person to be selected as the chairman. He said that he has been as a long-time resident of the Meadowlands and has seen an environmental renaissance of the area, which is due to NJSEA and the staff. He said he has seen the improvement of water quality and an increase in natural resources.

Chairman Ballantyne stated that he was also looking forward to future presentations by staff. He said that the staff is doing amazing work and that it was truly a labor of love.

V. **PUBLIC PARTICIPATION ON RESOLUTIONS** – None.

VI. **APPROVALS**

Resolution 2023-04 Consideration of a Resolution Readopting the Hackensack Meadowlands District Regulations Governing Administration at N.J.A.C. 19:3, District Zoning Regulations at N.J.A.C. 19:4, and Subdivision at N.J.A.C. 19:5 File No. SP-781.

Ms. Sundell stated that the NJSEA is proposing to readopt, without change, the rules at N.J.A.C. 19:3, 19:4 and 19:5, which will continue the existing rules in place to administer the provisions of the Hackensack Meadowlands District regulations regarding Administration, the District Zoning Regulations, and Subdivision regulations. She said that the rules are set to expire on May 4, 2023 and explained that in order to remain effective and enable NJSEA and opt-out municipalities to continue to administer the provisions of these rules in the District, the subject regulations must be readopted prior to their expiration. She explained that staff prepared a Notice of Readoption without change that was forwarded to the Hackensack Meadowlands Municipal Committee on January 9, 2023, for its statutory 30-day comment period and that the HMMC voted to reject the readoption of the rules without change at its meeting held on February 6, 2023. She said that a memo from the HMMC Executive Director explained that the basis of their rejection was to allow additional time for member municipalities to review and discuss the zoning regulations with their planners and governing body members. Ms. Sundell noted that, by statute at N.J.S.A. 5:10A-9(c), the NJSEA Board may take action on any matter that has been formally rejected by the HMMC by an affirmative vote of the majority of members of the NJSEA Board of Commissioners. She said that due to the mandatory timeline, staff recommends that the Board readopt without change the rules at N.J.A.C. 19:3, 19:4, and 19:5 prior to their expiration in order to enable the NJSEA and opt-out communities to continue to administer these rules within the District, and authorize the NJSEA staff to file a Notice of Readoption for publication in the New Jersey Register.

President Prieto reiterated the importance of this resolution and said that these regulations have been in place for two decades with no problems.

Chairman Ballantyne presented Resolution 2023-04. Upon motion by Vice Chairman Buckelew and seconded by Commissioner Yudin, Resolution 2023-04 was unanimously approved by a vote of 13-0.

Resolution 2023-05 Consideration of a Resolution Issuing a Decision on the Suitability Recommendation as Required by the NJSEA Interim Policies Governing Affordable Housing Development in the Meadowlands District - File No. 22-497, Hanover Holdings, LLC/2400 Penhorn Ave. New Building (Variances) Block 451, Lots 19.01 & 20.01 in the Township of North Bergen.

Ms. Sundell stated that the NJSEA received a zoning certificate application for the construction of a 199,000 square-foot, four-story self-storage building, proposed to be located at 2400 Penhorn Avenue in North Bergen, which is located in the District's Highway Commercial zone. She noted that the vacant site is also a service ramp between Route 3 and Route 495. She explained that access to Penhorn Avenue in the location of the subject property is only accessible from Route 3 via a cloverleaf exit that leads to a NJ Transit Park and Ride facility or from a Route 495 exit ramp. She said that the surrounding properties include a small parcel of uplands to the north zoned Highway Commercial that borders NJDOT property containing Route 3 and associated service roads, a large 80+ acre tract of wetlands in the Environmental Conservation zone to the south and west, and railroad tracks to the east. She described the site as: having no residential uses in the vicinity, being remote from other supportive uses that could, from a planning perspective, create a cohesive neighborhood, and that there is no pedestrian access to the rest of the community. She said that traffic and noise from the adjacent highways and railroad uses would be detrimental to any residential use located on the property. She stated that the Site Suitability Review Team evaluated the site and prepared a site suitability review indicating that the subject property is recommended to be deemed unsuitable for housing and that staff requests the Board concur with their recommendation.

Chairman Ballantyne presented Resolution 2023-05. Upon motion by Commissioner Scala and seconded by Commissioner Dowd, Resolution 2023-05 was unanimously approved by a vote of 13-0.

Resolution 2023-06 Consideration of a Resolution Authorizing the President and CEO to Execute a Safe Streets and Roads for All Grant Agreement with the United States Department of Transportation and to Appropriate Funds for the Development of the Meadowlands Action Plan for Safety - File No. SP-787.

Ms. Sundell stated that NJSEA was recently awarded \$877,600 for a Safe Streets and Roads for All (SS4A) Grant through the U.S. Department of Transportation (USDOT) to develop the Meadowlands Action Plan for Safety (MAP4S). She said that the MAP4S will provide the first comprehensive safety plan for the District, with its goal to promote safe streets for all users of District transportation systems. She explained that the Grant requires that the Authority provide twenty percent in matching funds, or \$219,400, towards the overall \$1,097,000 project. She noted that the NJSEA has the authority to appropriate Transportation Planning District (TPD) Fund expenditures for projects in accordance with the MDTP. She concluded by saying that NJSEA staff is requesting Board authorization to execute a grant agreement with the USDOT Federal Highway Administration and to appropriate funding from the TPD Fund to fulfill the USDOT's required twenty percent match.

Commissioner Scardino inquired about the timeline of the grant and asked whether the

conditions of the roads in the District would be a part of the review. Ms. Sundell replied that the project is required to be completed within two years. She said that she believes the conditions of the roads will factor into the study.

Commissioner Dowd congratulated the Authority on obtaining this grant. He noted that there has been a rise in pedestrian fatalities especially on Route 1 and 9 over the last year. He said that it has been a serious concern through Jersey City into North Bergen, which has caught the attention of some of the Senators and the Commissioner of NJDOT. He said that he is aware that NJSEA staff has been actively engaged in trying to minimize the impact with the Authority's traffic signal program.

Chairman Ballantyne presented Resolution 2023-06. Upon motion by Vice Chairman Buckelew and seconded by Commissioner Scardino, Resolution 2023-06 was unanimously approved by a vote of 13-0.

Resolution 2023-07 Consideration of a Resolution Accepting the 2021 Audit Report

Ms. Acanfora stated that the audit report prepared by the auditing firm of Mercadien issued the Authority an unmodified opinion (clean opinion) on its financial statements. She explained that consistent with prior years the valuation of the Arena and the disclosure related to the union sponsored pension plans continues to be a source for a qualified opinion. She noted that there were no findings associated with internal controls or with financial reporting, and no findings related to non-compliance with laws, regulations, contracts and agreements. She said that in accordance with Executive Order 122 an exit conference was held with Mercadien and the Audit Committee.

Chairman Ballantyne congratulated Anna and her staff. He said that the auditing firm was very complimentary of the entire staff and the work that they have done.

Chairman Ballantyne presented Resolution 2023-07. Upon motion by Vice Chairman Gluck and seconded by Commissioner Dowd Resolution 2023-07 was unanimously approved by a vote of 13-0.

VII. AWARDS/CONTRACTS

Resolution 2023-08 Consideration of a Resolution Authorizing the President and CEO to
Enter into A Contract with Eii, Inc. of New Jersey for a Generator
Replacement for the Meadowlands Pump Station in East Rutherford.

Mr. Duffy explained that a public bid for the generator replacement was advertised in December and that three firms attended the subsequent bid walk. He said that out of the two responses received in January, Eii of Cranford was the lowest qualified bidder and that staff is recommending that Eii be awarded the contract for \$1,571,050.

Commissioner Yudin asked Mr. Duffy if the generator was run by natural gas. Upon Mr. Duffy's response that it was diesel fuel not natural gas, Commissioner Yudin inquired as to what the back-up would be if the diesel failed and if the diesel fuel was supplied by a tanker. He also asked if there was a possibility of eventually switching to natural gas. Mr. Duffy responded that staff has the capability to roll the generator in and that the Authority has its own diesel distribution station. He stated that the Authority has been using diesel since 1975 and noted that the code calls for diesel.

Chairman Ballantyne presented Resolution 2023-08. Upon motion by Commissioner Dowd and seconded by Commissioner Gluck, Resolution 2023-08 was unanimously approved by a vote of 13-0.

VIII. PUBLIC PARTICIPATION

Mr. Donadic of Cliffside Park made the following comments:

- He addressed President Prieto and referred to his comments from a previous Board meeting where he had said that he felt bringing a basketball team to Newark or the Meadowlands would be good for the State. He asked if President Prieto had acted upon bringing the Philadelphia 76er's to the Prudential Arena. President Prieto responded that the NJSEA does not oversee the Prudential Arena.
- He commented that as long as the Authority calls itself the New Jersey Sports and Exposition Authority, he is going to talk about sports. President Prieto reminded Mr. Donadic that since he began at the Authority five years ago, the NJSEA has attracted a lot of major events at MetLife
- Mr. Donadic referred to the USFL and said he was under the impression that all the teams in that league would be playing in their home cities but apparently, that was not going to happen this year. He asked if President Prieto had reached out to the League. President Prieto responded that the League had not made that decision and they had not contacted MetLife Stadium.
- He commented that the Arena was underutilized, it was going to waste and that someone should come up with a better idea to utilize the Arena. He asked if NJSEA had made any outreach. President Prieto responded that there has been outreach by the Authority and there have been conversations on many levels.

Mr. Mark Jackson of Ridgewood stated that he represented an owner of industrial buildings in Moonachie and Hackensack that are impacted by the flood issue. He specifically noted that Losen Slote Creek impacts their Hackensack site and is rendering part of the property almost un-useable. He inquired about a proposal in the past for a Meadowlands flood protection project that he believed had been approved by the DEP. He asked if there had been any movement on initiating that project.

President Prieto asked Ms. Sundell to weigh in on this subject.

Ms. Sundell stated that she believed Mr. Jackson was referring to the NJDEP's Rebuild by Design Meadowlands project, which is in the permitting process before several agencies and is moving forward, but she did not have the specific timeline. She noted that a portion of Losen Slote is in the District, but Hackensack is not. She explained that the Authority does not have control over the project and that he would have to reach out to the NJDEP to obtain the timeline. She advised Mr. Jackson that she could provide him with a contact at the NJDEP for the project.

Commissioner Yudin wanted to thank the Board publicly for supporting the additional expenditure for acquiring a back-up camera for the fire truck that the Authority procured recently. He said that he has always be an advocate for back-up cameras on fire trucks.

IX. EXECUTIVE SESSION

Resolution 2023-09

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:

- Personnel Matters

Chairman Ballantyne presented Resolution 2023-09. Upon motion by Commissioner Scardino and seconded by Commissioner Dowd, Resolution 2023-09 to enter into Executive Session was approved unanimously by a vote of 13-0.

Executive Session commenced at 10:48 a.m.

Regular Session recommenced at 11:06 a.m.

Before adjourning, Chairman Ballantyne stated that there was one more piece of business to be taken care of which was a resolution that came out of Executive Session.

Resolution 2023-10 Consideration of a Resolution Appointing Paul Juliano as President and Chief Executive Officer

Chairman Ballantyne presented Resolution 2023-10 and read the resolution into the record. Upon motion by Commissioner Scardino and seconded by Commissioner Stellato roll call was taken:

President Prieto: Yes
Vice Chairman Buckelew: Yes
Commissioner Dowd: Yes
Commissioner Fontoura: Yes
Commissioner Gluck: Yes
Commissioner Griffin: Yes
Commissioner Knopf: Yes
Commissioner Plofker: Yes
Commissioner Scala: Yes
Commissioner Scardino: Yes
Commissioner Stellato: Yes
Commissioner Yudin: Yes
Chairman Ballantyne: Yes

Resolution 2023-10 was unanimously approved by a vote of 13-0.

President Prieto invited Mr. Paul Juliano to say a few words.


Mr. Juliano extended a special thank you to everyone for the opportunity to serve at the NJSEA and stated that he was very excited about this new career. He gave special thanks to President Prieto for a lifetime of friendship and for his good service. He said that he looked forward to working closing with staff on furthering the objectives of this great body.

ADJOURNMENT

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

Meeting adjourned at 11:00 a.m.

I certify that on information and belief this is a true and accurate transcript of the Minutes of the Regular Session of the New Jersey Sports and Exposition Authority Board Meeting held on February 23, 2023.



Christine A. Sanz
Assistant Secretary

February 23, 2023

Commissioner	Roll Call	2023-04	2023-05	2023-06	2023-07	2023-08	2023-09	2023-10
Ballantyne, Chairman	P	Y	Y	Y	P	Y	Y	Y
Buckelew, Vice Chairman	P	Y	Y	Y	P	Y	Y	Y
Prieto	P	Y	Y	Y	P	Y	Y	Y
Dowd	P	Y	Y	Y	P	Y	Y	Y
Fontoura	P	Y	Y	Y	P	Y	Y	Y
Gluck	P	Y	Y	Y	P	Y	Y	Y
Gonnelli	--	--	--	--	--	--	--	--
Knopf	P	Y	Y	Y	P	Y	Y	Y
Plofker	P	Y	Y	Y	P	Y	Y	Y
Scala	P	Y	Y	Y	P	Y	Y	Y
Scardino	P	Y	Y	Y	P	Y	Y	Y
Stellato	P	Y	Y	Y	P	Y	Y	Y
Yudin	P	Y	Y	Y	P	Y	Y	Y
Treasury Rep Griffin	P	Y	Y	Y	P	Y	Y	Y

P = Present A = Abstain -- Absent

R = Recuse Y = Affirmative N = Negative

APPROVALS



CASH DISBURSEMENTS
\$100,000 OR MORE
FEBRUARY 2023

EAST RUTHERFORD - SPORTS COMPLEX

<u>PAYEE</u>	<u>\$ AMOUNT</u>	<u>REFERENCE LETTER</u>	<u>ACCOUNT DESCRIPTION</u>
GIBBONS P.C.	137,975.25	A	LEGAL SERVICES - AUTHORITY TRANSACTIONS COUNSEL: JAN 2023
MARATHON ENERGY	528,152.47	J/L	ELECTRICITY CHARGES: JAN 2023
NEW MEADOWLANDS STADIUM CO., INC.	2,743,313.52	A	GRANDSTAND DEMOLITION REIMBURSEMENT: FEB 2023
NEW JERSEY STATE POLICE	1,720,176.79	A	SUPPLEMENTAL OVERTIME & MEDICARE CHARGES: FY 2023
PHILADELPHIA INSURANCE COMPANIES	338,031.34	A	PRO SPORTS UMBRELLA & PRO SPORTS PACKAGE GL INSURANCE POLICIES - 50% DOWN: JAN 2023 - JAN 2024
PUBLIC SERVICE ELECTRIC & GAS COMPANY	148,206.90	J/L	ELECTRIC TRANSMISSION: JAN 2023
RAMAPO COLLEGE FOUNDATION	275,000.00	A	OPERATIONS BUDGET: CY 2023
SCHINDLER ELEVATOR CORPORATION	144,249.36	A	REBUILDING OF ARENA ELEVATORS DUE TO IDA, MONTHLY MAINTENANCE FOR TRAIN STATION, ARENA, GRANDSTAND, AND RAIL STATION ELEVATOR REPAIRS
EAST RUTHERFORD - SC TOTAL	6,035,105.63		



CASH DISBURSEMENTS
\$100,000 OR MORE

REFERENCE LETTER	TYPE
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 2023-12

**RESOLUTION ISSUING A DECISION ON THE
SUITABILITY RECOMMENDATION AS REQUIRED BY THE
NJSEA INTERIM POLICIES GOVERNING AFFORDABLE HOUSING
DEVELOPMENT IN THE MEADOWLANDS DISTRICT
FILE No. 23-030, BLPF NJ 10 Empire Boulevard LLC - New Building
BLOCK 39, LOT 6.02
IN THE BOROUGH OF MOONACHIE**

WHEREAS, in a decision dated May 21, 2007 (A-4174-03T3; A-3107-04T1), the Appellate Division of the New Jersey Superior Court determined, among other things, that the New Jersey Meadowlands Commission (NJMC) should consider whether new development in the Meadowlands District should be avoided until the Commission implements new rules concerning affordable housing; and

WHEREAS, on July 25, 2007, the Commission adopted Resolution No. 07-68, which approved the "Policy Statement Regarding the NJMC's Expanded Responsibilities to Plan and Zone for Affordable Housing"; and

WHEREAS, on May 6, 2008, COAH adopted new rules, which became effective upon publication in the New Jersey Register on June 2, 2008 and, in addition, adopted new rules on September 22, 2008, which became effective on October 20, 2008; and

WHEREAS, on July 17, 2008, P.L. 2008, Chapter 46 became law, revising various parts of the statutory law concerning affordable housing; and

WHEREAS, on July 23, 2008, the Commission adopted Resolution No. 08-80, which approved the "*Interim Policies Governing Affordable Housing Development in the Meadowlands District*," in order to govern the review of and restraints upon applications for further development in the Meadowlands District in a manner consistent with these regulatory and statutory changes, prior to the implementation of new regulations regarding same; and

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

WHEREAS, the *Interim Policies*, last revised by Resolution No. 11-29 on July 27, 2011, govern all zoning certificate applications, petitions to amend the Official Zoning Map, new redevelopment plans, and proposed amendments to a redevelopment plan pertaining to new proposed uses or changes to existing uses, received on or after July 24, 2008, and remain in effect until the NJSEA

promulgates new regulations concerning affordable housing, or the *Interim Policies* are withdrawn or rescinded by Commission action or court order, whichever occurs first; and

WHEREAS, the *Interim Policies* set forth the criteria for a Review Team, comprised of three NJSEA staff members including one New Jersey-licensed professional engineer and one New Jersey-licensed professional planner, and also a professional planner representing the municipality in which the proposed development is located, to review each applicable application to determine the suitability of the subject site for residential use; and

WHEREAS, a zoning certificate application was submitted to the NJSEA on January 26, 2023, by Brian Gagne, of BLPF NJ 10 Empire Boulevard LLC, for the premises identified as 10 Empire Boulevard, Block 39, Lot 6.02, in the Borough of Moonachie, New Jersey, which is located in the District's Light Industrial A zone; and

WHEREAS, the subject application proposes the construction of a 107,632-square-foot warehouse building, and, as such, is not exempt from the *Interim Policies*; and

WHEREAS, the application was forwarded to the Review Team for review of the application in accordance with the *Interim Policies*; and

WHEREAS, the Review Team evaluated the suitability of the subject property taking into consideration the specific application submitted for construction of a 107,632-square-foot warehouse building; and

WHEREAS, a suitability review, dated March 8, 2023, and attached hereto, has been prepared, indicating the recommendation of the Review Team in this matter; and

WHEREAS, the suitability review recommends that the subject property is unsuitable for residential use; and

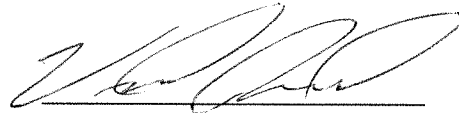
WHEREAS, the Board of Commissioners of the NJSEA has reviewed the suitability review and recommendation prepared by the Review Team, regarding the subject property; and

WHEREAS, the Board of Commissioners of the NJSEA concurs with the recommendation of the Review Team; and

WHEREAS, the Board of Commissioners of the NJSEA hereby determines that the subject property is unsuitable for residential use.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the New Jersey Sports and Exposition Authority that the property located at 10 Empire Boulevard, Block 39, Lot 6.02, in the Borough of Moonachie, New Jersey, is deemed to be unsuitable for residential use.

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 March 23, 2023.

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

Vincent Prieto
Secretary



MEMORANDUM

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

From: Sara J. Sundell **Date:** March 23, 2023

Subject: Site Suitability Recommendation for 10 Empire Boulevard, Block 39, Lot 6.02, in the Borough of Moonachie (File No. 23-030)

In a decision dated May 21, 2007 (A-4174-03T3; A-3107-04T1), the Appellate Division of the New Jersey Superior Court determined, among other things, that the New Jersey Meadowlands Commission (NJMC or Commission) should consider whether new development in the Meadowlands District should be avoided until the Commission implements new rules concerning affordable housing. The Commission followed up by adopting Resolution No. 07-68, on July 25, 2007, which approved the "Policy Statement Regarding the NJMC's Expanded Responsibilities to Plan and Zone for Affordable Housing." Thereafter, on July 23, 2008, the Commission adopted Resolution No. 08-80, which approved the "*Interim Policies Governing Affordable Housing Development in the Meadowlands District*," which was last revised by Resolution No. 11-29 on July 27, 2011, in order to govern the review of and restraints upon applications for further development in the Meadowlands District in a manner consistent with regulatory and statutory changes regarding affordable housing, prior to the implementation of new regulations regarding same.

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

The *Interim Policies* apply to all zoning certificate applications, petitions to amend the Official Zoning Map, new redevelopment plans, and proposed amendments to a redevelopment plan pertaining to new proposed uses or changes to existing uses, received on or after July 24, 2008, and will remain in effect until the NJSEA promulgates new regulations concerning affordable housing, or the *Interim Policies* are withdrawn or rescinded by Authority action or court order, whichever occurs first. The *Interim Policies* set forth the criteria for a Review Team, comprised of three NJSEA staff members, including one New Jersey-licensed professional

engineer and one New Jersey-licensed professional planner, and also a professional planner representing the municipality in which the proposed development is located, to review each applicable application to determine the suitability of the subject site for residential use.

The NJSEA received an application for the construction of a 107,632-square-foot warehouse building, on the premises identified as 10 Empire Boulevard, Block 39, Lot 6.02, in the Borough of Moonachie, New Jersey. The subject property is located within the District's Light Industrial A zone and is currently the site of an existing warehouse building.

The matter was forwarded to the Review Team for review of the proposed site in accordance with the *Interim Policies*. A suitability review, dated March 8, 2023, has been prepared, indicating that the Review Team recommends that the subject property is not suitable for residential use.

At this time, the NJSEA staff is recommending that the members of the NJSEA concur with the site suitability recommendation prepared by the Review Team, which determines that the subject property is not suitable for residential use.

Suitability Review – Summary

File No. 23-030

BLPF NJ 10 Empire Boulevard LLC - New Building

Block 39, Lot 6.02, in the Borough of Moonachie

March 8, 2023

The NJSEA received a zoning certificate application for the proposed construction of a 107,632-square-foot warehouse building, proposed to be located at 10 Empire Boulevard, Block 39, Lot 6.02, in the Borough of Moonachie, New Jersey. The subject property is located in the Commission's Light Industrial A zone and, as such, is not exempt from the site suitability review process. In keeping with the review process, the site characteristics of the property have been evaluated in accordance with the "Interim Policies Governing Affordable Housing Development in the Meadowlands District," adopted by the NJMC on July 24, 2008, and last revised on July 27, 2011.

In accordance with Section IV(c)1 of the Interim Policies, the criteria to deem a site suitable for housing are as follows:

- i. The site is adjacent to compatible land uses and has access to appropriate streets.**
 - The subject property is adjacent to land uses that are not compatible with a residential development.
 - The subject property is located within a portion of Moonachie that contains predominantly warehouse/distribution, commercial and industrial uses.
 - The subject property is located on Empire Boulevard. Empire Boulevard is accessed from Moonachie Avenue and Washington Avenue. These streets are both County roads and, as such, are main thoroughfares within the warehouse/distribution, commercial and industrial center of Moonachie, Carlstadt and South Hackensack.
 - Empire Boulevard leads into State Street, a dead end street that is also occupied by warehouse and industrial properties.
 - The nearest residential area is located approximately one-half mile north of the subject property; however, there are a significant number of warehouse and industrial properties between the subject property and the residences and there is no direct street connection between Empire Boulevard and the residential neighborhood in the vicinity.
 - This criterion is not met by the subject property.

- ii. **The site has access to water and sewer infrastructure with sufficient capacity.**
 - This criterion is met by the subject property.
- iii. **The site can be developed consistent with the rules of the NJSEA.**
 - This criterion can be met by the subject property.
- iv. **Former and existing land uses, either on the site or in the vicinity, may not expose residents to environmental hazard. Alternatively, the site shall be remediated to NJDEP residential standards as a condition of the Board's approval.**
 - The subject property is listed on the NJDEP's Known Contaminated Site List for New Jersey.
 - As such, this criterion is not met by the subject property.
- v. **The size, shape, or layout of any existing structure that shall remain, or other physical limitation(s) not listed previously, do not preclude residential use.**
 - The subject property is currently fully developed with an existing warehouse, including the building structure and necessary parking and loading facilities.
 - The existing warehouse structure on the subject property is proposed to be removed and replaced with a new warehouse.
 - The area of the subject property totals 6.65 acres, which could accommodate a residential development; however, there is likely not sufficient space to construct residential uses on the subject property in a manner that would provide a reasonable separation distance and appropriate buffering between the different uses. There is also insufficient area available to develop a critical mass of housing.
 - As such, this criterion is not met by the subject property.
- vi. **The site is suitable for residential use pursuant to sound planning principles.**
 - The site is surrounded by warehouse and industrial development. There are no adjacent residential or other supportive uses that could, from a planning perspective, create a cohesive neighborhood. The site is remote from public schools, local retail stores, and other public amenities. Pedestrian access to the rest of the community requires

traveling through both an active warehouse and industrial area, which is heavily utilized by trucks, and along two active County roads, Washington and Moonachie Avenues.

- At 6.65 acres, the site is not of sufficient size to construct residential units that could be effectively separated from the surrounding warehouse and industrial uses.
- The property is surrounded by warehouse and industrial uses with loading facilities that require significant truck movements. The existing industrial buildings are situated close together on smaller lots when compared with some of the other industrial zones in the District.
- The subject property shares a driveway with adjacent Lot 3.01. The loading area for Lot 3.01 is located adjacent to the shared driveway.
- Three of the four industrial buildings on properties that are directly adjacent the subject property have loading doors and tractor trailer parking that directly face the subject property. Loading areas for truck traffic generate noise day and night, during both on- and off-peak hours, which is detrimental to residential uses.
- As such, this criterion is not met by the subject property.

In summary, only two (2) of the above criteria, as per Section IV(c)1 of the Interim Policies, apply to the subject property.

Conclusion

The subject property, located at 10 Empire Boulevard, Block 39, Lot 6.02, in the Borough of Moonachie, is recommended to be deemed unsuitable for housing.

Contingent upon the approval of this recommendation by the NJSEA Board of Commissioners, the review of the submitted zoning certificate application for the proposed construction of a 107,632-square-foot warehouse building may proceed for this site. As a condition of zoning certificate approval, the applicant shall be required to satisfy the project's affordable housing requirements as per Section VII(a) of the Interim Policies or as required by law.

RESOLUTION 2023-13

**RESOLUTION TO ADOPT AN
AMENDMENT TO THE
SECAUCUS TRANSIT VILLAGE REDEVELOPMENT PLAN
(FILE NO. SP-756)**

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

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

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

WHEREAS, the New Jersey Meadowlands Commission originally adopted the Secaucus Transit Village Redevelopment Plan on April 16, 2004, and adopted subsequent amendments to the plan on May 24, 2006, April 23 2008, October 21, 2011, and July 20, 2017; and

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

WHEREAS, the NJSEA received a petition, dated September 28, 2017, from Cindy Nan Vogelmann, of the firm of Chasan Lamparello Mallon & Cappuzzo, on behalf of the Town of Secaucus, to consider amendments to the Secaucus Transit Village Redevelopment Plan, pursuant to N.J.A.C. 19:3-5.15; and

WHEREAS, the petition was prepared in accordance with the 2017 Order Approving Settlement Agreement between the Town of Secaucus and Fair Share Housing Center; and

WHEREAS, among the terms of the settlement were increases in the number of permitted dwelling units for certain parcels within the Redevelopment Area; and

WHEREAS, the NJSEA staff prepared the draft amendment to the Secaucus Transit Village Redevelopment Plan, dated February 2023; and

WHEREAS, a virtual public hearing was held via Zoom on February 28, 2023, to obtain public comment on the draft amendment to the redevelopment plan; and

WHEREAS, three written comments were received; and

WHEREAS, the NJSEA staff considered all comments received, which resulted in one slight modification to the draft redevelopment plan, and prepared the final amendment to the Secaucus Transit Village Redevelopment Plan, dated March 2023; and

WHEREAS, pursuant to N.J.S.A. 5-10A-9, a copy of the plan amendment was forwarded to the Hackensack Meadowlands Municipal Committee (HMMC) on March 2, 2023,, and was approved at their meeting of March 6, 2023; and

WHEREAS, at this time, the NJSEA staff recommends that the NJSEA Board of Commissioners adopt this amendment to the Secaucus Transit Village Redevelopment Plan, dated March 2023; and

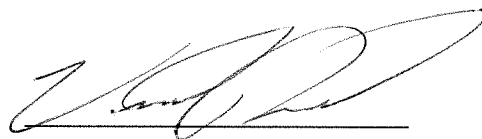
WHEREAS, the members of the NJSEA Board of Commissioners have reviewed the record in this matter and concur with the recommendations of the NJSEA staff.

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey Sports and Exposition Authority, that the amended Secaucus Transit Village Redevelopment Plan, dated March 2023, is hereby adopted.

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

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

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at their meeting of March 23, 2023.

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

Vincent Prieto
Secretary



MEMORANDUM

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

From: Sara J. Sundell

Date: March 23, 2023

Subject: Adoption of an Amendment to the Secaucus Transit Village
Redevelopment Plan (File No. SP-756)

The Secaucus Transit Village Redevelopment Plan was originally adopted by the NJMC on April 16, 2004, and amended on May 24, 2006, April 23, 2008, October 21, 2011, and July 20, 2017. The Secaucus Transit Village Redevelopment Area, located in the Town of Secaucus, within the Hackensack Meadowlands District, comprises approximately 231 acres and is defined as the following properties: Block 5, Lots 3.03, 3.041 and 3.042, 4, 4.01, 6, 7.01, 7.02, 8 and 9; Block 5.01, Lots 3.01 and 3.02; Block 5.03, Lots 3.051 and 3.052; Block 5.04, Lot 3.06; Block 5.05, Lots 3.07 and 3.08; Block 8, Lots 1 and 2; Block 9, Lots, 8.05, 8.06, 9, 10 and 11; Block 10, Lots 6.01, 8.01, 9.01, 10, 11, 12 and 13; Block 12, Lot 1; and Block 20.01, 0.16-acre portion of Lot 16.

A petition to amend the Secaucus Transit Village Redevelopment Plan was submitted by the Town of Secaucus on September 28, 2017. The petition was submitted pursuant to N.J.A.C. 19:3-5.15, regarding amendments to a redevelopment plan.

The proposed amendments are in accordance with the 2017 Order Approving Settlement Agreement between the Town of Secaucus and Fair Share Housing Center.

Among the terms of the settlement were increases in the number of permitted dwelling units for certain parcels within the Redevelopment Area. In order for the Town of Secaucus to implement the increases in the number of dwelling units associated with the settlement, the Town requested that an amendment to the Redevelopment Plan be undertaken by the NJSEA.

Upon receipt of the petition, the NJSEA conducted a suitability review as per the Interim Policies. In a suitability report, dated December 6, 2019, and approved by NJSEA Resolution 2019-45 on December 19, 2019, it was recommended that the properties in the Transition Zone be deemed suitable for residential use, subject to

the condition that the Redevelopment Plan amendments are approved to permit residential uses in the Transition Zone.

The Town of Secaucus submitted a revised petition on December 16, 2019, seeking a further increase in height in The Riverfront Landing Zone, from the previously requested maximum of 15 stories, to a maximum of 25 stories, including a maximum 4 levels of parking.

A virtual public hearing regarding the redevelopment plan amendment was held via Zoom on February 28, 2023 at 10:00 a.m. Written comments were received from Thomas J. O'Connor of Waters, McPherson, McNeill, on behalf of Prologis, the owner of 1000 New County Road, a property within the redevelopment area. Mr. O'Connor submitted additional comments in support of the plan amendment on behalf of Fraternity Meadows, the owner of the Xchange multi-family residential community located within the redevelopment area. A written comment in support of the plan amendment was also received from Cindy Nan Vogelmann of Chasan Lamparello Mallon & Cappuzzo, on behalf of the Town of Secaucus.

The public comment period closed at the conclusion of the public hearing. The matter was subsequently forwarded to the Hackensack Meadowlands Municipal Committee on March 2, 2023, and was approved at their March 6, 2023 meeting.

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

SECAUCUS TRANSIT VILLAGE REDEVELOPMENT PLAN

Town of Secaucus
Hudson County, New Jersey



As Adopted by NJMC Resolution No. 04-20 on April 16, 2004,
Amended by NJMC Resolution No. 06-41 on May 24, 2006,
Amended by NJMC Resolution No. 08-32 on April 23, 2008,
Amended by NJMC Resolution No. 11-48 on October 21, 2011, and
Amended by NJSEA Resolution No. 2017-22 on July 20, 2017, and
Amended by NJSEA Resolution No. XXXX-XX on Month Date, 2023.

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

SECAUCUS TRANSIT VILLAGE REDEVELOPMENT PLAN

BLOCK 5, LOTS 3.03, 3.041, 3.042, 4, 4.01, 6, 7.01, 7.02, 8 AND 9;
BLOCK 5.01, LOTS 3.01 AND 3.02;
BLOCK 5.03, LOTS 3.051 AND 3.052; BLOCK 5.04, LOT 3.06;
BLOCK 5.05, LOTS 3.07 AND 3.08,
BLOCK 8, LOTS 1 AND 2; BLOCK 9, LOTS, 8.05, 8.06, 9, 10 AND 11;
BLOCK 10, LOTS 6.01, 8.01, 9.01, 10, 11, 12, AND 13;
BLOCK 12, LOT 1; AND BLOCK 20.01, 0.16-ACRE PORTION OF LOT 16

March 2023



NEW JERSEY SPORTS & EXPOSITION AUTHORITY

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

Board Members

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

*As Adopted by NJMC Resolution No. 04-20 on April 16, 2004,
Amended by NJMC Resolution No. 06-41 on May 24, 2006,
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Amended by NJMC Resolution No. 11-48 on October 21, 2011, and
Amended by NJSEA Resolution No. 2017-22 on July 20, 2017, and
Amended by NJSEA Resolution No. XXXX-XX on Month Date, 2023.*

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

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

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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-24.¹ The redevelopment area criteria are set forth in N.J.A.C. 19:3-5. This subchapter of the District Zoning Regulations states the framework for the identification of areas in need of redevelopment and provides the procedure to carry out and effectuate the redevelopment of an area.

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

- 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 Secaucus Transit Village Redevelopment Area, Block 5, Lots 3.03, 3.041, 3.042, 4, 4.01, 6, 7.01, 7.02, 8 and 9 ; Block 5.01, Lots 3.01 and 3.02; Block 5.03, Lots 3.051 and 3.052; Block 5.04, Lot 3.06; Block 5.05, Lots 3.07 and 3.08; Block 8, Lots 1 and 2; Block 9, Lots, 8.05, 8.06, 9, 10 and 11; Block 10, Lots 6.01, 8.01, 9.01, 10, 11, 12, and 13; Block 12, Lot 1; and Block 20.01, 0.16-acre portion of Lot 16, in the Town of Secaucus.

The entire redevelopment area totals approximately 231 acres and is generally bounded by the Hackensack River to the west, New County Road (also known as Paul Amico Way) and the New Jersey Turnpike to the southeast, Jersey City Water Supply line to the north, and Meadowland Parkway to the northwest. The properties directly to the northeast of the area are located in the Light Industrial A zone. Several sites contain warehouse/office facilities. The Hudson County Schools of Technology High Tech High School and Hudson County Park at Laurel Hill are located to the southwest. The approximately 104-acre park is improved with lighted soccer, cricket, football and baseball fields, a playground, walking paths, and a boat launch facility. Wetlands exist in the western portion of the redevelopment area adjacent to the Hackensack River. 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 redevelopment plan, known as the Laurel Hill Redevelopment Plan, was prepared in 1999 for the project area. Due to the lack of revitalization associated with that plan, the NJMC staff

¹ Pursuant to Public Law 2015, Chapter 19, the New Jersey Meadowlands Commission (NJMC) became part of the New Jersey Sports and Exposition Authority (NJSEA), effective February 5, 2015.

revisited the redevelopment plan to determine if changes were warranted. Enhanced transportation access in the form of roadway improvements, grade separations, and the opening of the Secaucus Junction transfer station brought to the forefront the concept of creating a transit village in the subject area.











The subject redevelopment plan, now known as the Secaucus Transit Village Redevelopment Plan, replaced the Laurel Hill Redevelopment Plan. The subject plan is applicable for the following properties: Block 5, Lots 3.03, 3.041, 3.042, 4, 4.01, 6, 7.01, 7.02, 8 and 9; Block 5.01, Lots 3.01 and 3.02; Block 5.03, Lots 3.051 and 3.052; Block 5.04, Lot 3.06; Block 5.05, Lots 3.07 and 3.08; Block 8, Lots 1 and 2; Block 9, Lots, 8.05, 8.06, 9, 10 and 11; Block 10, Lots 6.01, 8.01, 9.01, 10, 11, 12, and 13; Block 12, Lot 1; and Block 20.01, 0.16-acre portion of Lot 16, in the Town of Secaucus. The entire redevelopment area totals approximately 231 acres.

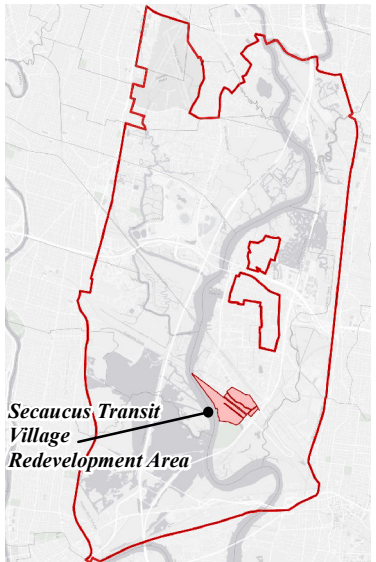
Upon analysis, it was determined that not all of the original lots in the Laurel Hill redevelopment area should be included in the Secaucus Transit Village Redevelopment Area.

The following blocks and lots listed in the Laurel Hill Redevelopment Plan, dated December 23, 1998, and adopted on May 26, 1999 with modifications, have been removed from the redevelopment area: Block 9, Lots 4, 5, 6.03 (formerly Lots 6.01 and 6.02), 7, 8.07; and Block 10, Lots 1, 2, 3, 4.01. The zoning for these parcels shall be as depicted on the Hackensack Meadowlands District Official Zoning Map, dated February 17, 2004.

The Secaucus Transit Village Redevelopment Area is 54 acres less in area than the Laurel Hill Redevelopment Area. The subject redevelopment area is generally bounded by the Hackensack River to the west, New County Road (also known as Paul Amico Way) and the New Jersey Turnpike to the southeast, Jersey City Water Supply line to the north, and Meadowland Parkway to the northwest. The properties directly to the northeast of the area are located in the Light Industrial A zone. Several sites contain warehouse/office facilities. The Hudson County Schools of Technology High Tech High School and Hudson County Park at Laurel Hill are located to the southwest. The approximately 104-acre park is improved with lighted soccer, cricket, football and baseball fields, a playground, walking paths, and a boat launch facility. Wetlands exist in the western portion of the redevelopment area adjacent to the Hackensack River.

Secaucus Transit Village Redevelopment Area

-  Municipal Boundary
-  Redevelopment Area
-  Block Line
-  Lot Line
-  Lot Number
-  Passive Recreation Zone
-  Riverfront Landing Zone
-  Station Square Zone
-  Transition Zone
-  Water Body



0 500 1,000
Ft 1 inch = 1,000 feet

Units: US Survey Feet
Datum: North American Datum 1983
Coordinate System: NJ State Plane
Data Source(s): NJSEA GIS
Map Date: January 2022
Map Imagery: 2020

Disclaimer:
 This map was created using the NJ Sports and Exposition Authority's Geographic Information System digital data. The information provided on this map are provided "as is" with no warranty of any kind. This is neither an official state map nor state authorized; it is for information and representation purposes only.

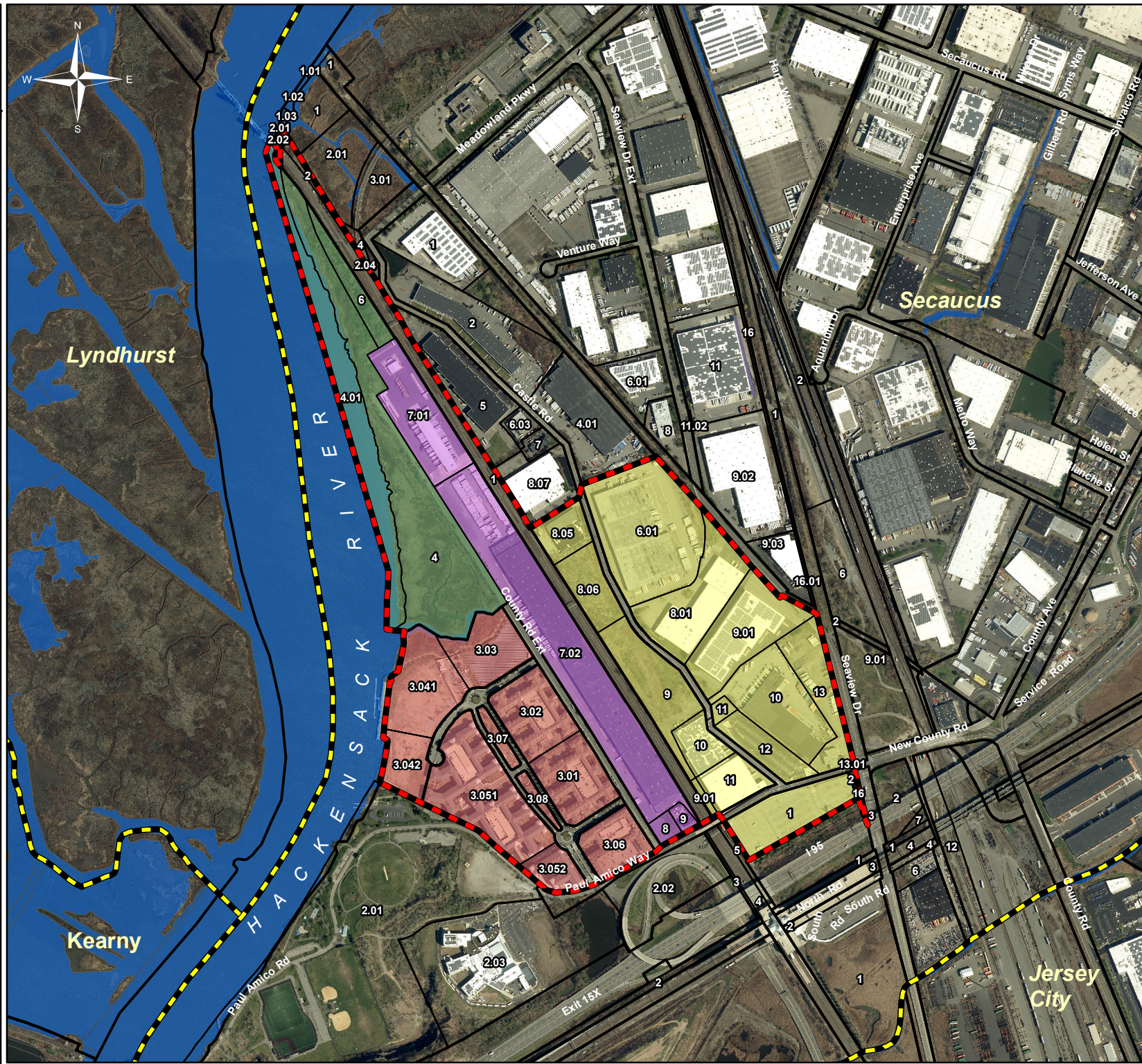


Figure 2: Properties within the Secaucus Transit Village Redevelopment Area

Block	Lot	Zoning	Land Use	Property Address	Acres (Map)	Acres (Tax)	Owner
5	3.03	Redevelopment Area	Communication Utility	1000 BRIANNA LANE	5.546	5.553	Fraternity Meadows, LLC
5	3.041	Redevelopment Area	Residential	2000/5000 BRIANNA LANE	10.208	10.208	Fraternity Meadows, LLC
5	3.042	Redevelopment Area	Residential	2000/5000 BRIANNA LANE	4.875	4.875	Fraternity Meadows, LLC
5	4	Redevelopment Area	Wetlands	W OF NEW COUNTY RD EXT	23.675	37.379	NJSEA
5	4.01	Redevelopment Area	Water	SOUTH OF COUNTY RD EXT	11.477	0.000	NJSEA
5	6	Redevelopment Area	Open Lands	WEST OF MEADOW LAND PARKWAY	2.883	3.430	NJSEA
5	7.01	Redevelopment Area	Transportation	1500 COUNTY RD EXT	8.282	8.200	Lakeshore Secaucus, LLC
5	7.02	Redevelopment Area	Industrial	1000 NEW COUNTY RD	23.945	24.597	Thomson
5	8	Redevelopment Area	Industrial	1000 NEW COUNTY RD	0.874	0.866	Thomson
5	9	Redevelopment Area	Industrial	800 NEW COUNTY RD	0.634	0.670	800 New County Rd LLC
5.01	3.01	Redevelopment Area	Residential	3000/5000 RIVER STATION BLVD	6.270	6.300	Fraternity Meadows, LLC
5.01	3.02	Redevelopment Area	Residential	7000/9000 RIVER STATION BLVD	6.349	6.335	Fraternity Meadows, LLC
5.03	3.051	Redevelopment Area	Residential	8000 RIVER STATION BLVD	12.243	12.400	Fraternity Meadows, LLC
5.03	3.052	Redevelopment Area	Residential	200 RIVER STATION BLVD	2.593	2.500	Fraternity Meadows LLC
5.04	3.06	Redevelopment Area	Residential	1000 RIVER STATION BLVD	4.286	4.000	Fraternity Meadows, LLC
5.05	3.07	Redevelopment Area	Recreational Land	RIVER STATION BLVD	1.043	1.038	Town of Secaucus
5.05	3.08	Redevelopment Area	Recreational Land	RIVERSIDE STATION BLVD	0.801	0.807	Town of Secaucus
9	8.05	Redevelopment Area	Industrial	300 CASTLE RD	2.974	0.000	Sarfati, LLC

9	8.06	Redevelopment Area	Open Lands	250 CASTLE RD	3.966	3.990	Command Enterprises III LLC
9	9	Redevelopment Area	Open Lands	200 CASTLE RD	7.296	7.704	Command Enterprises II
9	10	Redevelopment Area	Industrial	100 CASTLE RD	2.695	3.600	Macnaughton Lith.
9	11	Redevelopment Area	Industrial	1 CASTLE RD	3.255	4.200	AMB Property Corporation
10	6.01	Redevelopment Area	Industrial	125 CASTLE RD	16.020	16.302	125 Castle Road LLC & Hartz
10	8.01	Redevelopment Area	Industrial	111-115 CASTLE RD	9.005	9.249	Hartz Mountain Industries
10	9.01	Redevelopment Area	Industrial	200 SEAVIEW DR	9.114	8.908	Hartz Mountain Industries
10	10	Redevelopment Area	Industrial	630 NEW COUNTY RD	8.908	8.544	EPC 630 & R Donzig
10	11	Redevelopment Area	Industrial	CASTLE RD	0.559	0.000	PRB Associates Of New Jersey
10	12	Redevelopment Area	Industrial	650 NEW COUNTY RD	3.567	3.520	NCR Castle Rd LLC & D Feinstein
10	13	Redevelopment Area	Industrial	614 NEW COUNTY RD	5.870	5.459	SP New County Road LLC
10	13.01	Redevelopment Area	Transportation	NEW COUNTY RD	0.017	0.103	NJ Turnpike Authority
12	1	Redevelopment Area	Industrial	675 NEW COUNTY RD	6.779	6.880	New County Road Properties LLC
20.01	16	Redevelopment Area	Transportation	NEW COUNTY RD AREA	0.238	0.292	New County Road Properties LLC

2. Context

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

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

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

A convention center was actively pursued on a 60-acre tract in the redevelopment area. However, interest in the convention center project waned following the events related to September 11, 2001. Office and commercial markets in the District also experienced a downturn at this time, while the demand for residential uses increased due to low interest rates. Coinciding with the demand for housing, NJ Transit's Secaucus Junction Transfer Station (also known as the Frank R. Lautenberg Rail Station), which links ten NJ Transit commuter rail lines, was nearing completion. Due to these market changes, Commission staff decided to reconsider the land uses permitted within the redevelopment area.

Additionally, in 2003, the NJMC, NJ Transit, and the Town of Secaucus jointly developed a "Secaucus Junction Area Vision Plan" with Ehrenkrantz Eckstut & Kuhn and Clarke Caton Hintz. This redevelopment plan (Plan) remains consistent with the spirit of the Vision Plan, even as the Plan and specific area have since evolved to correspond with changes and events occurring locally and nationally.

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 encourage the development of transit-oriented land uses.
- c. To support the ongoing redevelopment of the area's industrial character, 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.
- d. To promote safe and efficient circulation for vehicles, bicycles and pedestrians within, and in the vicinity of, the redevelopment area.
- e. To support development with special consideration given to traffic and its potential impacts to the capacity of the local and regional street network.

4. Land Uses

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

- a. The Secaucus Junction Area Vision Plan provided the initial concept for the redevelopment plan, even as the Plan has evolved to meet current trends and changes.
- b. Smart growth principles shall be incorporated into the project design. Consistent with the goals of the State of New Jersey, design standards shall incorporate a sense of place, mixed land uses, cluster development, pedestrian scale, traffic-calming devices, multi-modal transportation access, and usable public spaces.
- c. 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.
- d. A redeveloper shall be required to submit a Project Impact Assessment (PIA) in accordance with N.J.A.C. 19:4-10.1.
- e. 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.
- f. For any proposal that requires an improvement to mitigate an impact identified in the PIA in accordance with N.J.A.C. 19:4-7.10 et seq., the developer shall enter into an agreement with the NJSEA within 60 days of issuance of a zoning certificate for the project.
- g. Appropriate buffers shall be provided adjacent to wetlands and/or environmentally sensitive areas.
- h. It is the sole responsibility of the developer to perform due diligence in order to determine if there is any contamination remaining from a former use of any site or from any other activity that may have occurred on a site. The developer shall perform any environmental clean-up deemed necessary, in accordance with New Jersey Department of Environmental Protection (NJDEP) requirements.

5. Affordable Housing

In a decision dated May 21, 2007 (A-4174-03T3; A-3107-04T1), the Appellate Division of the New Jersey Superior Court determined, among other things, that the New Jersey Meadowlands Commission (NJMC) should consider whether new development in the Meadowlands District should be avoided until the Commission implements new rules concerning affordable housing. The Commission followed up by adopting Resolution No. 07-68, on July 25, 2007, which approved the “Policy Statement Regarding the NJMC’s Expanded Responsibilities to Plan and Zone for Affordable Housing.” Thereafter, on July 23, 2008, the Commission adopted Resolution No. 08-80, which approved the “Interim Policies Governing Affordable Housing Development in the Meadowlands District,” which was last revised by Resolution No. 11-29 on July 27, 2011, in order to govern the review of and restraints upon applications for further development in the Meadowlands District in a manner consistent with regulatory and statutory changes regarding affordable housing, prior to the implementation of new regulations regarding same.

The Interim Policies apply to all zoning certificate applications, petitions to amend the Official Zoning Map, new redevelopment plans, and proposed amendments to a redevelopment plan pertaining to new proposed uses or changes to existing uses, received on or after July 24, 2008, and will remain in effect until the NJSEA promulgates new regulations concerning affordable housing, or the Interim Policies are withdrawn or rescinded by Authority action or court order, whichever occurs first. The Interim Policies set forth the criteria for a Review Team, comprised of three NJSEA staff members, including one New Jersey-licensed professional engineer and one New Jersey-licensed professional planner, and also a professional planner representing the municipality in which the proposed development is located, to review each applicable application to determine the suitability of the subject site for residential use.

In July 2015, the Town of Secaucus filed a Declaratory Judgment action in accordance with the direction of the New Jersey Supreme Court seeking judicial determination that it had fulfilled its Mount Laurel obligations for affordable housing in compliance with the Mount Laurel Doctrine and the Fair Housing Act of 1985. Fair Share Housing Center (FSHC) filed as an intervener in this action. A settlement agreement was reached on June 8, 2017 between the Town of Secaucus and FSHC.

Among the terms of the settlement were increases in the number of permitted dwelling units for certain parcels within the Redevelopment Area. In order for the Town of Secaucus to implement the increases in the number of dwelling units associated with the settlement, the Town requested that an amendment to the Redevelopment Plan be undertaken by the NJSEA. The petition to amend the redevelopment plan submitted by the Town on *September 28, 2017* thus included the following proposed revisions and changes:

1. In the Transition Zone, add “Dwelling, Multi-Family” as a permitted use under Section V(B)2a of the Plan.
2. In the Riverfront Landing Zone, add Block 5.03, Lots 3.051 and 3.052, in Section V(B)3.
3. Under Design Criteria, Section V(C)2d, increase the maximum number of market rate dwelling units from 1,805 to 2,205 in the Riverfront Landing Zone.
4. Under Design Criteria, Section IV(C)2f, include a provision to permit a maximum of 280 market rate dwelling units in the Transition Zone.
5. Amend Design Criteria, Section V(C)2h to provide that all affordable housing units required by applicable New Jersey regulations, or court-approved fair share plan, shall be provided on-site, unless otherwise provided at an off-site location by agreement with the

municipality, in which instance the number of affordable housing units required on-site may be reduced accordingly.

6. Under Design Criteria, Section V(C)5c.i, increase the number of permitted stories from a maximum of 12 stories to a maximum of 15 stories in the Riverfront Landing Zone.

Upon receipt of the petition, the NJSEA conducted a suitability review as per the Interim Policies. In a suitability report, dated December 6, 2019, and approved by NJSEA Resolution 2019-45 on December 19, 2019, it was recommended that the properties in the Transition Zone be deemed suitable for residential use, subject to the condition that the Redevelopment Plan amendments are approved to permit residential uses in the Transition Zone.

The Town of Secaucus submitted a revised petition on December 16, 2019, seeking a further increase in height in The Riverfront Landing Zone, from the previously requested maximum of 15 stories, to a maximum of 25 stories, including a maximum 4 levels of parking.

6. Transportation Infrastructure

The original transit village concept envisioned a mix of land uses oriented physically and/or visually to a transit facility. As a focal point of the transit village, Secaucus Junction is intended to encourage transit ridership-while decreasing dependence on automobile usage. The Secaucus Transit Center Planning Area is located in the vicinity of the Frank R. Lautenberg Station at Secaucus Junction and New Jersey Turnpike Interchange 15X. Secaucus Junction connects every major rail commuter line in northeast New Jersey and allows transfers to reach various destinations in the region. Operated by NJ Transit, Secaucus Junction provides direct, interrelated train operations among NJ Transit's Bergen and Main Line, Amtrak, and the Northeast Corridor Line. The Bergen Line carries trains from the Pascack Valley Line and Meadowlands Rail Link. The Northeast Corridor carries trains from the Raritan Valley Line, the Montclair Branch, the Boonton Line, and the Jersey Shore Line via Newark Penn Station. Various bus lines and shuttles also service the transit station.

A number of infrastructure improvements to enhance vehicular and bus access to the general area have been completed. New County Road (also known as Paul Amico Way), as well as a major portion of Castle Road, have been reconstructed. Additionally, grade separations over the Main Line and Croxton Yards have been completed. The New County Road-County Avenue-County Road interchange and the Seaview Drive extension were completed. A new signalized intersection at Seaview Drive and New County Road has been provided at the perimeter of the Secaucus Transit Village Redevelopment Area.

The Secaucus Junction Area Vision Plan had contemplated several new access points to, and improved circulation within, the Transit Village area, including a connection from Seaview Drive beyond Castle Road and over the NJ Transit Main Line to the New County Road Extension, a boulevard over and along the Jersey City Water Supply line, and a traffic circle at the intersection of Meadowland Parkway and Castle Road. Traffic circulation for different user groups was proposed to be controlled by varying street widths throughout the project. A reduction in on-site parking requirements was proposed through the use of shared parking areas in mixed-use developments with access to various mass transit modes throughout the transit village. Subsequent development patterns did not result in this vision being realized.

The NJSEA conducted a Traffic Impact Study (TIS) for the Secaucus Transit Village Redevelopment Area in 2020, to address the combined traffic impacts from the proposed

additional residential units, the proposed development permitted under the existing redevelopment plan, and existing development within the redevelopment area and surrounding neighborhood. As part of the TIS, a number of mitigation actions, consistent with the redevelopment plan, were recommended to support multimodal accommodation and safety along the redevelopment area roadways. Contemplated transportation improvements for transit included bus stop amenities and standards, as well as an expansion of transit services. Recommended pedestrian and bicycle actions included standards for bicycle facilities and improvements to increase bicycle visibility and safety. Several proposed actions addressed future mobility, such as the introduction of e-commerce delivery zones. Alternative capital improvements were also presented, including new traffic signals and additional turning lanes.

7. Public Utilities

Within the redevelopment area, Suez Water New Jersey provides potable water and PSE&G provides both gas and electricity. The Secaucus Municipal Utility Authority provides wastewater treatment.

8. Recreational Facilities

Adjacent to the redevelopment area is the 104-acre Hudson County Park at Laurel Hill. The park includes lighted soccer, football, cricket, and baseball fields, a playground, walking paths, and a boat launch facility. Linkages from the park to the adjacent development shall be incorporated into development projects within this redevelopment area. Community space in the form of village greens, pocket parks, and other passive recreational areas is encouraged throughout the redevelopment area.

9. 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 redevelopment area is designated as the Secaucus Transit Center Planning Area.

The 2020 District Master Plan calls for a mixed-use, transit-oriented development, incorporating “smart growth” policies in and around the transfer station. 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.

During the preparation of the 2020 District Master Plan, input was sought from constituent municipalities and stakeholders to coordinate a balance between economic vitality and environmental preservation.

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.*

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.

10. 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; and

- 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 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

SELECTION OF RECOMMENDED LAND USES

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

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

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

The land use standards in the plan are designed to:

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

V. LAND USE AND BULK STANDARDS

A. DEFINITIONS

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

“Neighborhood Retail” means commercial establishments developed in a village setting for the purpose of retail sales and personal services designed to meet the needs of the immediate trade area. No single tenant shall occupy more than 25,000 square feet of space in any one building, except for grocery stores, which shall not occupy more than 40,000 square feet of space in any one building.

“Active Adult Residential Unit” means a deed-restricted residential unit occupied by at least one person who is 55 years of age or older and having no permanent resident under the age of 18.

“Interim Use” means a use that is temporary in nature and subject to an agreement between the redeveloper and the NJSEA, which agreement shall set forth the term of the Interim Use and contain any other necessary provisions including but not limited to penalties for violations. The agreement shall be executed prior to submittal of an application for zoning certificate for such Interim Use.

B. LAND USES

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

1. Station Square Zone

Block 9, Lots 8.05, 8.06, 9, 10, and 11; Block 10, Lots 6.01, 8.01, 9.01, 10, 11, 12, and 13; Block 12, Lot 1; and Block 20.01, 0.16 acre portion of Lot 16.

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

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

a. Permitted Uses

- i. Banks;
- ii. Business support services;
- iii. Commercial recreation, indoor;
- iv. Cultural facilities;
- v. Day care facilities;
- vi. Dwelling, multi-family, above the first floor level of a building;
- vii. Essential public services;

- viii. Health centers;
- ix. Hotel;
- x. Offices;
- xi. Parks or recreation facilities;
- xii. Personal services;
- xiii. Restaurants;
- xiv. Retail; and
- xv. Social services.

b. Use Limitations Applicable to Permitted Uses

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

c. Interim Uses

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

d. Use Limitations Applicable to Interim Uses

- i. The maximum number of parking spaces permitted for commercial off-street parking facilities shall be 2,200 within the Station Square zone.
- ii. Commercial off-street parking facilities are intended to be utilized as park-and-ride facilities for the parking of privately-owned passenger vehicles for a fee. Parking, storage, and/or staging of trucks, trailers, and delivery vehicles, or, at the discretion of the NJSEA Chief Engineer, other vehicles determined to be engaged in commercial enterprise, shall be prohibited within commercial off-street parking facilities. Such facilities shall not be utilized for automobile sales or storage accessory thereto.
- iii. Any application for interim use shall be submitted within two years of adoption of the amendment to this redevelopment plan, dated July 20, 2017.

2. Transition Zone

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

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

a. Permitted Uses

- i. Banks;
- ii. Business support services;
- iii. Commercial recreation, indoor;
- iv. Cultural facilities;
- v. Day care facilities;
- vi. Dwelling, multi-family, above the first floor level of a building;
- vii. Health centers;
- viii. Hotel;
- ix. Neighborhood Retail;
- x. Offices;
- xi. Parks or recreation facilities;
- xii. Personal services;
- xiii. Restaurants; and
- xiv. Social services.

b. Use Limitations

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

3. Riverfront Landing Zone

Block 5, Lots 3.03, 3.041 and 3.042; Block 5.01, Lots 3.01 and 3.02; Block 5.03, Lots 3.051 and 3.052; Block 5.04, Lot 3.06; and Block 5.05, Lots 3.07 and 3.08.

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

a. Permitted Uses

- i. Cultural facilities;
- ii. Day care facilities;
- iii. Dwelling, multi-family;
- iv. Marinas;
- v. Neighborhood Retail;
- vi. Parks or recreation facilities; and
- vii. Social services.

b. Use Limitations

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

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

- iii. Parking decks located under residential or commercial structures shall not exceed 4 levels at or above grade in height.

4. Passive Recreation Zone
Block 5, Lot4, 4.01 and 6.

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

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

C. DESIGN CRITERIA

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

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

1. Site Layout

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

2. Lot Size and Density Requirements

- a. Minimum lot size: three acres.
- b. Minimum lot width: 200 feet.
- c. Floor Area Ratio (FAR) not to exceed 0.75 for all commercial uses, except hotels, which shall have a FAR not to exceed 1.00.
- d. A maximum of 2,205 market rate dwelling units shall be permitted in the Riverfront Landing zone.
- e. A maximum of 150 market rate dwelling units shall be permitted in the Station Square zone.
- f. A maximum of 280 market rate dwelling units shall be permitted in the Transition Zone.
- g. The proportionate share of affordable housing units required by applicable State of New Jersey regulations shall be provided on a pro rata basis during the construction of the development. These affordable units shall be in addition to the aforementioned maximum number of market rate dwelling units.
- h. All affordable housing units required by the applicable State of New Jersey regulations, or court-approved fair share plan, shall be provided on site, unless otherwise provided at an off-site location by agreement with the Town of Secaucus, in which instance, the number of affordable housing units required on site may be reduced accordingly.

3. Bulk Regulations

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

- b. The following shall apply to all Interim Uses:
 - i. Minimum open space: Open space shall be provided and shall consist of, at a minimum, the provision of shade trees, concrete sidewalks and landscaped islands.
 - ii. A minimum of ten shade trees per acre shall be provided.
 - iii. Each shade tree in commercial parking facilities shall have a minimum caliper of 2 ½ - 3 inches and a minimum height of 12 feet.
 - iv. Concrete sidewalks shall have a minimum width of 4 feet.
 - v. A safe and accessible pedestrian route to Secaucus Junction shall be provided, including appropriate connections across public rights-of-way.
 - vi. The maximum height of vehicle lifts, car stackers and/or similar structures shall be 20 feet.
 - vii. Vehicle lifts, car stackers and/or similar structures for parking vehicles shall be set back a minimum of 10 feet from any property line.

4. 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.
- e. Rideshare and shuttle/car service drop-off locations are required to be incorporated into the site circulation plan.
- f. Dedicated delivery zones for e-commerce vehicles with appropriate signage are required.

5. Height Limitations

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

- a. Station Square Zone: Except for hotels, a maximum building height of 4 stories shall be permitted for all non-residential and mixed-use structures.
- b. Transition Zone: Except for hotels, a maximum building height of four stories, which may be located over a maximum of two levels of parking, shall be permitted.
- c. Riverfront Landing Zone
 - i. The maximum overall height of any structure located in the Riverfront Landing zone shall be 21 stories over a maximum of four levels of parking.
 - ii. A maximum of 30 percent of the total market-rate dwelling units may be permitted in structures containing 9 to 21 stories.
 - iii. A maximum of 45 percent of the total market-rate dwelling units may be permitted in structures containing 5 to 8 stories, over a maximum 4 levels of parking.
 - iii. A minimum of 25 percent of the total market-rate dwelling units shall be provided in structures containing 4 stories, over a maximum of 4 levels parking.

- iv. Non-residential structures shall not exceed 3 stories in height. Such limitation shall not apply to residential parking structures.
 - v. Where residential units are proposed above commercial uses, the commercial portion of the structure shall not exceed 3 stories, and the total number of the combined residential and commercial stories of the structure shall comply with the residential limitations set forth above.
- d. **Passive Recreation Zone:** A maximum building height of one story shall be permitted for all structures.

6. Architectural Design Standards

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

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

7. Building Façades

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

- a. The selection of materials and textures for buildings shall be compatible with and complement other buildings.
- b. Use of synthetic sidings such as vinyl, aluminum and synthetic stucco (EIF products) are discouraged. Composite materials, such as Hardie-plank, may be used in place of wood clapboard, where appropriate.
- c. The selection and use of colors for new buildings shall be coordinated and compatible with adjacent buildings.
- d. Colors shall be compatible with the materials used within the building construction, such as stone, brick or masonry.
- e. Color and material combinations and contrast are encouraged for decorative purposes in special locations, such as rooftops, building entrances and other articulations. An unusual amount of contrasting color is discouraged.

- f. Human-scale development shall be achieved at grade level and along street frontages through the use of such elements as windows, doors, columns, awnings and canopies.
- g. Side and rear elevations shall receive architectural treatments comparable to the front façade when public access or public parking is provided to the buildings.
- h. Rhythms that carry through a development complex such as façade patterns, window spacing, entrances, canopies or awnings, shall be incorporated into façades, when appropriate.

8. Sustainable Design

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

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

9. Landscape and Open Space

- a. The following shall only apply to Permitted Uses:

- i. General Landscape Features:

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

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

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

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

Open space shall include public plazas and seating areas. All hardscape areas such as plazas and walkways shall be designed to promote the use and enjoyment of outdoor

spaces by area users. Such spaces shall be visually integrated with the architecture of surrounding buildings.

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

ii. Primary Open Space Areas

Each of the primary open space areas within the redevelopment area warrants a description in order upon which to base the ultimate design. These areas are described below:

- a) *Station Square Park*: The Station Square zone shall include a public park amenity. It shall be a passive open space framed on a minimum of two sides with active, first floor uses. It may contain furnishings to support transit use, particularly if it relates closely to the pedestrian connection to Secaucus Junction. Other encouraged amenities include lighting, seating, trash receptacles, information kiosks, bicycle storage and drinking fountains.
- b) *Secaucus Greenway*: The redevelopment area shall offer connections to and improve sections of the Secaucus Greenway as shown on the most recent District Green Map. The Secaucus Greenway is part of a collaborative venture involving the NJSEA, local municipalities, private utility companies, and private property owners to create a 15-mile walkway east of the Hackensack River. As of 2021, 1.6 miles of the greenway had been completed, from Millridge Drive to the Extended Stay America on Meadowland Parkway.

Upon completion, the greenway will run along the western edge of the redevelopment area, along the Hackensack River, forming a green connection between the redevelopment area, the Town of Secaucus, and Laurel Hill Park. The greenway is based on the principle of providing public access to the Hackensack River via parks, marinas, and canoe launching areas and developing passive recreational opportunities for neighboring residential and office populations. Design elements encouraged for the Secaucus Greenway include pedestrian and bicycle paths, canoe launches and marinas, outdoor classroom amenities for environmental education, and wetland restoration projects.

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

- d) *Riverfront Landing Neighborhood Park*: The Riverfront Landing zone shall contain a public park, approximately one acre in size, along the Hackensack River. Furnishings may include lighting, seating, trash receptacles, information kiosks, bicycle storage and drinking fountains.
- b. The following shall apply to Interim Uses:

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

- i. N.J.A.C. 19:4-8.9(a);
- ii. N.J.A.C. 19:4-8.9(b);
- iii. N.J.A.C. 19:4-8.9(c);
- iv. N.J.A.C. 19:4-8.9(d) 1, 5 and 6; and
- v. N.J.A.C. 19:4-8.9(d) 3 is modified as follows: A minimum of ten shade trees per acre shall be provided, which shall be distributed evenly within the vehicular use area and positioned in a manner so as not to interfere with the placement of light poles and/or signage.

10. Fences and Screening Walls

- a. The following shall apply to Permitted Uses:

All fences and screening walls shall be designed in accordance with N.J.A.C. 19:4-8.10.

- b. The following shall apply to Interim Uses:

All fences and screening walls shall be subject only to the following provisions of the District Zoning Regulations:

- i. N.J.A.C. 19:4-8.10(a)2;
- ii. N.J.A.C. 19:4-8.10(a)3;
- iii. N.J.A.C. 19:4-8.10(a)4; and
- iv. N.J.A.C. 19:4-8.10(a) 5.

11. Lighting

- a. The following shall apply to Permitted Uses:

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

- b. The following shall apply to Interim Uses:

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

- i. N.J.A.C. 19:4-8.13(a)1, 2, 3, 4, 5, 6i, 6ii, 6iii, 6iv, 6v, 6vi, 6ix, 6x, and 6xi; and
- ii. N.J.A.C. 19:4-8.13(a) 6viii is modified as follows: Poles installed for the purpose of illuminating a surface parking facility shall not exceed 25 feet in height, and shall utilize underground wiring.

12. Pedestrian and Bicycle Circulation

- a. The following shall apply to Permitted Uses:
 - i. All pedestrian infrastructure within the study area (e.g., curb ramps, sidewalks, crosswalks, push buttons, etc.) should be evaluated against current ADA and MUTCD standards. Where there are deficiencies, these elements should be upgraded to meet current ADA and MUTCD standards.
 - ii. Provide bicycle parking accommodation within the development and evaluate existing bicycle facilities (lockers & racks) in the vicinity of Secaucus Junction.
 - iii. A pedestrian circulation plan shall be submitted detailing pedestrian sidewalk routes throughout the redevelopment area. Connections shall be made between the Secaucus Transit Station and the zones of the redevelopment area. Pedestrian routes shall be separated from vehicular and truck traffic to the greatest extent possible. Sidewalks shall use complementary materials and design elements. Where necessary, pedestrian protection devices such as bollards or buffer vegetation shall be provided.
 - iv. Sidewalks shall be designed in accordance with District Zoning Regulations.
- b. The following shall apply to any Interim Uses:
 - i. Sidewalks shall be subject only to the following provisions of the District Zoning Regulations:
 - a) N.J.A.C. 19:4-8.12(a);
 - b) N.J.A.C. 19:4-8.12(b);
 - c) N.J.A.C. 19:4-8.12(c); and
 - d) N.J.A.C. 19:4-8.12(d).
 - ii. Within a commercial off-street parking facility, parking facilities shall be designed to minimize conflicts between vehicular and pedestrian movements.
 - a) Where possible, all pedestrian walkways shall connect to existing sidewalks at the perimeter of the property.
 - b) The minimum width of concrete sidewalks within the site shall be 4 feet.

13. Parking and Transportation

a. Parking

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

mixture of land uses tends to reduce automobile dependence below that which is precipitated by single-use, stand-alone development.

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

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

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

- ii. The following shall apply to Interim Uses:
 - a. The following parking standards shall apply:
 - 1) The design and construction of parking facilities shall be subject only to the following provisions of the District Zoning Regulations:
 - (i) N.J.A.C. 19:4-8.2(a) 4, 5, 6 and 7;
 - (ii) N.J.A.C. 19:4-8.2(b) 3;
 - (iii) N.J.A.C. 19:4-8.2(c) 2, 3, 4, 6, 9, and 12;
 - (iv) N.J.A.C. 19:4-8.2(c) 5, only to the extent that the site shall be paved or otherwise improved with an all-weather dustless material;
 - (v) N.J.A.C. 19:4-8.2(c) 7 and 8, as amended in the Lighting, Drainage, Fencing and Screening Walls, Landscaping, and Open Space sections of this Redevelopment Plan.
 - (vi) N.J.A.C. 19:4-8.2(c) 13, with the following modifications: self-parking spaces shall be 8.5 feet wide by 18 feet deep; valet parking spaces may be reduced to 8 feet wide by 17 feet deep.
 - 2) In the event that a design issue arises not contemplated by either the redevelopment plan or District Zoning Regulations, the standards set forth in the New Jersey Transit 2016 Guidelines and Standards Manual for Commuter Rail Stations, and subsequent updates, shall apply.

b. Parking Structures

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

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

c. Parking Principles and Required Parking Ratios

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

- i. Residential Uses
 - a) Dwelling, multi-family: A maximum of 1.75 parking spaces per unit
 - b) Dwelling, active adult: A maximum of 1 parking space per unit
- ii. Non-Residential Uses
 - a) Hotel: 1 parking space per employee per shift plus 0.75 parking spaces per sleeping unit.
 - b) Where number of employees cannot be determined, 1 parking space per sleeping unit.
- iii. Other non-residential uses require 3 spaces/1,000 s.f. or as based upon a shared parking study approved by the NJSEA.

d. Streets

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

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

e. Design Principles for Streets

- i. Streets shall serve as essential elements in the definition of the visual and spatial character of the redevelopment area and shall exhibit a high quality, human-scaled environment.
- ii. Streets shall be oriented equally towards the safe accommodation of pedestrians and bicycles as they are towards the accommodation of vehicular traffic.
- iii. Streets shall be designed with the minimum lane width necessary to accommodate the anticipated volume of vehicular traffic. The preference is for vehicular lane widths not to exceed 11 feet. In certain circumstances, as dictated for safety, lanes 12 feet in width may be used.
- iv. Streets shall be designed to calm traffic, with maximum traffic speeds ranging from 20 to 30 mph.
- v. Streets shall be activated with uses that attract pedestrians to the street level, particularly at public open spaces and at prominent intersections.
- vi. Designated bicycle lanes shall be provided on all primary circulation routes. Local streets shall be designed to calm traffic to be compatible with bicycle speeds, but should not require bicycle lanes.
- vii. Walks shall be comprised of concrete, with contrasting patterns, colors and materials where appropriate.
- viii. Crosswalks at intersections shall be delineated by contrasting decorative pavement.

f. Street Design

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

i. Primary Access Routes

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

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

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

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

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

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

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

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

The following shall only apply to Permitted Uses:

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

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

ii. Local Streets

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

The following shall only apply to Permitted Uses:

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

b) Local Commercial Streets:

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

c) Local Residential Streets:

- (1) Travel Lanes: 10 ft., one lane each direction preferred;
- (2) Parking Lanes: 8 ft., both sides preferred, parallel or diagonal;
- (3) Sidewalk and Landscape Strip: 10 ft. minimum;
- (4) Sidewalk Trees: 30 ft. on-center, single row both sides.

g. Pedestrian and Bicycle Access

i. Station Square to Secaucus Junction

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

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

ii. Secaucus Greenway

Within this open space, bicycle and pedestrian paths and other forms of passive recreation are envisioned. Development of the Secaucus Greenway paths should be undertaken according to the standards set forth by the NJSEA.

Waterway buffers and public access/walkways shall be provided in accordance with N.J.A.C. 19:4-8.7 with the exception that the Secaucus Greenway may be located within the required buffer. In areas where bulkhead or riprap exists, there shall be a 30-foot

wide public access easement located as close to the water's edge as practical which shall include a walkway, no less than 15 feet wide. Such walkway shall be designed to connect to the adjacent County Park property and a future connection to the Secaucus Greenway trail.

iii. Transition Zone

- a. With the redevelopment of the Transition zone, County Road Extension should be improved to accommodate the STVRP cross-section, including pedestrian and bicycle elements along County Road Extension and at the intersection of Paul Amico Way.
- b. Evaluate the feasibility of modifying the existing southbound channelized right-turn lane at the intersection of Paul Amico Way & County Road Extension to reduce the turning radius, which will reduce turning vehicle speed and promote pedestrian safety.

iv. Additional Requirements

- a) Evaluate the feasibility of installing bicycle lanes along Riverside Station Boulevard, Paul Amico Way, and County Road Extension. For roads that cannot physically support dedicated bicycle facilities, shared lane markings, or "sharrows," should be installed along the roadway where traffic speeds, lane width, and volumes would permit.
- b) For any development including new residential units and/or 50,000 SF of new development, a pedestrian study shall be conducted along Paul Amico Way and Laurel Hill Drive to evaluate the width of the existing sidewalk to determine if widening is needed to accommodate future pedestrian demand.

h. Traffic Reduction

i. Transportation Programs

- a) This section shall apply to Permitted Uses:

Redevelopers shall collaborate with EZ Ride, the transportation management association serving the region, and/or partner with an existing shuttle program. Programs emphasizing congestion relief and improving mobility in the Secaucus Transit Village Redevelopment Area may include car sharing facilities, shuttle services, and bicycle locker programs.

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

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

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

- b) This section shall apply to Interim Uses:

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

- ii. Capital Improvements

- a) A traffic signal warrant study for the intersections of Paul Amico Way & Riverside Station Boulevard and Paul Amico Way & County Road Extension shall be performed for zoning certificate applications for new residential units and/or 50,000 SF of new development submitted on or after the adoption date of this Plan. The intersection traffic volumes and safety conditions should be compared against the traffic signal warrant thresholds documented in the *Manual on Uniform Traffic Control Devices (MUTCD)*. Any new signal shall be integrated into the Meadowlands Adaptive Signal System for Traffic Reduction (MASSTR) network.
- b) When the right-of-way can be acquired by the appropriate entity along the south side of Paul Amico Way (eastbound), an exclusive eastbound to southbound right-turn lane from Paul Amico Way to Seaview Drive shall be constructed.
- c) A comprehensive traffic impact study shall be required in accordance with the requirements for a Project Impact Assessment (PIA). The developer shall be responsible for mitigating traffic impacts through construction of roadway improvements and/or providing for the fair share of the costs of off-site transportation improvements as deemed appropriate.

14. 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.

15. Utilities

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

16. Signs

- a. The following shall apply to Permitted Uses:

Signage in the redevelopment area shall be aesthetically pleasing. A balance shall be struck between the need to call attention to individual businesses and the need for a positive image of the entire redevelopment area. All signs shall be oriented to pedestrians rather than motorists. Where not provided for in the redevelopment plan, design control for signage shall be governed by N.J.A.C. 19:4-8.14.

i. Sign Placement

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

ii. Materials

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

iii. Color

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

iv. Buildings with Multiple Tenants

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

v. Awnings & Canopies

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

vi. Design and Placement

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

vii. Fabric and Color

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

viii. Signs on Awnings

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

b. The following shall apply to Interim Uses:

i. Signage Types

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

ii. Sign Placement

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

iii. Height and Size

- a) Identification Billboard signs shall be limited as follows:
 - (1) Maximum height of sign: 30 feet above the grade level of the adjacent roadway surface. For signs located adjacent to the NJ Turnpike, the maximum permitted height shall be 30 feet above the grade level of the NJ Turnpike roadway surface.
 - (2) Maximum size of sign: 14 feet high by 48 feet wide
 - (3) Maximum number of signs: 1 per commercial off-street parking facility.
 - (4) Maximum of two (2) faces per sign
- b) Rate signs shall be limited as follows:
 - (1) Minimum height of the bottom of the sign: 4 feet
 - (2) Maximum height of the top of the sign: 12 feet

- (3) Maximum size of sign face: 50 square feet
- (4) Maximum number of signs: 1 per driveway location
- (5) Maximum of two (2) faces per sign
- c) Business signs shall be limited as follows:
 - (1) Minimum height of the bottom of the sign: 10 feet
 - (2) Maximum height of the top of the sign: 30 feet
 - (3) Maximum size of sign face: 100 square feet
 - (4) Maximum number of signs: 1 per driveway location
 - (5) Maximum of two (2) faces per sign
- iv. Signs shall be subject only to the following provision of the District Zoning Regulations: N.J.A.C. 19:4-8.14(g)

17. Site Amenities

The following site amenities are permitted:

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

18. Environmental Performance Standards

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

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

D. ADDITIONAL APPLICATION REQUIREMENTS

1. Project Impact Assessment

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.

- a. Any development proposed in phases shall assess the impacts for each individual phase and the project as a whole.
- b. 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.

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

3. Riparian Rights

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. 13:17-6(j), 20(g), and or 21(b)6, prior to entering such contract, the redeveloper shall provide a financial report to the NJSEA assessing the financial viability of the redeveloper and/or redevelopment project. Such report shall contain, at a minimum, the following information:
 - i. Identification of each financial and/or equity partner having any financial contribution to, ownership of, or like interest in, the project.
 - ii. Identification of each member of the redevelopment team and major consultants, including, but not limited to, attorneys, engineers, architects, planners, project and construction managers, financial consultants, lobbyists, and public relations consultants. Resumes 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.

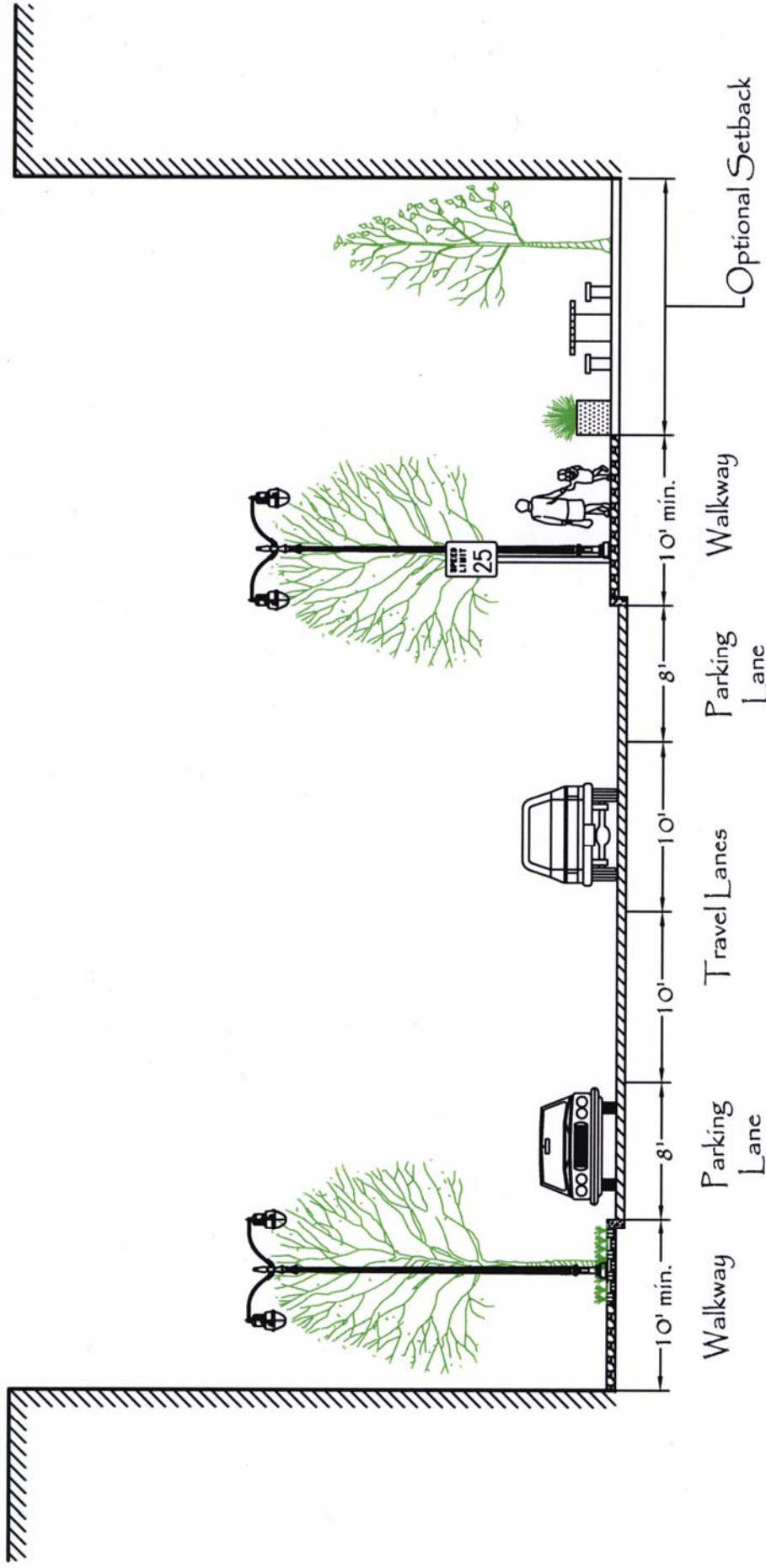
6. Approvals of Other Governmental Entities

- 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

This redevelopment plan shall be the regulatory instrument for the development of the Secaucus Transit Village 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.

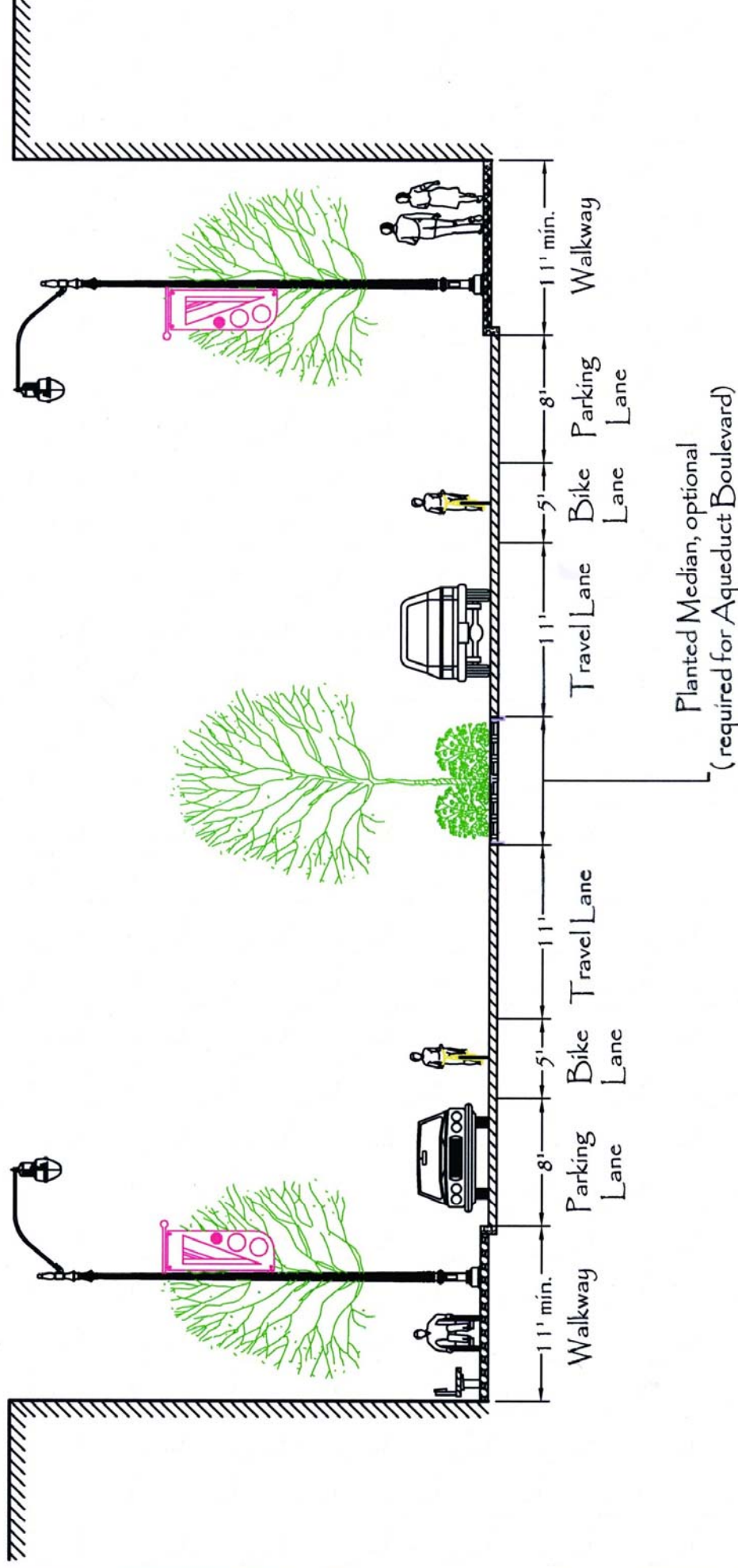


Secaucus Transit Village Redevelopment Plan

March 2004

Scale 1"=10'

Local Residential Streets

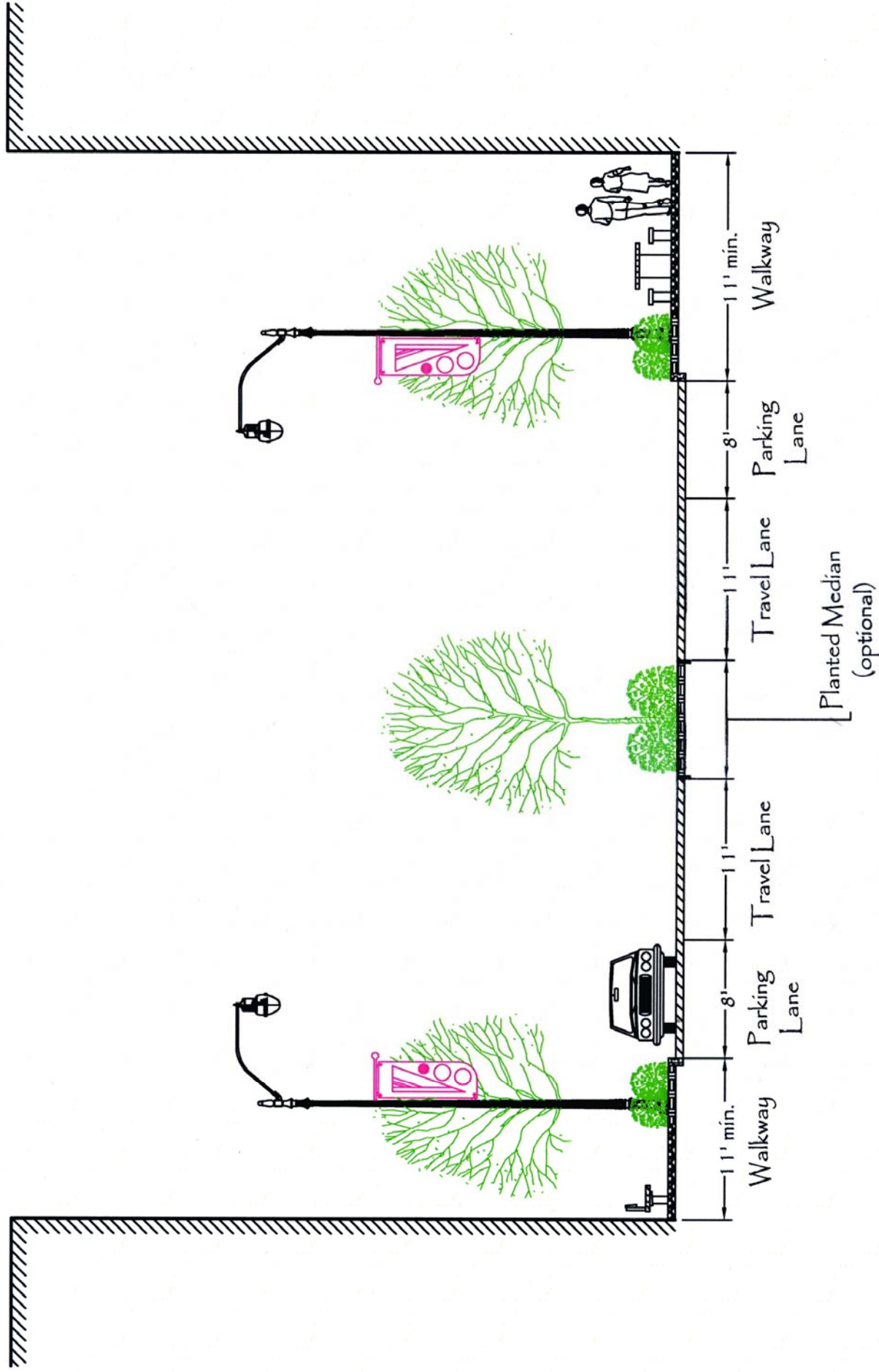


Secaucus Transit Village Redevelopment Plan

Primary Access Routes

March 2004

Scale 1"=10'



Secaucus Transit Village Redevelopment Plan

March 2004

Local Commercial Streets

Scale 1"=10'

RESOLUTION 2023-14

**RESOLUTION ISSUING A DECISION ON THE
BULK VARIANCE APPLICATION
SUBMITTED AS PART OF FILE NO. 22-046
TTOO, LLC - BIO COMPRESSION SYSTEMS, INC. -
ADDITION (VARIANCES)
BLOCK 60, LOTS 6 AND 7
IN THE BOROUGH OF MOONACHIE**

WHEREAS, an application for one bulk variance has been filed with the New Jersey Sports & Exposition Authority (NJSEA) by Robert Freidenrich of TTOO, LLC, for the premises located at 110 West Commercial Avenue (Block 60, Lot 6) and 120 West Commercial Avenue (Block 60, Lot 7), in the Borough of Moonachie, New Jersey; and

WHEREAS, the subject premises is located within the District's Light Industrial B zone; and

WHEREAS, the applicant requested bulk variance relief from N.J.A.C. 19:4-5.84(a)3iii, which requires a minimum rear yard setback of 30 feet, whereas the applicant is proposing to construct a building addition with a minimum rear yard setback of 3.03 feet from the rear property line; and

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

WHEREAS, an electronic public hearing was held virtually using Zoom video conferencing on Tuesday, January 24, 2023, before Sara J. Sundell, P.E., P.P., Director of Land Use Management and Chief Engineer; Sharon A. Mascaró, Deputy Director of Land Use Management and Deputy Chief Engineer; Mia A. Petrou, P.P. AICP, Supervising Planner; and William Moran, P.E., P.P., Senior Engineer; and

WHEREAS, a comprehensive report dated March 10, 2023, has been prepared indicating the recommendations of the Director of Land Use Management and the Senior Vice President, Chief of Legal & Regulatory Affairs in this matter; and

WHEREAS, a copy of the recommendation and comprehensive report was provided to the applicant on March 10, 2023; and

WHEREAS, the report recommends the approval of the requested bulk variance from N.J.A.C. 19:4-5.84(a)3iii to permit a building addition with a minimum setback of 3.03 feet from the southerly rear property line; and

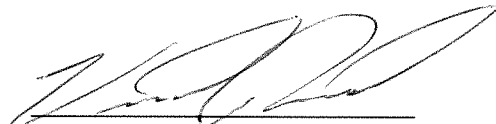
WHEREAS, the Board of Commissioners of the NJSEA has reviewed the full record, including the transcripts of the public hearings, the submissions of the applicant, and recommendations on the application by the Director of Land Use Management and by the Senior Vice President, Chief of Legal & Regulatory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

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

WHEREAS, the Board of Commissioners hereby determines that the requested bulk variance application to construct a building addition with a minimum rear yard setback of 3.03 feet from the rear property line conforms with the standards for approving applications for variances as set forth in N.J.A.C. 19:4-4.14(e).

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the New Jersey Sports and Exposition Authority, that the *TTOO, LLC - Bio Compression Systems, Inc. - Addition (Variances)* application for a bulk variance from N.J.A.C. 19:4-5.84(a)3iii, to construct a building addition with a minimum rear yard setback of 3.03 feet from the rear property line, is hereby **APPROVED** for the reasons set forth in the recommendation dated March 10, 2023.

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 March 23, 2023.

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

Vincent Prieto
Secretary



MEMORANDUM

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

From: Sara J. Sundell *Date:* March 23, 2023

Subject: Variance Recommendation – TTOO, LLC - Bio Compression Systems, Inc.
- Addition (Variances) (File No. 22-046)

An application for one bulk variance has been filed with the New Jersey Sports & Exposition Authority (NJSEA) by Robert Freidenrich of TTOO, LLC for the premises located at 110 West Commercial Avenue (Block 60, Lot 6) and 120 West Commercial Avenue (Block 60, Lot 7), in the Borough of Moonachie, New Jersey. The subject premises is located within the District's Light Industrial B zone. The bulk variance is sought in connection with the construction of a 5,116-square-foot building addition and associated improvements on the subject property.

Specifically, the applicant is requesting variance relief from the following:

1. N.J.A.C. 19:4-5.84(a)3iii, which requires a minimum rear yard setback of 30 feet, whereas the applicant is proposing to construct a building addition in the Light Industrial B zone with a minimum rear yard setback of 3.03 feet from the rear property line.

An electronic public hearing was held virtually using Zoom video conferencing on Tuesday, January 24, 2023.

In a comprehensive report dated March 10, 2023, the Director of Land Use Management and the Senior Vice President, Chief of Legal & Regulatory Affairs recommended the approval of the bulk variance request. A copy of the comprehensive report and variance recommendation was provided to the applicant on March 10, 2023.

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

**RECOMMENDATION ON THE VARIANCE APPLICATION OF
TTOO, LLC - Bio Compression Systems, Inc. - Addition (Variances)
FILE # 22-046**

I. INTRODUCTION

An application for one bulk variance has been filed with the New Jersey Sports & Exposition Authority (NJSEA) by Robert Freidenrich of TTOO, LLC for the premises located at 110 West Commercial Avenue (Block 60, Lot 6) and 120 West Commercial Avenue (Block 60, Lot 7), in the Borough of Moonachie, New Jersey. The subject premises is located within the District's Light Industrial B zone. The bulk variance is sought in connection with the construction of a 5,116-square-foot building addition and associated improvements on the subject property.

Specifically, the applicant is requesting variance relief from the following:

1. N.J.A.C. 19:4-5.84(a)3iii, which requires a minimum rear yard setback of 30 feet, whereas the applicant is proposing to construct a building addition in the Light Industrial B zone with a minimum rear yard setback of 3.03 feet from the rear property line.

Notice was given to the public and all interested parties as required by law. The public notice was published The Record newspaper. No written objections were submitted to the Division of Land Use Management. An electronic public hearing was held virtually using Zoom video conferencing on Tuesday, January 24, 2023. All information submitted to the Division of Land Use Management relative to this application is made part of the record of this recommendation.

II. GENERAL INFORMATION

A. Existing and Proposed Use

The subject property consists of two lots, identified as Block 60, Lots 6 and 7, that are located in the District's Light Industrial B zone. The lots, which will be combined as a single zoning lot of record pursuant to N.J.A.C. 19:4-3.22, total 45,414 square feet. The site's combined lot frontage along West Commercial Avenue totals 235 feet.

The parcel at Lot 6 is currently developed with a 7,899-square-foot warehouse building, and the parcel at Lot 7 contains an 11,732-square-foot light industrial building, in gross area. Asphalt pavement covers the majority of the remainder of the project site, and a drainage ditch abuts the property to the south. In 2010, bulk variances were granted to construct an addition to the structure on Lot 7 within the lot's required side and rear yards.

The subject property's rear property line adjoins the municipal boundary between the Borough of Moonachie and the Borough of Carlstadt. Neighboring properties in both Moonachie and Carlstadt are predominantly light industrial and warehouse and distribution facilities.

The existing buildings on the site are occupied by Bio Compression Systems, Inc., a manufacturer of medical devices. The applicant proposes to consolidate and expand their operations at the premises by constructing a 5,116-square-foot addition that will connect the two existing structures on Lots 6 and 7, and associated site improvements. A bulk variance is requested to construct the addition at a minimum 3.03-foot setback from the rear lot line, within the required rear yard setback of 30 feet, to align with the rear building line of the existing building on Lot 7.

B. Response to the Public Notice

No written objections were received prior to the public hearing.

III. PUBLIC HEARING (January 24, 2023)

A virtual public hearing was held on Tuesday, January 24, 2023, using Zoom video conferencing. NJSEA staff in attendance were Sara J. Sundell, P.E., P.P., Director of Land Use Management and Chief Engineer; Sharon A. Mascaró, P.E., Deputy Director of Land Use Management and Deputy Chief Engineer; Mia A. Petrou, P.P., AICP, CFM, Supervising Planner; and William Moran, P.E., P.P., Senior Engineer.

A. Exhibits

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

<u>Number</u>	<u>Description</u>
A-1	"Floor Plan with Proposed Addition", Dwg. A-1.0, prepared by Piero Gabucci, AIA, Axis Architectural Group, dated April 15, 2022, last revised November 3, 2022.
A-2	"Exterior Elevations", Dwg. A-2.0, prepared by Piero Gabucci, AIA, Axis Architectural Group, dated April 15, 2022, last revised November 3, 2022.
A-3	Site Plan Set consisting of 10 sheets, prepared by Michael E. Dipple, P.E., L2A Land Design, LLC, dated January 27, 2022, last revised November 17, 2022.
A-4	"Topographic Survey of Property", prepared by Jeffrey S. Grunn, P.L.S., Lakeland Surveying, LLC, dated March 18, 2021.
A-5	Undated aerial photograph showing the property and surrounding properties.
A-6	Colored rendering of the Site Plan, Sheet C-03, prepared by Michael E. Dipple, P.E., L2A Land Design, LLC, dated January 27, 2022, last revised November 17, 2022.

- A-7 NJDEP Land Use Permit No. 0237-22-0002.1 issued January 20, 2023.
- A-8 "Courtyard Elevations and Sections through Addition", prepared by Piero Gabucci, AIA, Axis Architectural Group, last revised November 3, 2022.

B. Testimony

Wendy Berger, Esq., of Cole Schotz, PC represented TTOO, LLC at the hearing. The following three witnesses testified in support of the application:

1. William R. Vogt, Jr., P.E., L2A Land Design, LLC;
2. Piero F. Gabucci, AIA, Axis Architectural Group; and
3. Steve Lydon, P.P., Burgis Associates, Inc.

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

C. Public Comment

There were no members of the public in attendance at the public hearing.

IV. RECOMMENDATION

1. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19:4-5.84(a)3iii, which requires a minimum rear yard setback of 30 feet; whereas, the applicant is proposing to construct a building addition in the Light Industrial B zone with a minimum rear yard setback of 3.03 feet from the rear property line.

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

1. Concerning bulk variances:

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

The applicant proposes to connect the existing structures on Lots 6 and 7 within Block 60 by constructing a 5,116-square-foot addition, with a minimum 3.03-foot-wide rear yard setback. The project site is a slightly irregularly shaped parcel, containing 235 feet of frontage on West Commercial Avenue and 219 feet of width along the rear property line, resulting in a skewed easterly property line. There are a number of existing nonconforming conditions on each existing parcel, including the minimum lot area of each lot, the minimum rear yard setback on Lot 7 (3 feet), the minimum easterly side yard setbacks on Lot 6 (4.22 feet) and Lot 7 (9.5 feet), the minimum open space requirements for each lot, the presence of front yard loading on Lot 7, and the location of paved vehicular use areas within the front yard of each lot. These unique conditions affect the ability of the applicant to construct a fully conforming addition joining the two existing nonconforming structures on the two existing nonconforming lots. However, through the implementation of a zoning lot of record, and the resulting utilization of both parcels as a single parcel for the purposes of zoning, a conforming lot area exceeding the minimum one acre requirement will be provided, and the easterly side yard setback of the existing structure on Lot 7 will no longer be classified as a nonconforming condition.

These conditions are unique to the property in question, are not ordinarily found in this portion of the Light Industrial B zone, and were not created by any action of the property owner or the applicant.

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

The granting of the bulk variance to construct a 5,116-square-foot addition with a minimum 3.03-foot-wide rear yard setback will not adversely affect the rights of neighboring property owners. There are no residential properties in the vicinity of the subject property. Adjoining neighbors consist of warehouse and industrial uses.

Most properties in the vicinity of the subject premises appear to contain buildings situated close to their rear property lines. The most impacted parcel is the adjacent neighbor to the south, located at 110 Asia Place, Block 126, Lot 79, in the Borough of Carlstadt. This property provides a 15-foot-wide setback to the coincident rear property line, within which a drainage ditch is located. Thus, a total of 18 feet will remain open between the two neighboring structures. Additionally, there are no windows located along the rear building façade on the neighboring property to the south. Therefore, the proposed addition will not substantially decrease the amount of light and air available to the building in the rear.

Furthermore, the addition will comply with the required side yard setback to the neighboring property to the east, and will replace existing pavement within the easterly required side yard setback with open space. Additional open space with landscaping will also be installed along the site's frontage. The proposal will result in a

decrease in the overall impervious coverage on the property and improve area aesthetics through the restoration of green space in a location where asphalt currently exists.

Therefore, the granting of the requested variance will not adversely affect the rights of neighboring property owners or residents.

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

The strict application of the regulations requires a minimum 30-foot-wide rear yard setback. However, the nonconforming conditions of the subject property detailed in Section *i.* above, as well as the location of the existing structures and parking and loading areas on the site, present significant challenges to providing a conforming and functional building addition.

The application of the minimum rear yard setback requirement would reduce the area of the addition by approximately one-half and result in the addition having a depth of approximately 22.5 feet at its narrowest point on the southeasterly portion of Lot 6, making it impracticable to accommodate the proposed operations on the site.

The northerly portion of the site is unavailable to accommodate the building addition, as this area is necessary for the site's parking spaces and loading operations. The proposed addition is situated at the minimum northerly extent necessary to allow access from each of the existing structures into the proposed addition. The southerly rear extent of the addition, proposed at 3.03 feet from the southerly

lot line, matches the rear setback line of the existing building on Lot 7, which is located at a 3-foot setback from the rear lot line.

Therefore, the proposed addition could not be constructed in a feasible manner if the minimum required 30-foot setback were applied, and the existing site conditions and constraints result in exceptional practical difficulties in the ability to comply with the rear yard setback requirements.

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

Approval of the requested variance to permit the construction of the 5,116-square-foot addition with a minimum 3.03-foot-wide rear yard setback, whereas a minimum rear yard setback of 30 feet is required, will not result in substantial detriment to the public good and will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare. The proposed addition will comply with all other bulk requirements of the Light Industrial B zone, including lot coverage and floor area ratio (FAR) regulations, and will provide a sufficient number of parking spaces to accommodate the site's operations.

The location of the proposed addition will not cause a substantial negative impact to the provision of light or air in the neighborhood. The elimination of paved areas in the front and southeasterly side yards will improve area aesthetics and reduce the amount of existing impervious surfaces on the site. Furthermore, facilitating the construction of the proposed addition joining the two existing structures will allow Bio Compression Systems, Inc. to remain and

grow in its current location of more than 30 years, by efficiently consolidating and expanding its existing operations within one building, thereby promoting neighborhood stability and prosperity.

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

The granting of the requested variance to construct a 5,116-square-foot addition with a minimum 3.03-foot rear yard setback will not result in adverse environmental impacts. Open space and landscaping will be added to the property through the elimination of asphalt areas, thus lessening the degree of intensity of the site's preexisting nonconforming open space by increasing landscaped areas from 7.2 percent to 10.3 percent of lot area. There will be no significant detrimental impact to the existing drainage ditch to the south of the proposed addition, and runoff from existing paved surfaces will be replaced with cleaner roof water. The applicant also proposes to address floodplain management concerns by waterproofing the building slab and floodproofing the building openings to a minimum elevation of one foot above the base flood elevation, as the building addition is not deemed to be a substantial improvement in accordance with the District Flood Plain Management regulations and FEMA requirements, based on information provided to NJSEA staff by the applicant's professionals.

Furthermore, the proposed addition will not cause the District environmental performance standards for noise, glare, vibrations, airborne emissions, or hazardous materials to be exceeded.

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

The granting of the requested variance to construct a 5,116-square-foot addition with a minimum rear yard setback of 3.03 feet, where 30 feet is required, represents the minimum deviation from the District zoning regulations that will afford relief. Due to the challenges inherent in constructing an addition between two existing buildings, the proposed addition could not be constructed in a feasible manner if the required 30-foot setback were applied. Locating the proposed addition at a minimum 3.03 feet from the southerly rear property line will continue the rear building line of the existing structure on Lot 7 and result in a usable facility.

The size of the proposed addition is not excessive, and presents a reasonable approach to infill development given the subject property's unique nonconforming conditions and siting of existing structures. The proposal will comply with all other bulk and parking requirements of the District zoning regulations. Finally, the provision of additional landscaping and open space will decrease the impervious coverage on the property and improve area aesthetics.

Therefore, the proposed location of the building addition, at a minimum rear yard setback of 3.03 feet, maintains consistency with the rear yard setback of the existing building on Lot 7 while enabling the property to operate efficiently.

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

The granting of the requested variance to construct a 5,116-square-foot addition with a minimum 3.03-foot-wide rear yard setback will not impair the intent and purpose of the District zoning regulations. The purpose of the Light Industrial B zone is “to accommodate a wide range of industrial, distribution, and commercial uses that generate a minimum of detrimental environmental effects.”

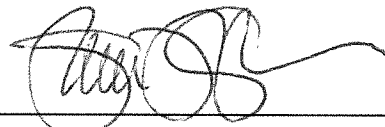
Granting the requested variance will allow the rear building line to remain consistent with the rear yard setback of the existing building on Lot 7, which is similar to the development pattern of neighboring properties. The current manufacturing and warehouse facility will be able to remain at its current location, where it has been located for more than 30 years, through the development of a functional addition joining the two existing structures on the site. In addition, the additional open space and installation of landscaping, which will replace paved surfaces along the site’s frontage and in the southeasterly side yard, will decrease the impervious coverage on the property and provide environmental and aesthetic benefits to the neighborhood.

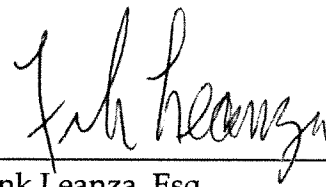
Therefore, by balancing the proposed development with the site’s particular constraints, this proposal supports the purpose of the District zoning regulations to “promote development in accordance with good planning principles that relates the type, design, and layout of such development to both the particular site and surrounding environs.”

V. SUMMARY OF CONCLUSIONS

A. Standards for the Granting of a Bulk Variance from the Provisions of N.J.A.C. 19:4-5.84(a)3iii, which requires a minimum rear yard setback of 30 feet, whereas the applicant is proposing to construct a building addition in the Light Industrial B zone with a minimum setback of 3.03 feet from the rear property line.

Based on the record in this matter, the bulk variance application to construct a 5,116-square-foot building addition and associated improvements with a minimum setback of 3.03 feet from the rear property line on the subject premises is hereby recommended for APPROVAL.

<u>APPROVAL</u>	<u>3/10/2023</u>	
Recommendation on	Date	Sara J. Sundell, P.E., P.P.
Variance Request		Director of Land Use Management and
		Chief Engineer

<u>APPROVAL</u>	<u>3/10/2023</u>	
Recommendation on	Date	Frank Leanza, Esq.
Variance Request		Senior Vice President
		Chief of Legal and Regulatory Affairs

RESOLUTION 2023-15

**RESOLUTION AUTHORIZING THE EXECUTION OF PERSONAL INJURY
CONFIDENTIAL SETTLEMENT AGREEMENT AND RELEASE**

WHEREAS, the New Jersey Sports and Exposition Authority ("NJSEA") was named a party in a personal injury lawsuit arising from an accident at the American Dream construction site, referred to as *Mascio V. Triple VIII LLC*, et al, Law Division of Bergen County, Docket Number BER-L-8869-18; and

WHEREAS, the parties in such litigation have entered into a Confidential Settlement Agreement and Release under which the NJSEA's tenant, Ameream LLC, insurance carrier has already paid such amounts as allocated to the NJSEA thereby releasing the NJSEA from any further liabilities under the personal injury claims; and

WHEREAS, the Court had directed all parties of the litigation to execute Confidential Settlement Agreement and Release.

NOW, THEREFORE, BE IT RESOLVED by the New Jersey Sports and Exposition Authority that the President and Chief Executive Officer is hereby authorized to execute the Confidential Settlement Agreement and Release on behalf of the NJSEA thereby releasing it from any liability in the matter.

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 March 23, 2023.

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Vincent Prieto
Secretary

AWARDS / CONTRACTS

RESOLUTION 2023-16

**RESOLUTION AUTHORIZING THE PRESIDENT AND CEO TO ENTER
INTO A CONTRACT FOR OUTDOOR MARKET OPERATORS**

WHEREAS, the NJSEA issued a Request for Proposal ("RFP") dated February 17, 2023 for an operator of the Outdoor Market in East Rutherford, NJ for a three-year period with an option to renew for two (2) additional one-year terms; and

WHEREAS, in response to the RFP, one (1) proposal was submitted on February 27, 2023 by State Fair Amusement Corp; and


WHEREAS, the proposal received was reviewed based on the established criteria in the RFP; and

WHEREAS, NJSEA staff is recommending the award of an annual minimum license fee to conduct the Outdoor Market to State Fair Amusement Corp for a three (3) year term in the amount of \$530,000 per year, with an option to renew for two (2) one-year terms; and

WHEREAS, if the Licensee experiences more than three (3) Event Date cancellations in any calendar-year market season due to Major Events at MetLife Stadium, the Authority shall reimburse the Licensee \$10,000 per Event Date cancellation beginning with the fourth cancellation, and up to and including the tenth cancellation.

NOW THEREFORE BE IT RESOLVED that the President and Chief Executive Officer is hereby authorized to enter into a contract with State Fair Amusement Corp to operate the Outdoor Market for an annual minimum license fee in the amount of \$530,000 and the percentage fee of 30% of the gross receipts over the minimum fee of \$530,000.

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Sports and Exposition Authority at its meeting of March 23, 2023.



Vincent Prieto
Secretary

RESOLUTION 2023-17

RESOLUTION AUTHORIZING THE PRESIDENT AND CEO TO ENTER INTO A CONTRACT WITH NETOVO GROUP, LLC FOR ON-CALL AND PROJECT-BASED IT SERVICES

WHEREAS, the New Jersey Sports and Exposition Authority issued an RFP on December 13, 2022, soliciting proposals from qualified vendors to provide on-call and project-based IT services related to computer systems located at the NJSEA Administration Building in Lyndhurst; and

WHEREAS, the requested services include managing, maintaining, updating, and monitoring transportation servers, storage systems, and peripherals as well as responding at all hours to emergent IT needs related to these systems; and

WHEREAS, the RFP provides that the NJSEA will enter into a three-year contract with an option for two additional one-year periods with the qualified and responsible bidder whose proposal is deemed to be the most advantageous to the NJSEA, price and other factors considered; and

WHEREAS, in response to the RFP, the NJSEA received proposals from the following four firms: Aventa Systems, LLC. ("Aventa"), Stellar Services, Inc. ("Stellar"), Netovo Group, LLC. ("Netovo"), and Spruce Technology, Inc. ("Spruce"); and

WHEREAS, following a review of the proposals, NJSEA staff found that the Aventa proposal failed to establish the firm's qualifications to perform the required services and failed to include prior relevant work references, both of which were determined to be non-waivable defects; and

WHEREAS, for the above reasons, the Aventa proposal was rejected as non-responsive to the RFP; and

WHEREAS, an evaluation committee comprised of NJSEA staff reviewed and ranked the remaining proposals based on established criteria including cost; and

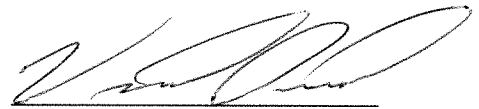
WHEREAS, following the initial ranking of proposals, the evaluation committee invited Netovo and Stellar, the two firms in the competitive range, to give in person presentations for purposes of clarifying and elaborating on elements of their respective proposals; and

WHEREAS, the evaluation committee scored each firm by evaluating the experience and qualifications of the firm and its staff, and by scoring each firm's cost proposal based on established methodology; and

WHEREAS, the evaluation committee determined that Netovo was the highest ranked firm and that the proposal submitted by Netovo was the most advantageous to the NJSEA, price and other factors considered.

NOW, THEREFORE, BE IT RESOLVED by the New Jersey Sports and Exposition Authority that the President and CEO is hereby authorized to enter into a three-year contract for IT Services with Netovo Group, LLC, with the option to extend the term for two additional periods of one year each, at the proposed On-Call Regular IT Services rate of \$4,800 per month and proposed Project-Based IT Services labor rates of \$150 per hour during business hours, \$225 per hour during non-business hours, and \$0 per hour for travel.

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 March 23, 2023.

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

Vincent Prieto
Secretary

RESOLUTION 2023-18

RESOLUTION AUTHORIZING THE PRESIDENT AND CEO OF THE NEW JERSEY SPORTS AND EXPOSITION AUTHORITY TO ENTER INTO A LEASE FOR THE VEGETATIVE WASTE TRANSFER FACILITY AT THE 1-E LANDFILL

WHEREAS, the New Jersey Sports and Exposition Authority (NJSEA) currently leases seven (7) acres on top of the NJSEA 1-E Landfill for vegetative waste transfer facility operations, which provides a needed service to many local municipalities and companies for their vegetative waste disposal; and

WHEREAS, the current lease with Nature's Choice Corporation expired on December 31, 2022, and Nature's Choice Corporation has been operating the facility in the interim; and

WHEREAS, on October 25, 2022 a Request for Lease Proposals to Operate, Manage, and Maintain the NJSEA Vegetation Transfer Facility (the "RFP") was released for bid to obtain a lessee for a 60-month term beginning January 1, 2023, with an option to extend the lease for an additional 60-months; and

WHEREAS, the sixty (60) month includes an option to extend the lease for an additional five (5) years provided there are no defaults or major violations at the site; and

WHEREAS, the lease for the optional five (5) additional years has the provision to increase the lease amount by the Consumer Price Index (CPI) on an annual basis; and

WHEREAS, four (4) bidders picked-up the bid; and

WHEREAS, two proposals were received and opened on November 22, 2022, from Nature's Choice Corporation and RER Supply, LLC, respectively; and

WHEREAS, the proposals from both bidders were reviewed and determined to be responsive to the RFP's specifications; and

WHEREAS, the proposal submitted by Nature's Choice Corporation was \$40,100.00 per month. The proposal submitted by RER Supply, LLC was \$36,001.00 per month; and

WHEREAS, based on the above, the Solid Waste Division, having reviewed the proposals and finding that the proposal from Nature's Choice Corporation is the highest responsive bid, recommended awarding the contract to Nature's Choice for the total five (5) year contract amount of \$2,406,000.00; and

WHEREAS, on November 23, 2022 the Authority advised the bidders of its intent to award the lease to Nature's Choice Corporation; and

WHEREAS, on December 2, 2022, RER Supply, LLC submitted a protest of the award to Nature's Choice Corporation; and

WHEREAS, on December 15, 2022, the bidders were notified that a Hearing Officer was appointed to resolve the protest; and

WHEREAS, the Hearing Officer received submissions from both RER Supply LLC and Nature's Choice Corporation regarding the protest; and

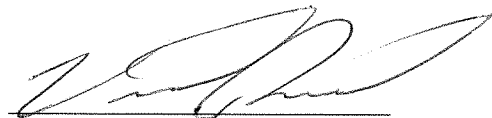
WHEREAS, the Hearing Officer, in consultation with the Solid Waste Division staff, has reviewed all submissions and considered all arguments in support of and opposition to the protest; and

WHEREAS, on March 22, 2023, the Hearing Officer issued a Report and Recommendation to the Board, which is hereby incorporated by reference, recommending that the protest be dismissed and the award to Nature's Choice Corporation affirmed;

NOW, THEREFORE BE IT RESOLVED, as follows:

1. The Authority's Board of Commissioners hereby adopts the Hearing Officer's March 22, 2023 Report & Recommendation as the Authority's Final Agency Decision; and
2. RER Supply, LLC's protest is hereby dismissed; and
3. The President and CEO of the New Jersey Sports and Exposition Authority is hereby authorized to enter into a Lease with Nature's Choice for 60 months at a monthly lease fee of \$40,100.00; or \$2,406,000.00 for the entire lease term, with the option to extend the lease for an additional sixty (60) months (5-years).

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 March 23, 2023.

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

Vincent Prieto
Secretary