

**\*DRAFT\***

# **IN NEED OF REDEVELOPMENT INVESTIGATION REPORT**

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## **HILCO SITE**

**Van Keuren Avenue**

**Block 3101 – Lots 22-26, 29-32, 36, 37, 42-44 and**

**Block 7402 – Lots 21-24, 33-35**

**City of Jersey City**



**New Jersey Sports & Exposition Authority**

**August 2019**

*Study authorized by Resolution No. 2019-13 on April 11, 2019*



**NEW JERSEY SPORTS & EXPOSITION AUTHORITY**

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BLOCK 3101 – LOTS 21-26, 29-32, 36, 37 & 42-44 and  
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CITY OF JERSEY CITY**

**AUGUST 2019**

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## APPENDICES

- A. NJSEA Resolution No. 2019-13 dated April 11, 2019.

## I. INTRODUCTION

The New Jersey Sports & Exposition Authority (NJSEA) is in receipt of a petition dated March 11, 2019 from Thomas J. O'Connor, Esq., of Waters, McPherson, McNeill, P.C., on behalf of HRP Hudson, LLC, to investigate the redevelopment potential of certain property located along Van Keuren Avenue, identified as Block 3103, Lots 21, 22, 23, 24, 25, 26, 29, 30, 31, 32, 36, 37, 42, 43 and 44; and Block 7402, Lots 21, 22, 23, 24, 33, 34 and 35, in the City of Jersey City, New Jersey. HRP Hudson, LLC has acquired the majority of the property from PSEG Fossil LLC, a subsidiary of Public Service Enterprise Group (PSEG). The subject property may be referred to herein as the "Hilco Site" or "Study Area."

In response to the petition regarding this matter, the NJSEA Board of Commissioners adopted Resolution No. 2019-13 on April 11, 2019, which authorized the staff to conduct an investigation of the subject property to determine whether it meets the conditions to be designated an area in need of redevelopment.

The subject property consists of 117 acres, according to NJSEA GIS mapping, the majority of which was formerly utilized by PSEG as a coal burning electrical generating plant that had been located on the property for approximately 102 years. This use is classified as a conforming heavy industrial use. According to the petition, the generating plant ceased operations in 2018. A portion of the site also contains the Jersey City Police Pistol Range.

The Study Area is located along the eastern bank of the Hackensack River within the Hackensack Meadowlands District. Situated on the west side of Jersey City in Hudson County, the subject property is located north of Duffield and Van Keuren Avenues, west of West Side Avenue and NJ Transit's Main Line, and south of a wetlands area containing Penhorn Creek. The site is bisected by the inactive NJ Transit Boonton Rail Line.

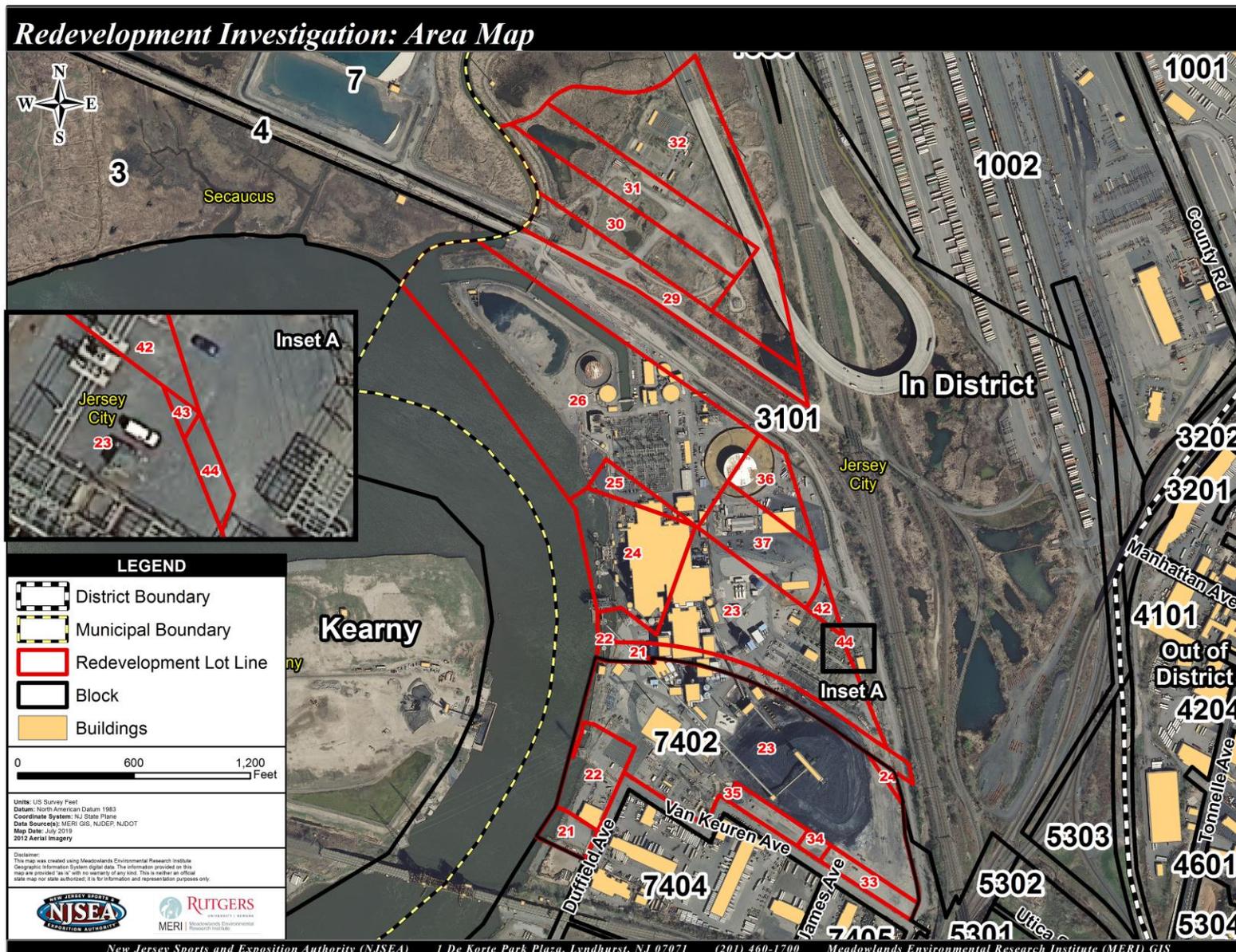
The site contains multiple buildings, power plant structures, electrical switching equipment, a large coal pile, and parking areas that have been used in association with the power plant's operations. In addition, much of the site is covered with concrete one to two feet in depth.

The Study Area is delineated by a red boundary line on the aerial map in Figure 1. The subject properties and those within the surrounding area are located in the District's Public Utilities (PU), Heavy Industrial (HI) and Intermodal B (IB) zones, as shown on the existing zoning map for the in-need of redevelopment Study Area in Figure 2.

**Figure 1 – Location Map**

**In Need of Redevelopment Study Area – Hilco Site**

**Van Keuren Avenue (Block 3101, Lots 21-26, 29-32, 36, 37, 42-44 & Block 7402, Lots: 21-24, 33-35) – Jersey City, New Jersey**





The petitioner has submitted a planning report, prepared by Richard Bass of Akerman LLP, dated March 8, 2019, which asserts that the Study Area should be declared an area in need of redevelopment in accordance with the following criteria of the NJSEA regulations:

- Criterion No. 1, N.J.A.C. 19:3-5.7(a)1, which states *“The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions;”*
- Criterion No. 2, N.J.A.C. 19:3-5.7(a)2, which involves *“The discontinuance of the use of buildings previously utilized for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.”*
- Criterion No. 4, N.J.A.C. 19:3-5.7(a)4, which refers to *“areas with buildings or improvements that, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.”*

This In Need of Redevelopment Investigation Report (“Report”) represents the results of the investigation of the Study Area to support the NJSEA Board of Commissioners’ determination regarding whether the Study Area should be declared in need of redevelopment.

## II. REDEVELOPMENT POWERS AND PROCEDURES

**1. Redevelopment Legislation** - The NJSEA is authorized by statute, at N.J.S.A. 5:10A, to declare the entire Meadowlands District, or any portion therein, an area in need of redevelopment.

The procedure for taking such action is provided in the NJSEA statute at N.J.S.A. 5:10A-23, and codified in the District's redevelopment regulations at N.J.A.C. 19:3-5.1 *et seq.*

**2. Redevelopment Investigation** - N.J.A.C. 19:3-5.4 sets forth the provisions for the requirements of a redevelopment investigation. Upon adoption of a resolution by the Authority authorizing an investigation, the NJSEA staff shall conduct the investigation and prepare an "In Need of Redevelopment Report" (Report), which shall contain the following:

- a) A description of the methods and resources used to assess the area;
- b) A detailed description of the area, including, but not limited to, acreage, existing zoning, description of existing utility infrastructure, and other relevant characteristics;
- c) A site analysis for each lot within the area, listing, at a minimum, ownership, size, and characteristics which support the designation of the area as in need of redevelopment; and
- d) Findings comparing the listed characteristics of the area to each criterion of N.J.A.C. 19:3-5.7. NJSEA staff shall determine whether the existing conditions of the area in question meet the any of the following criteria:

1. *The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions;*
2. *The discontinuance of the use of buildings previously utilized for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable;*
3. *Land that is owned by the NJMC (NJSEA), or other public entities, or unimproved vacant land that has remained so for a period of 10 years prior to adoption of the resolution; or land that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital;*
4. *Areas with buildings or improvements that, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community;*
5. *Lack of proper utilization of areas, caused by the condition of the title, diverse ownership of the real property therein, or other conditions resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare;*

6. *Areas in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated;*
7. *Areas designated as an enterprise zone pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et seq., where the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to N.J.S.A. 40A:12A-5 and 40A:12A-6 for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of N.J.S.A. 40A:20-1 et seq.; or*
8. *Areas, with or without improvements, where there is historic evidence of illegal dumping activities; areas with evidence of soil, groundwater, or surface water contamination; areas that, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), are listed on the CERCLA database; Federal, State, county, or municipally designated brownfield areas; and/or areas on the New Jersey Known Contaminated Sites List per N.J.S.A. 58:10-23.16 and 23.17.*

Upon completion of the draft Report, a public hearing shall be held in accordance with N.J.A.C. 19:4-4.17 to afford opportunity for public comment on the Report and its findings. The Report shall be available for public inspection upon the issuance of the public notice in accordance with N.J.A.C. 19:3-5.5.

**3. Resources** – The evaluation of existing buildings and land uses within this Study Area and the immediately surrounding properties included the review of the following resources:

- Existing physical and natural conditions in and surrounding the study area;
- NJSEA aerial photographs and topographic maps;
- NJSEA Geographic Information Systems (GIS) data;
- Hackensack Meadowlands District Master Plan, 2004;
- Hackensack Meadowlands District Regulations: N.J.A.C. 19:3-5.1 *et seq.* (Redevelopment Areas) and N.J.A.C. 19:4-1.1 *et seq.* (District Zoning Regulations);
- City of Jersey City Tax Maps;
- Municipal Property Tax information (NJ MOD-IV data);
- Deed dated December 21, 2018, Hudson County Register Instrument #201812280142060, Deed Book 9368, Page 922, dated December 28, 2018;
- Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) dated August 28, 2019 and Preliminary FIRM as of August 29, 2014;
- NJSEA development application records/engineering files;
- NJDEP Known Contaminated Sites List;
- NJDEP maps showing Conveyances and Leases of State-owned Tidelands;
- USDA Natural Resources Conservation Service Soils Survey; and
- “In Need of Redevelopment Report, Hudson Generating Station,” prepared on behalf of HRP Hudson, LLC by Richard Bass, AICP, P.P., of Akerman LLP, dated March 8, 2019.

### III. GENERAL CONDITIONS OF STUDY AREA

Specific data regarding existing site conditions, characteristics and constraints are as follows:

**1. Property Area** - The study area is comprised of twenty-two (22) tax lots, within Blocks 3101 and 7402, in the City of Jersey City, totaling approximately 117 acres, as detailed in the table in Figure 3 below. According to the Akerman report, a total of 117 acres will be developed.

**Figure 3. Properties Within In Need of Redevelopment Study Area**

Block	Lot	Address	Acres (GIS)	Acres (Tax)	Existing Land Use	Existing Zoning	Owner
3101	21	VAN KEUREN AVE	3.22	1.05	PSEG Generating Station	ROW	HRP Hudson, LLC
3101	22	VAN KEUREN AVE	0.07	0.15	PSEG Generating Station	Public Utility	HRP Hudson, LLC
3101	23	VAN KEUREN AVE	12.15	0.014	PSEG Generating Station	Public Utility	HRP Hudson, LLC
3101	24	VAN KEUREN AVE	6.56	5.01	PSEG Generating Station	Public Utility	HRP Hudson, LLC
3101	25	VAN KEUREN AVE	1.17	1.10	PSEG Switching Station	Public Utility	HRP Hudson, LLC
3101	26	VAN KEUREN AVE	26.44	26.38	PSEG Switching Station	Public Utility	HRP Hudson, LLC
3101	29	SEAVIEW EXT (15X)	5.52	4.75	Jersey City Police Shooting Range	Intermodal B	HRP Hudson, LLC
3101	30	SEAVIEW EXT (15X)	6.10	0.01	Jersey City Police Shooting Range	Intermodal B	HRP Hudson, LLC
3101	31	SEAVIEW EXT (15X)	6.03	0.01	Jersey City Police Shooting Range	Intermodal B	HRP Hudson, LLC
3101	32	SEAVIEW EXT (15X)	13.26	0.01	Jersey City Police Shooting Range	Intermodal B	HRP Hudson, LLC
3101	36	VAN KEUREN AVE	2.48	0.00	PSEG Switching Station	Public Utility	HRP Hudson, LLC
3101	37	VAN KEUREN AVE	4.29	0.00	PSEG Switching Station	Public Utility	HRP Hudson, LLC
3101	42	VAN KEUREN AVE	0.60	0.58	PSEG Generating Station	Public Utility	HRP Hudson, LLC
3101	43	HACKENSACK RIV ETC	0.00	0.70	PSEG Generating Station	Public Utility	HRP Hudson, LLC
3101	44	VAN KEUREN AVE	0.01	1.43	PSEG Generating Station	Public Utility	HRP Hudson, LLC
7402	21	135 DUFFIELD AVE	1.07	2.68	PSEG Switching Station	Heavy Industrial	HRP Hudson, LLC
7402	22	135 DUFFIELD AVE	2.93	1.24	PSEG Switching Station	Heavy Industrial	HRP Hudson, LLC
7402	23	110 VAN KEUREN AVE	22.75	22.64	PSEG Generating Station	Public Utility	HRP Hudson, LLC
7402	24	VAN KEUREN AVE	0.23	0.72	PSEG Generating Station	ROW	HRP Hudson, LLC
7402	33	50 VAN KEUREN AVE	1.20	1.25	PSEG Generating Station	Heavy Industrial	HRP Hudson, LLC
7402	34	58 VAN KEUREN AVE	0.32	0.32	PSEG Generating Station	Heavy Industrial	HRP Hudson, LLC
7402	35	80 VAN KEUREN AVE	0.99	1.16	PSEG Generating Station	Heavy Industrial	HRP Hudson, LLC
<b>TOTALS</b>			117.39	71.2			

Source: NJSEA Geographic Information Systems (GIS), July 2019

The subject property is an irregularly-shaped parcel located north of Duffield and Van Keuren Avenues and west of West Side Avenue and NJ Transit's Main Line. The property contains frontage along the eastern bank of the Hackensack River, and is bisected by the inactive NJ Transit Boonton Rail Line. Surrounding uses in the vicinity include a wetlands area along the site's northerly boundary within the Environmental Conservation zone that contains Penhorn Creek to the north, and areas developed with heavy industrial, distribution, and intermodal uses to the south. A portion of the access ramp from New Jersey Turnpike Interchange 15X is located along the northeasterly corner of the site.

As indicated in Figure 3, lots within the Study Area are located within the Public Utilities, Heavy Industrial, and Intermodal B zones and Roads, Rails, ROWs designations pursuant to the Official Zoning Map of the Hackensack Meadowlands District. The Jersey City Police Pistol Range is located north of the inactive NJ Transit Boonton Rail Line on a portion of the site zoned Intermodal B (Block 3101, Lots 29, 30, 31, & 32). The majority of the site is occupied by the structures associated with the decommissioned PSEG Hudson Generating Station, located in the Public Utilities zone. Although the plant had been in operation at the site since 1906, as of 2011, only one facility remained in operation at the entire facility, which ran primarily on coal to generate electricity. In 2018, PSEG retired the electrical generating station on the site; however, currently operational PSEG switching stations will remain on Block 3101, Lots 25, 26, 36, 37 and Block 7402, Lots 21 and 22.

The entire site is fenced and has controlled access due to the security requirements associated with the site's use as an electrical generating station. Access to the site is available from one of three controlled entrances along the property line. The first gated entrance, used by employees, is located on Duffield Avenue. The second and third entrances, used by contractors, deliveries and visitors, are located along an access road that runs adjacent to the eastern property line. There are no curb cuts or pedestrian facilities existing along the north side of Van Keuren Avenue.

The surface area of the former Hudson Generating Station is covered with concrete one to two feet in depth throughout the majority of the property. The generating station site contains multiple buildings, power plant structures, electrical switching equipment, a large coal pile and surface parking. Various construction materials, debris, material stockpiles, and areas of overgrown vegetation are present throughout the property. The site and majority of the structures within the study area can be characterized as being in obsolete and dilapidated condition. This characterization is supported by the photographs in Figure 4. Additionally, the site is listed on the Known Contaminated Sites List by the NJDEP.

These characteristics present significant constraints on future development efforts on the property.

A map of existing land uses in and around the study area can be found at Figure 5 and photographs of surrounding uses can be found at Figure 6.

**Figure 4 – Photographs of Existing Conditions within In Need of Redevelopment Study Area**

**Study Area Conditions**



**Photo A-1**

*View from Hackensack River facing east.*



**Photo A-2**

*View from Hackensack River facing east.*

The study area consists of a defunct coal burning electrical generating plant. The site presently is inactive with overgrown bushes and vegetation throughout the site.

**Study Area Conditions**



**Photo B-1**

*View from Hackensack River facing east.*



**Photo B-2**

*View from Hackensack River facing east.*

The study area consists of a defunct coal burning electrical generating plant. The site presently is inactive with overgrown bushes and vegetation throughout the site. Rusting is present on buildings and barge. Photo B-2 shows the existing PSEG Switching Station, which will remain in operation on the site.

Figure 4 (continued)

**Study Area Conditions**



**Photo C-1**

*Study area from Duffield Ave.*



**Photo C-2**

*Study area from Duffield Ave.*

Substandard and dilapidated conditions are evident on the site. The pavement in the surface parking lot has begun cracking and vegetation has grown through the cracks. A portion of the building façade has begun rusting and garbage is accumulating along the property line.

**Study Area Conditions**



**Photo D-1**

*View from Duffield Ave.*



**Photo D-2**

*View from Duffield Ave.*

Materials are being stored directly on the pavement, which could lead to materials leaching into the soil or the Hackensack River during major storm events. Entrances have been closed off and vegetation has become overgrown. Directional signs are in disrepair and hanging in an ad hoc manner.

Figure 4 (continued)

Study Area Conditions



**Photo E-1**

*Study area from Duffield Ave*

PSEG Switching Station that will remain active on the site. The stations are located on Block 3101 Lots 25, 26, 36, 37 and Block 7402, Lots 21 and 22



**Photo F-1**

*View from Van Keuren Ave.*



**Photo F-2**

*View from Van Keuren Ave.*

This part of the site along Van Keuren Ave. is located near an access easement that runs parallel to West Side Ave. Abandoned equipment from the coal burning operations has begun rusting. A substandard parking lot and an abandoned mobile home are also evident on the site.

**Figure 4 (continued)**

**Site Area Conditions**



**Photo G-1**

*View looking southeast on corner of Duffield  
and Van Keuren Avenues*



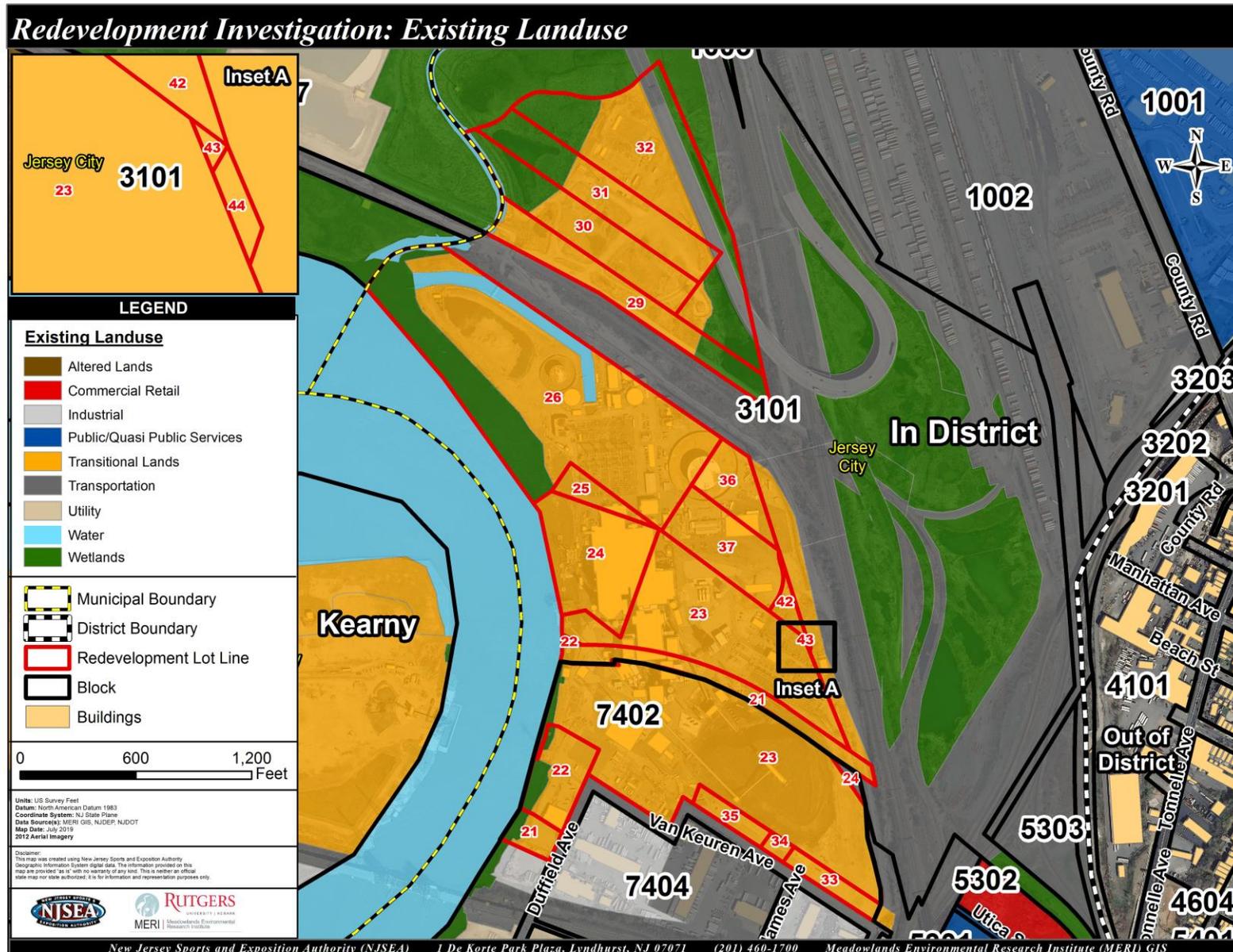
**Photo G-2**

*View from Duffield Ave. looking north to study area*

The photos portray the condition of roadways in the vicinity of the study area.

**Figure 5 – Existing Land Use Map  
In Need of Redevelopment Study Area – Hilco Site**

**Van Keuren Avenue (Block 3101, Lots 21-26, 29-32, 36, 37, 42-44 & Block 7402, Lots: 21-24, 33-35) – Jersey City, New Jersey**



**Figure 6 – Photographs of Neighboring Properties**



**Photo 1**

*Property located across Duffield Ave. Occupied by Old Dominion Freight Line.*



**Photo 2**

*Old Dominion Freight Line side yard and parking in front yard.*



**Photo 3**

*Surface parking south of Study Area along the Hackensack River.*



**Photo 4**

*Additional Old Dominion Freight Line building located at 101 Van Keuren Avenue, across the street from Study Area.*

**2. Zoning** - The subject property is located in multiple zones consisting of Heavy Industrial (HI), Public Utilities (PU), and Intermodal B (IB) zones, in addition to areas categorized as Roads, Rails, ROWs on the Official Zoning Map. The decommissioned PSEG coal burning electrical generating station is a permitted use in each of the three zones. (See Figure 2.)

The purpose of the Heavy Industrial zone is designed to accommodate intensive industrial, utility and commercial uses for which there are few provisions in other industrial zones. The use and bulk regulations for the HI zone are provided below:

- A. The permitted uses in the HI zone (N.J.A.C. 19:4-5.100) are:
1. Automobile repair facilities, major;
  2. Automobile repair facilities, minor;
  3. Boat sales, rental and repair;
  4. Building material yards and facilities;
  5. Bus garages;
  6. Class A recycling facilities;
  7. Class B recycling facilities;
  8. Class D recycling facilities;
  9. Construction equipment sales, rental, and repair;
  10. Contractor's yard or facilities;
  11. Heavy industry;
  12. Intermodal facilities;
  13. Manufactured home and trailer sales, rental, and repair;
  14. Materials recovery facilities;
  15. Outdoor storage;
  16. Parks or recreation facilities;
  17. Public utility uses, heavy;
  18. Public utility uses, light;
  19. Railroad terminals and yard;
  20. Resources recovery facilities;
  21. Solid waste transfer station;
  22. Truck rental facilities;
  23. Truck sales;
  24. Truck repair facilities;
  25. Truck terminals; and
  26. Truck washes.
- B. The special exception uses in the HI zone (N.J.A.C. 19:4-5.102) are:
1. Communications and transmission towers;
  2. Heliports; and
  3. Helistops.
- C. The lot size requirements in the HI zone (N.J.A.C. 19:4-5.104) are:
1. Minimum lot area: one acre;
  2. Minimum lot width: 100 feet; and
  3. Minimum lot depth: 150 feet.

- D. The bulk regulations in the HI zone (N.J.A.C. 19:4-5.105) are:
1. Maximum lot coverage: 50 percent
  2. Minimum open space: 15 percent
  3. Yards:
    - i. Minimum front yard: 35 feet;
    - ii. Minimum side yard: 20 feet; and
    - iii. Minimum rear yard: 30 feet; and
  4. FAR: 2.5.
- E. The performance standards in the HI zone (N.J.A.C. 19:4-5.106) are:  
All Category C performance standards of N.J.A.C. 19:4-7 shall apply to all uses in the Heavy Industrial zone.

The purpose of the Public Utilities zone is designed to accommodate heavy public utility and intermodal uses. The use and bulk regulations for the PU zone are provided below:

- A. The permitted uses in the PU zone (N.J.A.C. 19:4-5.108) are:
1. Intermodal facilities;
  2. Manufacture of electric power by a public utility;
  3. Parks or recreation facilities;
  4. Public utility uses, heavy;
  5. Public utility uses, light;
  6. Railroad terminals and yards;
- B. The special exception uses in the PU zone (N.J.A.C. 19:4-5.109) are:
1. Class A recycling facilities;
  2. Class D recycling facilities;
  3. Helistops.
- C. The lot size requirements in the PU zone (N.J.A.C. 19:4-5.111) are:
1. Minimum lot area: one acre;
  2. Minimum lot width: 100 feet; and
  3. Minimum lot depth: 150 feet.
- D. The bulk regulations in the PU zone (N.J.A.C. 19:4-5.112) are:
1. Maximum lot coverage: 50 percent
  2. Minimum open space: 15 percent
  3. Yards:
    - i. Minimum front yard: 35 feet;
    - ii. Minimum side yard: 20 feet; and
    - iii. Minimum rear yard: 30 feet;
- E. The performance standards in the PU zone (N.J.A.C. 19:4-5.113) are:  
All Category C performance standards of N.J.A.C. 19:4-7 shall apply to all uses in the Public Utility zone.

The purpose of the Intermodal B zone is designed to accommodate heavy public utility and intermodal uses. The use and bulk regulations for the IB zone are provided below:

- A. The permitted uses in the IB zone (N.J.A.C. 19:4-5.94) are:
1. Automobile repair facilities, major;
  2. Automobile repair facilities, minor;
  3. Building materials yards and facilities;
  4. Bus garages;
  5. Class A recycling facilities;
  6. Class B recycling facilities;
  7. Class D recycling facilities;
  8. Construction equipment sales, rental, and repair;
  9. Contractor's yard or facilities;
  10. Intermodal facilities;
  11. Fuel service stations;
  12. Heavy Industry;
  13. Materials recovery;
  14. Parks or recreation facilities;
  15. Public utility uses, heavy;
  16. Public utility uses, light;
  17. Railroad terminals and yards;
  18. Truck rental facilities;
  19. Truck sales;
  20. Truck stops;
  21. Truck terminals;
  22. Truck washes; and
  23. Warehouse and distribution facilities.
- B. The special exception uses in the IB zone (N.J.A.C. 19:4-5.95) are:
1. Communication transmission towers;
  2. Disaster recovery facilities;
  3. Heliport;
  4. Helistops;
  5. Solid waste transfer station; and
  6. Truck repair facilities.
- C. The lot size requirements in the IB zone (N.J.A.C. 19:4-5.97) are:
1. Minimum lot area: three acres;
  2. Minimum lot width: 200 feet; and
  3. Minimum lot depth: 200 feet.
- D. The bulk regulations in the IB zone (N.J.A.C. 19:4-5.98) are:
1. Maximum lot coverage: 40 percent
  2. Minimum open space: 15 percent
  3. Yards:
    - i. Minimum front yard: 50 feet;
    - ii. Minimum side yard: 30 feet; and
    - iii. Minimum rear yard: 75 feet; and
  4. Maximum building height: 50 feet.
- E. The performance standards in the IB zone (N.J.A.C. 19:4-5.113) are:  
All Category C performance standards of N.J.A.C. 19:4-7 shall apply to all uses in the Intermodal B zone.

**3. Wetlands** – No wetland areas are indicated within the study area by NJSEA GIS mapping. Where the property adjoins the Hackensack River, there appear to be bulkheads along the westerly portion of the site that delineates the shoreline.

The actual presence or absence of wetlands on a particular site is subject to further review and confirmation in accordance with due diligence procedures customarily followed by applicants for development, which may include a detailed wetlands study and a jurisdictional determination by the U.S. Army Corps of Engineers.

**4. Soils** – The soils map of the US Department of Agriculture Natural Resources Conservation Service Soil Survey indicates the following soil classifications are present within the study area:

1. URWETB (Urban land, wet substratum, 0 to 8 percent slopes);
2. URTILB (Urban land, till substratum, 0 to 8 percent slopes);
3. WectA (Westbrook mucky peat, 0 to 2 percent slopes, very frequently flooded);
4. SecA (Secaucus artefactual fine sandy loam, 0 to 3 percent slopes).

Site-specific soils studies would be required at the time of any potential construction permit application to ensure that the appropriate construction methodologies will be utilized for the sound structural support of any future building at the site.

**5. Contamination** - The Known Contaminated Sites List (KCSL) in New Jersey is a report maintained by the NJDEP pursuant to N.J.S.A. 58:10-23.16 and 23.17 that provides a record of sites with confirmed soil or water contamination at levels greater than the applicable cleanup criteria or standards. The study area is listed as an active site in the NJDEP KCSL identified as the PSE&G Hudson Generating Station site, Public Interest (PI) #005301.

The subject property is also located adjacent to three other properties on the KCSL, identified as the Nicholas Galvanizing Company Inc. site PI #G000001126, Premier Motor Lines site PI #000643, and Hudson County Chromate 86.

See Figure 7 for a map of sites on the NJDEP Known Contaminated Sites List.

**6. Vehicular Access** – The subject property contains frontage and controlled access on the northern side of Duffield Avenue, which can be accessed via a gated entrance. Van Keuren Avenue turns into Duffield Avenue east of James Avenue, where it turns south as it approaches the Hackensack River. In addition, there is an easement running along the eastern property line that contains two additional gated entrances for vehicles. This easement provides access to the switching stations located on Block 3101, Lots 25, 26, 36 and 37, and the Jersey City Police Pistol Range located north of the rail line at Block 3101, Lots 29, 30, 31 and 32. The switching station located on Block 7402, Lots 21 and 22 can be accessed via Duffield Avenue.

There is currently no bus or rail service available to this site or adjacent lots. The closest bus stop is located on County Road (Stop #30973) on the NJ Transit 2 bus route between the Jersey City Journal Square Transportation Center and the Secaucus Junction Bus Plaza, where access to rail transit is available.

**7. Floodplain** - Properties in the study area appear on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM), Map Number 34003C0332G and 34003C0264G, dated August 28, 2019. The study area is located within a special flood hazard area (SFHA) designated by FEMA as Zone AE and Zone X, a 100-year floodplain where base flood elevations (BFE) have been determined. The properties in the study area have an effective BFE of 8 feet (NAVD88 datum). In the months after Superstorm Sandy, FEMA released Preliminary FIRMs to reflect the most up-to-date data, wherein the subject properties are located on Map Number 34003C0332J and 34003C0264J dated August 29, 2014.(See Figure 8)

The NJSEA regulations require that all structures located in a SFHA have a finished floor elevation at a minimum of one foot above the FIRM's established BFE. As the BFE depicted on the Preliminary FIRM is slightly higher than the BFE shown on the Effective FIRM, the base flood elevation of the Preliminary FIRM becomes the regulatory BFE, and all new or substantially improved structures in the Study Area must have a finished floor elevation located at a minimum of 10.0 feet (NAVD88).

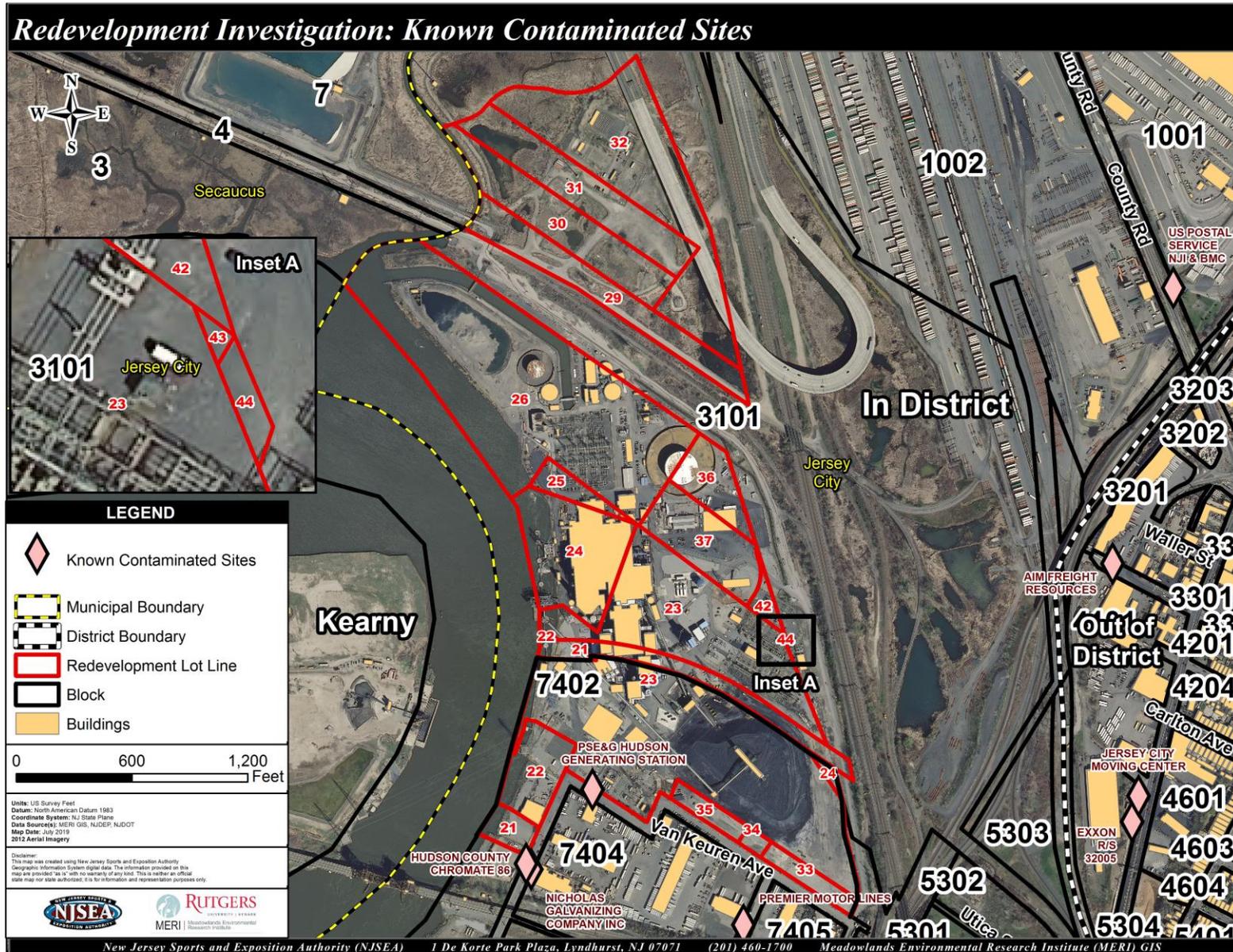
The NJSEA also participates in FEMA's National Flood Insurance Program (NFIP) Community Rating System (CRS) and is certified as a Class 7 community, which qualifies flood insurance policy holders in a SFHA within the Hackensack Meadowlands District to a 15 percent discount in their flood insurance rates.

**8. Utilities** - Public utilities are available to the Study Area, including gas, water, electric and telephone service, as well as public sanitary sewer improvements. Public Service Electric and Gas Company (PSEG) provides electric and gas service. Jersey City Municipal Utilities Authority provides water to the site and the Passaic Valley Sewerage Commission (PVSC) provide sewer services. Will-serve letters will be required to be obtained for any proposed future development of the site.

**9. Other Redevelopment Areas in Close Proximity** - The NJSEA has not adopted any redevelopment areas proximate to the Study Area in Jersey City. However, the NJSEA's Koppers Coke Peninsula Redevelopment Area (RA-12) is located across the Hackensack River in the Town of Kearny. This redevelopment area provides for the redevelopment of 367 acres of brownfield properties, including a designated USEPA Superfund Site, into industrial reuse.

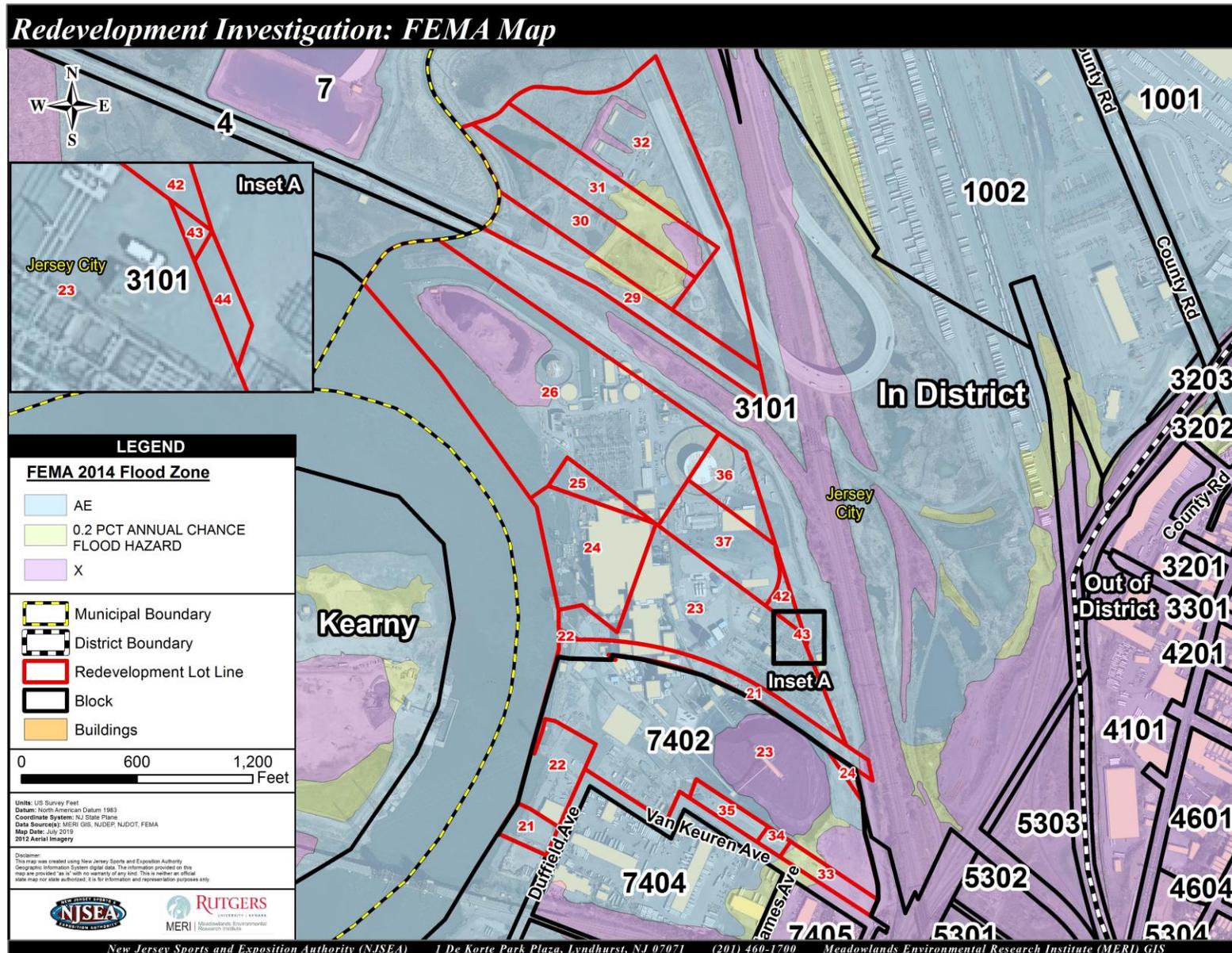
**Figure 7 – NJDEP Known Contaminated Sites  
In Need of Redevelopment Study Area – Hilco Site**

**Van Keuren Avenue (Block 3101, Lots 21-26, 29-32, 36, 37, 42-44; & Block 7402, Lots: 21-24, 33-35) – Jersey City, New Jersey**



**Figure 8 – Map of FEMA Special Flood Hazard Areas  
In Need of Redevelopment Study Area – Hilco Site**

**Van Keuren Avenue (Block 3101, Lots 21-26, 29-32, 36, 37, 42-44 & Block 7402, Lots: 21-24, 33-35) – Jersey City, New Jersey**



## IV. FINDINGS

The parcels within the Study Area were evaluated in relation to the in need of redevelopment criteria established by NJSEA statute and regulations. N.J.A.C. 19:3-5.7(a) provides that an area shall be deemed to be in need of redevelopment if it is determined that any of the following conditions exist:

- 1. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.***

The Study Area is the site of a defunct coal burning power generating facility known as the PSEG Hudson Generating Station. The facility began production in 1906 and was later replaced by a newer plant in the 1960's, which has been dormant since 2018. Between 2011 and 2018, only one unit on the entire site was still in operation. Energy fueled by coal has become an antiquated resource in the energy market. Specifically, PSEG no longer uses this type of facility to generate energy due to more stringent environmental regulations, and as natural gas has become a cheaper alternative. The Study Area was developed primarily for the use of a coal burning energy plant, and, as this use is no longer prevalent in the energy industry, an entire site dedicated to this use is an obsolescent characteristic.

In addition, the Study Area containing the PSEG Hudson Generating Station has been identified as an "active site" on the NJDEP's Known Contaminated Site List. The Study Area has contaminated soil that exceeds applicable NJDEP standards. The Study Area's sole purpose and specific design as a coal burning energy plant represents obsolescent characteristics combined with concerns related to the site's environmental contamination, which thereby create unwholesome conditions on the property.

- 2. The discontinuance of the use of buildings previously utilized for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable;***

The Study Area was formerly being used to generate energy by burning coal, a finite fossil fuel. The former coal burning electrical generating station within the Study Area was retired in 2018, although PSEG had been gradually discontinuing the use of buildings on the property over the preceding decade. Since the design of the buildings and structures on the property were for one specific purpose, since deemed obsolete by its operator, these structures could not be easily adapted to serve the needs of a modern industrial use, and it is unlikely that the site would be used for the same use in the future. The cost to upgrade the existing structures to adapt to modern energy generation operations would likely be cost-prohibitive. Due to the specific nature of the utility use and equipment on the site, no other use is able to locate on this property without extensive demolition, site work, and the remediation of contaminated soil on the site. This discontinuance of the use on the site has contributed to the site's state of disrepair, such that it is untenable.

3. ***Land that is owned by the NJSEA, or other public entities, or unimproved vacant land that has remained so for a period of 10 years prior to adoption of the resolution; or land that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital;***

The northerly portion of the Study Area, containing the Jersey City Police Department Pistol Range, can be characterized as remote and isolated from developed areas due to access constraints. Although the site is located between numerous rail and road ROW's, it does not contain direct access from them. Rather, access to this portion of the Study Area, to the north of the NJ Transit Boonton Line, consists of unmapped, unimproved access roads. Access from the west or north is constrained due to the presence of wetlands associated with Penhorn Creek. The remote location and access constraints make it unlikely that this portion of the Study Area can be developed through the instrumentality of private capital.

4. ***Areas with buildings or improvements that, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community;***

Coal burning energy generation has been occurring within the Study Area since the early 1900s. PSEG began operations in the Study Area in the early 1960s, at which time coal burning was a major energy source. Presently, coal as a fuel source is obsolete and inefficient in comparison to today's electrical generating operations. The discontinuance of the burning of coal on the site results in improved air quality and will, therefore, promote the public health and welfare. The 2010 National Association for the Advancement of Colored People ("NAACP") report on the nation's most toxic coal fired power plants ranked the Hudson Generating Station as #2 on the list. This ranking was based on environmental justice concerns due to the level of poisonous emissions from coal plants, cross referenced by proximity to large populations of communities of color and low-income demographics. Additionally, the NJDEP has included the Hudson Generation Station on its list of Known Contaminated Sites.

The site itself contains a large amount of impervious surfaces and extremely little open space or landscaping. The vegetation on the site primarily consists of overgrowth and weeds growing through cracked pavement and along the fence line. On-site drainage facilities are not adequate, resulting in ponding in certain areas of the site, representing a public health concern. Therefore, the subject criterion is applicable to the Study Area.

5. ***Lack of proper utilization of areas, caused by the condition of the title, diverse ownership of the real property therein, or other conditions resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare;***

The property had been utilized over the past century for a specific utility purpose that has become obsolete. The Hudson Generating Station has been decommissioned, and the site's inability to accommodate another use without extensive demolition, site work, and the

remediation of contaminated soil on the site results in a stagnant and not fully productive condition of the land.

Additionally, the northeasterly portion of the study area is currently being used as a shooting range by the Jersey City Police Department, with an associated parking area. Much of this portion of the study area is vacant and underutilized, consisting of overgrown vegetation and dirt access roads.

The large size of the Study Area, its proximity to regional roadway and rail networks, and its frontage along the Hackensack River are advantages that are not being fully utilized in the study area's current stagnant condition.

6. ***Areas in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated;***

This criterion is not applicable to the Study Area.

7. ***Areas designated as an enterprise zone pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et seq., where the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to N.J.S.A. 40A:12A-5 and 40A:12A-6 for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of N.J.S.A. 40A:20-1 et seq.; or***

A portion of the Study Area is located within a designated Urban Enterprise Zone. Block 7402, Lots 33, 34, and 35 are located within the UEZ.

8. ***Areas, with or without improvements, where there is historic evidence of illegal dumping activities; areas with evidence of soil, groundwater, or surface water contamination; areas that, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), are listed on the CERCLA database; Federal, State, county, or municipally designated brownfield areas; and/or areas on the New Jersey Known Contaminated Sites List per N.J.S.A. 58:10-23.16 and 23.17.***

The subject property appears on the New Jersey Known Contaminated Sites List, and NJDEP records indicate there is an open remedial investigation at the site (PI #005301). Therefore, this criterion is applicable to the Study Area.

## **V. RECOMMENDATIONS**

Based on the record in this matter, the NJSEA staff has determined that the conditions listed at N.J.A.C. 19:3-5.7(a)1, 2, 3, 4, 5, 7 and 8 exist at the Hilco property on Van Keuren Avenue, Block 3201, Lots 22-26, 29-32, 36, 37, and 42-44 and Block 7402, Lots 21-24 and 33-35 in the City of Jersey City, New Jersey.

Therefore, the NJSEA staff recommends that the Board of Commissioners of the New Jersey Sports and Exposition Authority make a determination that the properties in the subject Study Area, identified as Van Keuren Avenue, Block 3201, Lots 22-26, 29-32, 36, 37, and 42-44 and Block 7402, Lots 21-24 and 33-35 in the City of Jersey City, New Jersey, satisfy the regulatory criteria to be declared an area in need of redevelopment.