



CHIESA SHAHINIAN & GIANTOMASI PC

ONE BOLAND DRIVE
WEST ORANGE, NJ 07052

csglaw.com

DONNA M. EREM
derem@csglaw.com
(O) 973.530.2047
(F) 973.530.2247

October 1, 2019

Via Hand Delivery

Mary C. Gaines
Planning Board Secretary
Town of Harrison
318 Harrison Avenue
Harrison, NJ 07029

**Re: Accordia Harrison Urban Renewal, LLC
Property: Block 133, Lots 1.03 and 1.05
Application for Amended Preliminary and
Final Major Site Plan Approval Phase II**

Dear Ms. Gaines:

This firm represents Accordia Harrison Urban Renewal LLC (the "Applicant") in connection with the enclosed Standard Development Application. The Applicant submits the within application and supporting documentation to the Planning Board seeking Amended Preliminary and Final Site Plan approval, along with variances and design waivers for Phase II of its development located on property designated on the Town's Tax Map as Block 133, Lots 1.03 and 1.05.

Enclosed for consideration by the Planning Board please find the following:

- (i) An original and seventeen (17) copies of a completed Standard Development Application form;
- (ii) Eighteen (18) copies of a Project Narrative, attached as Exhibit A;
- (iii) Eighteen (18) copies of a List of Variances and Design Waivers Requested, attached as Exhibit B;
- (iv) Eighteen (18) copies of the following completed submission checklists: (a) General Requirements Application Checklist, (b) Preliminary Major Subdivision and Site Plan Checklist, (c) Final Major Subdivision and Site Plan Checklist and (d) Variance Application Checklist, attached as Exhibit C;

- (v) Eighteen (18) copies of a Zoning Table, attached as Exhibit D;
- (vi) An original and seventeen (17) copies of an Owner Authorization For Access to Property, attached as Exhibit E;
- (vii) Eighteen (18) copies of correspondence from MidAtlantic Engineering Partners dated October 1, 2019, transmitting an application and supporting documentation to the Hudson County Planning Board, attached as Exhibit F;
- (viii) An original and seventeen (17) copies of the Ownership Disclosure Statement for the Applicant, attached as Exhibit G;
- (ix) Eighteen (18) copies of the Resolution of the Planning Board granting Preliminary and Final Major Site Plan Approval for Phase I, Preliminary Major Site Plan Approval for Phase II, as well as subdivision and variance relief dated January 28, 2016, attached as Exhibit H;
- (x) Eighteen (18) copies of a Deed Notice dated February 21, 2019, attached as Exhibit I;
- (xi) Eighteen (18) copies of a certified list of property owners within 200 feet of the subject property, attached as Exhibit J;
- (xii) Eighteen (18) copies of Assessor's Verification that taxes and other municipal charges are current, attached as Exhibit K;
- (xiii) Eighteen (18) sets of signed and sealed regular size engineering plans, and eighteen (18) sets of reduced size engineering plans prepared by MidAtlantic Engineering Partners dated September 26, 2019;
- (xiv) Two (2) sets each of Stormwater Management Narrative, Water Service Connection Report and Sanitary Sewer Report prepared by MidAtlantic Engineering Partners dated September 26, 2019;
- (xv) Eighteen (18) sets of signed and sealed regular size architectural plans, and eighteen (18) sets of reduced size architectural plans prepared by Architectura Inc. dated September 26, 2019, and
- (xvi) Eighteen (18) signed and sealed sets of a Traffic Impact Study prepared by Stonefield Engineering and Design, LLC dated September 30, 2019.

Per our telephone conversation, I am simultaneously herewith hand-delivering copies of this application and all supporting materials to Susan S. Gruel, P.P. (not including the Engineer's Reports), and Antonios Panagopoulos, P.E., C.M.E (including the Engineer's Reports).

Mary C. Gaines
October 1, 2019
Page 3

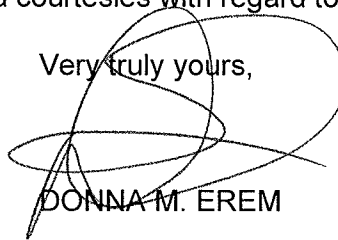
Application fees and escrow are in the process of being calculated and will be delivered to you in the very near future.

Kindly process this application and advise as to scheduling with the Subdivision and Site Plan Review Committee.

If you have any questions, or require any additional information, kindly feel free to notify me directly.

Thank you for your assistance and courtesies with regard to this application.

Very truly yours,

A handwritten signature in black ink, appearing to be "Donna M. Erem", written over a circular stamp or seal.

DONNA M. EREM

DME:pbb

Enclosures

cc: Accordia Harrison Urban Renewal LLC
Kevin Shelly, P.E.
Conrad Roncati
Charles Olivo, P.E.

TOWN OF HARRISON

STANDARD DEVELOPMENT APPLICATION

GENERAL INSTRUCTIONS: To the extent possible, applicant shall complete every question. When completed, this application shall be submitted to the Board Secretary. The proper application and escrow fees must accompany the application. **Do not advertise for a public hearing until you are advised to do so by the Board.**

Indicate to which Board application is being made:

☒ *Planning Board*

☐ *Board of Adjustment*

Indicate all approvals and variances being sought:

<input type="checkbox"/> Informal Review	<input checked="" type="checkbox"/> Major Site Plan	<input type="checkbox"/> Conditional Use Variance
<input checked="" type="checkbox"/> "C" Variance(s)	<input type="checkbox"/> Minor Subdivision	<input type="checkbox"/> Interpretation
<input type="checkbox"/> "D" Variance	<input type="checkbox"/> Prelim. Major Subdivision	
<input type="checkbox"/> Waiver of Site Plan	<input type="checkbox"/> Final Major Subdivision	
<input type="checkbox"/> Minor Site Plan	<input type="checkbox"/> Appeals from Decision of Admin. Officer	

1. APPLICANT

Name Accordia Harrison Urban Renewal LLC		Address 100 Passaic Avenue #150	
City Fairfield	State NJ	Zip 07004	Telephone
NOTE: If applicant is not the property owner an affidavit of ownership granting permission to apply must accompany this form.			

2. PROPERTY OWNER (if other than applicant) N/A

Name		Address	
City	State	Zip	Telephone

3. APPLICANT'S ATTORNEY (if applicable)

Name Thomas Trautner, Esq. Chiesa Shahinian & Giantomasi		Address 1 Boland Drive	
City West Orange	State NJ	Zip 07052	Telephone 973-530-2079

TO BE COMPLETED BY TOWN STAFF ONLY

Date Filed:

Application No.:

☐ Planning Board

Application Fees:

☐ Board of Adjustment

Escrow Deposit:

Scheduled for Completeness Review:

Scheduled for Hearing:

TOWN OF HARRISON

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Applicant is a(n):

☐ Corporation☐ Partnership☐ Individual

Limited Liability Company

Pursuant to N.J.S.A. 40:55D - 48.1 & 48.2 corporations and partnerships making certain applications are required to list the names and addresses of partners or shareholders owning ten percent or more interest in the partnership or corporation.

4. SUBJECT PROPERTY

Street Address 700 Frank E. Rodgers Blvd.	Block(s) and Lot(s) Numbers Block 133; Lots 1.03 & 1.05	
Site Acreage 5.8	Zone District(s) Redev: Mixed Use	Tax Sheet No. 16
Present Use Vacant		
Proposed Use Mixed Use - one 16 story and one 26 story mixed use building Residential, commercial/retail, hotel, sports hub, automated parking		

5. SITE AND BUILDING STATISTICS (attach additional sheets if necessary)

Area 5.8	Dimensions Irregular
Does Property Front on a County or State Road? yes, Frank E. Rodgers Blvd (CR 697)	Number of Parking Spaces and Dimensions 1,324 (sizes vary)
Dimensions of Loading Area 5,580 SF	Number of New Buildings 2
Square Feet of New Buildings 1,515,246	Height Building 1: 26 stories Building 2: 16 stories
Exterior Construction Material Brick, Metal, Glass	Total Cost of Building and Site Improvements TBD
Number of Lots Before Subdivision N/A	Number of Lots After Subdivision N/A
Are Any New Streets or Utility Extensions Proposed? Water Main Extension	Number of Proposed Signs and Dimensions N/A
Are Any Structures to be Removed? No	Is the Property Within 200 Feet of an Adjacent Municipality? If so, which? No

Are there any existing or proposed deed restrictions or covenants? Please detail. Yes
Deed Notice recorded on February 21, 2019 attached as Exhibit I.

TOWN OF HARRISON

Standard Development Application - Page 3 of 4

6. VARIANCES

Indicate Type of Variance(s) sought:	
<input type="checkbox"/> "D" Variance	Type (use, density, etc.)
<input checked="" type="checkbox"/> "C" Variance	Type (use, density, etc.) See List of Variancies and Design Waivers attached as Exhibit B

7. HISTORY OF PAST APPROVALS

☐ Check Here if None

	APPROVED	DENIED	DATE
Subdivision	X		1/13/2016
Site Plan	X		1/13/2016
Variance(s)	X		1/13/2016
Building Permit	X		2017 (Phase I)

8. NAMES OF APPLICANT'S EXPERTS

Engineer's Name Kevin Shelly PE Mid Atlantic Engineering Partners		Address 5 Commerce Way Ste 200		
City Hamilton	State NJ	Zip 08691	Telephone 609-910-4450	License #
Surveyor's Name		Address		
City	State	Zip	Telephone	License #
Planner's Name		Address		
City	State	Zip	Telephone	License #
Traffic Engineer's Name Charles Olivo, Stonefield Engineering		Address 92 Park Avenue		
City Rutherford	State NJ	Zip 07070	Telephone 201-340-4468	License #
List any other expert who will submit a report or who will testify for the Applicant (include field of expertise).				
Name and Field of Expertise Conrad Roncati, Architect		Address One Executive Drive Ste LL100		
City Fort Lee	State NJ	Zip 07024	Telephone 201-346-1400	License #
Name and Field of Expertise		Address		
City	State	Zip	Telephone	License #

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9. OTHER APPROVALS WHICH MAY BE REQUIRED AND DATE OF PLANS SUBMITTED

	YES	NO	DATE PLANS SUBMITTED
Hudson County Health Department		X	
Hudson County Planning Board	X		pending
Hudson-Bergen-Essex Soil Conservation Service	X		pending
NJDEP			
• Sanitary Sewer Connection Permit	X		pending
• Waterfront Development Permit	X		pending
• Other (specify) Flood Hazard Area & Water Permits			
New Jersey Department of Transportation			
Other (specify) Passaic Valley Sewerage Commission	X		pending
Other (specify)			
Other (specify)			

10. FEES SUBMITTED

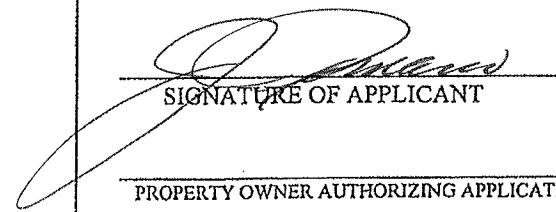
<i>Application Fees</i>	
<i>Variance Fees</i>	
<i>Escrow Fees</i>	
Total Fees	

11. CERTIFICATION

I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the corporation or that I am a general partner of the partnership applicant. I hereby permit authorized Town officials to inspect my property in conjunction with this application.



SIGNATURE OF APPLICANT



PROPERTY OWNER AUTHORIZING APPLICATION

Sworn to and subscribed before me this

26th day of September 19 2019


NOTARY PUBLIC

PHYLLIS BENISE BILLINGSLEY
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES MARCH 3, 2022

AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY)

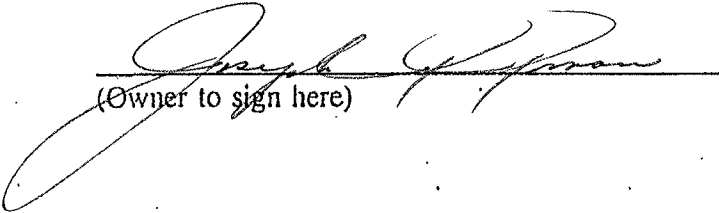
SS:

COUNTY OF ESSEX)

Joseph R. Romano of full age, being duly sworn according to
law on oath deposes and says that the ~~deponent's~~ ^{deponent's} place of business is located at 100 Passaic Avenue #150

in the Municipality of Fairfield in the County of Essex

and is the owner in fee of all that certain lot, piece or parcel of land situated and designated
as Block 133, Lots 1.03
~~Case Number~~ and 1.05.


(Owner to sign here)

AUTHORIZATION

(If anyone other than the above owner is making this application the following authorization must be executed.)

To the Board of Adjustment ()

Planning Board ()

_____ is hereby authorized to make the
within application.

Dated: _____

(Owner to sign here)

Sworn and subscribed to before me
this _____ day of _____
19____.

NOTARY PUBLIC OF

Exhibit A

PROJECT NARRATIVE

Accordia Harrison Urban Renewal, LLC, the owner and applicant of the property that is the subject of this development application (the "Applicant"), hereby seeks Amended Preliminary and Final Major Site Plan approval, as well as bulk variance approval along with approval of design waivers, to amend the previous approvals granted by the Planning Board (the "Board") for the development (the "Development").

Prior to the acquisition of the subject site by the Applicant, the Board granted Preliminary and Final Major Site Plan approval along with variance approval, to construct 464 residential units and 16,000 s.f. of retail space. The Development was divided into two phases. Phase I, which was under construction when it was acquired by the Applicant, contained 205 residential units and 8,000 s.f. of retail space.

The Applicant examined and evaluated the Development upon acquisition. It was determined that to date, the emphasis of the projects in the redevelopment area has been on the residential units, with insufficient emphasis on the retail and support aspects that are needed to create a truly viable and sustainable urban lifestyle. Given that the site is located adjacent to the new PATH station, it was determined that this site provides a natural location to situate and provide these necessary supporting services.

In furtherance of this goal, and in addition to the originally proposed and approved numerous restaurants, the Applicant proposes retail and personal service uses that are critical to the everyday lives of urban residents. Potential retail service uses under consideration consist of a hair salon/barber shop, Verizon/Sprint store, UPS/Postal Annex store, a drug store, and other similar retail service uses. Potential professional service uses under consideration consist of medical, accountant, lawyer and/or dentist offices. It is believed that incorporating these necessary uses into the Development will bring it stability and sustainability.

The Applicant, in considering its revisions to the approved site plan, respected the approved building footprints and retained those footprints for this proposed site plan. Additionally, the Applicant is sensitive to the goals and guidelines contained within the Waterfront Redevelopment Plan and therefore, its proposed Development is consistent with that Plan.

In particular, the Applicant's development plan calls for Phase II to be developed in two parts. The first part of the Development will contain 620 residential units, a 200 room hotel, a parking garage and a 7 story, 150,000 s.f. retail/commercial office building. This part of the Phase II development will front on Frank E. Rogers Boulevard and will be adjacent to the Eastbound PATH station. Additionally, this part of the Development and the PATH station will be connected by way of an urban plaza. The second part of the Development will contain 264 residential units, a parking garage and 65,000 s.f. of commercial space. It is anticipated that this space will be developed as a sports/health complex, subject to agreeable negotiation with an appropriate user.

In scope, the quality of this Development has graduated from the typical 4-5 story residential building over ground floor commercial format, to a truly sustainable urban concept. The varying height in the buildings (7 stories to 26 stories) will create a true urban visual image for the future of Harrison.

Approval of the proposed Development will afford the Applicant the ability to become an important asset to the Harrison community by providing housing opportunities for everyone, including families, and by providing the necessary services that residents depend upon in order to conduct their busy everyday lives in a stable, safe, and comfortable urban environment.

Exhibit B

LIST OF VARIANCES AND DESIGN WAIVERS REQUESTED
From the Requirements of the Harrison Waterfront Redevelopment Plan

Variances

- Retail façade: 85% of the street level frontage shall contain retail sales/restaurant uses. Applicant proposes that 57% of the street level frontage along Angelo Cifelli Drive for Building 1 contain retail sales/restaurant uses. (p. 29)
- Retail depth: Retail space must be a minimum of 40 ft. in depth. Applicant proposes retail space depth of 10'-8" at the closest point for Building 1. (p. 29)
- Setback: A maximum setback of 10 ft. is permitted. An additional setback of 10 ft. is permitted only if the setback is used to provide a public amenity, outdoor dining or provides architectural interest to the building façade. Applicant proposes setbacks greater than 10 ft. for both Buildings. (p. 28)
- Residential: Bedroom mix standards: A maximum of 50% of all units shall be 2 and 3 bedroom units. Of the 2 and 3 bedroom units, a maximum of 10% must be 3 bedroom units. Applicant proposes that 22% of the 2 and 3 bedroom units be 3 bedroom units. (p. 29)

Design Waivers

- Loading & Service Areas: No vehicular access to loading areas is permitted along Angelo Cifelli Drive. Applicant proposes drop-off areas adjacent to the proposed building lobbies. (p. 43)
- Streets, Utilities & Mechanical Equipment: Transformers and primary and back-up generators are required to be located interior to the building or vaulted underground within the pavement area of an adjacent street. This mechanical equipment is not permitted to be located within and upon the sidewalk, between the sidewalk and the building, or anywhere outside at grade. Applicant proposes at-grade transformers outside the building envelopes. Applicant will work to relocate the transformer outside of Building 1 within the plaza area adjacent to the PATH station to be within the Building or in a less visible location. (p. 56)
- Concourse/Sidewalk Width: Sidewalks 12 ft. in width are required along both sides of Angelo Cifelli Drive and South 5th Street. Applicant proposes sidewalks 10 ft. in width along these roadways. (p. 21)
- Parking & Circulation/Screening of parking spaces: All permanent parking spaces are required to be in structures or screened from street view. Applicant proposes parking spaces that do not meet these requirements. (p. 44)

- Architectural Standards/Maximum Building Envelope and Encroachments: Blocks fronting on public and private streets must have a minimum of 80% of their block face occupied by building face. Applicant proposes that 76% of their block face be occupied by building face. (p. 40)
- Architectural Standards/Residential Window and Doors: Doors, other than garage doors, must be or appear to be constructed of planks or raised panels (not flush with trim). Applicant proposes alternate door designs and materials (p. 42)
- Architectural Standards/Residential Window and Doors: Where masonry is used, all entryway and window openings shall have concrete, masonry, or exposed steel lintels. Applicant does not propose lintels for the doors. (p. 42)
- Architectural Standards/Roofs: Cornices are required in buildings with flat roofs and they shall include a projection beyond the building face. Applicant does not propose projections beyond the building face.

*Demonstration of satisfaction of all legal criteria will be provided by a professional planner at the public hearing.

Exhibit C

17-74.5 Application Checklist

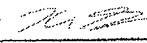
TOWN OF HARRISON		
APPLICATION CHECKLIST		
GENERAL REQUIREMENTS FOR ALL DEVELOPMENT APPLICATIONS	Yes	No
Applicant's Name _____		
Application # _____		
Items Required:		
1. Fees and escrow.	X	
2. Certification of taxes paid.	X	
3. Plot plan, site plan or subdivision plan; number of copies specified on applicable checklists.	X	
4. Affidavit of Ownership. If applicant is not the owner, applicant's interest in land must be indicated; e.g., tenant, contract/purchaser, lien holder, etc., and permission of property owner to file the application must be submitted.		X
5. If applicant is a corporation or partnership applying to the Board or the Council for permission to subdivide a parcel of land into six (6) or more lots, or applying for a variance to construct a multiple dwelling of twenty-five (25) or more units or for approval of a site to be used for commercial purposes, list the names and addresses of all stockholders or individual partners owning at least ten (10) percent of its stock of any class as required by N.J.S.A. 40:55D-48.1 and 48.2.	X	
6. A statement from the property owner granting permission for the Board and any of its experts to enter the subject premises for purposes of inspection in relation to a development application.	X	
7. Statements as to any requirements for which waiver or variance is sought, together with a statement of reasons why same should be granted.	X	
8. For minor site plans, minor subdivisions, preliminary major site plans and preliminary major subdivisions, a statement of any and all approvals which are required from other governmental or quasi-governmental entities.	X	
9. If approval from the Hudson County Planning Board is required pursuant to P.L. 1968, c. 285, a copy of the application submitted to the Hudson County Planning Board must be submitted.		
10. For minor site plans, minor subdivisions, preliminary major site plans, preliminary major subdivisions and variance applications, a copy of any protective covenants or deed restrictions, if any, affecting the property in question; provided that if none exist, an affidavit from the owner certifying that no such covenants or restrictions exist, shall be submitted.	X	
11. Complete checklist provided for one of the following development proposals (Applicant check one or more as required). Minor Subdivision And Minor Site Plan X Preliminary Major Subdivision And Site Plan X Final Major Subdivision And Site Plan X Variance Application		

4/30/98

17-74.2 Preliminary Major Subdivision And Site Plan Checklist

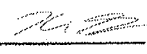
APPLICATION FOR PRELIMINARY APPROVAL OF MAJOR SUBDIVISIONS AND SITE PLANS		Submitted	Not Applicable	Waiver Requested
(Note: For details of all submissions, see Article III. Applicant should check off all items as submitted, not applicable, or waiver requested. If waiver is requested, reasons shall be indicated in separate submission.)				
1. Plat or plan drawn and sealed by a P.E., L.S., P.P. or R.A. as permitted by law and based on a current survey.		X		
2. Scale: 1" = 30' or as approved by Board Engineer.		X		
3. Current survey upon which plat or plan is based.		X		
4. Map size: 8 - 1/2" x 13" 15" x 21" 24" x 36"				X (30x42)
5. Title block and basic information: a. Title b. Date of original preparation and date(s) of revision c. North arrow and reference meridian d. Ratio scale and graphic scale e. Tax map block, lot numbers and zone f. Name, address and license number of person preparing plat or plan g. Name and address of owner of record and applicant, if different from the owner (Where more than one sheet is required, the above information shall appear on each sheet and all sheets shall be appropriately labeled, numbered and bound.)		X		
6. The first sheet of a series of plats or plans submitted for preliminary approval shall contain, in addition to the above, the following: a. A keymap at a scale of 1" = 500' or less showing zone boundaries b. The names and addresses, lot and block numbers of all property owners within 200' of the tract boundary line including adjoining municipalities c. Signature blocks for the Board Chairperson, Board Secretary and Board Engineer d. Chart of the zoning requirements for the zone, what is proposed, and variances indicated		X		
7. For subdivisions, contour lines at vertical intervals not greater than 5 feet for land with natural slopes of 10 percent or greater and at vertical intervals of not greater than 2 feet for land with natural slopes of less than 10 percent.			X	
8. For site plans, a grading plan showing, at 2 feet contour intervals, existing and proposed contours and elevations.		X		
9. The location of existing watercourses and any natural features, including flood plains, wetlands and soil types on the site and within 50 feet.		X		
10. The area of the tract to be subdivided or developed in square footage and the location, lot area, width and depth of any existing lot or lots proposed to be subdivided.		X		
11. Location of all existing and proposed buildings, with building setbacks, front, side and rear yard distances.		X		
12. Location of all structures within 200 feet of the property.		X		

APPLICATION FOR PRELIMINARY APPROVAL OF MAJOR SUBDIVISIONS AND SITE PLANS		Submitted	Not Applicable	Waiver Requested
13.	A stormwater management plan showing the location, type and size of any existing and proposed bridges, culverts, drainpipes, catch basins and other storm drainage facilities.	X		
14.	A soil erosion and sediment control plan prepared in conjunction with Article V.	X		
15.	A circulation plan showing proposed vehicle, bicycle and pedestrian circulation systems. The plan shall include the locations, typical cross-sections, centerline profiles and type of paving for all proposed new streets and paths.	X		
16.	Plans of proposed potable water and sanitary sewer utility systems showing feasible connections to existing or any proposed system. If a public water supply or sanitary sewer system is available, the owner shall show appropriate connections thereto on the plat or plan.	X		
17.	Location of any proposed off-street parking areas with dimensions showing parking spaces, loading docks and access drives and a traffic circulation pattern showing all ingress and egress to the site.	X		
18.	Location and description of all proposed signs and exterior lighting.	X		
19.	Provision for storage and disposal of solid wastes.	X		
20.	For site plans, the preliminary floor plans and preliminary building elevation drawings showing all sides of any proposed building or buildings. The final floor plans and building elevations drawings submitted to the Construction Code Official for issuance of a building permit shall conform with the preliminary plans and drawing approved by the Board. No change, deletion or addition shall be made to said final plans and drawings without resubmission and reapproval by the Board	X		
21.	All proposed buffers, landscaping, fences, walls, hedges or similar facilities. The landscaping plan shall show in detail the location, size and type of all plant material, including ground cover, to be used on the site. Common names of all landscaping material shall be indicated.	X		
22.	A copy of any protective covenants or deed restrictions applying to the land and being subdivided or developed and a notation on the plat or plan of any easements required by the Board, such as, but not limited to, sight triangle easements. Said easements may also include utility lines, public improvements and ingress and egress for emergency vehicles.	X		
23.	A copy of such guarantees, covenants, master deed or other document which shall satisfy the requirements of the Board for the construction and maintenance of any proposed common areas, landscaping, recreational areas, public improvements and buildings.		X	
24.	A list of all licenses, permits or other approvals required by law, including proof of service.	X		

APPLICATION FOR PRELIMINARY APPROVAL OF MAJOR SUBDIVISIONS AND SITE PLANS		Submitted	Not Applicable	Waiver Requested
25.	For any subdivision of 6 or more lots, or for a variance to construct a multiple dwelling of 25 or more dwelling units, or for site plan approval of any non-residential use, a corporation or partnership shall list the names and addresses of all stockholders or individual partners owning at least 10 percent of its stock of any class or at least 10 percent of the interest in the partnership, as the case may be. If a corporation or partnership owns 10 percent or more of the stock of a corporation, or 10 percent or greater interest in a partnership, subject to disclosure pursuant to the previous paragraph, that corporation or partnership shall list the names and addresses of its stockholders holding 10 percent or more of its stock or of 10 percent or greater interest in the partnership, as the case may be; and this requirement shall be followed by every corporate stockholder or partner in a partnership, until the names and addresses of the non-corporate stockholders and individual partners, exceeding the 10 percent ownership criterion have been listed.	X		
26.	The Board may require the applicant to submit an environmental impact assessment as part of preliminary approval if, in the opinion of the Board, the development could have an adverse effect on the environment.		X	
27.	The Board may require the applicant to submit a traffic impact statement as part of preliminary approval if, in the opinion of the Board, the development could have an adverse effect on off-site traffic and circulation.	X		
28.	Applicant shall submit twenty (20) sets of folded plans.	X		
Checklist prepared by: <u>Kevin Shelly - MidAtlantic Engineering</u>  Checklist reviewed by Board: _____ Application found complete on: _____ Application found incomplete on: _____ Applicant notified on: _____ The following variances/waivers were granted: _____ The following variances/waivers were denied: _____		Date: <u>9/25/19</u> Date: _____		

17-74.3 Final Major Subdivision And Site Plan Checklist

APPLICATION FOR FINAL APPROVAL OF MAJOR SUBDIVISIONS AND SITE PLANS	Submitted	Not Applicable	Waiver Requested
(Note: For details of all submissions, see Article III. Applicant should check off all items as submitted, not applicable, or waiver requested. If waiver is requested, reasons shall be indicated in separate submission.)			
1. Plat or plan drawn and sealed by a P.E., L.S., P.P. or R.A. as permitted by law and based on a current survey.	X		
2. Scale: 1" = 30' or as approved by Board Engineer.	X		
3. Current survey upon which plat or plan is based.	X		
4. Map size: 8 - 1/2" x 13" 15" x 21" 24" x 36"			X (30x42)
5. Title block and basic information: a. Title b. Date of original preparation and date(s) of revision c. North arrow and reference meridian d. Ratio scale and graphic scale e. Tax map block, lot numbers and zone f. Name, address and license number of person preparing plat or plan g. Name and address of owner of record and applicant, if different from the owner (Where more than one sheet is required, the above information shall appear on each sheet and all sheets shall be appropriately labeled, numbered and bound.)	X		
6. Tract boundary lines, right-of-way lines of streets, street names, easements and other rights-of-way, land to be reserved or dedicated to public use, all lot lines and other site lines, with accurate dimensions, bearings or deflection angles, radii arcs and central angles of all curves, or as required by the Map Filing Act.	X		
7. The purpose of any easement or land reserved or dedicated to public use such as, but not limited to, sight triangle easements, and the proposed use of sites other than residential.	X		
8. The front, side and rear building setback lines.	X		
9. Improvement plans in accordance with the Town standards for roads and utilities.	X		
10. Statement that final plan is consistent with preliminary plan, and if not, how and why they differ.	X		
11. All additional information, changes or modifications required by the Board at the time of preliminary approval.		X	
12. A statement from the Town Engineer that all improvements required by the Board for preliminary approval have been installed in compliance with all applicable laws.		X	
13. If improvements have not been installed, then a statement from the Town Clerk shall accompany the application for final approval stating that: a. A recordable developer's agreement with the Town has been executed b. A satisfactory performance guarantee has been posted c. That the Town has received all escrow and inspection fees		X	

APPLICATION FOR FINAL APPROVAL OF MAJOR SUBDIVISIONS AND SITE PLANS		Submitted	Not Applicable	Waiver Requested
14.	Proof that all taxes and assessments for local improvements on the property have been paid.	X		
15	If the requirement improvements have been installed, the application for final approval shall be accompanied by a statement from the Town Clerk that a satisfactory maintenance bond has been posted.		X	
16.	Applicant shall submit twenty (20) sets of folded plans.	X		
Checklist prepared by: <u>Kevin Shelly - MidAtlantic Engineering</u>  Checklist reviewed by Board: _____ Application found complete on: _____ Application found incomplete on: _____ Applicant notified on: _____ The following variances/waivers were granted: _____ The following variances/waivers were denied: _____		Date: <u>9/25/19</u> Date: _____		

17-74.4 Variance Application Checklist

VARIANCE APPLICATION CHECKLIST	Submitted	Not Applicable	Waiver Requested
1. Name, address and telephone number of applicant(s) and owner(s).	X		
2. Address of the subject property.	X		
3. Lot and block number of the premises in question.	X		
4. Zone in which the property is located.	X		
5. Description of what the applicant seeks to do.	X		
6. Specific enumeration of the variances requested or action sought.	X		
7. Specification of the section(s) of the Zoning Ordinance from which relief is sought.	X		
8. Specification of each particular zone requirement that the proposal would violate.	X		
9. If the application is an appeal from a decision or order of the Zoning Officer, the date of the decision or order of the Zoning Officer.		X	
10. The applicants' reasons for the Board to grant relief.	X		
11. Summary of specific facts which demonstrate that the relief sought can be granted without substantial detriment to the public good and substantial impairment of the intent and purpose of the Zone Plan and Zoning Ordinance.	X		
12. If there has been a previous application to the Zoning Board of Adjustment or to the Planning Board involving the premises in question, the date of filing, the nature of the application and the disposition made.	X		
13. Description of the proposed structure, use of changes.	X		
14. Size of the lot (in square feet).	X		
15. Dimensions of the lot.	X		
16. Percentage of the lot occupied by buildings and impervious coverage.	X		
17. (a) Height of building, stories and feet. (b) Front yard depth. (c) Rear yard depth. (d) Side yards, width (both).	X		
18. Prevailing front yard setbacks of adjoining lots.	X		
19. Where applicable, rear yard setbacks of adjoining lots.	X		
20. Date of acquisition of property, and from whom.	X		
21. State of the number of dwelling units in existing building(s).	X		
22. State whether the applicant or owners own or have under contract to purchase any adjoining lands. Set forth lot(s) and block number(s).		X	
23. State whether the application is or is not to be accompanied by a separate application for subdivision, site plan or conditional use approval. If it is, see Planning Board checklist.	X		

VARIANCE APPLICATION CHECKLIST	Submitted	Not Applicable	Waiver Requested
24. Submit the following documents with the application: (a) Copy of an area map showing all lots within two hundred (200) feet of the property. (b) List of names, addresses, lot and block numbers, as they appear on the official tax records of the Town, of all owners of property within two hundred (200) feet of the property affected by the application and upon whom the notice must be served in the manner provided by law. (c) Copy of survey clearly indicating the buildings and improvements thereon with all front, side and rear yard dimensions and setbacks from the property lines. (d) Copies of subdivision, site plan or conditional use applications when applicable. (e) Certification that taxes are paid.	X		
25. If the survey is more than one (1) year old, attach certification of the applicant or owner that the survey accurately represents the status of the premises and all improvements at the time of filing for the variance.		X	
26. At least ten (10) days prior to the hearing, the applicant shall serve prescribed notice on all owners of property within two hundred (200) feet. Note: This may require the inclusion of an adjoining municipality; the County Planning Board when county roads or lands are involved; and the Commissioner of Transportation of the State of New Jersey when a state or interstate highway is involved.	TBS		
27. The applicant must submit the original and twenty (20) copies of the application, properly completed, and twenty (20) folded copies of a plot plan, map or survey, drawn to scale, an affidavit of proof of service, with a copy of the notice and the list furnished by the Administrative Officer of the municipality of all those persons or entities served (service shall be made by certified mail or personal service).	TBS		
28. All applications for consideration of the Board of Adjustment must be filed fourteen (14) days prior to the date of hearing. Proper notice given to those requiring service upon them, and publication made, at least ten (10) days prior to the date of hearing before the Board of Adjustment	X		
29. Written consent of the owner, if the owner is different from the applicant.		X	
30. The name, address and phone number of the attorney, if any, representing the applicant.	X		
Checklist prepared by: <u>Kevin Shelly - MidAtlantic Engineering</u> Date: <u>9/25/19</u>			
Checklist reviewed by Town: _____ Date: _____			
Application found complete on: _____			
Application found incomplete on: _____			

VARIANCE APPLICATION CHECKLIST	Submitted	Not Applicable	Waiver Requested
Applicant notified on: _____			
The following variances/waivers were granted: _____			
The following variances/waivers were denied: _____			

4/30/98

Exhibit D

Zoning Requirements: Mixed Use Area

Permitted Use: Retail, Multifamily Residential, Office, Restaurants, Movie Theater/Entertainment, Financial Institutions, Fitness Centers, Wellness Centers, Childcare, Hotels, Parks, Public Uses, Structured Parking.

Permitted Accessory Use: Laundry, Gym, Parking, Signage, Outdoor dining, Plazas, Parks, Public Spaces, Lobbies, Tenant Storage, Management/Leasing Office

Bulk Standards					
	Required	Proposed Lot 1.03	Complies	Proposed Lot 1.05	Complies
Setbacks:	Min: 0 FT ⁽¹⁾ Max: 10 FT ⁽²⁾	> 10 FT	No*	> 10 FT	No*
Building Height:	4-30 Stories	26 Stories	Yes	16 Stories	Yes
Retail Façade:	Min. 80% of Street Frontage at Ground Floor at Frank E. Rodgers Boulevard	100%	Yes	N/A	N/A
Retail Façade:	Min. 85% of Street Level Frontage along Retail Corridor shall contain retail sales/restaurant uses	100% (Rodgers) 57% (Cifelli)	Yes No*	N/A	N/A
Retail Depth	Min. Unit Depth: 40 FT	10.8 FT	No*	> 40 FT	Yes

* Variance Required

Exhibit E

OWNER AUTHORIZATION FOR ACCESS TO PROPERTY

Accordia Harrison Urban Renewal, LLC, the owner of property designated on the Tax Assessor's database as Block 133, Lots 1.03 and 1.05, and indicated as 700 Frank E. Rogers Boulevard South and 600 S. Fifth Street respectively (the "Property"), in the Town of Harrison, New Jersey, hereby grants permission and authorizes the members of the Planning Board of the Town of Harrison, along with their respective professionals and consultants, to access the Property for purposes of inspection in connection with the review and processing of Accordia Harrison Urban Renewal LLC's application for site plan approval for development of the Property. Access to the Property shall be coordinated with the property owner and all persons entering the Property shall be accompanied by a representative of the property owner.

ACCORDIA HARRISON URBAN RENEWAL, LLC

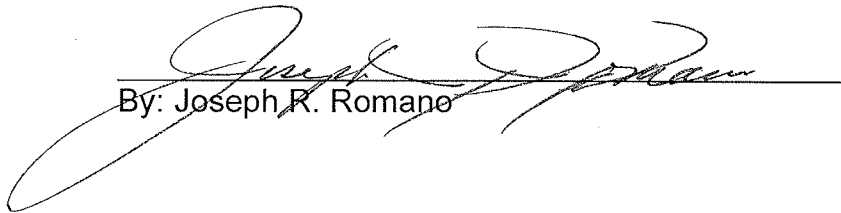

By: Joseph R. Romano

Exhibit F

MidAtlantic

Engineering Partners

October 1, 2019

EEQ-191

Via FedEx Overnight Delivery

Hudson County Planning Board
Division of Planning
Meadowview Campus Bldg. 1, Floor 2
595 County Avenue
Secaucus, NJ 07094

**Reference: Harrison Yards – Phase II
Block 133; Lots 1.03 & 1.05
Town of Harrison, Hudson County, New Jersey**

To Whom It May Concern:

Please find enclosed the following items submitted on behalf of the application, Accordia Harrison Urban Renewal, LLC, in support of an application for Site Plan approval for the above referenced property. Please note that a prior approval on this property was granted by the County Planning Board in 2016 with the resolution being memorialized on March 16, 2016 (HCPB Application No. 2015-67-SD/SP). The approval was for the construction of 5 residential buildings with a total of 640 units and approximately 16,601 SF of retail space. The first 2 buildings with 209 units and 8,495 SF of retail space are nearing completion but the new applicant is seeking a new approval for the 2nd phase of the project which proposes 884 units, a 200-room hotel and 211,658 SF of retail/commercial space on the remainder of the properties.

- Completed Site Plan Review Application
- Application and Escrow Fees
 - Application Fee in the amount of \$13,166.66
 - Technical Escrow Deposit in the amount of \$10,000.00
 - Inspection Escrow Deposit in the amount of \$7,483.33
- Completed Development Review Checklist
- Completed Low Impact Development Checklist
- Three (3) full-size and one (1) reduced size copies of the Amended Preliminary/Final Major Site Plans & Architectural Plans
- Stormwater Management Narrative dated 09/26/19
- Traffic Impact Study prepared by Stonefield
- One (1) CD with digital files of all submitted documents

Should you have any questions or additional needs, please do not hesitate to contact our office.

Sincerely,

MidAtlantic Engineering Partners, LLC



Kevin E. Shelly, P.E.

CC: Accordia Harrison Urban Renewal, LLC (via email)
Chiesa Shahinian & Giantomasi PC (via email)

Exhibit G

OWNERSHIP DISCLOSURE STATEMENT

In accordance with the requirements of N.J.S.A. 40:55D-48.1 and N.J.S.A. 40:55D-48.2, the following is a listing of all persons or entities owning a ten percent (10%) or greater interest in the applicant, Accordia Harrison Urban Renewal, LLC:

Name

Address

Mills at Harrison LLC

c/o Eastone Equities
130 East 40th Street
5th Floor
New York, NY 10016

The following is a listing of all persons or entities owning a ten percent (10%) or greater interest in Mills at Harrison, LLC:

Name

Address

Eastone Harrison Property (DE) LLC

c/o Eastone Equities
130 East 40th Street
5th Floor
New York, NY 10016

The following is a listing of all persons or entities owning a ten percent (10%) or greater interest in Eastone Harrison Property (DE) LLC:

Name

Address

Eastone Harrison Phase I Property LLC

c/o Eastone Equities
130 East 40th Street
5th Floor
New York, NY 10016

The following is a listing of all persons or entities owning a ten percent (10%) or greater interest in Eastone Harrison Phase I Property LLC:

<u>Name</u>	<u>Address</u>
Eastone Harrison Property LLC	c/o Eastone Equities 130 East 40 th Street 5 th Floor New York, NY 10016

The following is a listing of all persons or entities owning a ten percent (10%) or greater interest in Eastone Harrison Property LLC:

<u>Name</u>	<u>Address</u>
Eastone Equities LLC	c/o Eastone Equities 130 East 40 th Street 5 th Floor New York, NY 10016

The following is a listing of all persons or entities owning a ten percent (10%) or greater interest in Eastone Equities LLC:

<u>Name</u>	<u>Address</u>
Kevin Yu	c/o Eastone Equities 130 East 40 th Street 5 th Floor New York, NY 10016

ACCORDIA HARRISON URBAN RENEWAL, LLC


By:  Joseph R. Romano

Exhibit H

RESOLUTION OF THE TOWN OF HARRISON PLANNING BOARD
RE: HELLER URBAN RENEWAL, LLC
CASE #14-08
APPLICATION FOR PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL
FOR PHASE I, PRELIMINARY MAJOR SITE PLAN APPROVAL FOR PHASE II,
PRELIMINARY AND FINAL MAJOR SUBDIVISION,
"C" VARIANCE RELIEF, DESIGN WAIVERS, AND
DE MINIMIS RELIEF FROM RSIS STANDARDS
TAX BLOCK 133, LOT 1.01
FOR USE AS RESIDENTIAL AND RETAIL USES FOR
700 FRANK E. RODGERS BOULEVARD SOUTH
HARRISON, NEW JERSEY

I. RECITALS

WHEREAS, HELLER URBAN RENEWAL, LLC ("Applicant") has applied to the Town of Harrison Planning Board (the "Board") for preliminary and final major site plan approval for Phase I; preliminary major site plan approval for Phase II, preliminary and final major subdivision, "c" variance relief, design waivers, and a *de minimis* exception from the Residential Site Improvement Standards ("RSIS") for the development known as The Hub at Harrison Station; and

WHEREAS, the "Property" measures approximately 9.73 acres in size, is currently vacant, is bounded by a surface Conrail railroad tracks Right of Way to the north and east, Amtrak and Path railroad tracks to the south and Frank E. Rodgers Boulevard South to the west, is designated on the Official Tax Map of the Town of Harrison as Block 133, Lot 1.01, and is within the Waterfront Redevelopment Area's Mixed Use District ("M-U District") in the Town of Harrison; and

WHEREAS, Applicant has entered into a Sixty-Three (63) page "Amended and Restated Redevelopment Agreement for a Portion of the Waterfront Redevelopment Area in the Town of Harrison, Hudson County, New Jersey" with The Harrison Redevelopment Agency ("HRA") dated as of June 15, 2015 which encompasses the Property; and

WHEREAS, Pursuant to the Redevelopment Plan, as amended by Ordinance No. 1313 on October 6, 2015, the Planning Board has the power to grant relief from the Redevelopment Plan's bulk requirements and design standards, requested by the Applicant; and

WHEREAS, Applicant proposes to develop the Property with a mix of retail and multi-family residential uses, which is permitted in the Mixed Use District of the Waterfront Redevelopment Area; and

WHEREAS, Applicant has requested variance relief for satisfying non-residential parking requirements, specifically, no on-street parking spaces may be counted towards satisfying non-residential parking requirements and the Applicant is proposing to count 17 on-

street parking spaces; and

WHEREAS, Applicant has requested variance relief for deficient depth of commercial space, specifically, a minimum 40 foot depth for retail spaces fronting Frank E. Rodgers Boulevard is required and the Applicant proposes a minimum depth of 31 feet in certain retail spaces that abut residential lobbies in two buildings; and

WHEREAS, Applicant requests design waivers for:

1. Sidewalk widths of eleven feet (11') are required, and the Applicant proposes ten feet (10') width along both Angelo Cifelli Drive and South Fifth Street;
2. Placement of first floor residential stoops and stairs approximately five feet (5') into the municipal right-of-way along Angelo Cifelli Drive **[also requires Town of Harrison Mayor & Council approval]**;
3. All residential setbacks are to be enclosed with a garden wall or ornamental fencing and Applicant does not propose any garden walls or ornamental fencing;
4. Transformers and generators are required to be located in the interior of the buildings or in underground vaults and the Applicant proposes that transformers be located at grade exterior to the buildings and generators on rooftops;
5. Vehicular loading areas are prohibited along Angelo Cifelli Drive and the Applicant proposes drop off areas adjacent to Building B and C;
6. All block faces fronting on public and private streets are required to have a minimum of 80% of their block face occupied by building face and Building E is proposed to have less than 80%;
7. Porches and stoops are required to be a minimum of two feet (2') above the adjacent sidewalk elevation and the Applicant proposes that a minimum 21 inches for some stoops;
8. Openings for windows and windowpanes are required to have a vertical dimension greater than or equal to the horizontal dimension and the Applicant proposes less for some windows;
9. The maximum combined horizontal dimension of grouped windows shall not exceed three times the combined vertical dimension and Applicant proposes certain sections at second floor levels where glazing exceeds this proportion;
10. Window sills are required to project a minimum of 2 inches from the building face and the Applicant proposes less for some sills;

11. Doors, other than garage doors, must be or appear to be constructed of planks or raised panels and Applicant proposes metal frame with glass inserts for certain residential lobby entrance doors and some doors at stoops;

12. Trim board is required when siding is used and Applicant will not provide trim boards; and

13. Cornices must be constructed on buildings with flat roofs and Applicant does not provide cornices on all building walls; and

WHEREAS, Applicant seeks a *de minimis* exception from the RSIS to permit 640 residential parking spaces where 920 spaces are required; and

WHEREAS, the Board has considered Applicant's development proposal as depicted in the following plans (the "Plans"):

a) Application for major site plan and preliminary and final subdivision approval with accompanying checklists, dated September 10, 2015;

b) One (1) sheet of preliminary/final subdivision plan entitled: "Preliminary/Final Major Subdivision Plan, Block 133, Lot 1.01, The Hub at Harrison Station, Situated in Town of Harrison, Hudson County, New Jersey" prepared by Paul Scholssbach, P.L.S., MidAtlantic Engineering Partners, LLC, dated September 10, 2015 and revised October 9, 2015;

c) One (1) sheet of survey entitled: "Boundary & Topographic Survey, Block, 133, Lot 1.01, Harrison Station, Situated in Town of Harrison, Hudson County, New Jersey" prepared by Paul Scholssbach, P.L.S., MidAtlantic Engineering Partners, LLC, dated January 27, 2012, and revised on December 22, 2014 and January 29, 2015;

d) Twenty-Seven (27) sheets of site plans entitled: "Preliminary/Final Major Site Plan, The Hub at Harrison Station, Block 133, Lot 1.01, Tax Map Sheet 16, Town of Harrison, Hudson County, New Jersey" prepared by Matthew J. Robinson, PE, MidAtlantic Engineering Partners, LLC, dated September 9, 2015 and revised November 12, 2015;

e) Eighteen (18) sheets of architectural plans entitled: "Heller Urban Renewal, LLC, The Hub at Harrison Station, Harrison, New Jersey" prepared by NK Architects, dated November 12, 2015, with Town Comments dated 10/12/15;

f) One (1) sheet entitled: "Preliminary/Final Major Site Plan, The Hub at Harrison Station, Block 133, Lot 1.01, Pre Development Drainage Area Map, Situated in Town of Harrison, Hudson County, New Jersey" drawn by KES, MidAtlantic Engineering Partners, LLC, November 12, 2015 and One (1) sheet entitled: "Preliminary/Final Major Site Plan, The Hub at Harrison Station, Block 133, Lot 1.01, Post Development Drainage Area Map, Situated in Town of Harrison, Hudson County, New Jersey" drawn by KES, MidAtlantic Engineering Partners, LLC, November 12, 2015;

g) Two (2) sheets entitled: "Turning Template, The Hub at Harrison Station, Block 133, Lot 1.01, Fire Truck, Situated in Town of Harrison, Hudson County, New Jersey" and "Turning Template, The Hub at Harrison Station, Block 133, Lot 1.01, Garbage Truck, Situated in Town of Harrison, Hudson County, New Jersey" drawn by KES, MidAtlantic Engineering Partners, LLC, October 9, 2015;

h) Stormwater Management Narrative dated September 9, 2015, prepared by MidAtlantic Engineering Partners;

i) Environmental Memorandum, dated August 18, 2015, prepared by Carl G. Shuman, P.G. of AECOM;

j) Traffic Impact Statement dated September 8, 2015, prepared by Jacobs Engineering Group;

k) Traffic Concept Signal Plan prepared by Jacobs Engineering Group, dated October 19, 2015;

l) Plan entitled "Fifth Street Exhibit" prepared by MidAtlantic Engineering Partners, dated December 30, 2015;

m) Plan entitled "Storm Water Crossing Exhibit" prepared by MidAtlantic Engineering Partners, dated December 30, 2015;

n) Landscape Plan prepared by RTR Designs, Ltd., dated September 9, 2015 last revised December 30, 2015; and

WHEREAS, the Board has considered all testimony, reports, exhibits and other evidence submitted in connection with the application; and

WHEREAS, the current application was the subject of duly noticed public hearings held on December 2, 2015 and January 13, 2016; and

WHEREAS, Shirleen A. Roberts, Esq., General Counsel, Heller Industrial Parks, Inc., 205 Mill Road, Edison, New Jersey 08837, represented the Applicant at both public hearings; and

WHEREAS, the following Harrison Planning Board members were in attendance on December 2, 2016:

Chairman Arthur Pettigrew
Vice-Chairperson, John Mulrenan
Member Councilman Laurence Bennett
Member Andrea Choffo
Member Phillip Karas
Member Carlos Mariano

Member Delfim Sarabando

Also present, on behalf of the Harrison Planning Board, were:

Susan S. Gruel, PP, Heyer, Gruel & Associates, Board Planner
Antonios Panagopoulos, PE, CME, Board Engineer
Mary C. Gaines, Board Secretary
Michael R. Pichowicz, Esq., Board Attorney;

and;

WHEREAS, the following Harrison Planning Board members were in attendance on January 13, 2016:

Chairman Arthur Pettigrew
Vice-Chairperson, John Mulrenan
Member Councilman Laurence Bennett
Member Andrea Choffo
Member Phillip Karas
Member Carlos Mariano
Member Delfim Sarabando

Also present, on behalf of the Harrison Planning Board, were:

Christopher Dochney, PP/AICP, Heyer, Gruel & Associates, Board Planner
Antonios Panagopoulos, PE, CME, Board Engineer
Mary C. Gaines, Board Secretary
Michael R. Pichowicz, Esq., Board Attorney;

and;

WHEREAS, the following witnesses testified on behalf of Applicant and in support of the application:

1. Brian Banaszynski, Applicant Representative;
2. Matthew Robinson, Professional Engineer (qualified as expert in the field of engineering);
3. Allan Kopelson, Professional Architect (qualified as expert in the field of architecture);
4. John Pavlovich, Traffic Engineer (qualified as expert in the field of traffic engineering); and
5. Daniel Bloch, Professional Planner (qualified as expert in the field of planning);

and

WHEREAS, the following exhibits were duly marked and accepted into evidence:

1. A-1 Plan entitled "The Hub at Harrison Station" prepared by MidAtlantic Engineering Partners dated 12/2/15 (Aerial with Color Site Plan overlay);
2. A-2 Plan entitled "Road Cross Sections" prepared by MidAtlantic Engineering Partners dated 12/2/15;
3. A-3 Phasing Plan (Sheet 3 of 27) prepared by MidAtlantic Engineering Partners dated 9/9/15;
4. A-4 Color Plan entitled "First Floor Plan - All Phases" (Sheet SP-1) prepared by NK Architects dated 11/12/15;
5. A-5 Color Plan entitled "Enlarged Ground Floor Retail Plans" prepared by NK Architects;
6. A-6 Color Plan entitled "Typical Floor Plan - All Phases" (Sheet SP-2) prepared by NK Architects dated 11/12/15;
7. A-7 Color Plan entitled "Street Elevations Building A" (Sheet A3.00) prepared by NK Architects dated 11/12/15;
8. A-8 Color Rendering entitled "Enlarged Public Art Display" prepared by NK Architects;
9. A-9 Color Rendering entitled "Frank E. Rodgers Boulevard Looking Northeast" prepared by NK Architects;
10. A-10 Color Rendering entitled "Frank E. Rodgers Boulevard Looking Southeast - Plaza" prepared by NK Architects;
11. A-11 Color Plan entitled "Street Elevations Building B" (Sheet A3.02) prepared by NK Architects dated 11/12/15;
12. A-12 Color Rendering entitled "Frank E. Rodgers Boulevard Looking Southeast" prepared by NK Architects;
13. A-13 Color Plan entitled "Street Elevations Building C" (Sheet A3.04) prepared by NK Architects dated 11/12/15;
14. A-14 Color Plan entitled "Street Elevations Building D" (Sheet A3.05) prepared by NK Architects dated 11/12/15;

15. A-15 Color Rendering entitled "Angelo Cifelli Drive Looking East (incorrectly stated as "West") prepared by NK Architects;
16. A-16 Color Plan entitled "Street Elevations Building E" (Sheet A3.07) prepared by NK Architects dated 11/12/15;
17. A-17 Color Plan entitled "Sections and Details" (Sheet A3.11) prepared by NK Architects dated 11/12/15;
18. A-18 Color Plan entitled "Frank E Rodgers Boulevard/Angelo Cifelli Drive Intersection" prepared by MidAtlantic Engineering Partners dated 12/2/15;
19. A-19 Plan entitled "Frank E Rodgers Boulevard/Angelo Cifelli Drive Intersection Landscaping Plan" prepared by RTR Designs, Ltd., dated September 9, 2015 last revised December 30, 2015;
20. A-20 Plan entitled "The Hub at Harrison Station – Fifth Street Exhibit" dated 1/13/16;

II. FINDINGS AND CONCLUSIONS

WHEREAS, the Board has made the following findings of fact and conclusions of law based upon the evidence before it:

A. INCORPORATION OF RECITALS

1. All Recitals are incorporated by reference into the Board's findings and conclusions.

B. STANDING

2. Applicant has standing to bring this application before the Board as the owner of the Property and as the designated redeveloper.

C. OVERVIEW OF PROPOSED SITE PRELIMINARY & FINAL MAJOR SUBDIVISION

3. The Applicant is seeking preliminary and final major subdivision approval to allow for the subdivision of Block 133, Lot 1.01 into three (3) separate lots of similar sizes. Proposed Lots 1.03, 1.04 and 1.05 will be 2.37 acres (approximately), 2.64 acres (approximately), and 3.42 acres (approximately), respectively. The Applicant is proposing to dedicate a portion of the block to the extensions of Angelo Cifelli Drive and Fifth Street, which will traverse the block and separate the three proposed lots. The subdivision is required since the HRA required the streets to be public and not private as the Applicant originally intended.

D. OVERVIEW OF PROPOSED PRELIMINARY & FINAL SITE PLAN FOR PHASE I

4. In Phase I, the Applicant proposes to construct Buildings A and D on Lot 1.04, located in the northwest corner of the site. Building A, which fronts Frank E. Rodgers Boulevard, will be a five-story mixed-use structure with retail and fitness uses on the ground floor and apartments on the upper floors. The building will have 92 residential units and 8,192 net square feet of retail (8,495 gross floor area). Building D will be a five-story residential structure with 117 residential units (mixed studios, one and two bedroom units). Both buildings will have covered parking under the building and surface lots located in the rear of each building.

E. OVERVIEW OF PROPOSED PRELIMINARY SITE PLAN FOR PHASE II

5. In Phase II, Buildings B, C and E will be constructed. Buildings B and C will be on Lot 1.03 and Building E will be on Lot 1.05. Building B will be a five-story mixed use structure fronting Frank E. Rodgers Boulevard South. It will contain 92 residential units and 7,802 net square feet of retail (8,106 gross floor area). Building C (five-stories) and Building E (eleven stories) will be residential structures. Building C will contain 52 residential units and Building E will contain 287 residential units. Together, Buildings B, C, and E will create 431 residential units (mixed studios, one and two bedroom units) and will be also supported by both covered and surface parking.

F. PROPOSED USE

6. The proposed retail, fitness and residential uses are permitted in the Mixed Use district of the Waterfront Redevelopment Area.

G. PROPOSED REDEVELOPMENT

7. Based upon the plans submitted, the proposed development will consist of 640 dwelling units and approximately 16,601 square feet of retail space within five (5) buildings. The project is comprised of two phases. Phase I shall consist of Buildings A and D. Phase II shall consist of Building B and Buildings C and E. Building A is to contain approximately 8,191 net square feet of retail (8,495 gross floor area) and 92 residential units. Building B is to contain 7,802 net square feet of retail (8,106 gross floor area) and 92 residential units. Building C is to contain 52 residential units. Building D is to contain 117 residential units, and Building E is to contain 287 residential units. Buildings A through D will be five (5) stories in height. Building E will be 11 stories. The proposed buildings conform to height limits in the M-U District, which permits between 4 and 30 stories. Proposed accessory uses include parking, fitness facilities for residents, a leasing office and terrace amenity spaces. The project provides for 657 surface parking spaces. These plans are consistent with what was proposed in the concept plan attached to Redevelopment Agreement and agreed to by the HRA.

8. The Applicant's professional engineer, Matthew Robinson, P.E., testified that the

subject property had several site constraint challenges. The property was originally approximately 10.5 acres in size but is now only 9.7 acres because a portion was conveyed to PATH for its new station. The property is triangular in nature; it is bounded by PATH rail lines to the south, Conrail's main line and siding to the north, and Frank E. Rodgers Boulevard South to the west. Frank E. Rodgers Boulevard South is at elevations of six (6) to eight (8) feet above sea level. The property is located within a flood zone, and the recently revised flood maps require development above ten feet (10') above sea level. According to the engineering testimony, the project had to be designed such that first finished floors will be at eleven feet (11').

9. Mr. Robinson testified that 640 of the 657 parking spaces were designated for the residents of the project; one space for every unit. He described the location, size and type (e.g., handicap, visitor) of the residential and non-residential parking spaces. Mr. Robinson noted that the Applicant is seeking a de minimis exception from RSIS; a strict interpretation of RSIS requires 920 spaces but allows deviation from that requirement when influencing factors, such as the project being adjacent to a train station, are present.

10. Mr. Robinson reviewed the circulation plan and testified regarding drop off and loading areas at each building. According to the testimony, the drop off areas along Angelo Cifelli Drive are not intense uses, which will be accommodated at the backs of buildings; they will serve for brief deliveries, such as pizza or Fed Ex, and dropping off or picking up residents.

11. Mr. Robinson testified regarding the extension of South Fifth Street and Angelo Cifelli Drive, as public right-of-ways, through the Property. The Applicant originally designed the project to provide for private streets. The HRA requested that the Applicant dedicate those roadways to the Town, and the Applicant agreed to this request. However, this change from private to public ownership required the subdivision of the Property into three lots.

12. Furthermore, it was the testimony of Mr. Robinson that the change from private to public ownership of the roadways in the project also resulted in a need for a variance from Redevelopment Plan bulk requirements related to on-street non-residential parking. The project will generate a demand of 17 parking spaces for non-residential, or retail, use. The Redevelopment Agreement permits the Applicant to have up to 15 non-residential spaces on public streets. It is anticipated that the retail uses will serve the project's residents walking to and from the development or the PATH station. The 17 proposed spaces were projected to be sufficient.

13. In addition, Mr. Robinson testified that the change from private to public road ownership also resulted in a need for relief from Redevelopment Plan standards related to sidewalk widths. When the Applicant originally proposed private roadways, it also then proposed five-foot wide sidewalks along those roads through to the back of the property because the Applicant did not anticipate high pedestrian volume and envisioned a smaller sidewalk to allow more room for landscaping. The Redevelopment Plan calls for eleven foot (11') sidewalks and the Applicant proposes ten feet (10') to allow for additional landscaping, which, Mr. Robinson opined, will soften the streetscape corridor and would be similar to what has been installed already along Angelo Cifelli Drive past the Harrison Commons development.

14. Also, Mr. Robinson testified that the change from private to public road ownership also resulted in a need for relief from Redevelopment Plan design standards related to garden walls/ornamental fencing. All residential setbacks are to be enclosed with a garden wall or ornamental fencing. The Applicant does not propose any garden walls or ornamental fencing because the public right-of-way limits the ability to do so. Instead, the Applicant proposed landscaped areas in the alternative, which was done at the development across Frank E. Rodgers Boulevard. Mr. Robinson also testified that, to create character, make the area a bit more unique, and soften the streetscape, the Applicant designed stoops in front of the first floor units to create a "brownstone" feel or look.

15. It was set forth that because the design standards also require that stoops have four foot (4') landings, the townhouse stoops will encroach into the public right-of-way by approximately two feet. The Applicant will need approval from the Town Council.

16. Mr. Robinson testified that the South Fifth Street extension will connect to the existing southern terminus of Fifth Street and that the existing Conrail at-grade rail line will continue to cross the South Fifth Street right-of-way. As part of the crossing, the Applicant will construct a sidewalk on the west side of Fifth Street. According to Mr. Robinson, the Applicant has petitioned the NJDOT for permit to construction the extension.

17. The Town, by Resolution dated August 6, 2015, authorized the Applicant's petition to the NJDOT and confirmed that it will maintain the rail crossing signs and pavement markers after the Fifth Street extension is constructed by the Applicant/Conrail and the Town accepts dedication of the extension.

18. The NJDOT issued an Amended Memorandum of Record dated November 17, 2015 memorializing discussions at the on-site meeting attended by representatives of the Applicant, Conrail, NJDOT and the Town on September 9, 2015 and setting forth the NJDOT's recommendations for agency's issuance of an Order permitting the extension. By letter dated December 16, 2015, the Town engineer commented to add a drainage recommendation.

19. Mr. Robinson testified that sidewalks, curbing, street lighting, and Angelo Cifelli Drive and South Fifth Street to base pavement level, will be installed during Phase I construction and that temporary asphalt sidewalks on the Phase II portion would be installed and replaced with permanent sidewalks during the Phase II construction. The Applicant is seeking preliminary and final site plan approval for Phase I and preliminary only as to Phase II, the balance of the project. Mr. Robinson testified that the Applicant is seeking preliminary site plan approval as to Phase II because PATH was under construction on the parcel adjacent to Phase II and the Applicant is working with PATH to coordinate and integrate both projects.

20. The Redevelopment Plan design standards require that stoops be a minimum of two feet (2') above the adjacent sidewalk elevation, and the Applicant proposes less for some stoops. According to the engineering and architectural testimony, some stoops are a minimum of three steps or one-and-a-half feet above the grade and that this deviation is due to the fact that the site grade had to be raised to deal with the flood elevation requirements, which affects what

finished floor elevations are set to in relationship to exterior grade. If finished floor elevations were closer to grade, there would be no stoop needed but then visual look of breaking up the streetscape that the Applicant is trying to achieve would not be possible.

21. Mr. Robinson testified that the Applicant will comply with the landscaping comments set forth in memorandum prepared by the Board's planner.

22. Mr. Robinson testified as to storm water management and utilities. He testified that the Applicant will provide a maintenance plan for subsurface storm water drainage piping. According to Mr. Robinson, transformers will be located at exterior grade within the internal areas of the site and that landscaped screening will be provided. The Applicant is providing rooftop emergency generators that will not be visible from the street because they will be placed sufficiently far back off the roof line. In addition, Mr. Kopelson testified that the parapets will shield any view of the equipment.

23. The Redevelopment Plan requires that all building faces fronting on public and private streets must have a minimum of 80% of the block occupied by building face, but Building E is proposed to have less than 80%, which, Mr. Robinson testified, is a function of the Property's triangular shape, required setbacks to adjacent properties pursuant to building code when the building frontage has windows, and the need for access around the building.

24. Both Mr. Robinson and Mr. Kopelson testified that the Applicant's plan will comply with the sustainability requirements of the Redevelopment Plan.

25. Mr. Kopelson, the project architect, testified as to the proposed building elevations, including materials and colors, residential unit floor plans and retail spaces. Mr. Kopelson explained that, after the flood mapping changed, the project grades had to be raised and the buildings fronting Frank E. Rodgers Boulevard (Buildings A and D) had to be pulled back ten feet (10') in order to satisfy the requirements for sidewalk along Frank E. Rodgers Boulevard and make the first floor retail spaces work. Consequently, the proposed plan has four instances where the depth is less than 40 feet; there is 31 feet at the northern side of Building B and the southern side of Building A and 32 feet at the opposite corner of each building. However, those same spaces have depth exceeding 40 feet if corner entrances are used. Mr. Kopelson explained that Building B has a similar condition and corner entrances would provide for 40+ feet depth.

26. Mr. Kopelson reviewed lighting, signage, and parking area screening. He also testified how the Applicant will comply with the public art requirement in the Redevelopment Plan and described some of the public art proposed by the Applicant, such as use of large glass laminated photographic murals of historic Town of Harrison from the Town's historic society as screening for parking areas along Angelo Cifelli Drive, as well as installation of building entrance canopies based on the architectural drawings for the former buildings.

27. Mr. Kopelson testified as to those proposed architectural features that deviate from the Redevelopment Plan for which the Applicant seeks design waivers. Window sills must project a minimum of 2 inches from the building face, and the Applicant proposes less for some

sills in an effort to present a different vernacular of architecture. There are requirements that the openings for windows and window panes have vertical dimensions greater than or equal to the horizontal dimension and the combined horizontal dimension of grouped windows cannot exceed three times the combined vertical dimension. In some instances, the Applicant is seeking relief from these requirements. Mr. Kopelson testified that the Redevelopment Plan design standards are calling for a horizontal expression in terms of how the windows are laid out and the project was designed to provide for some more vertical dimension, although the window rhythm is still expressing a horizontal line. Mr. Kopelson also pointed out that, in other instances, there are full panels of glass, which is a different architectural expression and it does not comply with the requirements. Mr. Kopelson opined, however, that these design differences architecturally work for this project and gives a variety of window expression.

28. Mr. Kopelson testified that the Applicant is not proposing that townhouse entry doors be constructed of planks or raised panels, as required by the Redevelopment Plan. Mr. Kopelson opined that raised panel doors do not go with the architectural design that has been created for this project. Instead, the design calls for a solid door that will be a painted element with a glass side light as the entry to each townhouse; each townhouse has its own canopy that will project out and over the stair area to announce entry into the unit. In addition, the residential lobby doors are all glass.

29. The Redevelopment Plan requires that trim board be used and that cornices be constructed on buildings with flat roofs. Mr. Kopelson testified that the doors are not trimmed because they are within a glass or an aluminum opening. He also testified that cornices are not being provided on all building walls because the project's architectural design is not traditional masonry construction and, therefore, that requirement does not fit with the proposed expression of architecture.

30. Mr. Bloch, a professional planner, testified that the Redevelopment Plan is unclear as to where retail space depth is measured from and he opined that it was a technical issue in which way one measures the space because a space that is 40 feet wide but is not 40 feet deep can still have the same square footage as a space that is 40 feet deep. Mr. Bloch opined that the relief can be granted under N.J.S.A. 40:55D-70c(1) as a hardship variance given that the buildings had to be moved back in order to raise the grades for the flood zone reasons; prior to this change in flood elevation requirements, the earlier version of the Applicant's plan met that minimum depth requirement across the entire building. He also opined that the relief can be granted under N.J.S.A. 40:55D-70c(2) because the benefits of having a variety of retail spaces outweigh the detriments. One of the goals of the Redevelopment Plan for the M-U District is to encourage a diverse and engaging streetscape of small stores, and the Applicant's plan promotes that goal by providing a variety of spaces. There are no detriments or hardship to providing a 31-foot, rather than a 40-foot, retail depth. Mr. Bloch opined that the spaces will be functional for the tenants and marketable and that the plan promotes purpose "g" of the Municipal Land Use Law ("MLUL") because it is providing a variety of space for a variety of uses and purpose "b" of the MLUL because the design protects the buildings from flooding.

31. Mr. Bloch also opined that request for relief from the off-street non-residential parking space requirement can be granted under N.J.S.A. 40:55D-70c(2) because the benefits of

providing on-street retail parking, which is preferred by customers over parking lots, and keeping residential parking separate from retail, outweigh any detriment. The Applicant is dedicating internal streets to the Town to improve area circulation; Mr. Bloch opined that this variance would promote purpose "h" of the MLUL, which is to promote a free flow of traffic.

32. Mr. Bloch opined that the testimony of both the project engineer and the project architect provided many technical reasons, such as flood elevation requirements, the HRA's requirement that the roadways be public, impracticability and physical site constraints, to support the design waiver requests related to sidewalks, stoops, ornamental fencing and garden walls, transformers and generators, vehicular loading areas, and building block faces. He also opined that the architect provided sufficient justification for the architectural design waivers related to windows and window sills, doors, trim board and cornices.

33. According to Mr. Bloch, the MLUL allows this Board to grant the requested waivers because they are reasonable and within the general purpose and intent of the Redevelopment Plan requirements, and literal enforcement of the provision is impracticable or will exact undue hardship on the Applicant.

34. Mr. Pavlovich testified as to his traffic impact study and his findings. He reviewed the improvements that will be constructed: the widening of Frank E. Rodgers Boulevard on the east side, the new approaches that complete the intersection at Angelo Cifelli Drive and Frank E. Rodgers Boulevard, and the connection of Fifth Street and Angelo Cifelli Drive on the site. According to Mr. Pavlovich, certain minor signal timing and phasing modifications that he proposes, the intersection at Angelo Cifelli Drive and Frank E. Rodgers Boulevard will operate significantly better than originally proposed at the time the signal was designed and installed.

35. Mr. Banaszynki, President of Heller Industrial Parks, Inc. testified regarding the environmental condition of the site, summarizing the contents of the Environmental Memorandum, dated August 18, 2015, prepared by AECOM and submitted as part of the application.

36. Mr. Robinson responding to certain comments made by the Board professionals, described a revised landscaping plan prepared by a licensed professional landscape architect (Exhibit A-19) as a result of a meeting that included the Town Planner. Although the revised plan as submitted required design waivers, Mr. Robinson agreed and confirmed that the Applicant would not seek and would not require design waivers for the type, size or classification of street trees because the Applicant would revise the plan to comply with the Redevelopment Plan street tree requirements. In addition, it was noted that the landscape plan provided locations for future placement of sculptures or other public art. Also, Mr. Robinson stated the plans will be revised to provide, at the entrance to the site, centerline striping up to the crosswalk immediately downstream in order to prevent vehicles from traveling in the wrong direction.

37. Mr. Robinson responding to issues concerning the existing drainage and travel conditions from the property to Essex Street (past the existing railroad crossing) along Fifth

Street, reviewed Exhibit A-20 with the Board. He stated that the Applicant, at its own expense, shall improve the sidewalk area on the westerly side of Fifth Street underneath the railroad bridge by installing (replacing) a new sidewalk with a width of at least five (5) feet and new curbing to Essex Street. In addition, the Applicant will replace and connect, at its own expense, the existing storm water line all the way to the valve servicing the hydrant at Essex Street and to the existing two inlets near the railroad crossing at Fifth Street [so that the inlets will drain properly].

38. Mr. Pavlovich testified that he prepared a synchronization plan for the traffic lights along Frank E. Rodgers Boulevard South as requested by the Board professionals. He stated, however, that the traffic control device at the intersection of Bergen Street and Frank E. Rodgers Boulevard South was outdated and incompatible with the upgraded traffic control devices further south at Angelo Cifelli Drive and Guyon Drive; therefore, other than implementing the timing changes and adding the westbound left turn phase at the Bergen Street intersection, which will improve the existing level of service from LOS F to LOS E, synchronization of the Bergen Street signal is not possible with the existing equipment. The Applicant will implement the timing changes and add the westbound left turn phase at the Bergen Street intersection as described by Mr. Pavlovich. The Applicant agreed to contribute its fair share of any other traffic control related costs pursuant to N.J.S.A. 40:55D-42.

39. As per the Board Engineer's letter dated January 13, 2015, comments 8.1.2, the Applicant agreed to provide the site-wide RAO to the Town of Harrison for its records. The parties recognized that the site-wide RAO will not be issued for a number of years.

40. The Board offered, as Exhibit B-1, the type of conditions that will be included in its final Resolution with the understanding that the conditions are meant to be tailored to the specifics of the Application and information set forth during the hearing(s).

41. Before the Board's deliberation, the Application was opened to public comment and public questioning of any and all witnesses and any and all materials. Seeing no person from the public coming forward, the public portion of the meeting was closed.

H. RELIEF FROM REDEVELOPMENT PLAN DESIGN STANDARDS

42. The relief requested from Redevelopment Plan design standards should be granted under the standards for relief set forth in the Redevelopment Plan.

I. RELIEF FROM RSIS

43. The Applicant is proposing 640 residential parking spaces, one for each of the 640 residential units, where 920 spaces are required by RSIS.

44. The relief requested from the RSIS is reasonable and within the purpose and intent of the RSIS because an adequate parking supply will be provided at the site. In addition, literal enforcement is impracticable because of peculiar conditions pertaining to the development.

45. Further, the Board finds that this *de minimis* exception (a) is consistent with the intent of the RSIS and the Site Improvement Act, (b) is reasonable, limited, and not unduly burdensome, (c) meets the needs of public health and safety, and (d) takes adequate account of existing infrastructure and possible future surrounding development.

J. VARIANCE RELIEF

46. The applicant requested variance relief from the following items:

(a) Deficient depth of commercial space, specifically, a minimum 40 foot depth for retail spaces fronting Frank E. Rodgers Boulevard is required and the Applicant proposes a minimum depth of 31 feet in certain retail spaces that abut residential lobbies in two buildings; and

(b) Satisfying non-residential parking requirements, specifically, no on-street parking spaces may be counted towards satisfying non-residential parking requirements and the Applicant is proposing to count 17 on-street parking spaces.

47. The Municipal Land Use Law, at N.J.S.A. 40:55D-70(c), provides this Board with the power to grant variances when the applicant satisfies the requisite burden of proof under Section 70(c). The Applicant is entitled to relief under the criteria under Section 70(c)(1) when, in part, the Applicant can demonstrate that in a particular instance relating to a specific piece of property by reason of exceptional narrowness, shallowness or shape, the strict application of any regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship. Separately, the Applicant is entitled to relief under Section 70(c)(2) criteria, when the applicant demonstrates, in part, that in a particular instance relating to a specific piece of property, the purposes of the Municipal Land Use Law will be advanced by allowing a deviation from the Redevelopment Plan requirements and the benefits of such deviation will substantially outweigh any potential detriment. In addition, under each situation (Section 70(c)(1) and Section 70(c)(2)), the Applicant has to demonstrate that the proposed relief will not substantially cause detriment to the public good and will not substantially impair the intent and purpose of the regulations adopted pursuant to the Municipal Land Use Law or, in this particular case, the Waterfront Redevelopment Plan. Then, in such instances, the variance may be granted to allow such departure.

47. The Board finds that in this particular instance, the variance relief being sought by the Applicant from the minimum 40 foot depth for retail spaces fronting Frank E. Rodgers Boulevard shall be granted pursuant to Section 70(c)(1) because the buildings had to be moved back in order to raise the grades for the flood zone reasons. The Board and the Board's Planner do not agree with the Applicant's expert that it was a technical issue in the way one measures the space.

48. In addition, the Board finds that in this particular instance, the variance relief being sought by Applicant for both the minimum 40 foot depth for retail spaces fronting Frank E. Rodgers Boulevard and from the requirement not to permit counting on-street parking spaces

towards satisfying non-residential parking requirements shall be granted under Section 70(c)(2) because many purposes of the MLUL were advanced, specifically: b. to secure safety from fire, flood, panic and other natural and man-made disasters; and g. to provide sufficient space in appropriate locations for a variety of agriculture, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens.

49. The Board finds that the variance relief under Section 70(c)(1) and Section 70(c)(2) will not substantially cause detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan. It finds that the relief that is being sought is consistent with the overall intent and purpose of the Waterfront Redevelopment Plan. There is no evidence before the Board indicating that granting this relief would in any way be detrimental to the public good, or in any significant manner inconsistent with the intent and purpose of the Waterfront Redevelopment Plan.

K. CONCLUSION

50. Subject to the conditions of this Resolution and in accordance with the materials submitted, the testimony provided and the reports of the Board's Professionals, and with there being no public comments offered, The Town of Harrison Planning Board finds that this application meets the requirements for the granting of preliminary and final major site plan approval for Phase I, preliminary major site plan approval for Phase II, preliminary and final major subdivision, "c" variance relief, design waivers, and a *de minimis* exception from the Residential Site Improvement Standards ("RSIS") for the development known as The Hub at Harrison Station.

III. APPROVAL AND CONDITIONS

NOW, THEREFORE, BE IT RESOLVED that this application by HELLER URBAN RENEWAL, LLC for preliminary and final major subdivision, preliminary and major site plan approval for Phase I, preliminary site plan approval for Phase II, variance relief, relief from Redevelopment Plan design standards, and a *de minimis* exception from RSIS parking requirements be and hereby is granted subject to the following conditions:

1. Compliance with all applicable Town, County, State, and Federal laws, ordinances, regulations, and directives.
2. All construction, use and development of the Property shall be in conformance with the Plans approved herein, all findings, conclusions, terms and conditions of this resolution and, to the extent not inconsistent therewith, all representations of Applicant and its witnesses during the public hearing. Any material deviation from the terms of this condition shall be deemed a violation of the Land Development Ordinance and Waterfront Redevelopment Plan.
3. Applicant shall not begin any land disturbance (with the exception of disturbance

incidental to demolition work, grading relative to flood zone requirements, or environmental remediation work pursuant to permits, if necessary, properly issued by the Construction Official and/or NJDEP, as the case may be) or construction pursuant to the approved Plans, and the Construction Official shall not issue a permit for construction on any approved lot, until:

- (a) The approved Plans have been signed by the Board Chairman and Secretary and released to Applicant;
 - (b) Applicant has submitted an engineer's estimate for all proposed Phase I work (both on-tract improvements and off-tract right-of-way improvements pursuant to N.J.S.A. 40:55D-53(a)(1)) and, upon acceptance of the estimate by the Town Engineer or his designee, has posted inspection fees as required by ordinance;
 - (c) Applicant has arranged for and attended a preconstruction meeting with the Town Engineer and such other Town officials as the Town Engineer shall designate; and
 - (d) Applicant has obtained road opening permits for all work to be performed within a public street. Thereafter, Applicant shall comply with all applicable road opening permit requirements in the course of the work.
4. Before the Board Chairman and Secretary sign the approved Plans:
- (a) Applicant shall submit to the Board Engineer (a) proof that it has obtained approvals from all other governmental authorities with jurisdiction, including Town of Harrison approval of the townhouse stoop encroachments into the public right-of-way, or (ii) a certification from its engineer or attorney that no such approvals are required. Such authorities shall include, to the extent applicable, and without limitation, the County of Hudson (the "County"), the Hudson County Planning Board, Hudson-Essex-Passaic Soil Conservation District, New Jersey Department of Environmental Protection (including treatment works approval, flood hazard permit, and any approvals required by the Bureau of Safe Drinking Water) and New Jersey Department of Transportation.
 - (b) Applicant shall have paid all required application fees and technical review fees.
 - (c) Applicant's engineer shall submit any and all design which shall be reviewed and approved by the Board Engineer.
 - (d) Applicant shall submit six (6) complete sets of the Plans approved herein, with the following revisions, all of which shall be submitted to and approved by the Board Engineer.
 - (e) All plans and reports submitted by the applicant shall conform to the conditions and provisions in the letter from T&M Associates dated January 13, 2016, and from Heyer Gruel & Associates, dated December 1, 2016 and January 13, 2016, all of which are attached hereto and incorporated herein by reference; the reports

are attached as Exhibits A (T&M Associates) and B (Heyer Gruel & Associates).

- (i) Although it appears that all comments from T&M Associates and Heyer Gruel & Associates have been addressed, the Plans shall be revised to address all outstanding comments of the Town Engineer, Board Engineer, Town Planner, and Board Attorney. Comments of the Board Attorney calling for a response from another Town or Board professional shall be deemed to be outstanding until such time as the response has been given, and addressed to the satisfaction of the responding Town or Board professional.
- (ii) The Plans shall be revised to eliminate any design waivers for the type, size or classification of street trees and Applicant shall comply with the street tree requirements of the Redevelopment Plan;
- (iii) The Plans shall be revised for centerline striping to be provided up to the crosswalk immediately downstream in order to prevent vehicles from traveling in the wrong direction;
- (iv) The Plans shall be revised to indicate that the Applicant, at its own expense, shall: (a) improve the sidewalk area on the westerly side of Fifth Street underneath the railroad bridge by installing (replacing) a new sidewalk with a width of five (5) feet and new curbing to Essex Street; and (b) replace and connect the existing storm water line all the way to the valve servicing the hydrant at Essex Street and to the existing two inlets near the railroad crossing at Fifth Street [so that the inlets will drain properly].
- (v) With respect to costs related to the replacement, synchronization and timing issues of traffic control signals along Frank E. Rodgers Boulevard South, the Applicant shall provide their fair share of these costs in accordance with the law and subject to any conditions that are or may be imposed by the Hudson County Planning Board.
- (vi) A copy of the site-wide RAO shall be provided to the Town of Harrison for their records upon receipt by the Applicant. It is anticipated that the RAO will not be finalized for many years.
- (vii) The public art aspects set forth in Application are not intended to and do not satisfy all of the public art requirements in the Redevelopment Plan for the project. Applicant shall fulfill the public art requirement in Phase I based upon the cost of construction of Phase I. The fulfillment of all of the public art requirements for the project will be revisited upon Applicant's subsequent applications, i.e. for Phase II.
- (f) Applicant shall enter into a developer's agreement with the Town of Harrison. The agreement shall include, but shall not be limited to, provisions governing (a) Applicant's responsibility for traffic improvements in conformance with the

conditions of this resolution, (b) Applicant's responsibility for public art, and (c) Applicant's obligation to deliver to the Town of Harrison, at such time(s) as may be required by the Town Attorney, a deed of dedication for any public right-of-way as described above in conformance with the Plans for this particular project.

- (g) Applicant shall provide performance guarantees for this particular project for improvements to Angelo Cifelli Drive, Fifth Street, and Frank E. Rodgers Blvd. So., and any other Right of Way, and for any and all other improvements to be dedicated to the Town of Harrison (including but not limited to public art). The requirement for a performance guaranty for these improvements shall include both the interim improvements shown in the Plans, and Applicant's proportionate share (50%) of the cost of permanent improvements conforming to all applicable Redevelopment Plan standards. The amount of the performance guaranty for these permanent improvements (including the required 10% cash portion of the guarantee) shall be subject to adjustment on the third anniversary date of the issuance of the performance guaranty and on every three-year anniversary date thereafter, in order to account for changing construction costs. Such performance guarantees shall be satisfactory in form to the Town Attorney, and in amount to the Board Engineer. All such performance guarantees shall conform to all applicable provisions of the Municipal Land Use Law and the Land Development Ordinance. Notwithstanding the foregoing, in the event the County insists upon delivery of a performance guaranty for improvements to Frank E. Rodgers Boulevard South, the Applicant shall, in lieu of the performance guaranty required by this condition, deliver to the Board Engineer proof that such guaranty has been delivered to the County.
 - (h) Applicant shall provide a performance guarantee for this particular project for all other Phase I improvements, other than those set forth in (g) above, in accordance with N.J.S.A. 40:55D-53. The performance guaranty must meet all applicable requirements of N.J.S.A. 40:55D-53 and Ordinance Section 17-105.1. The amount of the performance guaranty shall equal 50% of the anticipated cost of all required labor and materials, calculated in conformance with current prices, plus a 20% contingency as permitted by N.J.S.A. 40:55D-53. Ten percent (10%) of the performance guaranty must be in cash. The amount of the performance guaranty (including the cash portion) shall be subject to adjustment on the third anniversary date of its issuance, and on every three-year anniversary date thereafter, in order to account for changing construction costs. Such performance guarantee shall be satisfactory in form to the Town Attorney and in amount to the Board Engineer. All such performance guarantees shall conform to all applicable provisions of the Municipal Land Use Law and the Land Development Ordinance and Redevelopment Plan.
 - (i) Applicant shall supply "will-serve" letters from all utilities providing service to the project.
5. Applicant shall provide maintenance guarantees for all improvements covered by

a performance guarantee. A maintenance guarantee shall be provided for each improvement prior to the release of the performance guarantee (or any portion thereof) given for such improvement. Such maintenance guarantee shall be governed by all applicable provisions of the Municipal Land Use Law and the Land Development Ordinance. Such maintenance guarantees shall be satisfactory in form to the Town Attorney and in amount to the Town Engineer.

6. All site improvements, screening, fencing and landscaping required by the approved Plans or the terms and conditions of this resolution shall be maintained in good condition for so long as any building, structure, or use approved herein shall remain on the Property.

7. Applicant's construction activities shall be limited to those hours permitted by ordinance.

8. **ALL NOTES INCLUDED IN THE APPROVED PLANS, INCLUDING NOTES REQUIRED BY THIS RESOLUTION, SHALL BE DEEMED TO BE CONDITIONS OF APPROVAL HAVING THE SAME FORCE AND EFFECT AS CONDITIONS EXPRESSLY SET FORTH HEREIN.**

9. In the event Applicant fails to obtain approvals from any other governmental agency having jurisdiction, and addressing such failure requires (directly or indirectly) any change (other than a *de minimis* change) in the Plans approved herein, or in the event the approval granted by any other governmental agency with jurisdiction requires (directly or indirectly) any change in the approved Plans (other than a *de minimis* change) Applicant shall return to the Board to seek amended development approvals for any and all resulting changes.

10. In the event Applicant fails to satisfy any condition of this resolution, Applicant shall return to the Board to seek amended development approvals or other appropriate relief.

Voting to Approve Application Subject to Formal Resolution Detailing Conditions:

	Yes	No	Abstain	Other
Chairperson Arthur Pettigrew	X			
Vice-Chairperson John Mulrenan	X			
Member Councilman Laurence Bennett	X			
Member Andrea Choffo	X			
Member Phillip Karas	X			
Member Carlos Mariano	X			
Member Delfim Sarabando	X			

Voting to Approve This Formal Resolution Detailing Conditions:

	Yes	No	Absent	Other
Chairperson Arthur Pettigrew	✓			
Vice-Chairperson John Mulrenan	✓			
Member Councilman Laurence Bennett			✓	

Member Andrea Choffo	✓			
Member Phillip Karas	✓			
Member Carlos Mariano	✓			
Member Delfim Sarabando	✓			

I certify that this is a true copy of a resolution duly adopted by the Town of Harrison Planning Board at a regular public meeting held on January 28, 2016. This resolution memorializes an action of the Board taken on **January 13, 2016**.

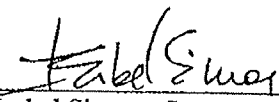

 Isabel Simoes, Secretary Pro Tem



EXHIBIT "A" (14 PAGES)

YOUR GOALS. OUR MISSION.

HRPB-R0710

January 13, 2016

Harrison Planning Board
Subdivision and Site Plan Review Committee
318 Harrison Avenue
Harrison, NJ 07029

Attn: Site Plan Review Committee

Re: **Post Board Hearing Report**
The Hub at Harrison
Heller Urban Renewal, LLC
Block 133, Lot 1.01
700 Frank E Rodgers Boulevard South
Preliminary & Final Major Site Plan
Major Subdivision

Dear Board Members:

As requested, we have reviewed the Preliminary & Final Major Subdivision Plans, Major Site Plan, application, and supplemental information submitted for the referenced project. The plans were reviewed for completeness and engineering related items and our most recent comments are in bold type.

The applicant submitted the following materials:

- Survey entitled, "Boundary & Topographic Survey, Block 133, Lot 1.01, Harrison Station, Situated in Town of Harrison, Hudson County, New Jersey", consisting of one (1) sheet, as prepared by Paul Schlossbach, PLS., of MidAtlantic Engineering Partners, LLC, dated September 10, 2015 and revised October 9, 2015.
- Subdivision plan entitled "Preliminary/Final Subdivision Plan, Block 133, Lot 1.01, The Hub at Harrison Station, Situated in Town of Harrison, Hudson County, New Jersey", consisting of one (1) sheet, as prepared by Paul Schlossbach, PLS of MidAtlantic Engineering Partners, LLC, dated September 10, 2015 and last revised on October 9, 2015.
- Architectural Plans entitled, "Heller Urban Renewal, LLC, The Hub at Harrison Station, Harrison New Jersey", consisting of eighteen (18) sheets as prepared by NK architects, dated November 12, 2015 and a revision date of October 12, 2015 (The dates should be chronological; this should be corrected).
- Site Plans entitled, "Preliminary/Final Subdivision Plan, The Hub at Harrison Station, Block 133, Lot 1.01, Tax Map Sheet 16, Situated in Town of Harrison, Hudson County, New Jersey", consisting of twenty-seven (27) sheets, as prepared by Matthew J. Robinson, PE of MidAtlantic Engineering Partners, LLC, dated September 9, 2015 and revised November 12, 2015
- Concept Traffic Plans entitled, "Frank E. Rodgers Blvd. and Angelo Cifelli Dr. Traffic Concept Signal Plan", consisting of one (1) sheet, as prepared by John S. Pavlovich P.E. of Division of Engineering Jersey City", dated October 19, 2015.
- Traffic Plans entitled, "Turning Template, The Hub at Harrison Station", consisting of two (2) sheets, as prepared by MidAtlantic Engineering Partners, LLC, dated October 9, 2015.



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- Drainage Calculations, dated November 4, 2015.
- Application and associated information.
- MidAtlantic response letter dated November 13, 2015.
- **Landscape Plans** entitled, "Preliminary/Final Subdivision Plan, The Hub at Harrison Station, Block 133, Lot 1.01, Landscape Plan, Situated in Town of Harrison, Hudson County, New Jersey", consisting of Plan Sheets 20 and 20A, prepared by MidAtlantic Engineering Partners, LLC, dated September 9, 2015 and revised December 30, 2015.
- Sketch for "The Hub at Harrison Station, Block 133, Lot 1.01, 5th Street Exhibit" prepared by MidAtlantic Engineering and dated December 30, 2015.
- Sketch for "The Hub at Harrison Station, Block 133, Lot 1.01, Frank E. Rodgers Blvd Stormwater Crossing Exhibit" prepared by MidAtlantic Engineering and dated December 30, 2015.

The Applicant seeks Preliminary & Final Major Site Plan approval to subdivide the existing lot into three lots to be used for the proposed buildings and a fourth lot to be used as a right-of-way for the Angelo Cifelli and South Fifth Street road extensions. They are also seeking preliminary and final approval to construct a total of five buildings with 640 residential units and 16,601 SF of retail space and 667 surface parking spaces. Buildings A and B will have 8495SF and 8,106 SF of retail space, respectively and a total of 92 residential units each. Building C has 52 residential units, Building D is proposed to have 117 residential units and Building E is a high rise building with 287 residential units. Buildings A, B and E have fitness centers in them and there is a meeting room in Building B.

The site has frontage on Frank E Rodgers Boulevard and will be divided by the extensions of South Fifth Street and Angelo Cifelli Drive. To the south, the property is bordered by Amtrak and to the north, Lands N/F Penn Rail Road Company. The site is located within the AE (Elevation 10) flood Zone.

In the most recent submission, the plans have been revised to eliminate head-on parking on 5th Street and provided parallel parking in its place, reducing the on-street parking by 12 spaces; revised the entrance at Angelo Cifelli Drive to eliminate a turn-around and provided a straight-through orientation; increased the sidewalk widths to 10' on 5th Street and 9.5 on Angelo Cifelli Drive; and the driveway aisles along Angelo Cifelli Drive have been reduced to 11' wide.

Based on review of the application, we offer the following comments:

1. Completeness Review

Based upon our review we find the application to be technically complete from an engineering standpoint. The following shall be addressed as a condition of approval:

- 1.1. Per Section 17-74.3 "Final Major Subdivision and Site Plan Checklist", item 13.a., a recordable Developer's Agreement shall be executed; b., a satisfactory performance guaranty shall be posted; and c. all escrow and inspection fees shall be posted.



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2. Site Layout, Parking and Circulation

- 2.1 The plans shall provide a circulation plan for pedestrian and ADA routes. **Comment Addressed.**
- 2.2 The Applicant is proposing a total of ~~667-659~~ 662 parking spaces, however, 34 22 of the spaces are proposed in the proposed right-of-way dedication of South Fifth Street and Angelo Cifelli Drive. The 34 22 spaces should not be counted towards the overall parking numbers. If the on-street parking spaces do not count towards the overall parking count, a total of 637 640 spaces will be provided and there will be a deficiency of 20 parking spaces. *Applicant has revised site layout and now provides 22 on-street parking spaces for proposed retail use. Applicant has also provided 3 additional spaces to the private lots to provide a total of 640 residential parking spaces.*
- 2.3 A total of 132, or 20%, of the 667 parking spaces are compact, which is acceptable per the Redevelopment Plan. **No Further Action Required.**
- 2.4 Per the Harrison Waterfront Redevelopment Plan, the required parking for the site is as follows:
- 1.0 spaces per apartment x 640 apartments = 640 spaces
16,601 SF x 1 space per 1,000 SF retail space = 16.6 spaces
Total = 657 Parking Spaces required (fitness space and meeting rooms are not included because they are meant for the exclusive use of tenants)
- 2.5 The required parking for the residential units, per Residential Site Improvement Standards (RSIS) is as follows:
- 1.8 Spaces per 1 Bedroom Unit x 249 Units = 448.2 spaces
0.8 spaces per 1 Bedroom Unit (high-Rise)x219 = 175.2 spaces
2.0 Spaces per 2 Bedroom Unit x 104 Units = 208 spaces
1.3 Spaces per 2 Bedroom Unit (high-rise) x 68 = 88.4 spaces
920 Parking Spaces Required for Residential Units. A de minimus exception will be required from RSIS standards.
- 2.6 The applicant should testify regarding ADA compliance, specifically with respect to accessible routes. **Comment addressed though testimony at the December 16, 2015 Board meeting. Proposed grading was also provided on the plans for all accessible routes and seem in accordance with ADA Standards.**
- ~~2.7 Several plan sheets provide a note that all spaces (if not compact) shall be 8.5'x18'.~~



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- ~~2.7.1 The Redevelopment Plans call for a minimum space size of 9'x18', therefore a design waiver will be required. Page 44 of Redevelopment Plan specifies that ninety-degree parking spaces may be 8.5 feet wide if the aisle width is a minimum of 24 feet.~~
- 2.8 Turning templates should be provided for Harrison Fire trucks, garbage trucks and moving vans. *Turning templates outlining turning movements for the above referenced vehicles have been provided and travel through the site seems acceptable. Testimony will be provided during the planning board hearing. Comment addressed through testimony provided at the December 15, 2015 Board hearing and the provided turning templates.*
- 2.9 None of the ADA ramps show the detectable warning surface and it does not seem that the layout of the ramps will allow them to be oriented in the correct direction to direct pedestrian traffic into the crosswalks. The detectable warning surfaces shall be shown in the correct orientation. **Comment Addressed.**
- 2.10 Testimony should be provided regarding how the parking spaces will be assigned. **Comment addressed though testimony at the December 16, 2015 Board hearing. The parking lot spaces will for the use of residents and the parking in the Angelo Cifelli Drive and 5th Street right-of-ways will be available for retail use.**
- 2.11 The entrance to the site from Angelo Cifelli Drive is designed poorly and requires redesign to eliminate one-way circulation and the potential for U-Turn/left-turn jug handle operation. **Comment Addressed. However, it is recommended that centerline striping be provided up to the crosswalk immediately downstream in the order to prevent vehicles from traveling in the wrong direction.**
- 2.12 The applicant shall provide sight triangles at all site driveways and demonstrate that no obstructions will exist within the designated area to allow for safe egress from the site. The placement of street trees and fencing near the site driveways may be a concern. **Comment Addressed.**
- 2.13 The applicant shall provide testimony regarding the access control to the proposed resident only parking areas. Any anticipated delay caused by processing time for access should be assessed for potential impact on internal site circulation and obstruction of pedestrian pathways. **Comment addressed through testimony at the December 16, 2015 Board hearing. Parking lot areas will be for residential use. Through the expected trips on the site, any delays in internal circulation will be minimal.**
- 2.14 The applicant shall provide testimony regarding the pedestrian connectivity from the proposed site to the Harrison PATH train station. **Comment addressed though**



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testimony at the December 16, 2015 Board hearing. The proposed PATH plans have not yet been finalized, but the Applicant has had several discussions with PATH and the two sites will connect with each other. As part of the final Phase 2 design, it is expected that the two sites will be coordinated and there will be better details regarding the connection.

- 2.15 The applicant shall provide testimony regarding the sidewalk width and capacity along Frank E. Rodgers Boulevard and the rear parking lot. **Comment addressed through testimony at the December 16, 2015 Board hearing.**
- 2.16 The applicant shall provide testimony regarding the at-grade railroad crossing at South Fifth Street onto to the site. The applicant shall obtain approval from the NJ DOT Rail Unit following participation in the Diagnostic Team process. **Comment addressed through testimony at the December 16, 2015 Board hearing.** Additionally, before the hearing, the Board was given a memorandum of meeting minutes for the diagnostic team meeting between the NJDOT, railroad, Applicant and Town which explained the responsibilities of each party. Since the Board hearing, the Town has made comments to the NJDOT requesting utility crossings under the railroad for drainage in addition to water. The crossing will be for vehicular access to the site from Fifth Street as well as a 5' wide sidewalk, connecting the site to the north side of Fifth Street.
- 2.17 The applicant has proposed loading areas for the ground level retail spaces. The applicant shall provide testimony regarding the type, frequency and timeframe for retail supply deliveries, as well as provide the appropriate pavement markings and signage designating those areas as loading zones. *Additional markings have been provided. The Applicant has indicated that testimony will be provided as well.* **Comment addressed through testimony provided at the December 16, 2016 Board hearing.**
- 2.18 It is recommended that the applicant provide pavement markings with the word "Compact" for all compact parking spaces in addition to the proposed signage. **Comment Addressed.**
- 2.19 The applicant shall provide pavement markings in each of the designated "drop off" zones indicating the area as such as well as install R7-6 No Parking - Loading Zone signage at those locations. **Comment Addressed.**
- 2.20 The applicant shall provide testimony regarding the number of parking spaces available to visitors and retail patrons is sufficient as a percentage of the total parking being provided. **Comment addressed through testimony at the December 16, 2016 Board hearing.** It is expected that most of the people using the retail stores in this development will be local residents that walk to the site. For people that do drive to



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the site, the parking in the Angelo Cifeli Drive and Fifth Street right-of-ways will be available for retail parking.

- 2.21 The location of the two barrier free parking spaces along the northern property line does not appear to provide nearby access to any building or apartment units. The applicant shall provide testimony as the placement of those two ADA compliant spaces not immediately adjacent to points of ingress/egress or alternatively relocate those designated spaces adjacent to ADA accessible points of ingress/egress. **Comment addressed thorough testimony at the December 16, 2015 Board hearing.**
- 2.22 The applicant shall obtain approval from Hudson County for the proposed traffic signal modifications on Frank E. Rodgers Boulevard. **Comment addressed through testimony at the December 16, 2015 Board hearing.** It was testified that they are working with the County to towards approval of the traffic signal upgrades. It was stated that when the improvements are complete, the lights on Frank E. Rodgers Boulevard will be synchronized and it will improve traffic flow.
- 2.23 **Traffic Impact Study Review**
- 2.23.1 The applicant utilized traffic counts obtained in August 2015 at the signalized intersections of Frank E. Rodgers Boulevard with Bergen Street and Angelo Cifelli Drive and S. Fifth Street with Essex Street and Bergen Street. Due to unexpected street closures and crashes, this volume data was compared to existing approved traffic studies in 2009 and 2013 to establish the existing traffic volumes. The existing volumes were also increased by 5% to account for summer volumes. The applicant shall provide testimony regarding the volume derivation used in the analysis. **Comment addressed through testimony at the December 16, 2015 Board hearing.**
- 2.23.2 Future no-build traffic was projected by applying a background growth rate factor of 1.0% for seven years, resulting in volumes for a no-build year of 2022. The applicant incorporated approved future traffic volumes from four other nearby residential developments. **No response required.**
- 2.23.3 The applicant conducted traffic analyses at the existing signalized intersections noted above and found that future no-build levels of service for all turning movements operate at LOS D or better during peak hours, with the exception of the eastbound right turn movement at the intersection of F.E. Rodgers Boulevard and Angelo Cifelli Drive during the PM peak hour (LOS E) and the northbound left turn movement during the PM peak hour and westbound left turn movement during both peak hours at the intersection of F.E. Rodgers Boulevard and Bergen Street (LOS F). **No response required.**



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2.23.4 The applicant provided trip generation analysis based on the weekday morning and evening peak times for LU Code 223 in the ITE Trip Generation Manual. The resulting vehicle trips of 280 during the AM peak hour and 328 during the PM peak hour for the proposed site were then decreased based on the percentage of vehicle trips in Harrison from the 2000 Census Journey-to-Work modal split (65%). The percentage was increased to 70% to be conservative, resulting in 192 trips during the AM peak hour and 230 trips during the PM peak hour. Site generated trips were assigned based on existing travel patterns obtained from traffic counts. **No response required.**

2.23.5 The applicant conducted level of service analyses for future build traffic volumes at the four study intersections assuming that the only geometric change would be to provide two through lanes and an exclusive left turn lane on the northbound and southbound approaches to the intersection of F.E. Rodgers Boulevard with Angelo Cifelli Drive and the linking of Angelo Cifelli Drive with S Fifth Street. The projected build traffic associated with the proposed residential/retail development was estimated to have an impact during the AM peak hour. The eastbound approach of the intersection of F.E. Rodgers Boulevard with Angelo Cifelli Drive was anticipated to be degraded to LOS F and LOS E for the left and right turn movements, respectively, from LOS D and LOS C. The applicant has proposed no mitigation for the anticipated deterioration of level of service at this intersection. The northbound left turn movement at the intersection of F.E. Rodgers Boulevard with Bergen Street was expected to degrade from LOS D to LOS F. The applicant has proposed increasing the green time of the northbound lead left turn phase during both peak hours by 3 seconds. The applicant has also proposed decreasing the north-south phase by 3 seconds during the AM peak hour and increasing the green time of the north-south phase by 3 seconds and increasing the green time of the east-west phase by 1 second during the PM peak hour to mitigate the impacts to the operation of this intersection. The proposed signal timing adjustments would result in an improvement to LOS E for the northbound left turn movement during the AM peak period, and the westbound left turn movement would experience a decrease in delay during both peak periods, while still anticipated to be LOS F. The northbound left turn movement would still experience LOS F during the PM peak hour. The applicant shall provide testimony regarding the estimated 95th percentile northbound left turn queue at the F.E. Rodgers Boulevard/Bergen Street intersection and its potential impacts to access for Essex Street, Taft Place and Railroad Avenue, as well as the downstream intersection with Angelo Cifelli Boulevard. The applicant shall also provide testimony regarding the anticipated 95th percentile eastbound queues at the intersection of Angelo Cifelli Drive with F.E. Rodgers Boulevard. **Comment addressed through testimony at the December 16, 2015 Board hearing. The**



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changes proposed in the traffic light system will synchronize the lights along Frank E. Rodgers Boulevard and improve traffic flow.

2.23.6 The applicant did not provide level of service analysis for the new proposed intersection of Angelo Cifelli Drive with South Fifth Street. This intersection is proposed to function as a multi-way stop controlled intersection while also featuring a traffic circle. This is not a desirable geometric configuration and should be modified accordingly. The applicant shall provide testimony as to the operation of this intersection, and if it is truly stop controlled, shall provide LOS analysis for the future build condition. In addition, the applicant shall provide LOS analysis of all other stop controlled intersections within the site. Furthermore, the applicant shall provide testimony as to any anticipated 95th percentile queue conditions which may impact internal site circulation. **The yield approach is an improvement over the previously proposed "stop" controlled configuration. Comment Addressed.**

2.23.7 The applicant shall justify southbound left-turn movements into the site from Frank E. Rodgers Boulevard at the intersection with Angelo Cifelli Drive. The proposed configuration of the intersection allows opposing left turns from the northbound and southbound approaches to conflict with each other. The intersection lane configuration must be modified to eliminate head-on movements. **A five-phase traffic signal operation would eliminate the left-turn conflict. Comment Addressed.**

3. Technical/General Comments

- 3.1 The details for the Frank E. Rodgers Boulevard pavement section shall be in conformance with County standards. **Comment Addressed.**
- 3.2 The following details shall be provided as part of the plans:
 - 3.2.1 Pavement Cross Section for Fifth Street and Angelo Cifelli Drive. **Comment Addressed.**
 - 3.2.2 Transformer pads and bollards. **Comment Addressed.**
 - 3.2.3 Pavers or stamped/colored concrete, including reinforcement, thickness, patterns, etc. **Comment Addressed.**
 - 3.2.4 Pipe types. With pipe classes and any special backfilling requirements. **Comment Addressed.**
- 3.3 The pipe bedding detail should call out Class II material as dense graded aggregate (DGA). **Comment Addressed.**



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- 3.4 There is a retaining wall proposed in the Angelo Cifelli Drive Island. Clarification is needed on what is actually proposed. **Comment Addressed.**
- 3.5 The Applicant shall provide testimony regarding the status of the environmental cleanup of the site and upon its completion, the Response Action Outcome (RAO). **Comment addressed through testimony at the December 16, 2015 Board hearing. Additionally, upon completion of the environmental requirements, an RAO will be provided.**
- 3.6 Testimony shall be provided regarding trash pickup, scheduling and handling. **Comment Addressed through testimony at the December 16, 2015 Board hearing.**
- 3.7 Testimony shall be provided regarding requirements, procedures and coordination to work adjacent to the railroad properties. **Comment addressed through testimony at the December 16, 2015 Board hearing.**
- 3.8 Testimony shall be provided regarding the Applicant's plans to phase the project. **Comment Addressed though testimony at the December 16, 2015 Board hearing, as well as plan Sheet 13 of the plans. The initial improvements will include the roadway infrastructure, drainage and utilities and Buildings A and D. Phase 2 will include Buildings B, D and E and their parking lots. The Applicant has indicated that each phase will provide the required parking for each occupied building.**
- 3.9 Testimony shall be provided regarding the dedication of South Fifth Street and Angelo Cifelli Drive to the Town. **Comment Addressed through testimony. Once the improvements are complete, the Applicant will dedicate the Angelo Cifeli Drive and 5th Street right-of-ways to the Town of Harrison.**

4. Drainage & Grading

- 4.1. The plans shall address roof runoff. Details and riser diagrams should be provided. **Comment Addressed.**
- 4.2. No grade information has been provided at any ADA routes, including handicapped ramps. Detailed information shall be provided at all ramps to ensure ADA conformance. Detectable warning surfaces shall be angled at 90° of the path of travel. It is recommended that all ramps and ADA routes not be designed at the maximum allowable slopes. 1.5% cross slope and 7.5% rise is recommended. **Comment Addressed.**
- 4.3. Inadequate grading information is provided along Frank E Rodgers Boulevard. Grades shall be provided at the top and bottom of stair cases, ramps, etc. to ensure that Building Codes are met. **Comment Addressed.**



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4.4. Stormwater Management Report Review:

The proposed development consists of the construction of five (5) residential apartment buildings and associated parking, access and landscaping on a 9.73-acre site. The applicant indicates the existing site was previously fully developed with 100 percent impervious coverage.

The applicant indicates that the proposed development disturbs more than an acre of land but has a net decrease in impervious surface area of approximately 0.80-ac in the proposed condition. The development is therefore a major Project subject to the Phase II Rule. There is no increase in impervious cover and therefore the water quality requirement is not applicable. Groundwater recharge requirements are not applicable since there is a decrease in impervious surface.

The following comments are offered:

- 4.4.1. The applicant states "The majority of runoff from the existing site is conveyed to Frank E Rodgers Boulevard where it is collected by existing catch basins located in the street that connect to an existing combined storm/sanitary sewer system".

As designed the entire runoff from the proposed site is connected to the drainage system on Angelo Cifelli Drive. Please provide an Existing Drainage Area map with contours and existing drainage pipe system demonstrating that the entire runoff from the applicant's existing site is captured by the drainage system on Angelo Cifelli Drive.
Comment Addressed.

Please note, as provided on the utility and grading plan sheets 7 and 10 of 24 respectively only a pipe system along the crown of Frank E Rodgers Boulevard is connected to the downstream manhole on the 29' x 45" HERCP to 42-inch RCP system.

This downstream pipe system may not be adequate to convey the proposed flow. The applicant should provide calculations to demonstrate that the downstream pipe system has capacity to convey the proposed flow. The downstream drainage system has been previously designed and constructed to handle a 10-year storm event. This is because the existing conditions and flatness of the system due to the available grades. **No Further Action required.**

- 4.4.2. Provide a Proposed Inlet Area Map that shows the areas tributary to each proposed inlets to substantiate those used in the drainage pipe calculations. Also include the weighted C computations for the pipe system. **Comment Addressed.**



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- 4.4.3. The applicant uses a 10 year design storm for the drainage pipe sizing, which may be inadequate. The applicant should use the 25-year storm for the drainage pipe sizing as per the Residential Site Improvement Standards 5:21-7.2 (C) 5.ii. **The downstream conditions limit the possible volume capacities for this site. Sizing the system larger than the 10 year event will likely not work as intended to work. No Further Action Required.**
- 4.4.4. It appears there is a discrepancy in the calculation of Tc and flow through the 36-inch RCP between inlets CB-77 'B' and CB-87 'B'. The pipe has a proposed flow of 31.41-cfs with an overall Tc of 30.6 min from Inlet CB-73-'B'. The calculated flow through this pipe is reduced to about half (19.27) this inflow and the Tc increases from 30.6 (Inlet CB-73-'B') to 71.9-min. Thus the travel time for the flow through the 137-ft 36-inch diameter pipe is approximately 41-min, which appears too high. Please Clarify and address this discrepancy. **Comment Addressed.**
- 4.4.5. In "MyReport" under CB-77 'B' and CB-34 'B' the hydraulic gradeline (HGL) has values of 3.62j and 10.44j respectively. Please clarify these values as computed. **Comment Addressed.**
- 4.4.6. A substantial number of the proposed pipes are flowing at velocities less than the self-cleansing velocity of 2-ft/s. This may allow for the settlement of sediment thereby creating maintenance problems. Please address. *The Applicant's Engineer indicates that due to the site elevations and downstream constraints, it is unfeasible to obtain the minimum velocity of 2ft/s. The pipes in question are within the parking areas and are the responsibility of the Owner to maintain. As a condition of approval, a maintenance plan shall be submitted to the Town for the regular cleaning of the pipes. The Applicant shall provide testimony to confirm that they will maintain the pipes as needed to provide a properly working system.* **Comment addressed through testimony at the December 16, 2015 Board hearing. The pipes with the flatter slopes are on the Applicant's property and they will be required to keep the system active and maintained.**
- 4.4.7. The applicant should provide the gutter spread results for the proposed inlets, on slope and in sumps. It may also be necessary to provide additional MyReport that will indicate inlets under "sag", and along slopes so substantiate what is shown on the grading plans. **Comment Addressed.**
- 4.4.8. The applicant should address any conflicts of the proposed 36-inch diameter storm pipe across Frank E Rodgers Boulevard and the existing utilities. **The Applicant's engineer indicates that the contractor will be responsible to dig test pits to locate the existing utilities and will be responsible to coordinate with any utility companies for utility relocations.**



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- 4.4.9. Approximately One third of the existing site is within the floodplain of the Passaic River Zone AE (elevation 9 - NAVD88) and therefore regulated. The flood map is provided on FEMA FIRM of Hudson County Panel 82 of 118, Map Number 34017C00882D, effective date August 16, 2006.

The applicant should therefore address the proposed development with respect to the Flood Hazard Area Control Act Rules and submit to NJDEP for approval and provide copies to the Town. The Applicant has made a submission to the NJDEP for a Flood Hazard Area Verification and Individual Permit. Approval of this Application will be contingent on approval from the NJDEP. The Applicant shall provide the Town copies of the permits upon receipt for their records.

5. Sanitary Sewer/Utility Connections

- 5.1 In accordance with NJAC 7:14A-23.3, the following sanitary sewer flows are noted:
- | | | |
|----------------|------------------------|--------------------|
| 1-bedroom: | 468 units x 150 gpd = | 70,200 gpd |
| 2-bedroom: | 172 units x 225 gpd = | 38,700 gpd |
| Retail Stores: | 16,601 SF x 0.10 gpd = | 1,660.00 gpd |
| TOTAL = | | 110,560 gpd |
- 5.2 In accordance with NJAC 7:14A-22.4,(b).1.ii "Projects involving additional flow through an existing sewer line of 8,000 GPD or more require a treatment works approval for the conveyance aspects only and may be considered under the provisions of NJAC 7:14A-22.6." As noted above, because the projected flows exceed 8,000 gpd (gallons per day), a Treatment Works Approval from NJDEP will be required. Applicant has submitted TWA Applications to the Town and the Passaic Valley Sewerage Commission for endorsement. Awaiting returned signed application. Copies of approvals shall be sent to the Town for their records.
- 5.3 Per the Checklist for the Determination of Permit requirements for Water Main Construction (N.J.A.C. 7:10-11.10):
Does the project propose new residential unit service to more than 15 realty improvements? Approval will be required from the Bureau of Safe Drinking Water. Applicant has submitted BWSE Applications to the Town for endorsement. Awaiting returned signed application. Copies of approvals shall be forwarded to the Town for their records.
- 5.4 Approval will be required from Passaic Valley Sewerage Commission for the sewerage connection to their system. Applicant has submitted TWA Applications to the Town and the Passaic Valley Sewerage Commission for endorsement. Awaiting returned signed application.



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6. Lighting & Landscaping

- 6.1. The isolux lighting intensities have been provided through the site and it seems that adequate lighting levels are provided, in accordance with the Ordinance requirements. **No further action required.**
- 6.2. It is recommended that a root barrier system is provided for trees within 10' of any sidewalk or curb to help prevent heaving. A detail and landscaping note should be provided. **Comment Addressed.**
- 6.3. We defer the review of the landscaping plans to the Board Planner. **Continuing comment.**

7. Map Filing Law

Our review of this map was conducted for plat conformance to current Map Filing Law requirements (NJSA 46:23-9.11) relative to major subdivisions. We find the map to be in substantial conformance with the Map Filing Law.

8. Environmental Report Review

- 8.1. We received an environmental report and offer the following comments:
 - 8.1.1. Per the report, two AOC's remain open. Testimony should be provided regarding how the Applicant proposes to address the open AOC's.
 - 8.1.2. When all controls are in place, the site-wide RAO shall be provided to the Town for their records.
- 8.2. The Applicant should provide testimony summarizing the report and any updates since the report was issued. **Comment addressed through testimony at the December 16, 2015 Board hearing. A summary of the report was provided.**

9. Permits/Approvals

- 8.1 This Application shall be submitted to the Hudson County Planning Board for approval. **Applicant has submitted this Application to the Hudson County Planning Board.**
- 8.2 The Applicant must obtain Soil Erosion and Sediment Control approval. **Applicant has provided an approval letter.**



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- 8.3 The applicant must obtain approvals from NJDEP, since the site is located within the AE flood zone. **Continuing Comment. Applicant is awaiting response from NJDEP.**
- 8.4 The Applicant must obtain approval from the Passaic Valley Sewerage Commission System to use their system. **Continuing Comment. Applicant is awaiting response from Passaic Valley Sewerage Commission.**
- 8.5 The Applicant must obtain approval from the New Jersey Department of Environmental Protection, Bureau of Safe Drinking Water. **Continuing Comment. Applicant is awaiting response from NJDEP, BWSE.**
- 8.6 Will Serve letters shall be provided from all required utilities. **Applicant has provided Will Serve letters from the following: Comcast, Verizon, PSE&G, and Town of Harrison Dept. of Water & Sewers.**
- 8.7 The Applicant must obtain approvals from all municipal and outside agencies having jurisdiction on this project.

Should the Board decide to grant approval of the subdivision and site plan application request, same should be conditioned upon: submittal of revised plans addressing the review comments indicated above; payment of all fees, charges, escrows, liens, taxes, etc. as may be owed the Town; posting of performance guarantees; The Applicant's engineer providing an estimate for the cost of improvements to the Town in order that performance guarantees and inspection fees can be calculated; proof of all permits, approvals, and/or waivers of such agencies having jurisdiction thereof and such other terms and conditions as required by the Board.

We reserve the right to present additional comments pending the testimony of the Applicant before the Board and the receipt of the revised plans. Should you have and questions regarding this matter, please contact this office.

Very truly yours,

T&M ASSOCIATES


ANTONIOS PANAGOPOULOS, P.E., C.M.E.
TOWN OF HARRISON
PLANNING BOARD ENGINEER

AP:SC

Cc: Mary Gaines, Planning Board Secretary
Rocco Russomanno, P.E., Town Engineer
Susan Gruel, Planning Board Planner
Michael R. Plchowicz, Esq., Planning Board Attorney
Matthew J. Robinson, P.E., Applicant's Engineer
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HEYER, GRUEL & ASSOCIATES

EXHIBIT "B" (9 PAGES) 1 of 2 Memorandum

TO: Town of Harrison, Planning Board

CC: Mayor James Fife
Michael Pichowicz, Esq
Rocco Russomano, PE
Antonios Panagopoulos, PE
Mary Gaines, Secretary

FROM: Susan S. Gruel, PP
Chris Dochney, PP/AICP
McKinley Mertz, Associate Planner

RE: Heller Urban Renewal, LLC
700 Frank E. Rodgers Boulevard South
Block 133, Lot 1.01
*Preliminary/Final Major Site Plan for Phase I, Preliminary Major Site Plan for Phase II
and Preliminary/Final Subdivision*

Date: December 1, 2015

As requested, we have reviewed the following new application materials:

- 18 page letter from MidAtlantic Engineering, addressing previous planning and engineering reports, dated November 13, 2015
- 2 sheet set of drainage plan drawings from MidAtlantic Engineering, dated November 12, 2015
- 1 sheet major subdivision plan drawing from MidAtlantic Engineering, dated September 10, 2015, revised October 9, 2015
- 2 sheet set of truck turning plan drawings from MidAtlantic Engineering, dated October 9, 2015
- 27 sheet set of site plan drawings from MidAtlantic Engineering, dated September 9, 2015, revised November 12, 2015
- 18 sheet set of architectural drawings from NK Architects, dated November 12, 2015

Property and Project Description

The site is located at 700 Frank E. Rodgers Boulevard South, directly south of I-280 and within the Waterfront Redevelopment Area. The large triangular property, which is also adjacent to the railroad right-of-way, is approximately 9.73 acres in size and is currently vacant. There were



previously several brick warehouse structures on the property, however they have since been removed. Block 133 was previously approved for a minor subdivision in 2013 in which the block was subdivided into two lots, lots 1.01 and 1.02. The latter is the location of a proposed PATH Station upgrade.

The applicant is seeking preliminary and final subdivision approval to allow for the subdivision of Block 133, Lot 1.01 into three separate lots of similar sizes. Proposed lots 1.03, 1.04, and 1.05 will be 2.37 acres, 2.64 acres, and 3.42 acres respectively. The applicant is proposing to dedicate a portion of the block to the extensions of Angelo Cifelli Drive and Fifth Street, which will traverse the block and separate the three proposed lots.

The applicant is also seeking a preliminary and final site plan approval for Phase I of the development and a preliminary site plan approval for Phase II of the project.

Phase I

In Phase I, Buildings A and D will be constructed on lot 1.04, located in the northwest corner of the site. Building A, which fronts Frank E. Rodgers Boulevard, is a five-story mixed-use structure with retail and fitness uses on the ground floor and apartments on the upper floors. The building provides a total of 92 residential units. Building D is a five-story residential structure comprised of 117 units. Both buildings have covered parking under the building and surface lots located in the rear of each building.

Phase II

In Phase II, Buildings B, C and E will be constructed; Buildings B and C on lot 1.03 and Building E on lot 1.05. Building B is a five-story mixed use structure fronting Frank E. Boulevard. Buildings C (five-stories) and E (eleven-stories) are residential structures. The three buildings of Phase II will create 431 residential units and will also be supported by both covered and surface parking.

All of the proposed buildings will have a mix of studios, one-, and two-bedroom apartments.



Zoning

The property is within the Mixed Use district of the Waterfront Redevelopment Area. Retail sales and services, wellness centers, and multi-family residential are permitted uses within the district.

MU: Mixed Use Standards			
	Required	Proposed Phase I	Proposed Phase II (Full buildout)
Building Height	4 - 30 stories	5 stories	5-11 stories
Min Setback	0 feet	4'-5" to 10'-0"	4'-5" to 10'-0"
Max Setback	10 feet*		
Bedroom Mix Standard	Min. 50% of units shall be studio and 1-bedroom	70% of units	73% of units
	Max 50% of units shall be 2/3 bedroom units	30% of units (2-bedroom)	27% (2-bedroom)
Street Level Retail Frontage	Min. 80% of Frank E. Rodgers Blvd. frontage	Applicant to confirm	Applicant to confirm
Minimum Retail Depth	Min. depth of 40 feet	31 feet (V)	31 feet (V)

Parking:

- 640 residential units – 1 space/unit = 640 spaces required
- 16,601 s.f. retail – 1 space/1000 s.f. = 17 spaces required
- 657 total off-street parking spaces are required.
- Parking Provided:
 - Lot 1.03 – 158 spaces (43 compact)
 - Lot 1.04 – 177 spaces (31 compact)
 - Lot 1.05 – 305 spaces (58 compact)
 - Total off-street parking – 640 spaces (132 compact)
 - Cifelli Drive – 12 spaces
 - Fifth Street – 10 spaces
 - Total Spaces – 662 spaces
- The Redevelopers Agreement allows for a maximum of 15 on-street parking spaces to be counted towards meeting non-residential parking requirements.



- With the 15 on-street spaces counting towards meeting the retail parking requirement of 17 spaces, 2 spaces must be provided for off-street. The minimum off-street parking requirement for the residential uses and the retail is then 642 spaces.

Requested Relief:

Variances:

- Parking – The applicant requires 17 parking spaces for the retail spaces, where no off-street parking spaces are provided for the retail uses.
- Depth of Commercial Space - Minimum required depth of retail and other permitted non-residential uses is 40 feet. A depth of 31 feet is proposed for each of the corner retail spaces along Rodgers Boulevard.

Design Waivers:

- Sidewalk Width – Sidewalks of 11' in width are required, where sidewalks of 10' in width are proposed for Cifelli Drive, and 10' for Fifth Street.
- Architectural Design – Relief is requested to place first floor residential stoops/stairs +/- 2 feet into the ROW along Angelo Cifelli Drive and Fifth Street.
- Front yard setbacks – All residential setbacks are required to be enclosed with a garden wall or ornamental fencing, whereas none is provided.
- Streets, Utilities & Mechanical Equipment – Transformers and generators are required to be located in the interior of the building or vaulted underground. However, they are proposed to be located at grade outside the building.
- Loading and Service Areas – Vehicular access to loading areas is not permitted along Angelo Cifelli Drive. The applicant notes that there will be drop off areas adjacent to building lobbies. There will be retail service and resident move in/out occurring in rear parking areas.
- Street Trees – Red Maple trees are proposed along Rodgers Boulevard, where they are not recommended by the Redevelopment Plan for that street.
- Street Trees – Cherry plum trees are proposed along Cifelli Drive where they are not a recommended species by the Redevelopment Plan for that street.



Planning Comments:

General Comments:

1. The proposed subdivision is in conformance with the standards of the district. No variances will be required due to the proposed subdivision.
2. The applicant should provide testimony addressing the design guidelines presented in the Waterfront Redevelopment Plan.
3. Although the retail space is not 40' in depth across the entire frontage, it appears the applicant satisfies the 80% ground floor retail requirement for the Frank E. Rodgers Boulevard frontage. The applicant should confirm.
4. It is our understanding that the applicant and the Port Authority are currently coordinating the proposed development design and uses adjacent to the proposed PATH Station immediately to the south of the property. It should be noted that a meeting was held Friday, September 25, 2015 with the Port Authority, the applicant, and the Town to discuss the condition. Based upon this coordinated effort, there will likely be revisions to both PATH and the final applicant's plans.
5. The applicant should provide testimony addressing the coordination of the development with the PATH Station improvements along Rodgers Boulevard.

Variances

6. The applicant requires a variance for parking as 17 spaces are required for the commercial uses, where no off-street parking is provided for the commercial spaces. There are 22 on-street parking spaces being provided, however a maximum of 15 of these spaces are permitted to be utilized to satisfy the non-residential parking requirement, as per the Redeveloper's Agreement. This still leaves a gap of 2 spaces required. Testimony should be provided in support of this variance.



7. The applicant requires a variance for the minimum depth of retail and other non-residential uses in Buildings A and B. Although parts of the non-residential space meet the requirement, the depth of the spaces on each end of the buildings is 31 feet. Testimony should be provided addressing the depth of the retail spaces, and why they cannot meet the depth requirement.
8. The applicant is asking for relief to permit residential stoops that extend into the public right-of-way. If the applicant continues to propose this condition, then the applicant will have to go to the Town Council to seek approval of any intrusions into a public street ROW.

Parking/Circulation

9. Testimony should be provided addressing the overall parking layout and site circulation patterns.
10. It appears that the applicant is proposing art walls to function as screens of the parking areas along Cifelli Drive. Testimony should be provided discussing the design of these walls.
11. The applicant will require a design waiver to permit sidewalk widths of 10' where 11' are required on both Cifelli Drive and Fifth Street. Testimony should be provided in support of these waivers.
12. The applicant should provide testimony addressing the grade changes throughout the site and how they relate to sidewalk conditions. In particular, the elevation changes along the retail frontages on Rodgers Boulevard, and the residential stoop areas on Cifelli Drive should be discussed.

Lighting

13. The applicant should provide testimony discussing the proposed exterior lighting, including both the street lighting and courtyard lighting.

Landscaping

14. It appears that the street trees proposed are spaced at the intervals recommended by the Waterfront Redevelopment Plan.



15. The planter beds alongside the residential stoops on the east side of Cifelli Drive are an appropriate treatment for an urban residential streetscape.
16. The applicant will require several design waivers for the proposed street trees. Red maple trees, and plum cherry trees are not recommended by the Redevelopment Plan.
17. The Redevelopment Plan calls for either honey locust, green ash, willow oak, or scholar trees along Rodgers Boulevard, where red maple trees are proposed.
18. The applicant proposes 4 cherry plum trees along Cifelli Drive, where the plan calls for one of the following species of street tree: green mountain silver linden, sweetgum, autumn flowering cherry, pagodatree, honey locust, goldenrain tree, or katsura tree.
19. Testimony should be provided addressing the suitability of the proposed street trees for each of these locations. How do the proposed species compare to the species that are recommended in the Plan in terms of their planting and mature height, foliage, durability, and other characteristics that may impact the streetscape?
20. Given the prominent location of this site just north of the PATH station, landscaping, in particular along Rodgers Boulevard and Cifelli Drive, is a very important component of the streetscape.
21. It is our opinion that the landscaping design needs to be more creative in the areas around Rodgers Boulevard and Cifelli Drive. While we appreciate the amount of landscaping that is proposed, it appears that the overall design is rather haphazard. We would recommend that a landscape architect be consulted to produce the conceptual landscape design.
22. The applicant is proposing to plant a considerable amount of 'dwarf arborvitae', which is a quick growing shrub typically utilized as a landscaping screen. However, it does not appear that there is anything being screened by these arborvitae. We would recommend that some of the arborvitae be replaced by boxwoods or other more appropriate shrubs.
23. The applicant proposes to use cinders as ground cover within the median on Cifelli Drive. We do not feel that this is an appropriate ground cover for this location. Testimony should be provided addressing the suitability of cinders within this area.



24. The applicant also proposes several small lawn areas along Cifelli Drive. Lawns are not appropriate ground cover in an urban area such as this. We recommend that the lawns be replaced with either additional hardscape, or low maintenance shrubs of some kind.

Building Design/Architecture

25. The architectural drawings provided indicate the intended materials of the buildings but not the proposed colors. Color renderings of the building elevations would be beneficial for the Board to develop a better understanding of the overall look of the proposed development.
26. The applicant should provide testimony addressing the architectural details and character of the proposed building and how it will fit into the neighborhood context of the Waterfront Redevelopment Area.
27. The applicant indicates drop off areas are provided for Buildings C and D only. However, there is also a drop off area located in front of Building E. The applicant should testify to the need for these drop off areas.
28. The applicant should confirm whether or not the fitness center located in Buildings A and E are for the sole use of the residents. If they are intended for only residents' use, can residents from other buildings within the development utilize the facilities?
29. The applicant is proposing 468 studio and one-bedroom apartments ranging in size from 831 square feet to 1,094 square feet and 172 two-bedroom apartments ranging in size from 1,197 to 1,378 square feet. The applicant should confirm,

Utilities/Signage

30. The applicant should provide testimony addressing the location of the exterior electrical transformers as they are not clearly marked in site plans or building elevations.
31. The applicant should provide testimony addressing emergency generators and other equipment.



32. The applicant is proposing rooftop mechanical equipment. Section drawings have been provided which indicate that the equipment will be screened from public view.
33. The architectural drawings indicate signage for the ground floor retail uses. Are these signs placeholders or the final designs for the signs? Will there be any signs identifying the residential buildings' address?

Miscellaneous

34. What are the proposed uses of the retail space fronting Frank E. Rodgers Boulevard? Is a restaurant use a possibility? Have any potential tenants been identified at this point?
35. The applicant has noted that trash and recyclables will be stored internally for pick up by service provider. More detail should be provided.
36. The applicant should speak to how they intend to address the sustainability/green building design requirements of the Redevelopment Plan. Have they considered implementing a green roof? Has any thought been given to pursuing LEED Certification?
37. The applicant should provide testimony addressing how they intend to comply with the public art requirement of the Redevelopment Plan.



HEYER, GRUEL & ASSOCIATES

EXHIBIT "B" (2 PAGES) 2 of 2 Memorandum

TO: Town of Harrison, Planning Board

CC: Mayor James Fife
Michael Pichowicz, Esq
Rocco Russomano, PE
Antonios Panagopoulos, PE
Mary Gaines, Secretary

FROM: Susan S. Gruel, PP
Chris Dochney, PP/AICP

RE: Heller Urban Renewal, LLC
700 Frank E. Rodgers Boulevard South
Block 133, Lot 1.01
*Preliminary/Final Major Site Plan for Phase I, Preliminary Major Site Plan for Phase II
and Preliminary/Final Subdivision*

Date: January 13, 2016

This is a supplemental review letter. For further information, please see our previous review dated December 1, 2015. As requested, we have reviewed the following new application materials:

- 2 sheet set of landscaping drawings from RTR Designs, Ltd. Dated September 9, 2015, last revised December 30, 2015
- 1 sheet drawing of railroad crossing at Fifth Street from MidAtlantic Engineering dated December 30, 2015
- 1 sheet drawing of stormwater crossing exhibit from MidAtlantic Engineering, dated December 30, 2015

The applicant has provided revised landscaping drawings, as well as additional engineering details of the proposed project. Our office has reviewed the revised landscaping drawings, and had a meeting and conference call with the engineer and landscape architect for the applicant, who prepared the revised landscaping drawings. It is our opinion that the revised landscaping plans are a significant improvement over the previously submitted plans, and present a coherent and consistent design that is appropriate and suitable for the site.

Based on the revised drawings provided, there will be a need for three additional design waivers regarding the landscaping.

- Street trees – Winterking Hawthorn and Redspire Pear trees are not permitted street trees.




- Kousa Dogwood and Eastern Redbud are permitted front yard trees, not street trees, where they are proposed as street trees.
- Street trees are required to have a minimum of 3.5" caliper, and front yard trees a minimum caliper of 2.5" caliper. The dogwood and redbud trees are proposed as 1.5" – 2" caliper. These trees should be upgraded to a minimum of 3.5" caliper.

However, it is our understanding that the applicant will further revise the landscaping drawings to increase the size of the dogwood and redbud trees, and replace the winterking hawthorn and redspire pear trees to species which are permitted by the Redevelopment Plan. If this is the case, these design waivers would not be required.

The applicant should confirm these changes through testimony at the public hearing.

We defer comment regarding the proposed Fifth Street crossing and stormwater to the Board Engineer.

Exhibit I

Hudson County Recording Data Page Honorable Diane Coleman Hudson County Register 	Official Use Only – Barcode
Official Use Only – Record & Return	Official Use Only – Realty Transfer Fee
Date of Document: 02/21/2019	Type of Document: DEED NOTICE
First Party Name: ACCORDIA HARRISON URBAN RENEWAL, LLC	Second Party Name: NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION PROGRAM
Additional Parties:	

THE FOLLOWING SECTION IS REQUIRED FOR DEEDS ONLY	
Block: 133	Lot: 1.03, 1.04 AND 1.05
Municipality: HARRISON	
Consideration: 0.00	
Mailing Address of Grantee: 100 PASSAIC AVENUE, SUITE 150, FAIRFIELD, NEW JERSEY 07004	

THE FOLLOWING SECTION IS FOR ORIGINAL MORTGAGE BOOKING & PAGING INFORMATION FOR ASSIGNMENTS, RELEASES, SATISFACTIONS, DISCHARGES & OTHER ORIGINAL MORTGAGE AGREEMENTS ONLY	
Original Book:	Original Page:

HUDSON COUNTY RECORDING DATA PAGE Please do not detach this page from the original document as it contains important recording information and is part of the permanent record.

ii. N.J.A.C. 7:26C-7 requires the Owner, among other persons, to obtain a soil remedial action permit for the soil remedial action at the Property. That permit will contain the monitoring, maintenance and biennial certification requirements that apply to the Property.

3. SOIL CONTAMINATION. The Hartz Consumer Group, Inc. and Heller Urban Renewal, LLC has remediated contaminated soil at the Property, such that soil contamination remains at certain areas of the Property that contains contaminants in concentrations that do not allow for the unrestricted use of the Property. Such soil contamination is described, including the type, concentration and specific location of such contamination, and the existing engineering controls on the site are described, in Exhibit B, which is attached hereto and made a part hereof. As a result, there is a statutory requirement for this Deed Notice in accordance with N.J.S.A. 58:10B-13.

4. CONSIDERATION. In accordance with the remedial action for the site which included the Property, and in consideration of the terms and conditions of that remedial action, and other good and valuable consideration, Owner has agreed to subject the Property to certain statutory and regulatory requirements that impose restrictions upon the use of the Property, to restrict certain uses of the Property, and to provide notice to subsequent owners, lessors, lessees and operators of the Property of the restrictions and the monitoring, maintenance, and biennial certification requirements outlined in this Deed Notice and required by law, as set forth herein.

5A. RESTRICTED AREAS. Due to the presence of contamination remaining at concentrations that do not allow for unrestricted use, the Owner has agreed, as part of the remedial action for the Property, to restrict the use of certain parts of the Property (the "Restricted Areas"); a narrative description of these restrictions is provided in Exhibit C, which is attached hereto and made a part hereof. The Owner has also agreed to maintain a list of these restrictions on site for inspection by governmental officials.

5B. RESTRICTED LAND USES. The following statutory land use restrictions apply to the Restricted Areas:

i. The Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-12.g(10), prohibits the conversion of a contaminated site, remediated to non-residential soil remediation standards that require the maintenance of engineering or institutional controls, to a child care facility, or public, private, or charter school without the Department's prior written approval, unless a presumptive remedy is implemented; and

ii. The Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-12.g(12), prohibits the conversion of a landfill, with gas venting systems and or leachate collection systems, to a single family residence or a child care facility.

5C. ENGINEERING CONTROLS. Due to the presence and concentration of these contaminants, the Owner has also agreed, as part of the remedial action for the Property, to the placement of certain engineering controls on the Property; a narrative description of these engineering controls is provided in Exhibit C.]

6A. CHANGE IN OWNERSHIP AND REZONING.

i. The Owner and the subsequent owners, lessors, and lessees, shall cause all leases, grants, and other written transfers of an interest in the Restricted Areas to contain a provision expressly requiring all holders thereof to take the Property subject to the restrictions contained herein and to comply with all, and not to violate any of the conditions of this Deed Notice. Nothing contained in this Paragraph shall be construed as limiting any obligation of any person to provide any notice required by any law, regulation, or order of any governmental authority.

ii. The Owner and the subsequent owners shall provide written notice to the Department of Environmental Protection on a form provided by the Department and available at www.nj.gov/srp/forms within 30 calendar days after the effective date of any conveyance, grant, gift, or other transfer, in whole or in part, of the Owner's or subsequent owner's interest in the Restricted Area.

iii. The Owner and the subsequent owners shall provide written notice to the Department, on a form available from the Department at www.nj.gov/srp/forms, within thirty (30) calendar days after the owner's petition for or filing of any document initiating a rezoning of the Property to residential.

6B. SUCCESSORS AND ASSIGNS. This Deed Notice shall be binding upon Owner and upon Owner's successors and assigns, and subsequent owners, lessors, lessees and operators while each is an owner, lessor, lessee, or operator of the Property.

7A. ALTERATIONS, IMPROVEMENTS, AND DISTURBANCES.

i. The Owner and all subsequent owners, lessors, and lessees shall notify any person, including, without limitation, tenants, employees of tenants, and contractors, intending to conduct invasive work or excavate within the Restricted Areas, of the nature and location of contamination in the Restricted Areas, and, of the precautions necessary to minimize potential human exposure to contaminants.

ii. Except as provided in Paragraph 7B, below, no person shall make, or allow to be made, any alteration, improvement, or disturbance in, to, or about the Property which disturbs any engineering control at the Property without first retaining a licensed site remediation professional. Nothing herein shall constitute a waiver of the obligation of any person to comply with all applicable laws and regulations including, without limitation, the applicable rules of the Occupational Safety and Health Administration.

iii. A soil remedial action permit modification is required for any permanent alteration, improvement, or disturbance and the owner, lessor, lessee or operator shall submit the following within 30 days after the occurrence of the permanent alteration, improvement, or disturbance:

(A) A Remedial Action Workplan or Linear Construction Project notification and Final Report Form, whichever is applicable;

(B) A Remedial Action Report and Termination of Deed Notice Form; and

(C) A revised recorded Deed Notice with revised Exhibits, and Remedial Action Permit Modification or Remedial Action Permit Termination form and Remedial Action Report.

iv. No owner, lessor, lessee or operator shall be required to obtain a Remedial Action Permit Modification for any temporary alteration, improvement, or disturbance, provided that the site is restored to the condition described in the Exhibits to this Deed Notice, and the owner, lessee, or operator complies with the following:

(A) Restores any disturbance of an engineering control to pre-disturbance conditions within 60 calendar days after the initiation of the alteration, improvement or disturbance;

(B) Ensures that all applicable worker health and safety laws and regulations are followed during the alteration, improvement, or disturbance, and during the restoration;

(C) Ensures that human exposure to contamination in excess of the remediation standards does not occur; and

(D) Describes, in the next biennial certification the nature of the temporary alteration, improvement, or disturbance, the dates and duration of the temporary alteration, improvement, or disturbance, the name of key individuals and their affiliations conducting the temporary alteration, improvement, or disturbance, the notice the Owner gave to those persons prior to the disturbance.

7B. EMERGENCIES. In the event of an emergency which presents, or may present, an unacceptable risk to the public health and safety, or to the environment, or an immediate environmental concern, see N.J.S.A. 58:10C-2, any person may temporarily breach an engineering control provided that that person complies with each of the following:

i. Immediately notifies the Department of Environmental Protection of the emergency, by calling the DEP Hotline at 1-877-WARNDEP or 1-877-927-6337;

ii. Hires a Licensed Site Remediation Professional (unless the Restricted Areas includes an unregulated heating oil tank) to respond to the emergency;

iii. Limits both the actual disturbance and the time needed for the disturbance to the minimum reasonably necessary to adequately respond to the emergency;

iv. Implements all measures necessary to limit actual or potential, present or future risk of exposure to humans or the environment to the contamination;

v. Notifies the Department of Environmental Protection when the emergency or immediate environmental concern has ended by calling the DEP Hotline at 1-877-WARNDEP or 1-877-927-6337; and

vi. Restores the engineering control to the pre-emergency conditions as soon as possible; and

vii. Submits to the Department of Environmental Protection within 60 calendar days after completion of the restoration of the engineering control, a report including: (a) the nature and likely cause of the emergency; (b) the measures that have been taken to mitigate the effects of the emergency on human health and the environment; (c) the measures completed or implemented to restore the engineering control; and (d) any changes to the engineering control or site operation and maintenance plan to prevent reoccurrence of such conditions in the future.

8. TERMINATION OF DEED NOTICE.

i. This Deed Notice may be terminated only upon recording a Department-approved Termination of Deed Notice, available at N.J.A.C. 7:26C Appendix C, with the office of the County Clerk of Hudson County, New Jersey, expressly terminating this Deed Notice.

ii. Within 30 calendar days after recording a Department-approved Termination of Deed Notice, the owner of the property should apply to the Department for termination of the soil remedial action permit pursuant to N.J.A.C. 7:26C-7.

9. ACCESS. The Owner, and the subsequent owners, lessors, lessees, and operators agree to allow the Department, its agents and representatives access to the Property to inspect and evaluate the continued protectiveness of the remedial action that includes this Deed Notice and to conduct additional remediation to ensure the protection of the public health and safety and of the environment if the subsequent owners, lessors, lessees, and operators, during their ownership, tenancy, or operation, and the Owner fail to conduct such remediation pursuant to this Deed Notice as required by law. The Owner, and the subsequent owners, lessors, and lessees, shall also cause all leases, subleases, grants, and other written transfers of an interest in the Restricted Areas to contain a provision expressly requiring that all holders thereof provide such access to the Department.

10. ENFORCEMENT OF VIOLATIONS.

i. This Deed Notice itself is not intended to create any interest in real estate in favor of the Department of Environmental Protection, nor to create a lien against the Property, but merely is intended to provide notice of certain conditions and restrictions on the Property and to reflect the regulatory and statutory obligations imposed as a conditional remedial action for this site.

ii. The restrictions provided herein may be enforceable solely by the Department against any person who violates this Deed Notice. To enforce violations of this Deed Notice, the

Department may initiate one or more enforcement actions pursuant to N.J.S.A. 58:10-23.11, and N.J.S.A. 58:10C, and require additional remediation and assess damages pursuant to N.J.S.A. 58:10-23.11, and N.J.S.A. 58:10C.

11. SEVERABILITY. If any court of competent jurisdiction determines that any provision of this Deed Notice requires modification, such provision shall be deemed to have been modified automatically to conform to such requirements. If a court of competent jurisdiction determines that any provision of this Deed Notice is invalid or unenforceable and the provision is of such a nature that it cannot be modified, the provision shall be deemed deleted from this instrument as though the provision had never been included herein. In either case, the remaining provisions of this Deed Notice shall remain in full force and effect.

12A. EXHIBIT A. Exhibit A includes the following maps of the Property and the vicinity:

i. Exhibit A-1: Vicinity Map - A map that identifies by name the roads, and other important geographical features in the vicinity of the Property (for example, USGS Quad map, Hagstrom County Maps);

ii. Exhibit A-2: Metes and Bounds Description - A tax map of lots and blocks as wells as metes and bounds description of the Property, including reference to tax lot and block numbers for the Property;

iii. Exhibit A-3: Property Map - A scaled map of the Property, scaled at one inch to 200 feet or less, and if more than one map is submitted, the maps shall be presented as overlays, keyed to a base map; and the Property Map shall include diagrams of major surface topographical features such as buildings, roads, and parking lots.

12B. EXHIBIT B. Exhibit B includes the following descriptions of the Restricted Areas:

i. Exhibit B-1: Restricted Area Map -- A separate map for each restricted area that includes:

(A) As-built diagrams of each engineering control, including caps, fences, slurry walls, (and, if any) ground water monitoring wells, extent of the ground water classification exception area, pumping and treatment systems that may be required as part of a ground water engineering control in addition to the deed notice;

(B) As-built diagrams of any buildings, roads, parking lots and other structures that function as engineering controls; and

(C) Designation of all soil and all upland sediment sample locations within the restricted areas that exceed any soil standard that are keyed into one of the tables described in the following paragraph.

ii. Exhibit B-2: Restricted Area Data Table - A separate table for each restricted area that includes either (A) or (B) through (F):

(A) Only for historic fill extending over the entire site or a portion of the site and for which analytical data are limited or do not exist, a narrative that states that historic fill is present at the site, a description of the fill material (e.g., ash, cinders, brick, dredge material), and a statement that such material may include, but is not limited to, contaminants such as PAHs and metals;

(B) Sample location designation from Restricted Area map (Exhibit B-1);

(C) Sample elevation based upon mean sea level;

(D) Name and chemical abstract service registry number of each contaminant with a concentration that exceeds the unrestricted use standard;

(E) The restricted and unrestricted use standards for each contaminant in the table;
and

(F) The remaining concentration of each contaminant at each sample location at each elevation.

12C. EXHIBIT C. Exhibit C includes narrative descriptions of the institutional controls as follows:

i. Exhibit C-1: Deed Notice as Institutional Control: Exhibit C-1 includes a narrative description of the restriction and obligations of this Deed Notice that are in addition to those described above, as follows:

(A) Description and estimated size of the Restricted Areas as described above;

(B) Description of the restrictions on the Property by operation of this Deed Notice;
and

(C) The objective of the restrictions.

ii. Exhibit C-2: *Constructed Roadways, Pavers, Parking Lots, and Sidewalk Engineering Control*: Exhibit C-2 includes a narrative description of constructed roadways, pavers, parking lots, and sidewalks engineering control:

(A) Description of the engineering control;

(B) The objective of the engineering control; and

(C) How the engineering control is intended to function.

iii. Exhibit C-3: *Constructed Building Engineering Control*: Exhibit C-3 includes a narrative description of the constructed building engineering control as follows:

- (A) Description of the engineering control;
- (B) The objective of the engineering control; and
- (C) How the engineering control is intended to function.

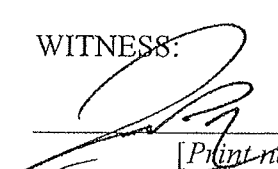
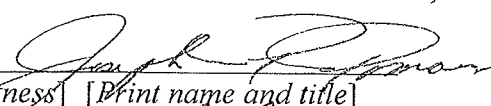
iv. Exhibit C-4: *Constructed Landscape Planter Engineering Control*: Exhibit C-4 includes a narrative description of the constructed landscape planter engineering control as follows:

- (A) Description of the engineering control;
- (B) The objective of the engineering control; and
- (C) How the engineering control is intended to function.

v. Exhibit C-5: *Constructed Crushed Stone Engineering Control*: Exhibit C-5 includes a narrative description of the constructed crushed stone engineering control as follows:

- (A) Description of the engineering control;
- (B) The objective of the engineering control; and
- (C) How the engineering control is intended to function.

13. SIGNATURES. IN WITNESS WHEREOF, Owner has executed this Deed Notice as of the date first written above.

<p>WITNESS:</p>  <p>_____ [Print name and title of witness] JASON BOGART AUTHORIZED SIGNATORY</p>	<p>Accordia Harrison Urban Renewal, LLC</p> <p>By: </p> <p>_____ [Print name and title] JOSEPH R. ROMANO AUTHORIZED SIGNATORY</p>
--	---

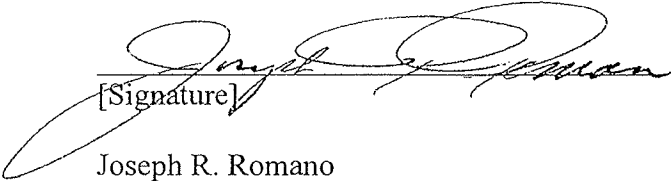
STATE OF NEW JERSEY SS.:
COUNTY OF BERGEN

I certify that on Feb 12, 2019, Joseph R. Romano personally came before me, and this person acknowledged under oath, to my satisfaction, that:

(a) this person is the Authorized Signatory of Accordia Harrison Urban Renewal LLC, the corporation named in this document;

(b) this document was signed and delivered by the corporation as its voluntary act and was duly authorized;

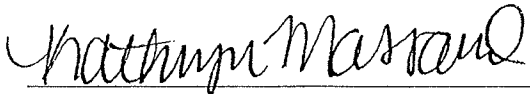
(c) this person signed this proof to attest to the truth of these facts.


[Signature]

Joseph R. Romano
Authorized Signatory

Print name and title

Signed and sworn before me on Feb 12, 20 19

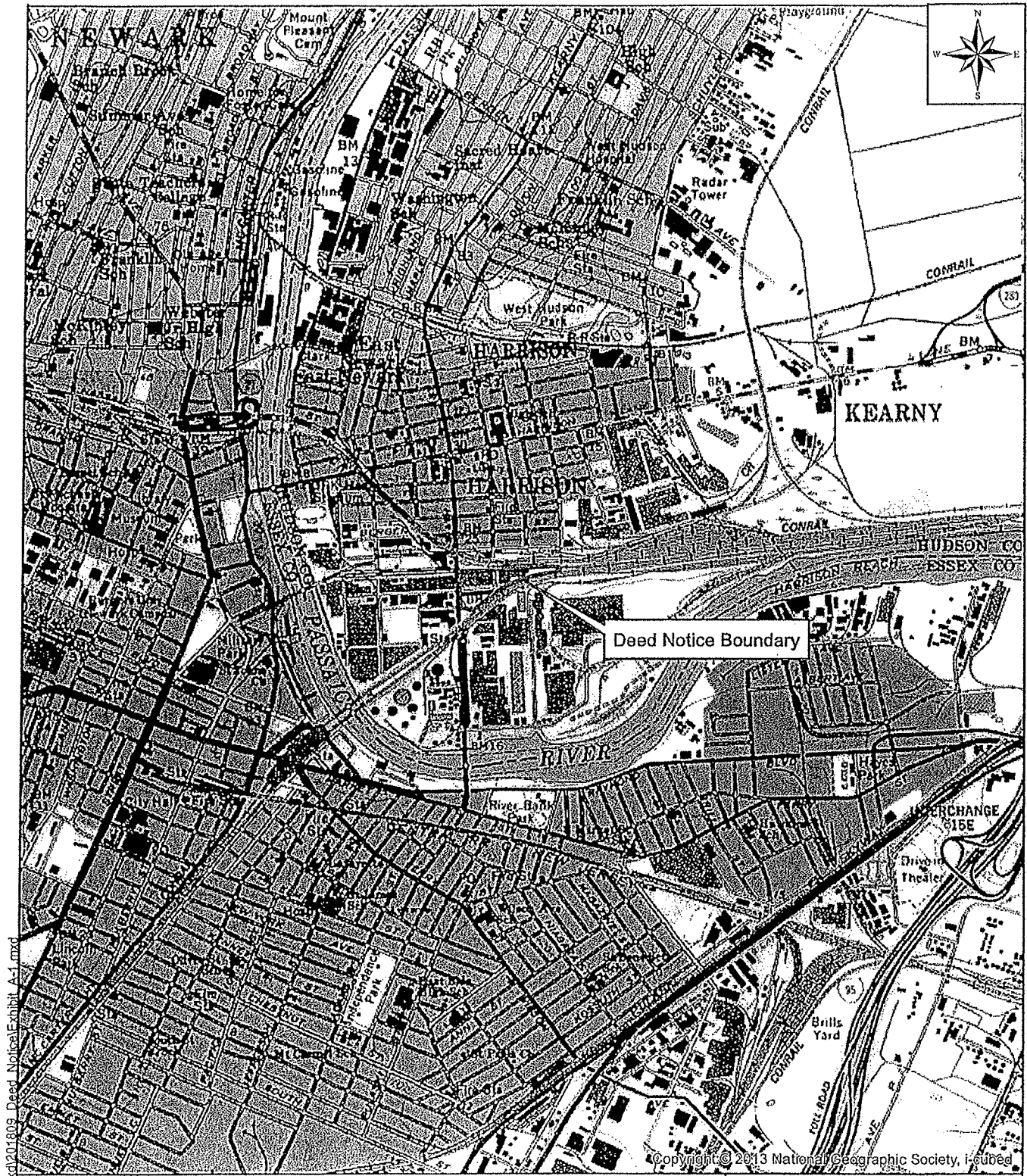

_____, Notary Public

Kathryn Massaro
[Print name and title]

KATHRYN MASSARO
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 6/21/2022


Exhibit A-1

Vicinity Map



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Legend

 Deed Notice Boundary

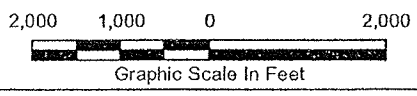


Exhibit A-1

Site Location Map

AECOM

9/18/2018

Exhibit A-2

Metes and Bounds Description

Dec. 7, 2016

Job No. HEL-111

DESCRIPTION OF PROPERTY
BLOCK 133, PROPOSED LOT 1.03

SITUATED IN
TOWN OF HARRISON, HUDSON COUNTY, NEW JERSEY

All that certain tract, parcel, or lot of land situate and lying in the Town of Harrison, Hudson County, New Jersey, being more particularly bounded and described as follows:

BEGINNING at a point on the intersection of the easterly right-of-way line of Frank E. Rogers Boulevard South (A.K.A. County Route No. 697) (80' R.O.W) with the proposed southerly right-of-way line of Angelo Cifelli Drive, said point also being South 03 degrees 08 minutes 49 seconds East, a distance of 333.15 feet from the southerly right-of-way line of Conrail (A.K.A. Conrail-Trenton to Jersey City, Center Street Branch); thence

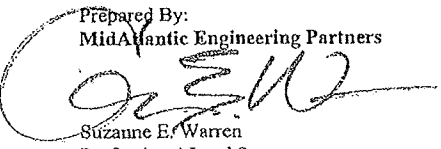
1. On the proposed southerly right-of-way line of Angelo Cifelli Drive, North 86 degrees 51 minutes 50 seconds East, a distance of 50.79 feet to a point; thence
2. Continuing on the same, North 56 degrees 51 minutes 50 seconds East, a distance of 74.00 feet to a point; thence
3. Still on same, North 86 degrees 51 minutes 50 seconds East, a distance of 379.43 feet to a point; thence
4. South 48 degrees 08 minutes 10 seconds East, a distance of 31.57 feet to a point; thence
5. North 86 degrees 51 minutes 50 seconds East, a distance of 26.81 feet to a point at common corner with proposed Lot 1.05; thence
6. South 33 degrees 28 minutes 56 seconds East, a distance of 15.20 feet to a point in the northerly line of Lot 1.02 Block 133; thence
7. Continuing on a division line between Lot 1.02 and Proposed Lot 1.03, on a curve bearing to the left, with a radius of 1,783.18 feet, an arc length of 125.57 feet (having a chord bearing of South 54 degrees 30 minutes 01 seconds West and a chord distance of 125.54 feet) to a point of compound curvature; thence
8. Still on same, curving to the left, with a radius of 2,664.18 feet with an arc length of 71.52 feet (having a chord bearing of South 51 degrees 42 minutes 51 seconds West and a chord distance of 71.52 feet) to a point of tangency; thence
9. South 50 degrees 56 minutes 43 seconds West, a distance of 216.21 feet to a point; thence
10. North 39 degrees 03 minutes 30 seconds West, a distance of 2.54 feet to a point; thence
11. South 50 degrees 56 minutes 30 seconds West, a distance of 18.89 feet to a point; thence
12. South 86 degrees 51 minutes 11 seconds West, a distance of 98.91 feet to a point; thence
13. North 03 degrees 08 minutes 49 seconds West, a distance of 22.08 feet to a point; thence
14. South 86 degrees 51 minutes 11 seconds West, a distance of 95.76 feet to a point in the easterly right-of-way line of aforementioned Frank E. Rogers Boulevard South, thence;
15. Continuing on said right-of-way line of Frank E. Rogers Boulevard South, North 03 degrees 08 minutes 49 seconds West, a distance of 220.64 feet to the point and place of **BEGINNING**.

Containing 103,512 S.F. (2.38 acres) of land, more or less.

Property is subject to a Construction Easement (variable width) with term limits.

This description is in accordance with a map entitled "Preliminary/Final Major Subdivision Plan, Block 133 Lot 1.01, The Hub at Harrison Station" situated in Town of Harrison, Hudson County, New Jersey. Prepared by Mid-Atlantic Engineering Partners, LLC dated September 10, 2015 and revised through September 13, 2016.

Prepared By:
MidAtlantic Engineering Partners


Suzanne E. Warren
Professional Land Surveyor
New Jersey License No. GS03897900

MidAtlantic Engineering Partners

Dec. 7, 2016

Job No. HEL-111

DESCRIPTION OF PROPERTY BLOCK 133, PROPOSED LOT 1.04

SITUATED IN
TOWN OF HARRISON, HUDSON COUNTY, NEW JERSEY

All that certain tract, parcel, or lot of land situate and lying in the Town of Harrison, Hudson County, New Jersey, being more particularly bounded and described as follows:

BEGINNING at the intersection of the easterly right-of-way line of Frank E. Rogers Boulevard South (A.K.A. County Route No. 697) (80' R.O.W) with the southerly right-of-way line of Conrail (A.K.A. Conrail-Trenton to Jersey City, Center Street Branch); thence

1. On the southerly line of said railroad right-of-way line, North 86 degrees 51 minutes 11 seconds East, a distance of 500.10 feet to a point on the proposed extension of the westerly right-of-way line of South Fifth Street; thence
2. On the proposed westerly right-of-way line of South Fifth Street, South 03 degrees 08 minutes 10 seconds East, a distance of 223.45 feet to a point; thence
3. On a course connecting the proposed westerly right-of-way line of South Fifth Street with the proposed northerly right-of-way line of Angelo Cifelli Drive, South 41 degrees 51 minutes 50 seconds West, a distance of 18.10 feet to a point; thence
4. On the proposed northerly right-of-way line of Angelo Cifelli Drive, South 86 degrees 51 minutes 50 seconds West, a distance of 366.36 feet to a point; thence
5. Continuing on the same, North 63 degrees 08 minutes 10 seconds West, a distance of 74.00 feet to a point; thence
6. Still on same, South 86 degrees 51 minutes 50 seconds West, a distance of 56.82 feet to a point on the easterly line of aforementioned Frank E. Rogers Boulevard South; thence
7. On said right-of-way line of Frank E. Rogers Boulevard South, North 03 degrees 08 minutes 49 seconds West 199.15 feet to the point and place of **BEGINNING**.

Containing 114,746 S.F. (2.63 acres) of land, more or less.

This description is in accordance with a map entitled "Preliminary/Final Major Subdivision Plan, Block 133 Lot 1.01, The Hub at Harrison Station" situated in Town of Harrison, Hudson County, New Jersey. Prepared by Mid-Atlantic Engineering Partners, LLC dated September 10, 2015 and revised through September 13, 2016.

Prepared By:

MidAtlantic Engineering Partners



Suzanne E. Warren

Professional Land Surveyor

New Jersey License No. GS03897900

Dec. 7, 2016

Job No. HEL-111

DESCRIPTION OF PROPERTY
BLOCK 133, PROPOSED LOT 1.05

SITUATED IN
TOWN OF HARRISON, HUDSON COUNTY, NEW JERSEY

All that certain tract, parcel, or lot of land situate and lying in the Town of Harrison, Hudson County, New Jersey, being more particularly bounded and described as follows:

BEGINNING at a point on the southerly right-of-way line of Conrail (A.K.A. Conrail-Trenton to Jersey City, Center Street Branch), said point being North 86 degrees 51 minutes 11 seconds East, a distance of 560.10 feet from the easterly right-of-way line of Frank E. Rogers Boulevard South (A.K.A. County Route No. 697) (80' R.O.W); thence

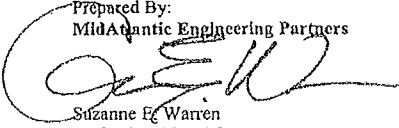
1. On the southerly line of said railroad right-of-way line, North 86 degrees 51 minutes 11 seconds East, a distance of 834.90 feet to a common corner with Lot 126, Block 189.02; thence
2. On the division line between Block 133 and Block 189.02, South 87 degrees 24 minutes 49 seconds East, a distance of 115.00 feet to a point; thence
3. Continuing on the same, South 03 degrees 08 minutes 49 seconds East, a distance of 46.00 feet to a point on the northerly line of the Amtrak Main Line (Class I); thence
4. On the northerly line of said Amtrak Line, South 70 degrees 11 minutes 39 seconds West, a distance of 100.11 feet to a common point and corner of Lot 1.02 and Proposed Lot 1.05; thence
5. On the division line between Lot 1.02 with Proposed Lot 1.05, South 83 degrees 20 minutes 48 seconds West, a distance of 45.83 feet to a point of curvature; thence
6. Still on same division line, on a curve to the left, with a radius of 2,664.81 feet with an arc length of 76.08 feet (having a chord bearing of South 82°31'44" West with a chord length of 76.08 feet) to a point of compound curvature; thence
7. On a curve bearing to the left, with a radius of 1,783.18 feet with an arc length of 784.07 feet (having a chord bearing of South 69°06'51" West and a chord length of 777.77 feet) to a point on the line of Lot 1.02 and a common corner to Lots 1.03 and 1.05; thence
8. On a division line between Proposed Lots 1.03 and 1.05, North 33 degrees 28 minutes 56 seconds West, a distance of 15.20 feet to a point on the proposed extension of the easterly right-of-way line of South Fifth Street; thence
9. On the proposed easterly right-of-line of South Fifth Street, North 41 degrees 51 minutes 50 seconds East, a distance of 55.04 feet to a point; thence
10. Continuing on the same, North 03 degrees 08 minutes 10 seconds West, a distance of 26.81 feet to a point; thence
11. North 48 degrees 08 minutes 10 seconds West, a distance of 31.57 feet to a point; thence
12. North 03 degrees 08 minutes 10 seconds West, a distance of 230.53 feet to the point and place of **BEGINNING**.

Containing 149,070 S.F. (3.42 acres) of land, more or less.

Property is subject to a Construction Easement (variable width) with term limits.

This description is in accordance with a map entitled "Preliminary/Final Major Subdivision Plan, Block 133 Lot 1.01, The Hub at Harrison Station" situated in Town of Harrison, Hudson County, New Jersey. Prepared by Mid-Atlantic Engineering Partners, LLC, dated September 10, 2015 and revised through September 13, 2016.

Prepared By:
MidAtlantic Engineering Partners


Suzanne E. Warren
Professional Land Surveyor
New Jersey License No. GS03897900

EXISTING PROPERTY OWNERS

Block	Lot	Owner	Address
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EXISTING PROPERTY OWNERS

Block	Lot	Owner	Address
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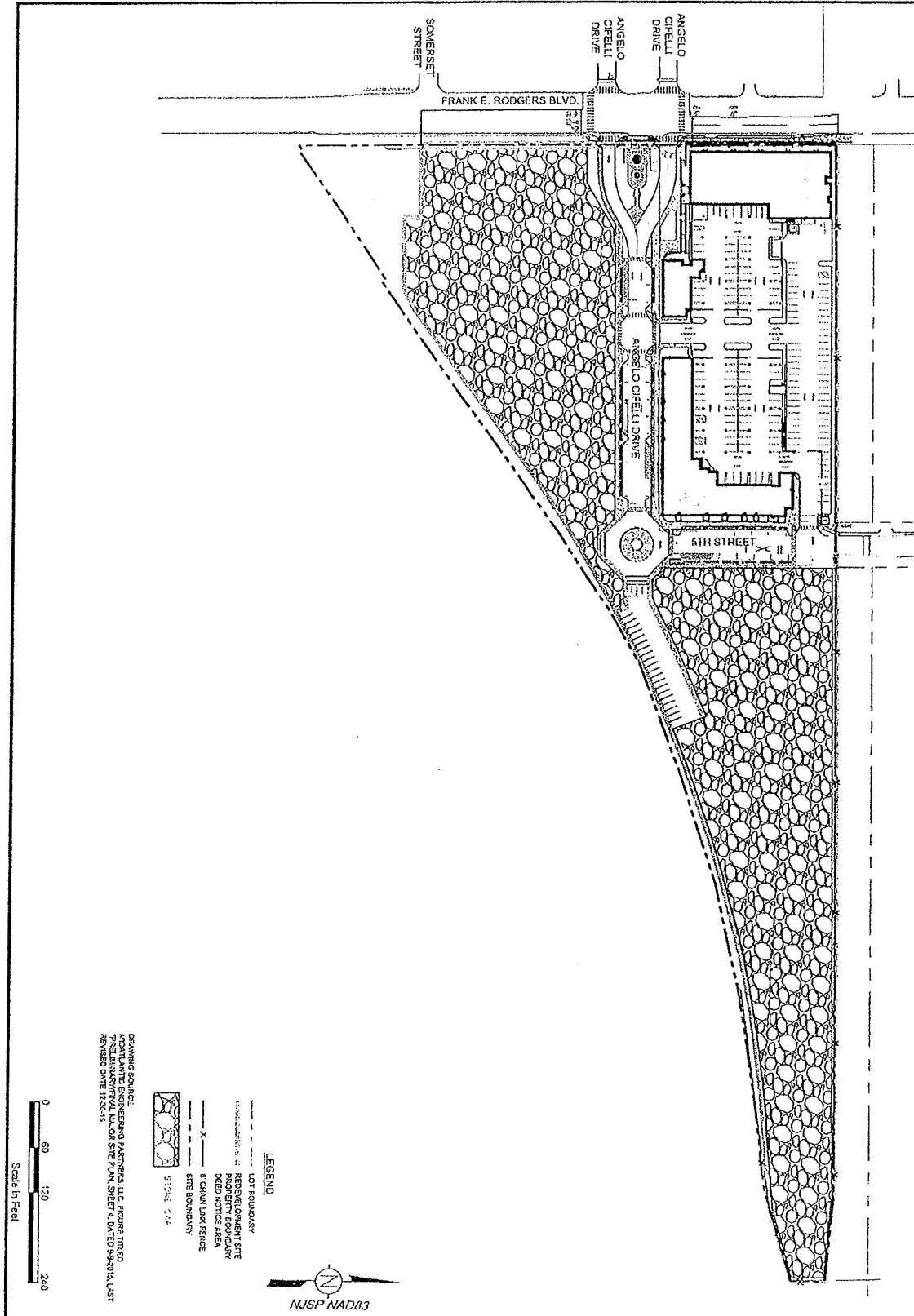
EXISTING PROPERTY OWNERS

Block	Lot	Owner	Address
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Block	Lot	Owner	Address
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Exhibit A-3

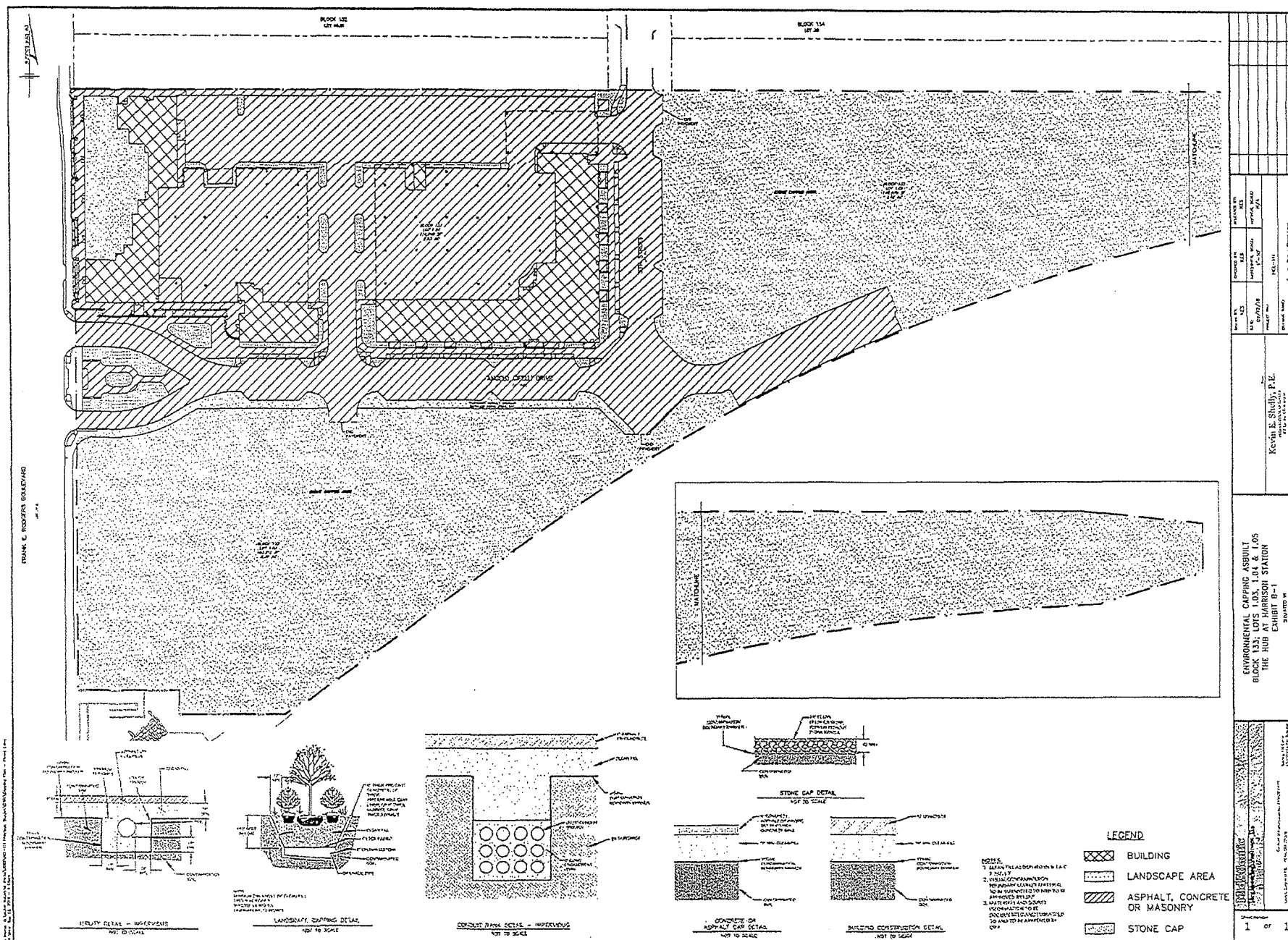
Property Map

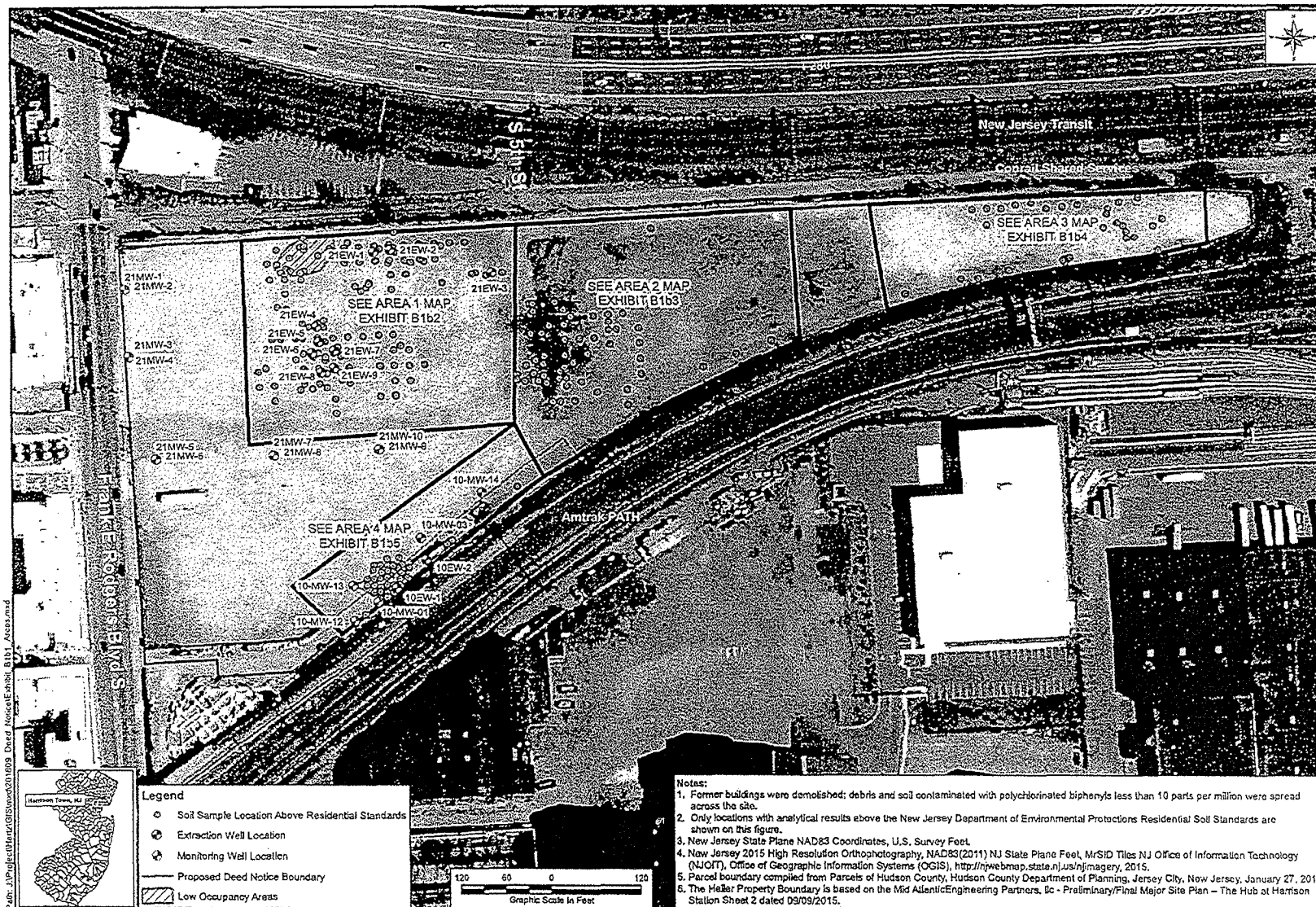


A-3	PROPERTY MAP HELLER REDEVELOPMENT/ HUB AT HARRISON STATION PROJECT 700 FRANK E. RODGERS BLVD HARRISON, NEW JERSEY			AECOM AECOM 30 KNIGHTSBIDGE ROAD, SUITE 520 PISCATAWAY, NEW JERSEY 08854 PHONE: (732) 504-3600 FAX: (732) 369-0122 WEB: http://www.aecom.com	DESIGNED BY: JR			NO.:			REVISIONS			BY:		
	SCALE:				DATE:			PROJECT NUMBER:			DRAWN BY:					
	AS SHOWN				08/21/2018			60432681/60436696			jk					
											APPROVED BY:			BK		

Exhibit B-1

Restricted Area Map





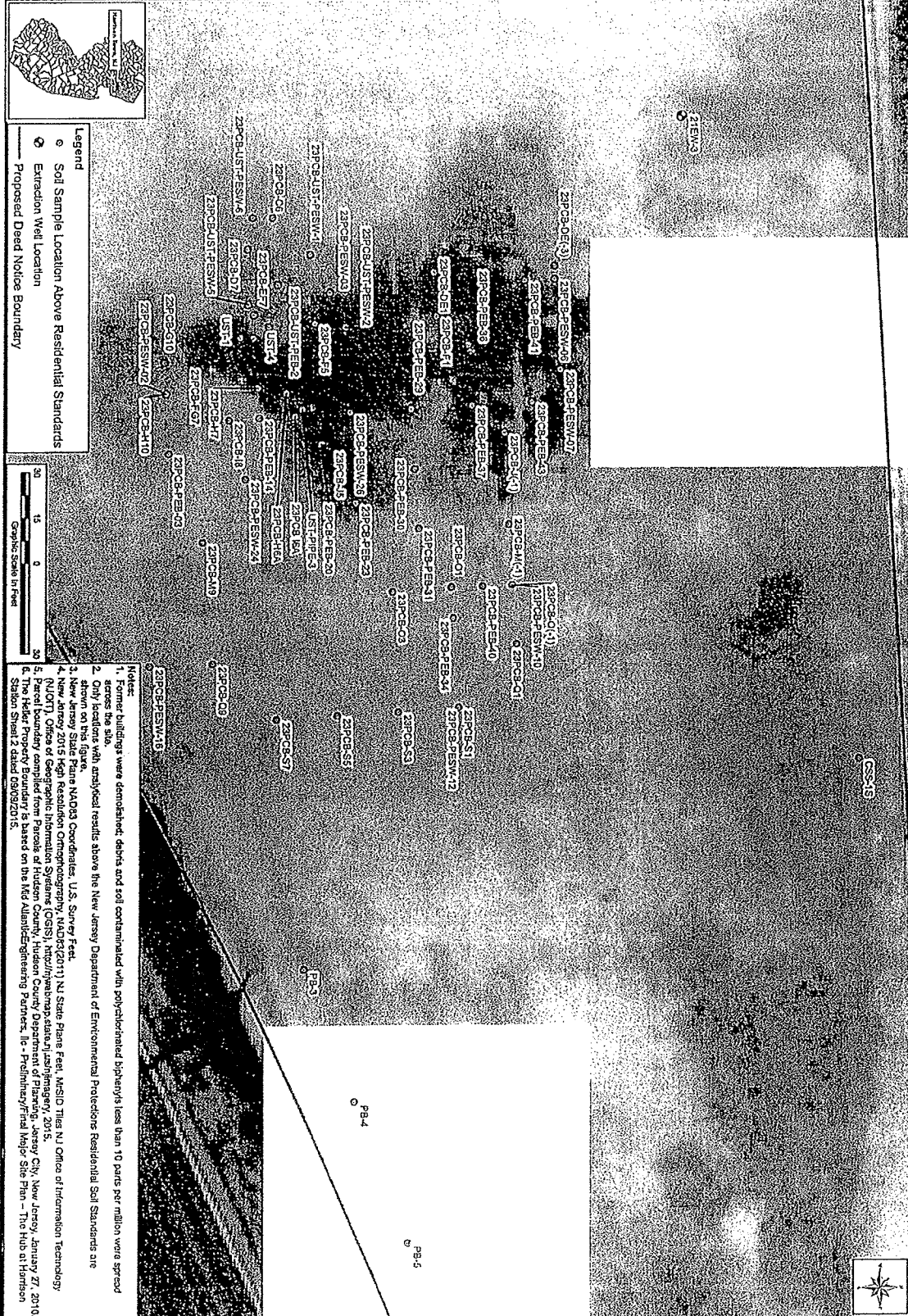
DESIGNED BY	NO.	DESCRIPTION	DATE	BY
DRWN BY				
CHECKED BY				
APPROVED BY				

AECOM
 AECOM
 10 KNIGHTSBRIDGE ROAD, SUITE 620
 HARRISON, NJ 07033
 PHONE: (732) 644-3884
 FAX: (732) 359-0132
 WEB: HTTP://WWW.AECOM.COM

**Restricted Map
Key Map**
 Block 133 lots 1.03, 1.04, and 1.05
 700 Frank E. Rogers Blvd., Harrison, New Jersey
 SCALE: 1" = 120'
 DATE: 10/2/2018
 PROJECT NUMBER: 60308566043891

EXHIBIT NUMBER:
B1b1
SHEET NUMBER:

- Notes:**
- Former buildings were demolished; debris and soil contaminated with polychlorinated biphenyls less than 10 parts per million were spread across the site.
 - Only locations with analytical results above the New Jersey Department of Environmental Protection's Residential Soil Standards are shown on this figure.
 - New Jersey State Plane NAD83 Coordinates, U.S. Survey Feet.
 - New Jersey 2015 High Resolution Orthophotography, NAD83(2011) NJ State Plane Feet, MrSID Tiles NJ Office of Information Technology (NJGIT), Office of Geographic Information Systems (OGIS), <http://webmap.state.nj.us/njimagery>, 2015.
 - Parcel boundary compiled from Parcels of Hudson County, Hudson County Department of Planning, Jersey City, New Jersey, January 27, 2010.
 - The Heller Property Boundary is based on the Mid Atlantic Engineering Partners, Inc - Preliminary/Final Major Site Plan - The Hub at Harrison Station Sheet 2 dated 09/09/2015.



Notes:

1. Former buildings were demolished. debris and soil contaminated with polychlorinated biphenyls less than 10 parts per million were spread
2. Only locations with analytical results above the New Jersey Department of Environmental Protection's Residential Soil Standards are shown on this figure.
3. New Jersey State Plane NAD83 Coordinates, U.S. Survey Feet.
4. New Jersey 2015 High Resolution Orthophotography, NAD83(2011) NJ State Plane Feet, MGRS Tiles NJ Office of Information Technology (NJGIT), Office of Geographic Information Systems (OGIS), <http://webmap.state.nj.us/jnitmngery>, 2015.
5. Parcel boundary compiled from Parcels of Hudson County, Hudson County Department of Planning, Jersey City, New Jersey, January 27, 2010.

6. The Hertz Property Boundary is based on the Mid Atlantic Engineering Partners, Inc. Preliminary/Final Major Site Plan - The Hub at Harrison Station Sheet 2 dated 09/09/2015.

EXHIBIT NUMBER:
B1b3
SHEET NUMBER:

Restricted Map
Area 2

Block 133 lots 1.03, 1.04, and 1.05
700 Frank E. Rogers Blvd., Harrison, New Jersey

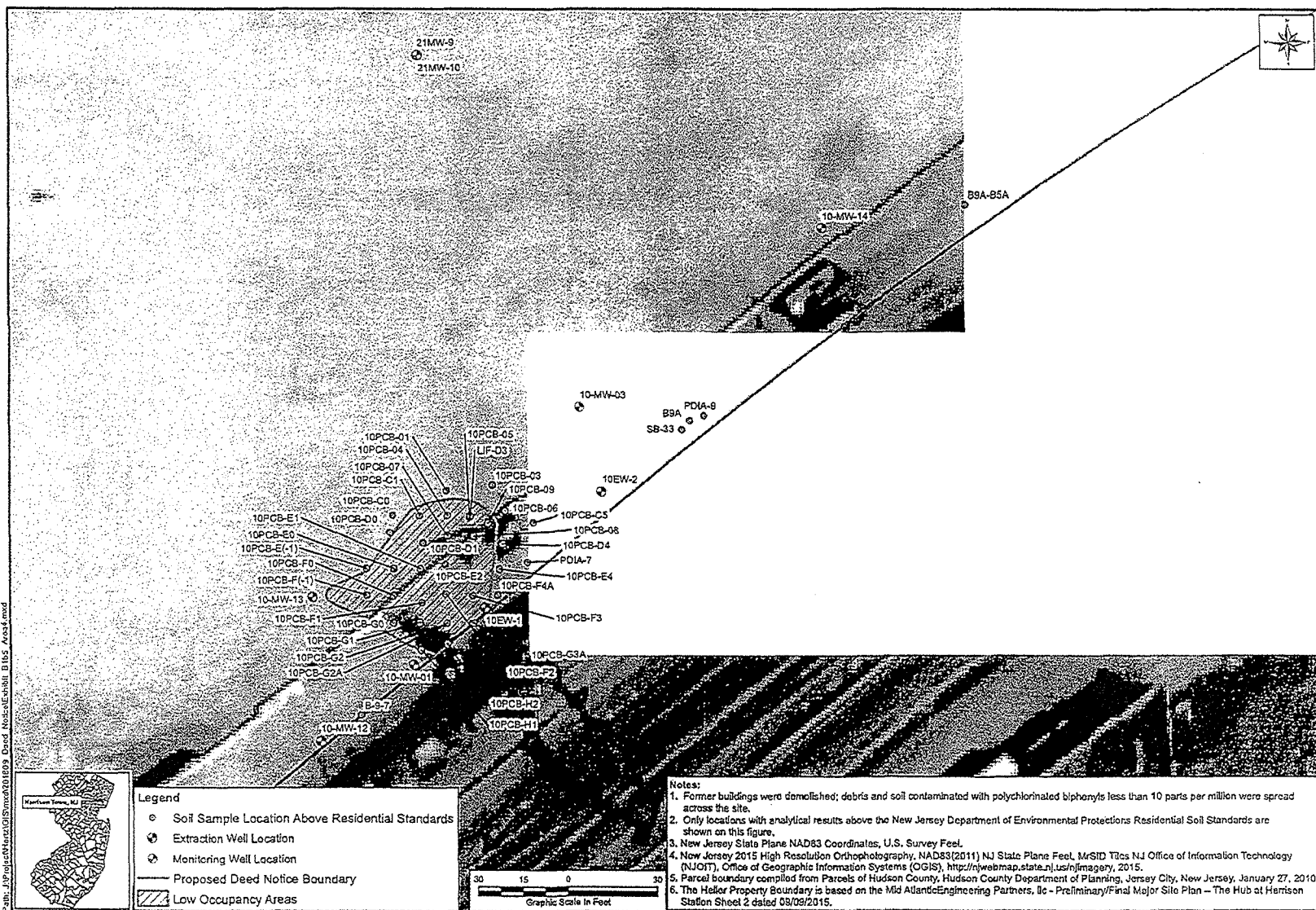
SCALE: 1" = 150'	DATE: 10/4/2018	PROJECT NUMBER: 60435598/60432881
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AECOM

AECOM
30 KNIGHTSBRIDGE ROAD, SUITE 520
PISCATAWAY, NJ 08854
PHONE: (732) 564-3600
FAX: (732) 369 0122
WEB: [HTTP://WWW.AECOM.COM](http://www.aecom.com)

DESIGNED BY:		REVISIONS		
RC	NO.	DESCRIPTION	DATE	BY
DRAWN BY:				
JL				
CHECKED BY:				
APPROVED BY:				

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Notes:

1. Former buildings were demolished; debris and soil contaminated with polychlorinated biphenyls less than 10 parts per million were spread across the site.
2. Only locations with analytical results above the New Jersey Department of Environmental Protection's Residential Soil Standards are shown on this figure.
3. New Jersey State Plane NAD83 Coordinates, U.S. Survey Feet.
4. New Jersey 2015 High Resolution Orthophotography, NAD83(2011) NJ State Plane Feet, MrSID Tiles NJ Office of Information Technology (NJGIT), Office of Geographic Information Systems (OGIS), <http://njwebmap.state.nj.us/njimagery>, 2015.
5. Parcel boundary compiled from Parcels of Hudson County, Hudson County Department of Planning, Jersey City, New Jersey, January 27, 2010.
6. The Hater Property Boundary is based on the Mid Atlantic Engineering Partners, Inc - Preliminary/Final Major Site Plan - The Hub at Harrison Station Sheet 2 dated 03/09/2015.

REVISIONS			
NO.	DESCRIPTION	DATE	BY

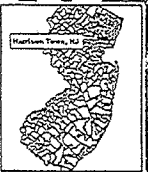
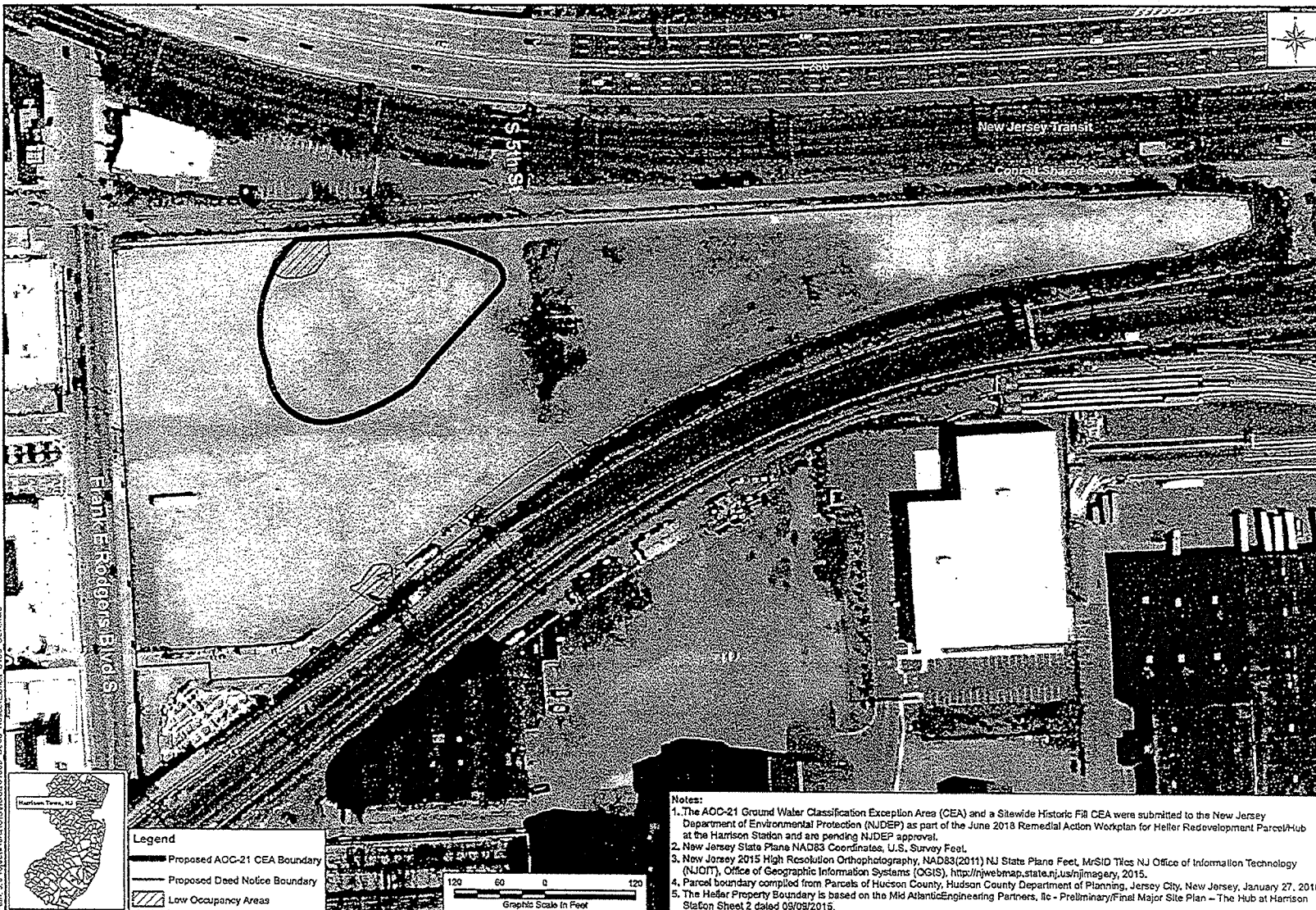
DESIGNED BY:			
RK	DATE:		
DRAWN BY:			
JL			
CHECKED BY:			
APPROVED BY:			

AECOM
30 KNIGHTSBRIDGE ROAD, SUITE 400
HARRISON, NJ 07033
PHONE: (732) 584-3800
FAX: (732) 583-0182
WEB: [HTTP://WWW.AECOM.COM](http://www.aecom.com)

Restricted Map			
Area 4			
Block 133 lots 1.03, 1.04, and 1.05			
700 Frank E. Rogers Blvd., Harrison, New Jersey			
PROJECT NUMBER:	DATE:	10/4/2016	604356980402981
SCALE:	1" = 160'		

EXHIBIT NUMBER:	
B1b5	
SHEET NUMBER:	
-	

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Legend

- Proposed AOC-21 CEA Boundary
- Proposed Deed Notice Boundary
- Low Occupancy Areas

120 60 0 120
Graphic Scale In Feet

Notes:

1. The AOC-21 Ground Water Classification Exception Area (CEA) and a Sitewide Historic Fill CEA were submitted to the New Jersey Department of Environmental Protection (NJDEP) as part of the June 2018 Remedial Action Workplan for Heller Redevelopment Parcel/Hub at the Harrison Station and are pending NJDEP approval.
2. New Jersey State Plane NAD83 Coordinates, U.S. Survey Feet.
3. New Jersey 2015 High Resolution Orthophotography, NAD83(2011) NJ State Plane Feet, MrSID Tiles NJ Office of Information Technology (NJ OIT), Office of Geographic Information Systems (OGIS), <http://njwebmap.state.nj.us/njimagery>, 2015.
4. Parcel boundary compiled from Parcels of Hudson County, Hudson County Department of Planning, Jersey City, New Jersey, January 27, 2010.
5. The Heller Property Boundary is based on the Mid Atlantic Engineering Partners, Inc - Preliminary/Final Major Site Plan - The Hub at Harrison Station Sheet 2 dated 08/08/2015.

DESIGNED BY:		REVISIONS	
NO.	DESCRIPTION	DATE	BY
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

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AECOM
100 KENNETH BRIDGE ROAD, SUITE 220
PISCATAWAY, NJ 08854
PHONE (732) 564-3600
FAX (732) 569-0122
E-MAIL: 111172@AECOM.COM

**Ground Water
Classification Exception Area Map**

Block 133 lots 1.03, 1.04, and 1.05
700 Frank E. Rogers Blvd., Harrison, New Jersey

SCALE: 1" = 120'

DATE: 10/20/18

PROJECT NUMBER: 6043569469432681

EXHIBIT NUMBER:
B1b6

SHEET NUMBER:
1

Exhibit B-2

Restricted Area Data Table

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^{*)} Promotivurtheil: Klausurschein haben Sie und können Sie Online einsehen! - Bitte für SA RARW 069 Fernstudium Nicht-Eingetragte beachten! B-7 Buchbinden bzw. Teile 2018/2019!

Exhibit B-2
Restricted Area Data Table
Block 133 lots 1.03, 1.04, and 1.05
700 Frank E. Rogers Blvd., Harrison, New Jersey
NJDEP Case # E93126

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AOC	Easting	Northing	Elevation	Location	Sample ID	Date	Matrix	Depth Top	Depth Bottom	Lab ID	Compound	CAS	Residential Criteria (mg/kg)	Result (mg/kg)	Analytical Flag
AOC-21	687742	695053	-	B-46	B-45C	12/4/2012	Soil	14.5	15	460-47924-42	Total EPH	TEPH	4100	42000	
AOC-21	687742	695053	-	B-46	B-45C	12/4/2012	Soil	14.5	15	460-47924-42	Total PCB	1336-36-3	0.2	8.6	
AOC-21	687839	695160	-	B-5	B-58	11/28/2012	Soil	9.5	10	460-47512-10	Total EPH	TEPH	4100	13000	
AOC-21	687778	695135	-	B-51	B-51C	12/5/2012	Soil	14.5	15	460-47971-7	Total EPH	TEPH	4100	6900	
AOC-21	687778	695135	-	B-51	B-51D	12/5/2012	Soil	19.5	20	460-47971-8	Total EPH	TEPH	4100	9800	
AOC-21	687779	695115	-	B-52	B-52A	12/5/2012	Soil	4.5	5	460-47971-9	Total PCB	1336-36-3	0.2	0.65	
AOC-21	687779	695115	-	B-52	B-52B	12/5/2012	Soil	9.5	10	460-47971-10	Total EPH	TEPH	4100	6700	
AOC-21	687779	695115	-	B-52	B-52B	12/5/2012	Soil	9.5	10	460-47971-10	Total PCB	1336-36-3	0.2	0.91	
AOC-21	687779	695115	-	B-52	B-52C	12/5/2012	Soil	14.5	15	460-47971-11	Total EPH	TEPH	4100	20000	
AOC-21	687779	695115	-	B-52	B-52D	12/5/2012	Soil	19.5	20	460-47971-12	Total EPH	TEPH	4100	13000	
AOC-21	687780	695095	-	B-53	B-53D	12/5/2012	Soil	19.5	20	460-47971-16	Total EPH	TEPH	4100	23000	
AOC-21	687781	695075	-	B-54	B-54A	12/5/2012	Soil	4.5	5	460-47971-17	Total EPH	TEPH	4100	8000	
AOC-21	687781	695075	-	B-54	B-54B	12/5/2012	Soil	9.5	10	460-47971-18	Total EPH	TEPH	4100	7100	
AOC-21	687781	695075	-	B-54	B-54C	12/5/2012	Soil	14.5	15	460-47971-19	Total EPH	TEPH	4100	42000	
AOC-21	687801	695076	-	B-57	B-57B	12/5/2012	Soil	9.5	10	460-47971-40	Total EPH	TEPH	4100	6000	
AOC-21	687801	695076	-	B-57	B-57C	12/5/2012	Soil	14.5	15	460-47971-41	Total EPH	TEPH	4100	53000	
AOC-21	687800	695096	-	B-58	B-58C	12/5/2012	Soil	14.5	15	460-47971-50	Total EPH	TEPH	4100	27000	
AOC-21	687800	695096	-	B-58	B-58D	12/5/2012	Soil	19.5	20	460-47971-51	Total EPH	TEPH	4100	23000	
AOC-21	687799	695116	-	B-59	B-59A	12/5/2012	Soil	4.5	5	460-47971-52	Total EPH	TEPH	4100	26000	
AOC-21	687799	695116	-	B-59	B-59A	12/5/2012	Soil	4.5	5	460-47971-52	Total PCB	1336-36-3	0.2	2.5	
AOC-21	687799	695116	-	B-59	B-59B	12/5/2012	Soil	9.5	10	460-47971-53	Total EPH	TEPH	4100	8500	
AOC-21	687799	695116	-	B-59	B-59B	12/5/2012	Soil	9.5	10	460-47971-53	Total PCB	1336-36-3	0.2	4.3	
AOC-21	687799	695116	-	B-59	B-59C	12/5/2012	Soil	14.5	15	460-47971-54	Total EPH	TEPH	4100	72000	
AOC-21	687799	695116	-	B-59	B-59D	12/5/2012	Soil	19.5	20	460-47971-55	Total EPH	TEPH	4100	61000	
AOC-21	687940	695101	-	B-61	B-61B	12/7/2012	Soil	9.5	10	460-48096-40	Total EPH	TEPH	4100	6100	
AOC-21	687819	695116	-	B-62	B-62A	12/7/2012	Soil	4.5	5	460-48096-45	Total EPH	TEPH	4100	23000	
AOC-21	687819	695116	-	B-62	B-62A	12/7/2012	Soil	4.5	5	460-48096-45	Total PCB	1336-36-3	0.2	9.6	
AOC-21	687819	695116	-	B-62	B-62B	12/7/2012	Soil	9.5	10	460-48096-46	Total PCB	1336-36-3	0.2	0.31	
AOC-21	687819	695116	-	B-62	B-62C	12/7/2012	Soil	14.5	15	460-48096-47	Total EPH	TEPH	4100	62000	
AOC-21	687819	695116	-	B-62	B-62D	12/7/2012	Soil	19.5	20	460-48096-48	Total EPH	TEPH	4100	53000	
AOC-21	687819	695116	-	B-62	B-62E	12/7/2012	Soil	24.5	25	460-48096-49	Total EPH	TEPH	4100	43000	
AOC-21	687820	695096	-	B-63	B-63A	12/7/2012	Soil	5.5	6	460-48096-61	Total EPH	TEPH	4100	20000	
AOC-21	687820	695096	-	B-63	B-63C	12/7/2012	Soil	14.5	15	460-48096-63	Total EPH	TEPH	4100	15000	
AOC-21	687820	695096	-	B-63	B-63D	12/7/2012	Soil	19.5	20	460-48096-64	Total EPH	TEPH	4100	19000	
AOC-21	687820	695096	-	B-63	B-63E	12/7/2012	Soil	24.5	25	460-48096-65	Total EPH	TEPH	4100	23000	
AOC-21	687820	695096	-	B-63	B-63F	12/7/2012	Soil	27.5	28	460-48096-66	Total EPH	TEPH	4100	44000	
AOC-21	687822	695096	-	B-64	B-64B	12/11/2012	Soil	9.5	10	460-48256-21	Total EPH	TEPH	4100	28000	
AOC-21	687758	695154	-	B-65	B-65A	12/7/2012	Soil	4.5	5	460-48941-1	Total PCB	1336-36-3	0.2	1.238	
AOC-21	687749	695134	-	B-67	B-67A	1/7/2013	Soil	4.5	5	460-49201-10	Total PCB	1336-36-3	0.2	0.27	
AOC-21	687769	695135	-	B-68	B-68A	1/7/2013	Soil	4.5	5	460-49201-13	Total PCB	1336-36-3	0.2	0.33	
AOC-21	687851	695099	-	B-7	B-7B	11/26/2012	Soil	9.5	10	460-47612-16	Total EPH	TEPH	4100	37000	
AOC-21	687879	695139	-	B-9	B-9B	11/26/2012	Soil	9.5	10	460-47512-22	Total EPH	TEPH	4100	8600	
AOC-21	687879	695139	-	B-9	B-9C	11/26/2012	Soil	14	14.5	460-47512-23	Total EPH	TEPH	4100	23000	
AOC-21	687775.3779	695068.0462	-	BLDG3-1C	BLDG3-1C	6/22/2004	Soil	19.5	20	-	TPHC	TPHC	4100	66000	
AOC-21	687775.3779	695068.0462	-	BLDG3-1D	BLDG3-1D	6/22/2004	Soil	27.5	28	-	TPHC	TPHC	4100	26000	
AOC-21	687873	695279	-	E-1	E-1F	4/28/2014	Soil	39.5	40	460-75092-2	Total EPH	TEPH	4100	7200	
AOC-21	687902	695061	-	E-10	E-10B	4/29/2014	Soil	10	10.5	460-76177-5	Total EPH	TEPH	4100	11000	
AOC-21	687902	695061	-	E-10	E-10B	4/29/2014	Soil	10	10.5	460-76177-6	Fractionated EPH	FEPPH	4100	11000	
AOC-21	687963	695210	-	E-120	E-120B	11/6/2014	Soil	21.5	22	460-85881-6	Total EPH	TEPH	4100	8600	
AOC-21	687963	695210	-	E-120	E-120B	11/6/2014	Soil	24.5	25	460-85881-7	Total EPH	TEPH	4100	8800	
AOC-21	688003	695222	-	E-123	E-123C	11/6/2014	Soil	14.5	15	460-85881-1	Total EPH	TEPH	4100	34000	
AOC-21	687808	695131	-	E-124	E-124A	11/4/2014	Soil	7	7.5	460-85881-1	Total EPH	TEPH	4100	7400	
AOC-21	687808	695131	-	E-124	E-124C	11/4/2014	Soil	14.5	15	460-85881-3	Total EPH	TEPH	4100	9800	
AOC-21	687808	695131	-	E-124	E-124E	11/4/2014	Soil	24.5	25	460-85881-5	Total EPH	TEPH	4100	15000	
AOC-21	687849	695123	-	E-125	E-125C	11/7/2014	Soil	14.5	15	460-85881-16	Total EPH	TEPH	4100	10000	
AOC-21	687899	695257	-	E-126	E-126C	11/7/2014	Soil	14.5	15	460-85881-10	Total EPH	TEPH	4100	6900	
AOC-21	687899	695257	-	E-126	E-126E	11/7/2014	Soil	24.5	25	460-85881-11	Total EPH	TEPH	4100	17000	
AOC-21	687825	695124	-	E-127	E-127A	11/12/2014	Soil	4.5	5	460-86220-1	Total EPH	TEPH	4100	11000	
AOC-21	687825	695124	-	E-127	E-127R	11/12/2014	Soil	13.5	14	460-86220-2	Total EPH	TEPH	4100	67000	
AOC-21	687825	695124	-	E-127	E-127C	11/12/2014	Soil	14.5	15	460-86220-3	Total EPH	TEPH	4100	8900	
AOC-21	687825	695124	-	E-127	E-127E	11/12/2014	Soil	24.5	25	460-86220-4	Total EPH	TEPH	4100	9300	

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/Project/Karte/Karte_Kommunikationsmittel/Staatst-Sachen/Sach-000/Dokumente/SZL-Rahmen-Sta-Zed-RAMKDEP-Funktion_Note/Ergebnis/Ergebnis_Ergebnis_8-7_Rahmen_Jahr_Tabelle_20190911

Exhibit B-2
Restricted Area Data Table
Block 133 lots 1.03, 1.04, and 1.05
700 Frank E. Rogers Blvd., Harrison, New Jersey
NJDEP Case # E93126

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AOC	Eastings	Northing	Elevation	Location	Sample ID	Date	Matrix	Depth Top	Depth Bottom	Lab ID	Compound	CAS	Residential Criteria (mg/kg)	Result (mg/kg)	Analytical Flag
AOC-8	588877	695276	-	SW-20	SW-20	7/11/2016	Soil	7.5	8	L1623183-05	Total PCB	1336-36-3	0.2	0.774	
AOC-8	588865	695288	-	SW-24	SW-24B	7/26/2016	Soil	3.5	4	L1623183-10	Total PCB	1336-36-3	0.2	3.74	
AOC-8	588865	695288	-	SW-24	SW-24C	7/26/2016	Soil	7.5	8	L1623183-09	Total PCB	1336-36-3	0.2	0.508	
AOC-8	588891.4527	695313.2784	-	TP2-S1	TP2-S1	7/20/1995	Soil	7.5	8	E5151-1.2	Total PCB	1336-36-3	0.2	17	
AOC-8	588898.6174	695306.811	-	TP2-S2	TP2-S2	7/20/1995	Soil	7.5	8	E5151-3.4	Total PCB	1336-36-3	0.2	5.6	
AOC-8	588891.862	695301.0907	-	TP2-S3	TP2-S3	7/20/1995	Soil	7.5	8	E5151-5.6	Total PCB	1336-36-3	0.2	0.34	
AOC-8	588883.435	695307.2036	-	TP2-S4	TP2-S4	7/20/1995	Soil	7.5	8	E5151-7.8	Total PCB	1336-36-3	0.2	28	
AOC-8	588891.1862	695307.1879	-	TP2-S5	TP2-S5	7/20/1995	Soil	8	8.5	E5151-9.10	Total PCB	1336-36-3	0.2	2.3	
AOC-8	588867.0365	695315.0373	-	TP-CP1	TP-CP1	11/17/1994	Soil	10	10.5	E438159	Total PCB	1336-36-3	0.2	3.3	
AOC-8	588914.139	695301.1839	-	TP-CP3	TP-CP3	11/17/1994	Soil	-	-	E438163	Total PCB	1336-36-3	0.2	15.3	
AOC-8	588937.4362	695305.969	-	TP-CP4	TP-CP4	11/17/1994	Soil	8	8.5	E438157	Antimony	7440-38-0	31	47	
AOC-8	588937.4362	695305.969	-	TP-CP4	TP-CP4	11/17/1994	Soil	8	8.5	E438157	Arsenic	7440-38-2	19	27	
AOC-8	588937.4362	695305.969	-	TP-CP4	TP-CP4	11/17/1994	Soil	8	8.5	E438157	Total PCB	1336-36-3	0.2	15.03	
AOC-8	588913.2482	695284.471	-	TP-CP5	TP-CP5	11/17/1994	Soil	12.6	13	E438165	Total PCB	1336-36-3	0.2	8.9	
AOC-8	588882.7304	695279.032	-	TP-CP6	TP-CP6	11/17/1994	Soil	8.2	8.5	E438158	Total PCB	1336-36-3	0.2	42.79	
AOC-8	588850.7418	695299.7436	-	TP-CP9	TP-CP9	11/17/1994	Soil	-	-	E438164	Total PCB	1336-36-3	0.2	9.83	

Notes:

1. All results and criteria are reported in milligrams per kilogram (mg/kg).
2. Only results above the New Jersey Department of Environmental Protection Residential Standards.
3. Petroleum hydrocarbon results are compared against the site specific residential standard of 4,100 mg/kg.
4. Depths are reported in feet below ground surface.
5. Northing and Easting values are reported in New Jersey State Plane North American Datum 1983 Feet.
6. Elevation values are reported in North American Vertical Datum 1988 Feet.
7. EPH - Extractable Petroleum Hydrocarbon.
8. PCB - Polychlorinated biphenyls.
9. D - Diluted sample.
10. J - Estimated value.
11. NA - Not Applicable.

Exhibit C

Deed Notice Narrative Descriptions

Exhibit C-1: Deed Notice as Institutional Control

Exhibit C-1 is a narrative description of the restrictions and obligations of this Deed Notice.

Description and Estimated Size of the Restricted Area:

The Restricted Area is the 9.7 acre Redevelopment Parcel ("Property") which is identified as tax Block 133 Lots 1.03, 1.04, and 1.05. The northwestern portion of the Property is developed with commercial/Type II residential buildings, roadway, landscape, sidewalks, and parking areas. The remainder of the Restricted Area is covered with a crushed stone engineering control.

Description of Restrictions on the Property by Operation of this Deed Notice:

Due to the presence of contamination remaining at concentrations that do not allow for unrestricted use, the Owner has agreed, as part of the remedial action for the Property, to restrict the use of the Property (the "Restricted Area"). The Owner has also agreed to maintain a list of these restrictions on the Property for inspection by governmental officials.

No person shall alter or disturb the engineering controls on the Property without approval from the property owner. If approved by the property owner, person(s) who will disturb the engineering controls within the Restricted Area will be instructed to follow the restrictions established by the Deed Notice, in order to achieve compliance with the specified restrictions.

In accordance with the Environmental Protection Agency TSCA Self-Implementing Criteria, Section 40 CFR Part 761.61, two low occupancy areas ("LOA") containing PCBs >10 and <100 mg/kg have been established; an 1,800 square feet ("SF") area on Block 133 Lot 1.03 and a 2,950 SF area on Block 133 Lot 1.04. An annual occupancy restriction in the LOA for an individual not wearing dermal and respiratory protection is <335 hours/year (average 6.7 hours per week). No buildings or other structures are located within the proposed low occupancy areas. The areas will be used as parking lot spaces and associated ingress/egress travel lane.

The following activities in the LOAs are prohibited as part of development rules and regulations:

- Recreational activities, including without limitation ball playing, Frisbee throwing, skateboarding, basketball, physical exercise, tailgating, grilling, and picnicking;
- Loitering;
- Organized private and public parties and events, including without limitation garage sales, flea markets, street fairs, concerts, and other shows and performances;
- Soliciting or the collection of contributions, selling, vending, or distribution of fliers or other materials;
- Maintenance and fueling of vehicles; and
- A dog park or dog run.

The Objective of the Restrictions:

The objective of the Deed Notice is to restrict future uses of the Property that may expose the public or the environment to contaminants that remain in soil beneath the Property.

Monitoring and Maintenance Activities for the Deed Notice:

The owner will inspect the Restricted Area at least annually and determine whether:

- There have been disturbances of the soil in the Restricted Area and if an identified disturbance resulted in unacceptable exposure to the soil contamination;
- There have been land use changes subsequent to the filing of this Deed Notice or the most recent biennial certification, whichever is more recent;
- The current land use on the Property is consistent with the restrictions or laws that apply to the Property; and,
- New standards, regulations, or laws apply to the Property that might necessitate additional sampling in order to evaluate the protectiveness of the remedial action that includes this Deed Notice, and, if so, conduct the necessary sampling.

The owner will also submit a certification to the NJDEP every two years in accordance with the referenced regulations, including the inspection reports and logs. The inspections, maintenance activities, and disturbance activities will be documented and submitted to NJDEP with the next certification report. The documentation will be maintained on the Property and be made available for inspection by NJDEP upon request. Certification reports will be submitted in writing and will confirm that the engineering controls are being properly maintained and continue to be protective human health and safety and the environment.

Exhibit C-2: Constructed Roadways, Pavers, Parking Lots, and Sidewalk Engineering Control

Exhibit C-2 is a narrative description of the constructed roadways, pavers, parking lots, and sidewalk engineering controls as follows:

Description and Estimated Size of the Engineering Control

Approximately 126,300 square feet or 2.90 acres of the Property was capped with constructed roadways, pavers, parking lots, and sidewalks to eliminate contact with the Restricted Area thereby protecting human health and the environment. The engineering control consists of a visual contamination boundary marker covering the contaminated soil, followed by an 18 inch minimum of clean fill, followed by six inches of concrete or asphalt. The location and details of this engineering control depicted on the diagram "EXHIBIT B-1, RESTRICTED AREA MAP."

Engineering Control Objective, Maintenance, and Monitoring Plan

The objective of the engineering control is to restrict future uses of the Property that may expose the public or the environment to contaminants that remain in soil beneath the Property.

The owner will inspect at least annually the engineering controls, including the constructed roadways, pavers, parking lots, and sidewalks to determine their integrity, operability, and effectiveness and will make the necessary repairs to address N.J.A.C. 7:26E.

The annual inspection will be conducted in order to demonstrate that the engineering control remains protective of public health, safety, and the environment. The inspection will document that the roadways, pavers, parking lots, and sidewalks are functioning as intended by:

1. Minimizing land disturbance activities in the Restricted Area (i.e. excavation activities, construction activities, etc.).
2. Maintaining an annual inspection schedule in which the engineering control is inspected for breaches, damage, cracks, and/or deterioration, etc. and documenting with inspection logs and reports.
3. Performing repairs within 30 days of determining that an engineering control no longer function as designed and intended.

In addition, on a biennial basis the owner will review new changes to the standards, regulations, or laws that may affect the engineering controls' protectiveness of human health and safety. The review will identify required modifications to the engineering controls that may be necessary.

Engineering Control Function and Disturbance

The engineering control is intended to function as a barrier between the public and the impacted soil that will remain onsite.

The facility personnel and subcontractors who are engaged in maintenance activities that require the removal of a portion of the engineering control will be instructed as to the restrictions established by the Deed Notice, in order to confirm compliance with these restrictions during such activities. Inspections, maintenance activities, and engineering control disturbance activities will be documented and submitted to NJDEP with the next certification report. The documentation will be maintained on the Property and be made available for inspection by NJDEP upon request. No alterations, improvements, or disturbances of the engineering control will be made without first obtaining written approval from the NJDEP unless the following conditions are met:

- Disturbance of the engineering control is restored to pre-disturbance conditions within 60 days;
- The applicable worker health and safety laws and regulations are followed during the activities;
- Exposure to contamination in excess of the applicable remediation standards does not occur; and,
- A written report detailing the alteration, improvement, or disturbance of the engineering control will be included in the next biennial certification.

Exhibit C-3: Constructed Building Engineering Control

Exhibit C-3 is a narrative description of the constructed building engineering control as follows:

Description and Estimated Size of the engineering control

Approximately 26,100 square feet or 0.6 acres of the Property was capped with building slabs to eliminate contact with the Restricted Area thereby protecting human health and the environment. The engineering control consists of a visual contamination boundary marker covering the contaminated soil, followed by an 18 inch minimum of clean fill, and minimum of six inches of concrete. The location and details of this engineering control depicted on the diagram "EXHIBIT B-1, RESTRICTED AREA MAP."

Engineering Control Objective, Maintenance, and Monitoring Plan

The objective of the engineering control is to restrict future uses of the Property that may expose the public or the environment to contaminants that remain in soil beneath the Property.

The owner will inspect at least annually the engineering controls, including the constructed building to determine integrity, operability, and effectiveness and will make the necessary repairs to address N.J.A.C. 7:26E.

The annual inspections will be conducted in order to demonstrate that the engineering control remains protective of public health, safety, and the environment. The inspection will document that the building is functioning as intended by:

1. Minimizing land disturbance activities in the Restricted Area (i.e. excavation activities, construction activities, etc.).
2. Maintaining an annual inspection schedule in which the engineering control is inspected for breaches, damage, cracks, and/or deterioration, etc. and documenting with inspection logs and reports.
3. Performing repairs within 30 days of determining that an engineering control no longer function as designed and intended.

In addition, on a biennial basis the owner will review new changes to the standards, regulations, or laws that may affect the engineering controls' protectiveness of human health and safety. The review will identify required modifications to the engineering controls that may be necessary.

Engineering Control Function and Disturbance

The engineering control is intended to function as a barrier between the public and the impacted soil that will remain onsite.

The facility personnel and subcontractors who are engaged in maintenance activities that require the removal of a portion of the engineering control will be instructed as to the restrictions established by the Deed Notice, in order to confirm compliance with these restrictions during such activities. Inspections, maintenance activities, and engineering control disturbance activities will be documented and submitted to NJDEP with the next certification report. The documentation will be maintained on the Property and be made available for inspection by NJDEP upon request. No alterations, improvements, or disturbances of the engineering control will be made without first obtaining written approval from the NJDEP unless the following conditions are met:

- Disturbance of the engineering control is restored to pre-disturbance conditions within 60 days;

- The applicable worker health and safety laws and regulations are followed during the activities;
- Exposure to contamination in excess of the applicable remediation standards does not occur; and
- A written report detailing the alteration, improvement, or disturbance of the engineering control will be included in the next biennial certification.

Exhibit C-4: Constructed Landscape Planter Engineering Control

Exhibit C-4 includes a narrative description of the constructed landscape planter engineering control as follows:

Description and Estimated Size of the engineering control

Approximately 8,700 square feet or 0.2 acres of the Property was capped with landscape planters to eliminate contact with the Restricted Area thereby protecting human health and the environment. The landscape planter engineering control consists of six-inch thick asphalt or concrete, followed by six inches of crushed stone, followed by 42 inches of clean fill for trees, 24 inches of clean fill for shrubs, and 12 inches of clean fill in the lawn areas. The location and details of this engineering control depicted on the diagram "EXHIBIT B-1, RESTRICTED AREA MAP."

Engineering Control Objective, Maintenance, and Monitoring Plan

The objective of the engineering control is to restrict future uses of the Property that may expose the public or the environment to contaminants that remain in soil beneath the Property.

The owner will inspect at least annually the engineering controls, including the constructed landscaped planters to determine integrity, operability, and effectiveness and will make the necessary repairs to address N.J.A.C. 7:26E.

The annual inspections will be conducted in order to demonstrate that the engineering control remains protective of public health, safety, and the environment. The inspection will document that the landscaped planters are functioning as intended by:

1. Minimizing land disturbance activities in the Restricted Area (i.e. excavation activities, construction activities, etc.).
2. Maintaining an annual inspection schedule in which the engineering control is inspected for breaches, damage, cracks, and/or deterioration, etc. and documenting with inspection logs and reports.
3. Performing repairs within 30 days of determining that an engineering control no longer functions as designed and intended.

In addition, on a biennial basis the owner will review new changes to the standards, regulations, or laws that may affect the engineering controls' protectiveness of human health and safety. The review will identify required modifications to the engineering controls that may be necessary.

Engineering Control Function and Disturbance

The engineering control is intended to function as a barrier between the public and the impacted soil that will remain onsite.

The facility personnel and subcontractors who are engaged in maintenance activities that require the removal of a portion of the engineering control will be instructed as to the restrictions established by the Deed Notice, in order to confirm compliance with these restrictions during such activities. Inspections, maintenance activities, and engineering control disturbance activities will be documented and submitted to NJDEP with the next certification report. The documentation will be maintained on the Property and be made available for inspection by NJDEP upon request. No alterations, improvements, or disturbances

of the engineering control will be made without first obtaining written approval from the NJDEP unless the following conditions are met:

- Disturbance of the engineering control is restored to pre-disturbance conditions within 60 days;
- The applicable worker health and safety laws and regulations are followed during the activities;
- Exposure to contamination in excess of the applicable remediation standards does not occur; and,
- A written report detailing the alteration, improvement, or disturbance of the engineering control will be included in the next biennial certification.

Exhibit C-5: Crushed Stone Engineering Control

Exhibit C-5 is a narrative description of the crushed stone engineering control as follows:

Description and Estimated Size of the engineering control

Approximately 261,400 square feet or 6.0 acres of the Property was capped with crushed stone to eliminate contact with the Restricted Area thereby protecting human health and the environment. The crushed stone engineering control consists of a Terratex ® N04.5 nonwoven geotextile membrane covering the contaminated soil, followed by a 10 inch minimum of crushed gravel. The location and details of this engineering control depicted on the diagram "EXHIBIT B-1, RESTRICTED AREA MAP."

Engineering Control Objective, Maintenance, and Monitoring Plan:

The objective of the engineering control is to restrict future uses of the Property that may expose the public or the environment to contaminants that remain in soil beneath the Property.

The owner will inspect at least annually the engineering controls, including the constructed crushed stone engineering control to determine integrity, operability, and effectiveness and will make the necessary repairs to address N.J.A.C. 7:26E.

The annual inspections will be conducted in order to demonstrate that the engineering control remains protective of public health, safety, and the environment. The inspection will document that the crushed gravel engineering control is functioning as intended by:

1. Minimizing land disturbance activities in the Restricted Area (i.e. excavation activities, construction activities, etc.).
2. Maintaining an annual inspection schedule in which the engineering control is inspected for breaches, damage, cracks, and/or deterioration, etc. and documenting with inspection logs and reports.
3. Performing repairs within 30 days of determining that an engineering control no longer functions as designed and intended.

In addition, on a biennial basis the owner will review new changes to the standards, regulations, or laws that may affect the engineering controls' protectiveness of human health and safety. The review will identify required modifications to the engineering controls that may be necessary.

Engineering Control Function and Disturbance

The engineering control is intended to function as a barrier between the public and the impacted soil that will remain onsite.

The facility personnel and subcontractors who are engaged in maintenance activities that require the removal of a portion of the engineering control will be instructed as to the restrictions established by the Deed Notice, in order to confirm compliance with these restrictions during such activities. Inspections, maintenance activities, and engineering control disturbance activities will be documented and submitted to NJDEP with the next certification report. The documentation will be maintained on the Property and be made available for inspection by NJDEP upon request. No alterations, improvements, or disturbances of the engineering control will be made without first obtaining written approval from the NJDEP unless the following conditions are met:

- Disturbance of the engineering control is restored to pre-disturbance conditions within 60 days;

- The applicable worker health and safety laws and regulations are followed during the activities;
- Exposure to contamination in excess of the applicable remediation standards does not occur; and,
- A written report detailing the alteration, improvement, or disturbance of the engineering control will be included in the next biennial certification.

Exhibit J



The Town of Harrison

DEPARTMENT OF CONSTRUCTION INSPECTION
TOWN HALL, 318 HARRISON AVENUE
HARRISON, NEW JERSEY 07029

ROCCO RUSSOMANNO
CONSTRUCTION OFFICIAL/TOWN ENGINEER
(973) 268-2446

July 31, 2019

MidAtlantic Engineering Partners, LLC
Gateway 195 Centre
5 Commerce Way - Suite 200
Hamilton, NJ 08691

Attn: Jenna C. Apgar
Sr. Permit Coordinator

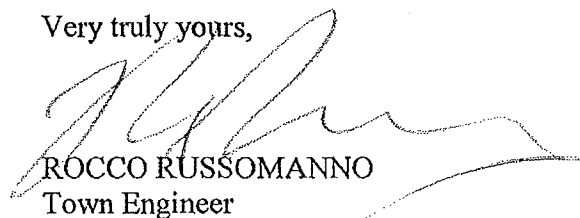
Re: Certified 200-Foot List Request
Block 133, Lot 1.03
Block 133, Lot 1.05
Town of Harrison, New Jersey

Dear Ms. Apgar:

Enclosed in accordance with your request is a certified list of property owners in the Town of Harrison located within 200 feet of the above Block and Lot numbers.

If you have questions on any of the above, please advise #(973) 268-2446.

Very truly yours,


ROCCO RUSSOMANNO
Town Engineer

RR:ag
Enclosures



The Town of Harrison

DEPARTMENT OF CONSTRUCTION INSPECTION
TOWN HALL, 318 HARRISON AVENUE
HARRISON, NEW JERSEY 07029

ROCCO RUSSOMANNO
CONSTRUCTION OFFICIAL/TOWN ENGINEER
(973) 268-2446

LIST OF PROPERTIES WITHIN 200 FEET
BLOCK 133, LOTS 1.03 & 1.05
HARRISON, NEW JERSEY

<u>BLOCK NO.</u>	<u>LOTS</u>	<u>NAME OF & ADDRESS OF OWNER</u>
117.01	1.03	Harrison Building I, Urban Renewal LLC 50 Washington St. Hoboken, NJ 07030
117.01	1.06	CJUF II Harr. Holdings LLC. 50 Washington St, Hoboken, NJ 07030
117.01	1.06 C002	Harrison Hotel 1, LLC 50 Washington St, Hoboken, NJ 07030
118	1.01	Harrison Building 3, LLC 50 Washington St, 3 rd Floor, Hoboken NJ 07030
133	1.02	Port Authority Trans-Hudson 225 Park Ave. South, New York, NY 10003
133	1.03	Accordia Harrison Urban Renewal, LLC 100 Passaic Ave, STE#150, Fairfield, NJ 07004
133	1.04	Accordia Harrison Urban Renewal, LLC 100 Passaic Ave, STE#150, Fairfield, NJ 07004
133	1.05	Accordia Harrison Urban Renewal, LLC 100 Passaic Ave, STE#150, Fairfield, NJ 07004
134.01	8	Amtrak 1 Massachusetts Ave NW, Washington D.C 20001
134.01	9	Amtrak 1 Massachusetts Ave NW, Washington D.C 20001
136	1.03	Port Authority Trans-Hudson 225 Park Ave. South, New York, NY 10003
136	1.05	National RR Passenger Corp. (Amtrak) 30 th St. Station, 4S, Philadelphia, PA 19104

136	1.06	Port Authority Trans-Hudson 225 Park Ave. South, New York, NY 10003
136	1.07	J.Supor 136- 1 Realty, LLC 433 Bergen Ave, Kearny, NJ 07032
136	3	Amtrak 1 Massachussetts Ave NW, Washington D.C 20001
150	16.01 C0001	AR AT Harrison LLC 1430 State HWY #206 Bedminster, NJ 30305
150	16.01 C0001	ARC SPHRSNJ001 Urb R. Entity, LLC. %AR 3520 Redmont RD NE#410, Atlanta, GA 30305
150	16.01 C0002	AT AT Harrison I, LLC 1041 US Highway 202/206, Bridgewater, NJ 08807
152	1.01	Amtrak 1 Massachussetts Ave NW, Washington D.C 20001
152	1.03	Port Authority 225 Park Ave. So. 14 th Fl., New York, NY 10003
153.01	31	Amtrak 1 Massachussetts Ave NW, Washington D.C 20001
154	36.01	Conrail 1717 Arch St. 13 th Floor, Philidelphia, PA 19103
154	38	Conrail 1717 Arch St. 13 th Floor, Philidelphia, PA 19103
167	38	Conrail 1717 Arch St. 13 th Floor, Philidelphia, PA 19103
189.02	122.01	Conrail 1717 Arch St. 13 th Floor, Philidelphia, PA 19103
213	5.04	Port-Authority 1 Riverfront Plaza, Suite 327, Newark, NJ 07102
213	6	Amtrak 1 Massachussetts Ave NW, Washington D.C 20001
213	6.01	Town of Harrison 318 Harrison Ave, Harrison, NJ 07029

(Only one notice is required to owners of more than one property.)

I certify the above is a complete list of properties within 200 feet of premises located in Block 133, Lots 1.03 & 1.05 in the Town of Harrison, New Jersey.



ROCCO RUSSOMANNO
Town Engineer

Date: July 31, 2019

Attachment to all Property Owner Lists

Please note, if application is being made for variance, site plan and/or subdivision approval, the following entities are required to be notified pursuant to N.J.S.A. 40:55D-12:

- | | |
|---|--|
| 1. Public Service Electric & Gas Co.
(PSE&G)
Manager – Corporate Properties
80 Park Plaza, T6B
Newark, N.J. 07102 | 9. Office of the New Jersey Solicitor
The Port Authority of New York
and New Jersey
Newark Legal Center
One Riverfront Plaza – Suite 327
Newark, N.J. 07102 |
| 2. Verizon
540 Broad Street
Newark, N.J. 07101 | 10. City of Newark, City Hall
920 Broad St., Newark, NJ 07102 |
| 3. Passaic Valley Water
Commission
1525 Main Avenue
P.O. Box 230
Clifton, N.J. 07011 | 11. Borough of East Newark
34 Sherman Avenue
East Newark, N.J. 07029 |
| 4. Passaic Valley Sewer
Commission
600 Wilson Avenue
Newark, N.J. 07105 | 12. Town of Kearny
402 Kearny Avenue
Kearny, NJ 07032 |
| 5. Comcast Cablevision of New
Jersey
800 Rahway Avenue
Union, N.J. 07083 | 13. Harrison Redevelopment Agency
600 Essex Street
Harrison, N.J. 07029 |
| 6. Town of Harrison Water
Department
600 Essex Street
Harrison, N.J. 07029 | |
| 7. Thomas A. DeGise
County Executive
County of Hudson
583 Newark Avenue
Jersey City, N.J. 07306 | |
| 8. Hudson County Department of
Engineering & Planning
595 County Avenue
Secaucus, N.J. 07094 | |

Exhibit K



CHIESA SHAHINIAN & GIANTOMASI PC

ONE BOLAND DRIVE
WEST ORANGE, NJ 07052

csglaw.com

DONNA M. EREM
derem@csglaw.com
(O) 973.530.2047
(F) 973.530.2247

September 13, 2019

Anna M. Nicosia
Tax Collector
Town of Harrison
318 Harrison Avenue
Harrison, NJ 07029

Re: Accordia Harrison Urban Renewal, LLC
Property: Block 133, Lots 1.03 and 1.05 (f/k/a Lot 1)

Dear Ms. Nicosia:

Kindly certify that the taxes and other municipal charges are current for Block 133, Lots 1.03 and 1.05 (formerly known as Lot 1).

I have enclosed a self-addressed stamped envelope for your convenience. If you have any questions with regard to the enclosed, please do not hesitate to contact me.

Very truly yours,


DONNA M. EREM

DME:pbb
Enclosure
cc: Joseph Romano
Anthony Lee
Haoran Hu

*I verify that this information accurately
reflects municipal tax records.*



Tax Collector
Harrison Town
Hudson County



BLQ	00133	00001 03	
Name	ACCORDIA HARRISON URBAN RENEWAL, LLC		
Location	700 RODGERS BLVD S		
Ck	0.00	Int Due	0.00 Q Validate Cancel
Cash	0.00	Int Date	09/16/2019 U Endorse More Info
Credit	0.00	818	Print Post MY Post
Cmt			

Land	2794715	Land A
Improve	0	Imp Adj
M		
Tax Val	2794715	Adj
Adr	100 PASSAIC AVE,STE#150	
		Sr/Vet.
FAIRFIELD, NJ		Ded An
07004		8/18
<input type="checkbox"/> Open O	Q	1
		2018
	<input type="checkbox"/> 3rd	<input type="checkbox"/> BC

Taxes are current.
I verify that this information accurately
reflects municipal tax records.

Anna Suoasia

**Tax Collector
Harrison Town
Hudson County**



BLQ	00133	00001 05	
Name	ACCORDIA HARRISON URBAN RENEWAL LLC		
Location	600 S. FIFTH ST.		
Ck	0.00	Int Due <input type="checkbox"/>	0.00 <u>Q</u> <u>Validate</u> <u>Cancel</u>
Cash	0.00	Int Date <input type="checkbox"/>	09/16/2019 <u>U</u> <u>Endorse</u> <u>More Info</u>
Credit	0.00	<u>818</u>	<u>Print</u> <u>Post</u> <u>MY Post</u>
Cmt			

Land	4015935	Land A
improve	0	Imp Adj
<u>M</u>		
Tax Val	4015935	Adj
Adr	100 PASSAIC AVE. #150	
	Sr/Vet.	
FAIRFIELD, NJ	Ded An	
07004	8/18	
<input type="checkbox"/> Open O	<input type="checkbox"/> Q	<input type="checkbox"/> 1
		2018
	<input type="checkbox"/> 3rd	<input type="checkbox"/> BC

[illegible]

Taxes are Current
I verify that this information accurately
reflects municipal tax records.

Anna Shostak

**Tax Collector
Harrison Town
Hudson County**

