

DRAFT In Need of Redevelopment Investigation

HARTZ "CARPET CENTER" SITE

100 Park Plaza Drive - Block 227, Lots 4.03 & 4.04
Secaucus, NJ



New Jersey Meadowlands Commission

May 2014

Authorized by NJMC Resolution No. 13-45 on November 25, 2013

*** DRAFT ***
IN NEED OF REDEVELOPMENT INVESTIGATION
HARTZ "CARPET CENTER" SITE

100 PARK PLAZA DRIVE
(BLOCK 227, LOTS 4.03 & 4.04)
TOWN OF SECAUCUS



NEW JERSEY MEADOWLANDS COMMISSION
MAY 2014

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APPENDICES

- A. NJMC Resolution No. 13-45 dated November 25, 2013.
- B. NJMC Resolution No. 14-13 dated March 26, 2014.
- C. Secaucus Town Council Resolution dated July 3, 2012.
- D. Secaucus Board of Education Resolution dated July 3, 2012.
- E. Town of Secaucus Demolition Permit dated October 17, 2013.
- F. Letter from Joseph Mele, PE, PLS of Dresdner Robin, dated April 9, 2014, including copy of Waterfront Development Permit application to the NJDEP Land Use Regulation Program.

I. INTRODUCTION

In a letter dated August 6, 2013, the New Jersey Meadowlands Commission (NJMC) received a petition from Hartz Mountain Industries, Inc./100 Park Plaza Drive LLC, to investigate the redevelopment potential of the property identified as 100 Park Plaza Drive, Block 227, Lots 4.03 and 4.04, in the Town of Secaucus, New Jersey. The property is located in the Harmon Meadow commercial center and is commonly known as the Carpet Center, due to the carpet wholesalers who occupied the site.

On November 25, 2013, the NJMC Board of Commissioners adopted Resolution No. 13-45, which authorized the staff to conduct an investigation of the subject property to determine if it meets the conditions to be designated an area in need of redevelopment. The subject property, 100 Park Plaza Drive, Block 227, Lots 4.03 & 4.04, may alternately be referred to herein as the "study area." On March 26, 2014, the NJMC Board of Commissioners adopted Resolution No. 14-13 determining the site is suitable for housing in accordance with the Interim Policies Governing Affordable Housing Development in the Meadowlands District.

The study area is comprised of two tax lots, totaling approximately 13.6 acres in area, and is located within the Commission's Regional Commercial zone. The subject property fronts on Park Place and a portion of the access easement identified as Park Plaza Drive. It is located in the northeast corner of Harmon Meadow, a regional commercial development comprised of retail establishments, restaurants, hotels, offices, a convention center, movie theater, fitness club, and multiple parking decks. The subject property was improved with two interconnected buildings, totaling approximately 331,000 square feet, which had been utilized as showroom space by carpet wholesalers. These structures were demolished, pursuant to a demolition permit issued by the Town of Secaucus in October 2013, after receipt of the subject petition. A portion of the Cromakill Creek and associated wetlands are present in the northerly portion of the site within a designated wetland preservation area, which also includes a walking path for passive recreation.

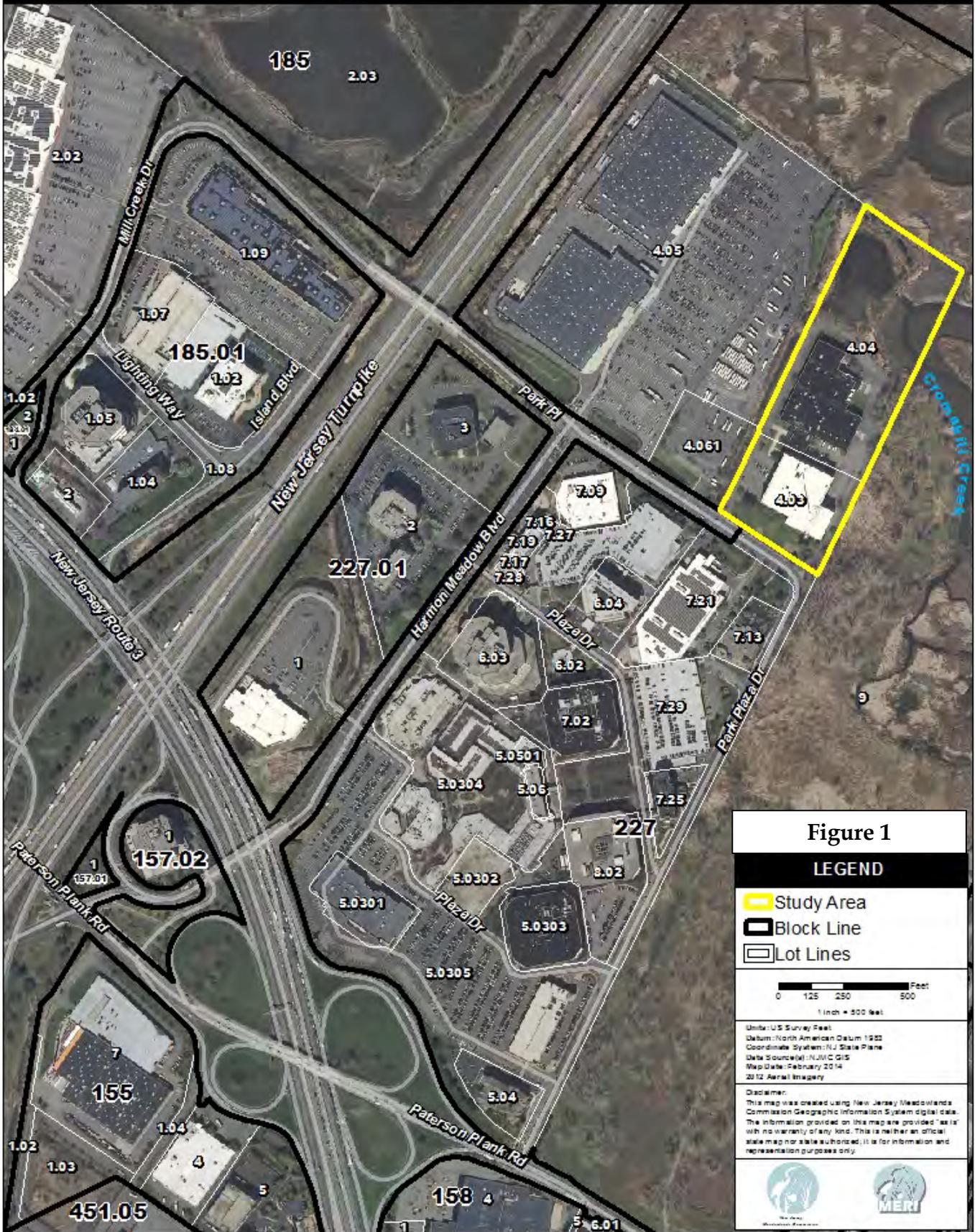
The study area is delineated by a yellow boundary line on the aerial map in Figure 1, below. Properties within Block 227 are located in the Commission's Regional Commercial zone, as shown on the existing zoning map for the redevelopment study area on Figure 2.

The petitioner has submitted a planning report, prepared by Phillips Preiss Grygiel LLC, dated August 2013, which states that the study area should be declared an area in need of redevelopment in accordance with criteria no. 4, as per NJMC regulations at N.J.A.C. 19:3-5.7(a)4, which refers to "areas with buildings or improvements that, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community."

This In Need of Redevelopment Investigation Report ("Report") represents the results of the investigation of the study area to support the NJMC Board of Commissioners' determination whether the study area should be declared in need of redevelopment.

In Need of Redevelopment Study Area: Overview

Block 227, Lots 4.03 & 4.04, Secaucus



In Need of Redevelopment Study Area: Existing Zoning
 Block 227, Lots 4.03 & 4.04, Secaucus

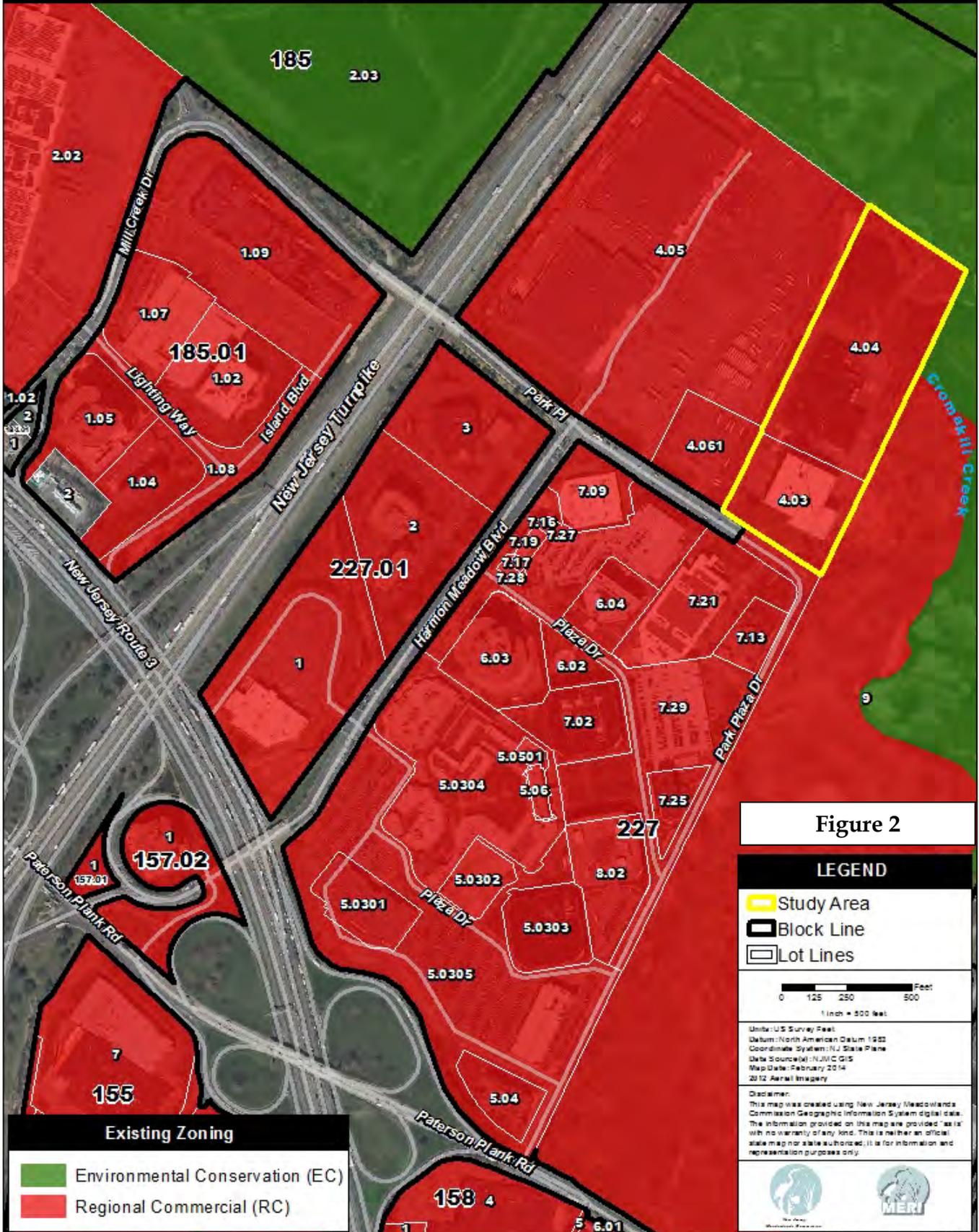


Figure 2

LEGEND

- Study Area
- Block Line
- Lot Lines

0 125 250 500 Feet
 1 inch = 200 feet

Units: US Survey Feet
 Datum: North American Datum 1983
 Coordinate System: NAD State Plane
 Data Source(s): NJMCC GIS
 Map Date: February 2014
 2012 Aerial Imagery

Disclaimer:
 This map was created using New Jersey Meadowlands Commission Geographic Information System digital data. The information provided on this map are provided "as is" with no warranty of any kind. This is neither an official state map nor state authorized. It is for information and representation purposes only.



II. REDEVELOPMENT POWERS AND PROCEDURES

1. Redevelopment Legislation - The NJMC is authorized by its statute, N.J.S.A. 13:17-1.1 *et seq.*, to declare the entire Meadowlands District, or any portion therein, a renewal area in need of redevelopment, provided, that the Commission shall find prior to such declaration the existence of conditions of "blight". "The Commission shall have perpetual succession and shall have the powers:

- (j) *By contract or contracts with a redeveloper or by its own employees, to undertake any development or other project or improvement as it finds necessary to reclaim, develop, redevelop and improve land within the District." (N.J.S.A. 13:17-6)*

The procedure for taking such action is defined in the NJMC's enabling legislation, N.J.S.A. 13:17-20, and codified in the NJMC's redevelopment regulations at N.J.A.C. 19:3-5.1 *et seq.*

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

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

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

5. *Lack of proper utilization of areas, caused by the condition of the title, diverse ownership of the real property therein, or other conditions resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare;*
6. *Areas in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated;*
7. *Areas designated as an enterprise zone pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et seq., where the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to N.J.S.A. 40A:12A-5 and 40A:12A-6 for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of N.J.S.A. 40A:20-1 et seq.; or*
8. *Areas, with or without improvements, where there is historic evidence of illegal dumping activities; areas with evidence of soil, groundwater, or surface water contamination; areas that, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), are listed on the CERCLA database; Federal, State, county, or municipally designated brownfield areas; and/or areas on the New Jersey Known Contaminated Sites List per N.J.S.A. 58:10-23.16 and 23.17.*

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

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

- Existing physical and natural conditions in and surrounding the study area;
- NJMC aerial photographs and topographic maps;
- NJMC Geographic Information Systems (GIS) data;
- NJMC Regulations: N.J.A.C. 19:3-5.1 *et seq.* (Redevelopment Areas) and N.J.A.C. 19:4-1.1 *et seq.* (District Zoning Regulations);
- Town of Secaucus Tax Maps;
- Municipal Property Tax information (NJ MOD-IV data);
- Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) and Advisory/Preliminary Working Maps;
- NJMC development application records/engineering files;
- Review of NJDEP Known Contaminated Sites List;
- NJDEP maps showing Conveyances and Leases of State-owned Tidelands;
- USDA Natural Resources Conservation Service Soils Survey;
- Secaucus Town Council Resolution dated July 3, 2012;
- Secaucus Board of Education Resolution dated July 3, 2012;

- “Planning Report in Support of an Area in Need of Redevelopment Designation for Block 227, Lots 4.03 and 4.04 in the Town of Secaucus, New Jersey,” prepared on behalf of Hartz Mountain Industries by Phillips Preiss Grygiel, LLC, dated August 2013;
- “Will-serve” letter from United Water New Jersey, dated October 15, 2013;
- “Will-serve” letter from Secaucus Municipal Utilities Authority, dated October 17, 2013;
- NJMC Resolution No. 14-13 dated March 26, 2014; and
- Letter from Joseph Mele, PE, PLS of Dresdner Robin, dated April 9, 2014, including copy of Waterfront Development Permit application to the NJDEP Land Use Regulation Program division.

III. GENERAL CONDITIONS OF STUDY AREA

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

1. Property Area - The study area is comprised of two tax lots, identified as Lots 4.03 and 4.04 within Block 227, in the Town of Secaucus, totaling approximately 13.6 acres, as detailed in Figure 3 below.

Figure 3. Properties Within In Need of Redevelopment Study Area

Block	Lot	Address	Owner Name	Acre s (GIS)	Acres (Tax)	Existing Land Use	Existing Zoning
227	4.03	100 PARK PLAZA DRIVE	HARTZ MOUNTAIN c/o NYURBAN/POOLE FINANCIAL	3.80	3.84	Vacant (former wholesale)	Regional Commercial
227	4.04	100 PARK PLAZA DRIVE	100 PARK PLAZA DRIVE, LLC	9.65	9.80	Vacant (former wholesale)	Regional Commercial

Total acres: 13.45 13.64

Source: NJMC Geographic Information Systems (GIS), February 2014

The subject property fronts on Park Place and on a portion of the access easement identified as Park Plaza Drive, and is located in the northeast corner of the Harmon Meadow complex, a regional commercial development comprised of retail establishments, restaurants, hotels, offices, a convention center, movie theater, fitness club, and multiple parking decks. The study area is bounded to the west by the parking lot of a Wal-Mart and Sam’s Club big box development; to the south by the Harmon Meadow Plaza commercial complex; to the east by an undeveloped portion of the Regional Commercial zone; and to the north and northeast by a property located in the Environmental Conservation zone consisting primarily of wetlands and a portion of the Cromakill Creek. The majority of properties in the Harmon Meadow complex are owned by Hartz Mountain Industries or affiliated entities. A map of existing land use within Harmon Meadow is provided in Figure 4.

The subject property was improved with two interconnected buildings, totaling approximately 331,000 square feet, which had been utilized as showroom space by carpet wholesalers. The building formerly located on Lot 4.03, known as the ORICA building, was a 170,910-square-foot structure with three stories over ground level parking. The building formerly located on Lot 4.04 was a two-story, 160,440-square-foot steel frame structure, known as the ACIRO building. These structures were demolished, pursuant to a demolition permit issued by the Town of Secaucus in October 2013, and the property is currently devoid of any structures. Demolition debris is presently evident on the site. Figure 5 provides photographs of the subject properties in both their former developed condition, taken in October 2003, as well in their current post-demolition condition. The planning report prepared on behalf of Hartz Mountain Industries by Phillips Preiss Grygiel LLC, dated August 2013, contains more recent photos of the buildings on the site, as well as photographs of the interior of the buildings, as they existed prior to demolition.

In Need of Redevelopment Study Area: Existing Land Use

Block 227, Lots 4.03 & 4.04, Secaucus

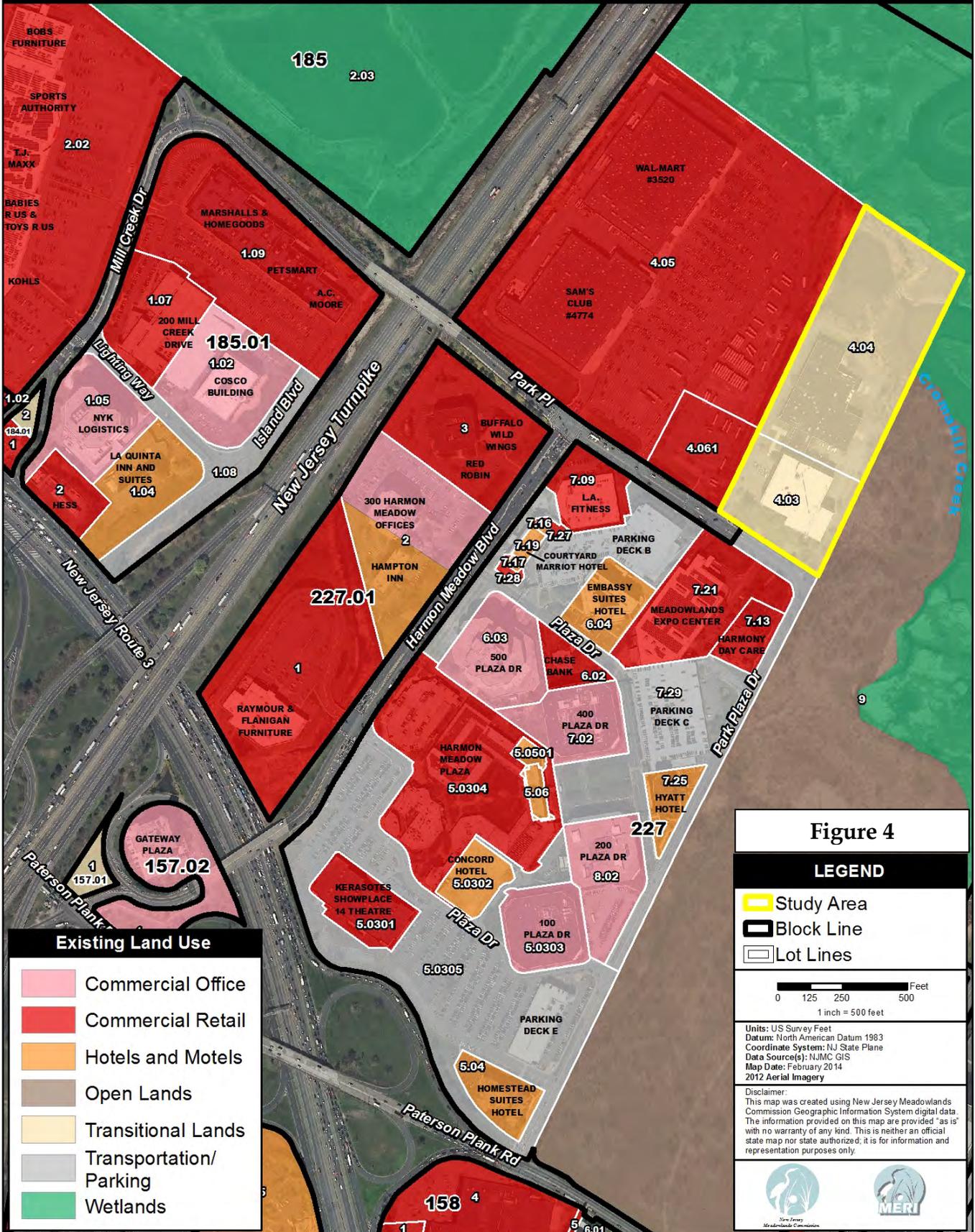


Figure 5 - Photographs of Subject Property within In Need of Redevelopment Study Area



A portion of the Cromakill Creek and associated wetlands are present in the northerly portion of the site, which includes a designated wetland preservation area. A walking path is present through these wetlands and provides an opportunity for passive recreation activities. A drainage ditch also runs along the property's westerly property line, which flows into a basin in the wetlands area in the northwesterly portion of the property.

The study area is the subject of a zoning certificate application (NJMC File No. 12-528 Hartz CC/Carpet Center Residential Development), received on August 31, 2012, for the construction of a 469-unit residential development, including 94 affordable housing units. In connection with the zoning certificate application, the property owner(s) submitted an application for a Site Suitability Determination, requesting that the site be deemed suitable for the development of residential uses pursuant to the NJMC's *"Interim Policies Governing Affordable Housing in the Meadowlands District."* The *Interim Policies*, last adopted by the NJMC by Resolution No. 11-29 dated July 27, 2011, are intended to provide expanded opportunities for affordable housing in the Meadowlands District until such time as new regulations can be promulgated to be consistent with state affordable housing regulations. The site was deemed suitable to accommodate housing by the NJMC Board of Commissioners on March 26, 2014 by Resolution No. 14-13.

As a result, the site suitability determination authorizing residential uses within the study area supplants the permitted uses of the Regional Commercial zone (N.J.A.C. 19:4-5.52) enumerated in Section 2 below. All other requirements of the zone, including bulk standards, remain in effect.

The subject property is also the subject of two resolutions in the Town of Secaucus. In a resolution dated July 3, 2012, the Mayor and Council of the Town of Secaucus authorized the execution of a developer's agreement between the property owner (100 Park Place Drive, LLC) and the Town of Secaucus. A Developer's Agreement was executed on an unspecified date in July 2012 between 100 Park Plaza Drive, LLC and the Town of Secaucus. The Town's resolution and Developer's Agreement state that the property owner agrees to comply with all applicable COAH requirements as it seeks to develop a project with no more than 500 luxury residential units, with a bedroom distribution mix consisting of 55 percent studio and one-bedroom units, and 45 percent two-bedroom units, with the exception of any bedroom distribution requirements required by COAH. The resolution also states that any roads in the development will be private roads maintained by the property owner. Furthermore, the resolution and Developer's Agreement state that the property owner will pay the Town of Secaucus an impact fee of \$3,200 per market rate unit upon the issuance of a certificate of occupancy, as well as a sum of \$97,000 for the purchase of two school buses upon signing the developers' agreement.

In another resolution, also dated July 3, 2012, the Town of Secaucus Board of Education adopted a resolution stating that the Town of Secaucus has agreed that the monetary amounts of \$3,200 per market rate unit and the lump sum of \$97,000 provided by the property owner will be provided to the Board of Education for the purposes of purchasing two school buses and to be used toward the expansion of Secaucus Middle School. The resolution also provides the Board's support of the proposed residential project in light of the agreement between the Town and the property owner.

Finally, in a letter dated April 9, 2014, from Joseph Mele, PE, PLS of Dresdner Robin, the NJMC received notification that the property owner has submitted an application to the NJDEP Land Use Regulation Program division for a Waterfront Development Permit for the development of three residential mid-rise apartment buildings and associated site improvements on the subject property.

2. Zoning - The area is located entirely within the zoning jurisdiction of the New Jersey Meadowlands Commission. The subject property is located in the Commission's Regional Commercial zone. (See Figure 2.)

The purpose of the Regional Commercial zone is to contain large-scale commercial development proximate to major roadways, and to accommodate a range of commercial uses serving a regional market area. Development in the zone is intended to incorporate regional retail facilities and large-scale commercial employment centers.

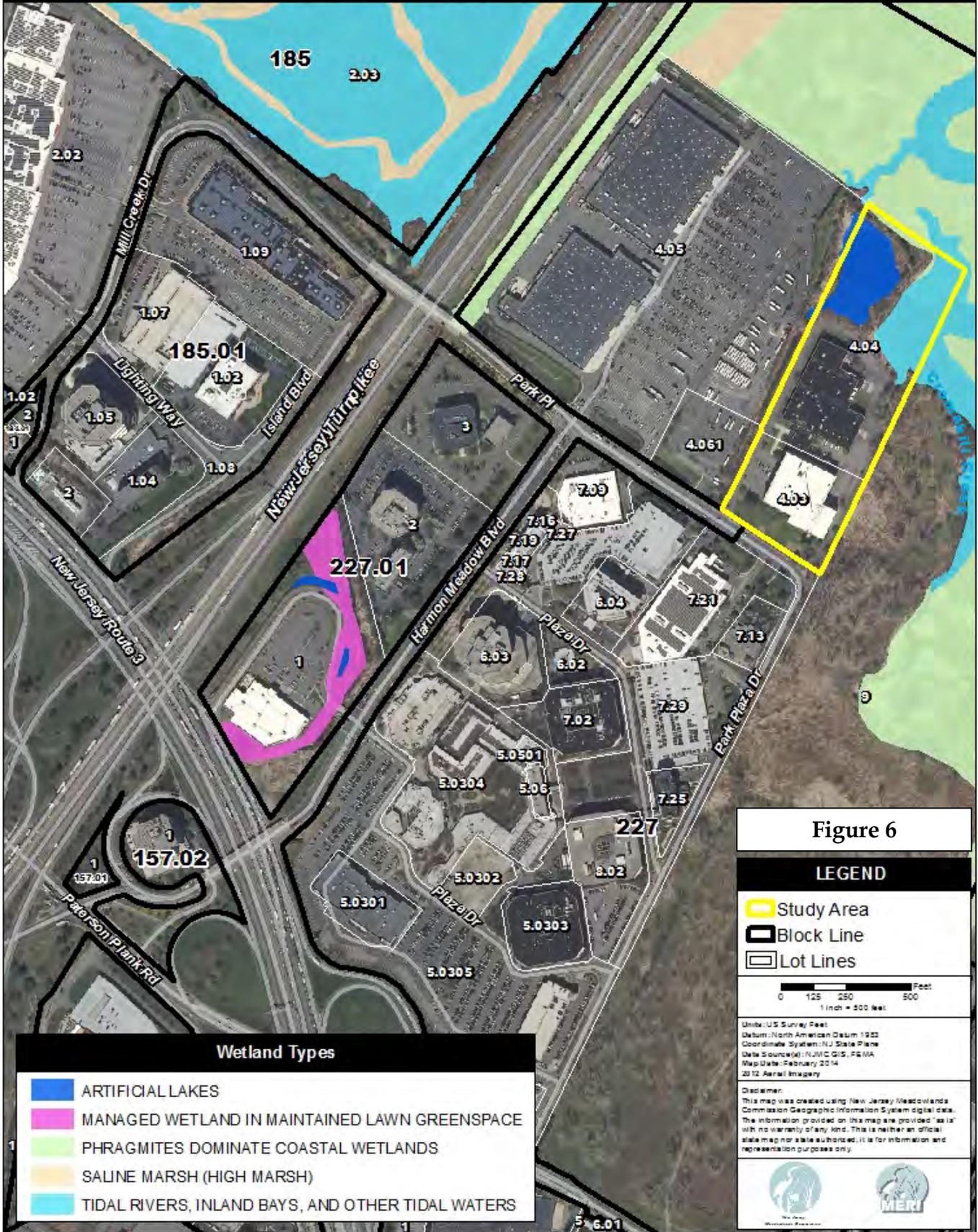
The use and bulk regulations for the Regional Commercial zone are provided below.

- A. *The permitted uses in the Regional Commercial zone (N.J.A.C. 19:4-5.52) are:*
1. Banks;
 2. Business services;
 3. Commercial recreation, indoor;
 4. Commercial recreation, outdoor;
 5. Convention centers;
 6. Cultural facilities;
 7. Day care facilities;
 8. Health care centers;
 9. Hotels and motels;
 10. Movie theaters;
 11. Offices;
 12. Parks or recreation facilities;
 13. Personal services;
 14. Public utility uses, light;
 15. Restaurants;
 16. Retail;
 17. Self-storage facilities; and
 18. Social services.
- B. *The special exception uses in the Regional Commercial zone (N.J.A.C. 19:4-5.53) are:*
1. Communications transmission towers;
 2. Essential public services; and
 3. Helistops.

- C. The use limitations in the Regional Commercial zone (N.J.A.C. 19:4-5.54) are:
1. Accessory outdoor display areas shall be permitted only in connection with retail sales, when provided in accordance with the following:
 - i. Such areas shall be located immediately adjacent to the building;
 - ii. Such areas shall not exceed 20 percent of the ground floor area of the building, with the total area included within the permitted floor area of the site; and
 - iii. Such areas shall be fenced and screened in accordance with N.J.A.C. 19:4-8.9, and shall not conflict with pedestrian or vehicular circulation.
 2. Accessory outdoor storage areas shall be permitted only in connection with a principal retail use and used solely for the staging of new products, in accordance with the following:
 - i. Such areas shall not exceed 10 percent of the ground floor area of the building, with the total area included within the permitted floor area of the site;
 - ii. Such areas shall be fenced and screened in accordance with N.J.A.C. 19:4-8.9; and
 - iii. Materials within accessory outdoor storage areas shall not exceed the height of the screening.
- D. The lot size requirements in the Regional Commercial zone (N.J.A.C. 19:4-5.55) are:
1. Minimum lot area: three acres; and
 2. Minimum lot width: 300 feet.
- E. The bulk regulations in the Regional Commercial zone (N.J.A.C. 19:4-5.56) are:
1. Maximum lot coverage: 40 percent;
 2. Minimum open space: 20 percent;
 3. Yards:
 - i. Minimum front yard: 50 feet for all structures, 25 feet for at-grade parking areas;
 - ii. Minimum side yard: 40 feet; and
 - iii. Minimum rear yard: 30 feet;
 4. FAR: 0.75, not including the floor area of parking garages, restaurants, hotels and motels; and
 5. Maximum number of hotel and motel rooms per acre: 25 rooms.
- F. The performance standards in the Regional Commercial zone (N.J.A.C. 19:4-5.57) are: All category B performance standards of N.J.A.C. 19:4-7 shall apply to all uses in the Regional Commercial zone.

3. Wetlands - According to NJMC GIS data, certain environmentally sensitive areas are indicated within the study area. A portion of the Cromakill Creek, classified as tidal waters, meanders through the northeasterly corner of the site. An area designated as an artificial lake is present in the northwesterly portion of the site. Areas adjacent to the Cromakill Creek are identified as phragmites-dominate coastal wetlands. (See Figure 6.)

In Need of Redevelopment Study Area: Wetlands (NJDEP 2007)
Block 227, Lots 4.03 & 4.04, Secaucus



The actual presence or absence of wetlands on a particular site is subject to further review and confirmation by a detailed wetlands study and a jurisdictional determination by the U.S. Army Corps of Engineers.

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

1. URWETB (Urban land, wet substratum, 0 to 8 percent slopes), composed primarily of "asphalt over human-transported material," exists on the area of the property formerly improved with buildings and associated parking areas.
2. WectA (Westbrook mucky peat), composed of herbaceous organic material over loamy drift and/or marine deposits, is present in the northerly portion of the site beyond the edge of the developed area.
3. WATER, composed of a portion of the Cromakill Creek that is present in the northeasterly part of the site.

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

5. Contamination - The Known Contaminated Sites List (KCSL) in New Jersey is a report maintained by the NJDEP pursuant to N.J.S.A. 58:10-23.16 and 23.17 that provides a record of sites with confirmed soil or water contamination at levels greater than the applicable cleanup criteria or standards.

Neither of the properties in the study area is listed in the NJDEP KCSL.

6. Vehicular Access - The subject property contains frontage on Park Place, a four-lane roadway serving properties in the Harmon Meadow complex. Park Place is an east-west roadway between Park Plaza Drive and Mill Creek Drive, which intersects with Harmon Meadow Boulevard. Regional access into Harmon Meadow is available via two signalized intersections at Paterson Plank Road (at Park Plaza Drive and Harmon Meadow Boulevard), the Route 3 East Service Road to Harmon Meadow Boulevard, and from the Route 3 West Service Road with various points of entry into the complex. The property contains two points of access from Park Place/Park Plaza Drive via one driveway at the property's southwest corner, where Park Place is a public right-of-way, and another driveway at its southeast corner, where Park Plaza Drive is a private road.

Harmon Meadow is also served by various public transportation services, including NJ Transit bus routes #78, 85, 320, as well as the EZ Ride shuttle bus service to and from the Secaucus Junction train station.

7. Floodplain - Properties in the study area appear on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM), Map Number 3405700266G, dated September 30, 2005. Most of the study area is located within a special flood hazard area (SFHA) designated by FEMA as Zone AE, a 100-year floodplain where base flood elevations have been determined. The properties in the study area have a base flood elevation of 9 feet (NGVD29 datum).

FEMA has also published Advisory Base Flood Elevation (ABFE) Maps, which have since been replaced with the Preliminary Working Maps, which will form the basis for new FIRMs, scheduled to become effective in 2015. The preliminary working map for the study area, as of June 17, 2013, shows changes to the SFHA designation at the property in question. Specifically, a portion of the site is proposed to be removed from the special flood hazard area designation, while much of the property remains in Zone AE, with an elevation of 8 feet (NAVD88 datum). (Note: FEMA's Preliminary Working Maps utilize the NAVD88 datum to establish base flood elevations, whereas previous FIRMs utilized NGVD29 datum. At the subject location, subtracting 1.04 feet from the elevation in the NGVD29 datum results in the corresponding elevation in the NAVD88 datum. The current base flood elevation (BFE) of 9 feet in the NGVD29 datum becomes a BFE of 8 feet in the NAVD88 datum. Therefore, there is no change in the effective BFE of the study area between the current FIRM and the advisory/preliminary working maps.) (See Figure 7.)

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

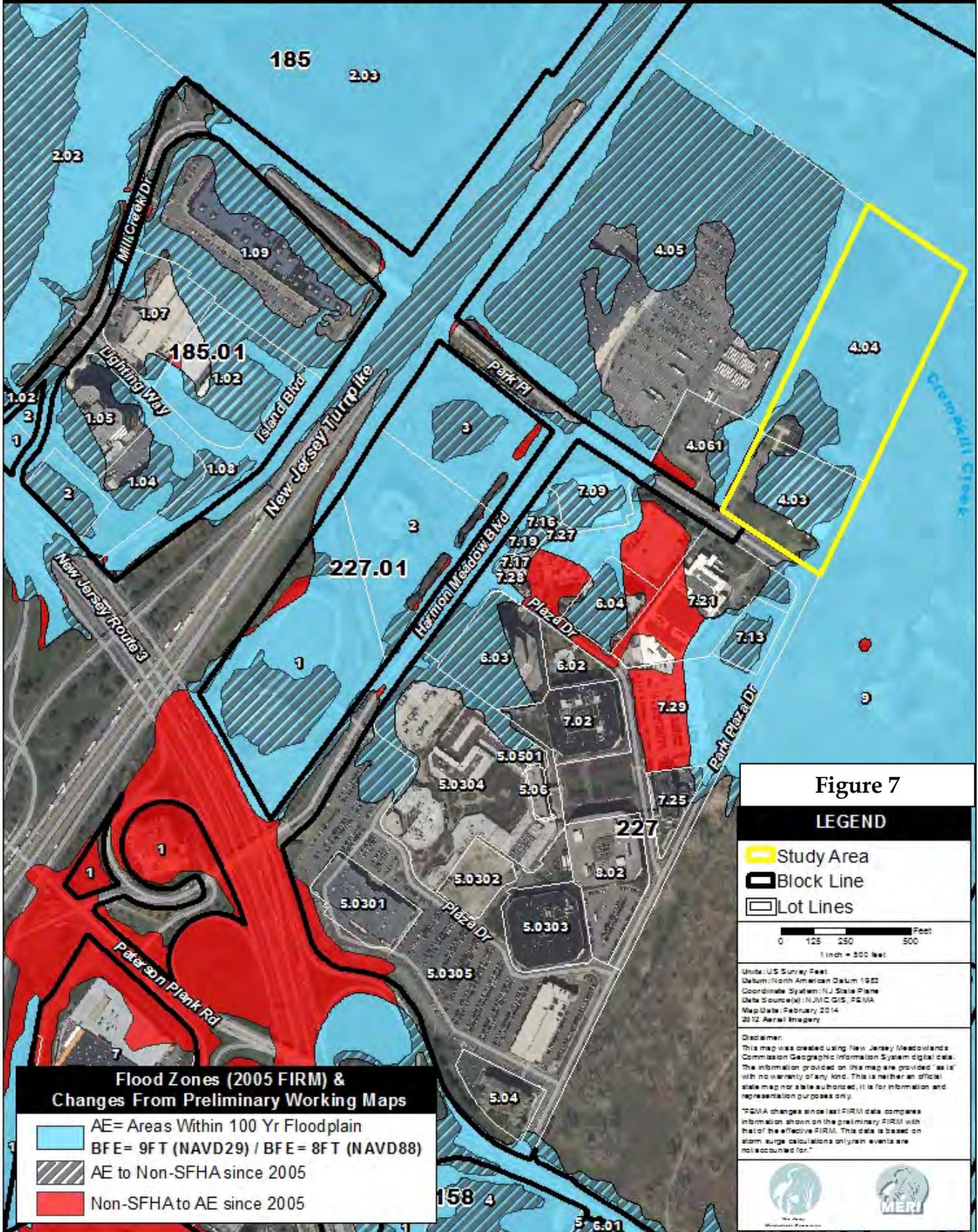
The NJMC regulations require that all structures located in a SFHA have a finished floor elevation at a minimum of one foot above the FIRM's established base flood elevation.

8. Utilities - Most utilities are available to the study area, including gas, water, electric and telephone service, and public sanitary sewer improvements. On-site stormwater drainage improvements, including inlets and a drainage ditch along the westerly property line, exist on the property; however, it is unclear how the drainage structures on the improved portion of the site have been impacted by the demolition activities. No off-site drainage improvements are present on Park Plaza Drive/Park Place in the vicinity of the site.

Public Service Electric and Gas Company (PSE&G) provides electric and gas service. "Will-serve" letters have been provided by United Water New Jersey and the Secaucus Municipal Utilities Authority for a proposed 469-unit residential development on the subject property. Although it appears these utilities can currently accommodate additional development in the area, upgraded service may be required to be provided based on the specific utility demands of future development on the site.

9. Other Redevelopment Areas in Close Proximity - The NJMC has not adopted any redevelopment areas proximate to the study area.

In Need of Redevelopment Study Area: FEMA Flood Zones
 Block 227, Lots 4.03 & 4.04, Secaucus



IV. FINDINGS

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

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

This criterion is not applicable to the study area. The buildings on the subject property have been demolished. The buildings were originally constructed to accommodate carpet wholesale merchants; however, vacancies of these tenant spaces increased due to market conditions in recent years. Although the buildings may have required some form of alteration to respond to market requirements, there were no known conditions at the site resulting in unwholesome living or working conditions.

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

This criterion is not applicable to the study area. The buildings on the subject property have been demolished. Based on a review of NJMC file history of the property, the last occupancy certifications at the property were issued in 2010, and an interior alteration was approved in 2011. Several tenant spaces in the ACIRO building on Lot 4.04 were renovated in 2006, and complied with the building codes in place at the time. It is not likely the former buildings at the property were substandard to the extent that they would have been deemed untenable.

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

This criterion is not applicable to the study area. The subject property is not publicly-owned, nor can it be characterized as unimproved vacant land that has remained so for a period of 10 years. The subject property was, until recently, improved with structures, pavement, and related improvements. The demolition of the structures on the property occurred pursuant to a demolition permit issued by the Town of Secaucus in October 2013. Additionally, the property is not remotely located and shares access roads with other properties in the Harmon Meadow complex, a regional commercial destination that may be accessed from the New Jersey Turnpike and Route 3. The site's topography is relatively flat and there is no evidence to the contrary showing the property cannot be

developed through the instrumentality of private capital. Rather, in anticipation of new development, a zoning certificate application (NJMC File No. 12-528 Hartz CC/Carpet Center Residential Development), was received on August 31, 2012, for the construction of a 469-unit residential development, including 94 affordable housing units.

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

A planning report prepared on behalf of Hartz Mountain Industries by Phillips Preiss Grygiel, LLC, (Phillips) dated August 2013 was submitted in support of a redevelopment area designation. The report states that a legitimate basis exists for the subject property to be deemed an area in need of redevelopment based on this particular criterion of the NJMC regulations. The report cites several reasons for this determination.

The Phillips report states the subject property, developed in the 1980s, was designed to accommodate a specific type of tenancy. The site was occupied by a carpet wholesale use, consisting of multiple tenant spaces, and a combination of showroom space to display the products offered by merchants and industrial space to accommodate the warehousing and distribution of merchandise. The report states that in the intervening thirty years, the buildings exhibited “outdated layout and designs and suffer from some level of functional obsolescence.” For example, the buildings on the property were constructed with minimal fenestration to minimize the adverse impacts of light on the merchandise. Additionally, the ORICA building was not equipped with freight elevators, and suitable conveyor systems were not available to the tenants. The report states that the buildings would “have little or no appeal in the marketplace for adaptive reuse or alternative uses.” The report further cites declining rents and an increase in vacancy rates in the buildings as a basis for the redevelopment of the property.

A review of the historic development of the property indicates the property was initially developed in 1982 in accordance with the Research Park zoning regulations in effect at that time. In 1985, a minor subdivision created Lots 4.03 and 4.04, with a zoning lot of record executed as a condition of minor subdivision approval to utilize the two parcels as a single lot for the purposes of zoning. The existing building developed on the site at that time (ACIRO) was situated on Lot 4.04, and the second building (ORICA) was approved on Lot 4.03 in 1985. One variance was granted in association with the building on Lot 4.03 to increase the maximum permitted number of loading berths from six berths to 10 berths. In all other instances, all required use and bulk regulations of the zone were met, with the buildings occupying 25 percent of the site. The property was rezoned to the Regional Commercial zone in 2004 as part of the NJMC’s adoption of a new Master Plan and zoning regulations. However, the site’s former developed condition was in compliance with the bulk requirements of the current zone as well,

which provides for up to 40 percent lot coverage. Therefore, the site did not exhibit excessive land coverage or lack in the provision of adequate light, air, or open space.

The Phillips report cites several physical characteristics of the former buildings that indicate they may not have been marketable in their recent condition. However, there is no evidence presented to show these characteristics rise to the level of being detrimental to the safety, health, and welfare of the community. The subject petition is absent of proofs that would bridge the gap between the assertion of the buildings' functional obsolescence and the need for a public redevelopment designation to assist in its redevelopment.

To the contrary, a review of neighboring properties in the area of the Harmon Meadow complex shows significant investment and redevelopment occurring in this area recently, and over the last decade, without a public redevelopment designation, including the following: (See Figure 8.)

1. Wal-Mart /Sam's Club - 300-400 Park Place (Block 227, Lot 4.05)
NJMC Files #03-099, #03-208, #03-245
A 130,000-square-foot big box retail store (Wal-Mart) and 155,000-square-foot big box retail club store (Sam's Club), received final certificate of completion and/or occupancy certification from the NJMC in February 2005.
2. Kerasotes Showplace 14 Movie Theater - 650 Plaza Drive (Block 227, Lot 5.03.01)
NJMC File #08-176
A new 69,000-square-foot movie theater was constructed on a surface parking area, and received final certificate of completion and/or occupancy certification in March 2010.
3. L.A. Fitness - 485 Harmon Meadow Boulevard (Block 227, Lot 7.09)
NJMC File #08-022
The subject premises was converted from a movie theater to a 45,000-square-foot fitness club, with final certificate of completion and/or occupancy certification issued in May 2010.
4. Concord Hotel - 800 Plaza Drive (Block 227, Lot 5.03.02)
NJMC File #11-245
A 114,000-square-foot, 154-room Concord Hotel is under construction on the site of a former movie theater, pursuant to NJMC zoning approval issued in February 2012.
5. Buffalo Wild Wings/Red Robin/Hotel - 450 Harmon Meadow Boulevard (Block 227.01, Lot 3)
NJMC Files #12-307, #12-658, #13-113
This property is in the process of being redeveloped from an office building, formerly used as a studio for NBA Entertainment, to a hotel and two restaurants. An 8,443-square-foot Buffalo Wild Wings restaurant received final certificate of completion and/or occupancy certification in December 2013, a 6,487-square-foot

Red Robin restaurant received final certificate of completion and/or occupancy certification in February 2014, and a 175-room hotel has received zoning approval.

Furthermore, significant development and redevelopment of other properties owned by Hartz Mountain Industries and/or affiliated property owners has occurred in the greater Harmon Meadow complex along Mill Creek Drive area in recent years, including the redevelopment of the Mill Creek Mall to accommodate bigger box retail development in 2010, including a Toys R Us/Babies R Us and Bob's Discount Furniture stores, and the construction of a new 118,000-square-foot retail building at 200 Mill Creek Drive, including Marshalls/Home Goods and Petsmart retail tenants, occupied in 2005.

In addition to the documented development activity on surrounding properties, it should be noted that there is active development interest in the subject property. The property owner submitted a zoning certificate application on August 31, 2012, for the construction of a 469-unit residential development, including 94 affordable housing units, on the parcels within the study area, and the NJMC Board of Commissioners deemed the site suitable for housing development on March 26, 2014. The site appears to be undergoing preparation for this proposed new development as evidenced by the demolition of the buildings on the site. Additionally, an application for a Waterfront Development Permit was filed with the NJDEP in April 2014.

In Need of Redevelopment Study Area: Recent Development in Harmon Meadow



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

This criterion is not applicable to the study area. The subject property is owned by Hartz Mountain Industries and an affiliated entity, the principal developer and property owner of many other properties within the Harmon Meadow complex area.

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

This criterion is not applicable to the study area. The buildings on the property have been voluntarily demolished by the property owner.

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

This criterion is not applicable to the study area. The subject property is not located within a New Jersey Urban Enterprise Zone.

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

To the best of our knowledge, there is no known contamination in the study area. The subject property is not a Federal Superfund site subject to CERCLA, nor does it appear on the New Jersey Known Contaminated Sites List. Therefore, this criterion is not applicable to the study area.

V. RECOMMENDATIONS

Based on the record in this matter, the NJMC staff has determined that the specific conditions listed at N.J.A.C. 19:3-5.7 required to exist to establish redevelopment areas do not exist at 100 Park Plaza Drive, Block 227, Lots 4.03 and 4.04, in the Town of Secaucus.

The principal intent of the NJMC redevelopment process is to assist the development of properties within the District which meet the specific characteristics enumerated in the NJMC's redevelopment criteria at N.J.A.C. 19:3-5.7, and, as such, would otherwise face significant development challenges absent of public incentives.

The application of the redevelopment process is not suitable with respect to the property in question. Properties within the thriving Harmon Meadow complex area have been undergoing substantial new construction, reconstruction, and redevelopment absent of the public redevelopment process, as detailed in this report. Given the active development occurring on surrounding properties, the site's dynamic development status (inclusive of development applications to the NJMC and NJDEP, the NJMC Board of Commissioners' March 26, 2014 determination that the site is suitable for housing development, and the demolition of existing buildings on the property), as well as a comprehensive review of the particular physical characteristics of the property, the findings and evidence in this matter do not support a determination that the subject property be deemed an area in need of redevelopment.

Therefore, the NJMC staff recommends that the Board of Commissioners of the New Jersey Meadowlands Commission make a determination that the properties in the subject study area, 100 Park Plaza Drive, Block 227, Lots 4.03 and 4.04, in the Town of Secaucus, do not satisfy the regulatory criteria to be declared an area in need of redevelopment, and do not exhibit blighted conditions.

**RESOLUTION AUTHORIZING NJMC STAFF
TO INVESTIGATE THE REDEVELOPMENT POTENTIAL OF
100 PARK PLAZA DRIVE, BLOCK 227, LOTS 4.03 & 4.04, IN SECAUCUS, NJ**

WHEREAS, N.J.S.A. 13:17-21 authorizes the New Jersey Meadowlands Commission (NJMC) to prepare and adopt redevelopment plans for areas determined to be renewal areas within the Hackensack Meadowlands District for the purpose of redevelopment; and

WHEREAS, a petition, dated August 6, 2013, was received from Hartz Mountain Industries, Inc./100 Park Plaza Drive LLC requesting that the NJMC investigate the redevelopment potential of Block 227, Lots 4.03 and 4.04, in the Town of Secaucus; and

WHEREAS, N.J.A.C. 19:3-5.1 *et seq.* provides the procedures for designating an area within the Meadowlands District as an area in need of redevelopment; and

WHEREAS, the NJMC staff must request authorization from the Commission to conduct an investigation of areas that may potentially be deemed in need of redevelopment; and

WHEREAS, the NJMC staff requests authorization to conduct an investigation of Block 227, Lots 4.03 and 4.04, in Town of Secaucus to examine their redevelopment potential; and

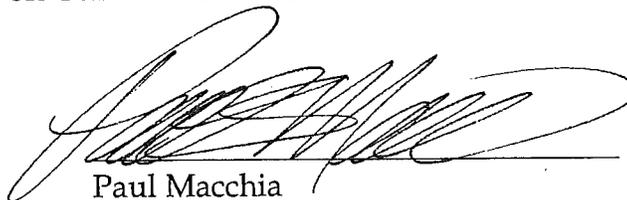
WHEREAS, the NJMC staff has compiled preliminary information regarding the subject properties in accordance with the requirements of N.J.A.C. 19:3-5.2 to support this request; and

WHEREAS, pursuant to N.J.A.C. 19:3-5.4, the NJMC staff requests authorization to prepare an "In Need of Redevelopment Report" and hold a public hearing to obtain public comment on the report and its findings.

NOW, THEREFORE, BE IT RESOLVED, that the NJMC staff is hereby authorized to conduct an investigation of Block 227, Lots 4.03 and 4.04, in Town of Secaucus to examine their redevelopment potential; and

BE IT FURTHER RESOLVED, that the NJMC staff is hereby authorized to prepare an "In Need of Redevelopment Report" pursuant to N.J.A.C. 19:3-5.4 and hold a public hearing to obtain public comment on the report and its findings.

The foregoing was adopted on Commission vote.



Paul Macchia
Acting Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of November 25, 2013.



Marcia A. Karrow
Secretary

Resolution No. 13-45

Motion Second Roll Call

Memorandum

New Jersey Meadowlands Commission

NJMC Commissioners and Marcia A. Karrow, Executive Director

To: _____
From: Sara J. Sundell _____ Date: November 25, 2013
Subject: Authorization to Conduct Secaucus In-Need of Redevelopment Study (File SP-716)

A petition dated August 6, 2013, was received by the New Jersey Meadowlands Commission (NJMC) from Hartz Mountain Industries, Inc./100 Park Plaza Drive LLC, requesting that the NJMC investigate the redevelopment potential of 100 Park Plaza Drive, Block 227, Lots 4.03 and 4.04, in Secaucus. The properties are located in Harmon Meadow Plaza and are commonly known as the Carpet Center.

The NJMC staff undertook a preliminary analysis of properties in this vicinity and prepared a summary report of its findings. Pursuant to N.J.A.C. 19:3-5.2, the NJMC staff requests authorization from the Board of Commissioners to conduct an investigation of the redevelopment potential of Block 227, Lots 4.03 and 4.04, in the Town of Secaucus to determine if they contain the conditions to be designated an area in need of redevelopment. The results of this investigation will be compiled in an "In Need of Redevelopment" report, in accordance with the requirements of N.J.A.C. 19:3-5.4.

Authorization is also requested to hold a public hearing to obtain public comment on this report and its findings.

**REQUEST FOR AUTHORIZATION
REDEVELOPMENT INVESTIGATION OF
100 PARK PLAZA DRIVE
BLOCK 227, LOTS 4.03 & 4.04
TOWN OF SECAUCUS, NEW JERSEY**

The New Jersey Meadowlands Commission (NJMC) received a petition from Hartz Mountain Industries, Inc./100 Park Plaza Drive LLC, in a letter dated August 6, 2013, to investigate the redevelopment potential of Block 227, Lots 4.03 and 4.04, in the Town of Secaucus, New Jersey. The properties are located in Harmon Meadow Plaza and are commonly known as the Carpet Center.

Pursuant to N.J.A.C. 19:3-5.2, the NJMC staff must request authorization from the Commission to conduct an investigation of areas that may potentially be deemed in need of redevelopment. The request for authorization must include the following:

1. The block and lot number designation of the properties;
2. The existing zoning and land use of the properties;
3. A map showing the boundaries of the area to be investigated;
4. A description of all existing structures on each site; and
5. A statement indicating why the property may be in need of redevelopment.

The NJMC staff conducted a preliminary review and field inspection of the Carpet Center properties.

The proposed study area is comprised of two (2) tax lots, totaling 13.6 acres in area. The subject properties front on Park Plaza Drive and are located in the northeast corner of Harmon Meadow Plaza, a regional commercial development comprised of retail establishments, hotels, offices, a convention center, movie theater, health club and multiple parking decks. The study area is bounded on the west by the parking lot of a Wal-Mart and Sam's Club big box development, on the south by the Harmon Meadow Plaza development, on the east by an undeveloped portion of the Regional Commercial zone, and on the north by a property located in the Environmental Conservation zone and consisting primarily of wetlands.

The study area is delineated by a yellow boundary line on Figure 1. Properties within Block 227 are located in the Commission's Regional Commercial zone, as shown on the existing zoning map for the redevelopment study area on Figure 2.

The subject lots contain two interconnected buildings, totaling approximately 331,000 square feet, which have been utilized as showroom space by carpet wholesalers. The

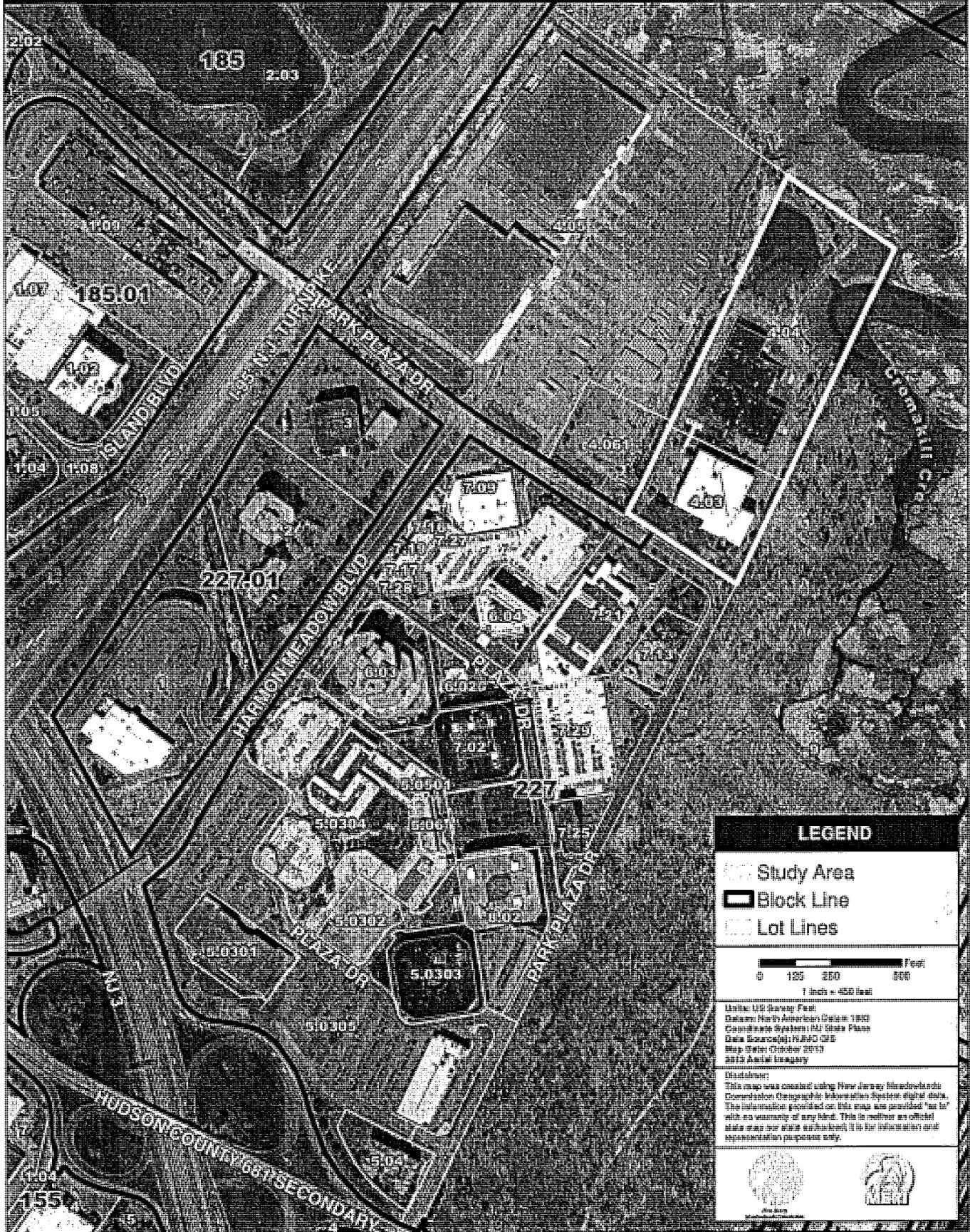
building located on Lot 4.03 is a 170,910 square-foot structure with three-stories over ground level parking. The building located on Lot 4.04 is a two-story, 160,440 square-foot steel-frame structure.

The petitioner has submitted a planning report, prepared for Hartz Mountain Industries, Inc. by Phillips Preiss Grygiel LLC, dated August 2013, which states that the study area should be declared in need of redevelopment in accordance with criteria no. 4, as per NJMC regulations at N.J.A.C. 19:3-5.7(a)4, which refers to "areas with buildings or improvements that, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community."

Conclusion:

Based on the above information, the NJMC staff requests authorization to conduct a more detailed study of the subject properties to analyze their redevelopment potential. The findings of this investigation will be compiled into an "In Need of Redevelopment Report," in accordance with the requirements of N.J.A.C. 19:3-5.4, and a public hearing will be held to obtain public comment on the report and its findings.

Figure 1 – Redevelopment Study Area
Block 227, Lots 4.03 & 4.04, Secaucus



LEGEND

-  Study Area
-  Block Line
-  Lot Lines

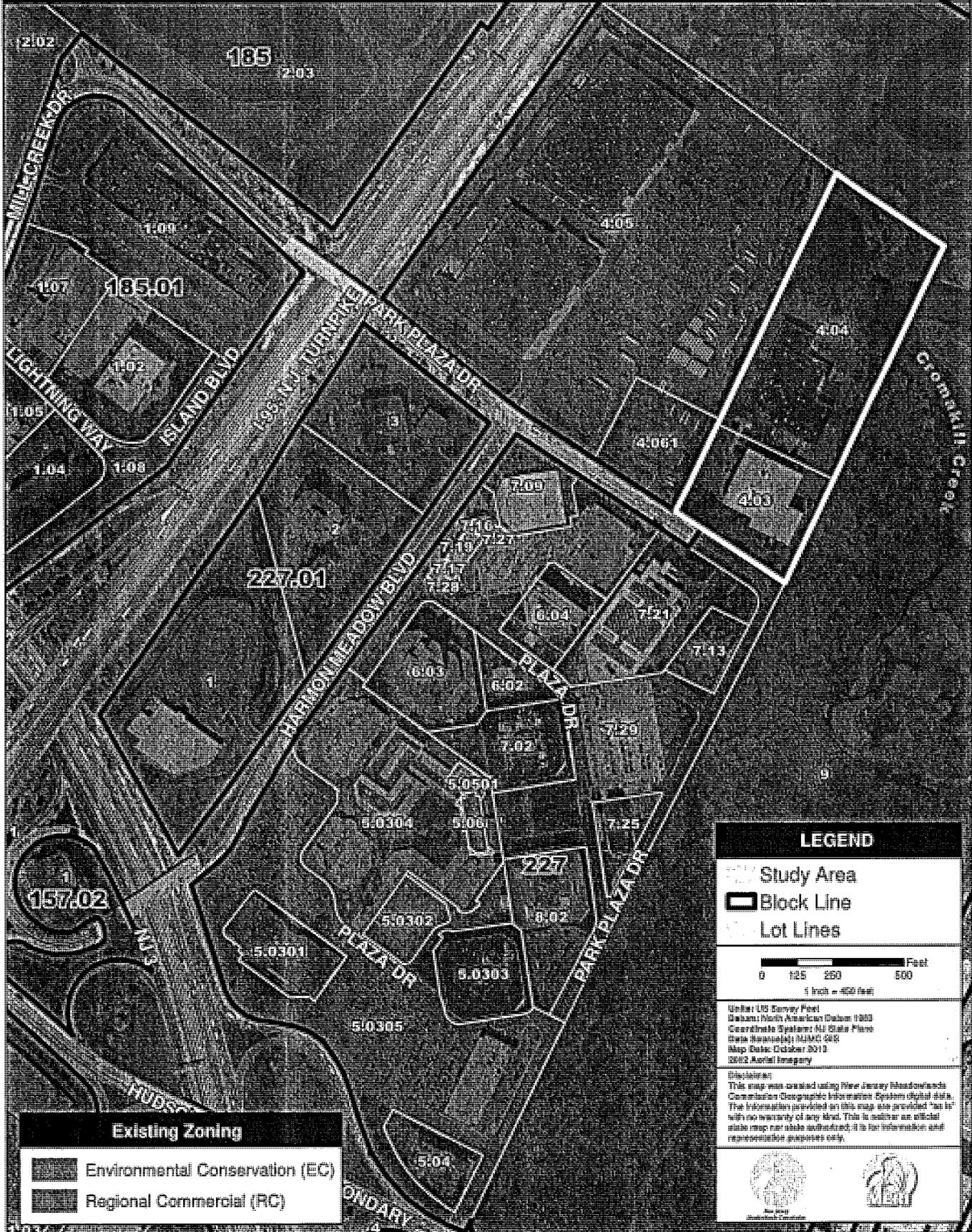


Units: US Survey Feet
 Datum: North American Datum 1983
 Coordinate System: NAD State Plane
 Data Source(s): PLAND GIS
 Map Date: October 2019
 2019 Aerial Imagery

Disclaimer:
 This map was created using New Jersey Interactive Geographic Information System digital data. The information provided on this map is provided "as is" with no warranty of any kind. This is neither an official state map nor state endorsement. It is for information and representation purposes only.



Figure 2 – Redevelopment Study Area: Existing Zoning
 Block 227, Lots 4.03 & 4.04, Secaucus



**RESOLUTION ISSUING A DECISION ON THE
SUITABILITY RECOMMENDATION AS REQUIRED BY THE
NJMC INTERIM POLICIES GOVERNING AFFORDABLE HOUSING
DEVELOPMENT IN THE MEADOWLANDS DISTRICT
FILE NO. 12-528, HARTZ CC/CARPET CENTER RESIDENTIAL DEVELOPMENT
BLOCK 227, LOTS 4.03 and 4.04
IN THE TOWN OF SECAUCUS**

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

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

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

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

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

WHEREAS, the *Interim Policies*, last revised by Resolution No. 11-29 on July 27, 2011, govern all zoning certificate applications, petitions to amend the Official Zoning Map, new redevelopment plans, and proposed amendments to a redevelopment plan pertaining to new proposed uses or changes to existing uses, received on or after July 24, 2008 and remain in effect until the NJMC promulgates new regulations concerning affordable housing, or the *Interim Policies* are withdrawn or rescinded by Commission action or court order, whichever occurs first; and

WHEREAS, a property owner or applicant may, in addition, request that the Commission evaluate the suitability of a particular site for housing in a zone that does not permit residential dwellings as a principal use in accordance with Subsection V.(a) of the *Interim Policies*; and

WHEREAS, the *Interim Policies*, in Subsection VI.(c), permit a developer to request an increase to the maximum permitted density for the zone; and

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

WHEREAS, the NJMC has received a Site Suitability application from Hartz Carpet II LP and 100 Park Plaza Drive LLC, regarding the property located at 100 Park Plaza Drive, Block 227, Lots 4.03 and 4.04 in the Town of Secaucus, New Jersey; and

WHEREAS, the applicant proposes to construct a four-story residential development, with up to 469 units, inclusive of a 20% affordable housing unit set-aside for households of low or moderate-income; and

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

WHEREAS, a public hearing was held on October 22, 2013 to receive public comment on the Site Suitability application; and

WHEREAS, the Review Team reviewed the comments made at the public hearing from David B. Drumeler, Esq., Town Administrator of Secaucus, who indicated that the Town of Secaucus is supportive of the project and that the Town and the Secaucus Board of Education had each previously passed a resolution supporting the project; and

WHEREAS, a suitability review public hearing report, dated January 31, 2014, and attached hereto, has been prepared, indicating the recommendation of the Review Team in this matter; and

WHEREAS, the suitability review public hearing report recommends that the subject property is deemed suitable for residential use subject to certain conditions; and

WHEREAS, the matter was forwarded to the Hackensack Meadowlands Municipal Committee (HMMC) on January 31, 2014, and no comments were provided by the HMMC during its 45-day comment period, which ended on March 12, 2014; and

WHEREAS, the members of the NJMC have reviewed the suitability review public hearing report and recommendation prepared by the Review Team, regarding the subject property; and

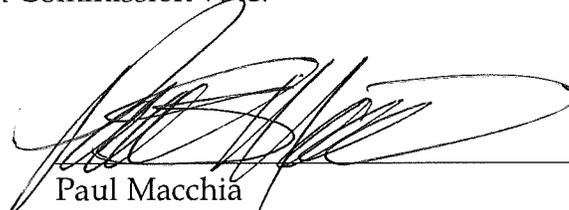
WHEREAS, the members of the NJMC concurs with the recommendation of the Review Team; and

WHEREAS, the NJMC hereby determines that the subject property is deemed suitable for residential use.

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey Meadowlands Commission, that the subject property located at 100 Park Plaza Drive, Block 227, Lots 4.03 and 4.04 in the Town of Secaucus, is deemed suitable for residential use subject to the following conditions:

1. The developer shall provide the number of affordable units as required by law.
2. To ensure a successful mixed-use community, the developer shall provide improvements, both within the subject residential development and within the rest of the Harmon Meadow complex, for safe pedestrian circulation and access from the proposed residential development to the rest of the Harmon Meadow complex, including provisions for accessibility.
3. The developer shall repair and maintain the existing natural pathways located within the wetland preservation area on the subject property for the benefit of the residents and the general public.

The foregoing was adopted on Commission vote.



Paul Macchia
Acting Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of March 26, 2014.



Marcia A. Katrow
Secretary

Resolution No. 14-13

Motion Second Roll Call

**TOWN OF SECAUCUS
COUNTY OF HUDSON**

**RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPER'S
AGREEMENT BETWEEN 100 PARK PLACE DRIVE L.L.C.
AND THE TOWN OF SECAUCUS**

WHEREAS, 100 Park Place Drive L.L.C. and the Town are desirous to enter into a Developer's Agreement, (the "Developer's Agreement"), in connection with the residential development of property (the "Project"), located at 100 Park Place Drive; and

WHEREAS, 100 Park Place Drive L.L.C. desires to construct the project to include no more than 500 luxury residential rental units; and

WHEREAS, 100 Park Place Drive L.L.C. has agreed to comply with all applicable C.O.A.H. requirements as well as negotiate and enter into any agreements necessary with the Secaucus Affordable Housing Board; and

WHEREAS, 100 Park Place Drive L.L.C. has agreed that any affordable requirement will be inclusive of the 500 units; and

WHEREAS, 100 Park Place Drive L.L.C. has agreed that, with the exception any bedroom distribution required by C.O.A.H., the project will not include any units with more than two bedrooms; and

WHEREAS, 100 Park Place Drive L.L.C., has agreed that approximately 55% of the units will be studio and one bedroom units and approximately 45% two bedroom units, exclusive of the bedroom distributions required by C.O.A.H.; and

WHEREAS, the developer has agreed to pay the Town of Secaucus an impact fee of \$3,200 per market rate unit upon the issuance of a certificate of occupancy; and

WHEREAS, the developer has agreed to pay the Town of Secaucus \$97,000 to purchase two school buses upon the signing of said developers agreement; and

WHEREAS, the developer has agreed that any roads within the development will be private roads to be maintained by the property owner.

NOW, THEREFORE, be it resolved that the Administrator is authorized to negotiate and sign a developers agreement that memorializes the above referenced recitations as if set forth in their entirety herein.

Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor & Council on 7-3-12
Michael Marra Mayor
Town Clerk

I, Michael Marra, Town Clerk of the Town of Secaucus, County of Hudson, do hereby certify that the above is a true copy of a resolution approved by the Mayor and Town Council on 7-3-12
Michael Marra
Michael Marra, Town Clerk

Motion SP	Yes	No	Abstain	Absent
Second: WM				
Councilman Jeffas				✓
Councilman Costantino	✓			
Councilman McKeever	✓			
Councilman Clancy	✓			☉
Councilwoman Pirro	✓			
Deputy Mayor Bueckner				✓
Mayor Conelli	✓			

R1.1

**RESOLUTION OF THE BOARD OF EDUCATION
TOWN OF SECAUCUS, COUNTY OF HUDSON
STATE OF NEW JERSEY**

INTRODUCED BY: Mr. Lewis

SECONDED BY: Mrs. Snedeker

RESOLUTION

WHEREAS, the Secaucus Board of Education ("Board") has learned that a developer, 100 Park Place Drive, LLC ("Developer"), intends to construct a luxury rental project ("Project") in the Town of Secaucus ("Town"), and that said development may include up to 500 rental units comprised of, among other things, studio apartments, one bedroom and two bedroom apartments, exclusive of any Council on Affordable Housing ("COAH") requirements; and

WHEREAS, the Town has entered into negotiations with the Developer to execute a Developer's Agreement, which would result in the Developer paying the Town \$97,000 to purchase two school buses, plus an impact fee of \$3,200 per market rate unit; and

WHEREAS, the Town has agreed that the above amounts will be provided to the Board for the purpose of expanding the Secaucus Middle School;

NOW, THEREFORE, BE IT RESOLVED that the Board, in light of the proposed agreement between the Town and the Developer as detailed above, hereby expresses its support of the Project; and

BE IT FURTHER RESOLVED that the Board shall work cooperatively with the Town in an effort to utilize portions of the proceeds from the increased tax revenue generated by the development to defray a portion of any debt service incurred due to any expansion of the Secaucus Middle School.

ROLL CALL VOTE:

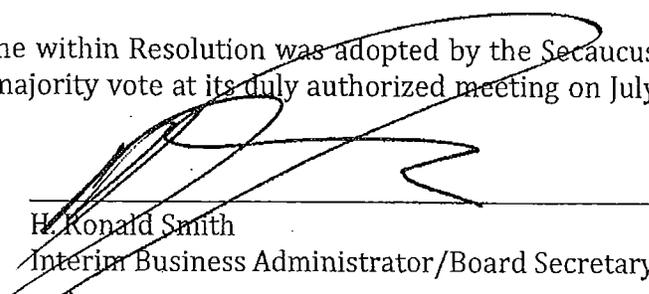
AYES: 8

NAYS: 0

ABSTENTIONS: 0

CERTIFICATION

I hereby certify that the within Resolution was adopted by the Secaucus Board of Education by a majority vote at its duly authorized meeting on July 3, 2012.



H. Ronald Smith

Interim Business Administrator/Board Secretary

Dated: July 3, 2012

I hereby certify that this is a true and correct copy of a resolution duly adopted by the Secaucus Board of Education at its Regular meeting on

RECEIVED/NJMC

AUG 31 2012

LAND USE MANAGEMENT

DEVELOPER'S AGREEMENT
BETWEEN
100 PARK PLAZA DRIVE, LLC
AND
THE TOWN OF SECAUCUS

THIS DEVELOPER'S AGREEMENT ("Agreement") is made this ____ day of July, 2012, by and between 100 Park Plaza Drive, LLC ("Developer"), a limited liability company of the State of New Jersey, having its principal office at 400 Plaza Drive, Secaucus, New Jersey 07094 and the Town of Secaucus (the "Town"), having its principal office at the Municipal Building, Paterson Plank Road, Secaucus, New Jersey 07094.

RECITALS

WITNESSETH:

WHEREAS, Developer is the owner of the property designated as Block 227, Lots 4.03 and 4.04 (the "Property"), which property is located at 100 Park Place within the Harmon Meadow Development; and

WHEREAS, Developer proposes to redevelop the Property for residential use to contain up to 500 residential units; and

WHEREAS, Developer and the Town wish to enter into a Developer's Agreement to address anticipated impacts upon municipal and education services and facilities; and

WHEREAS, by resolution of the Town Council dated July 3, 2012, the Town authorized the execution of a Developer's Agreement with Developer ("Resolution").

NOW, THEREFORE, in consideration of the mutual covenants herein contained, and for other good and valuable consideration, it is mutually covenanted and agreed as follows:

ARTICLE I

PROPOSED DEVELOPMENT

Section 1.1 Projected Number of Residential Units

A. Developer is in the process of preparing plans for the redevelopment of the Property. The Property has an area of 13.64 acres and is currently developed as a warehouse/wholesale facility. Developer, pending final design, is proposing to redevelop the Property with up to 500 residential rental units, including any affordable units that may be required to be built on-site.

B. Developer agrees to comply with all applicable C.O.A.H. requirements and to enter into any agreements with the Secaucus Affordable Housing Board necessary pursuant to C.O.A.H. Regulations.

C. With the exception of any 3 bedroom units required to comply with C.O.A.H., the Project will not include any units with 3 or more bedrooms.

D. Exclusive of any 3 bedroom units required by C.O.A.H., approximately 55% of the market rate units will be studio and 1 bedroom units and approximately 45% 2 bedroom units.

ARTICLE II

PROJECT IMPACT FEE

Section 2.1 Impact Fee

Consistent with the findings of the Project Impact Assessment and to further mitigate potential fiscal impacts of the Project upon municipal and education services and facilities within the Town, Developer shall pay to the Town an impact fee ("Impact Fee"). The Impact Fee shall have two (2) components as detailed below and shall be payable as follows:

A. Developer shall pay to the Town the amount of \$3,200.00 per unit for each market-rate unit constructed (i.e. excluding affordable units). Impact Fee payments shall be made upon receipt of a Certificate of Occupancy for the Project or if the Project is undertaken in phases, the Impact Fee payment shall be made upon the receipt of a Certificate of Occupancy for the number of units contained in each phase of the Project.

B. Upon execution of this Developer's Agreement, the Town shall have the right to request in writing that the Developer make payment of an additional Impact Fee in support of the Town's education program. This additional Impact Fee shall be in the amount of \$97,000.00 and shall be made by Developer within 10 days of the receipt of the Town's written request for the payment.

ARTICLE III

Section 3.1 Certified Mail

Any notice to be sent by either party to the other shall be sent by certified or registered mail, return receipt requested.

Section 3.2 Sent by Town

When sent by the Town to Developer, the notice shall be addressed to:

General Counsel
Hartz Mountain Industries, Inc.
400 Plaza Drive
Secaucus, New Jersey 07094

With a copy sent to:

Irwin A. Horowitz, Esq.
Horowitz, Rubino & Patton
400 Plaza Drive
Secaucus, New Jersey 07096

Unless prior of giving of notice, Developer shall have notified the Town in writing otherwise.

Section 3.3 Sent by Developer

When sent by Developer, it shall be addressed to:

Municipal Clerk
Town of Secaucus
Municipal Building
Paterson Plank Road
Secaucus, New Jersey 07094

With separate copies sent to the Town Counsel and the Mayor of the Town of Secaucus.

ARTICLE IV

COOPERATION OF PARTIES

Section 4.1 Cooperation

The Town and Developer agree to cooperate and work with each other in support of any applications or petitions filed with any governmental entity, including the New Jersey Department of Environmental Protection and the New Jersey Meadowlands Commission, necessary for the approval and development of the Project.

ARTICLE V

SEVERABILITY

Section 5.1 Severability

If any term, covenant or condition of this Agreement shall be judicially declared to be invalid or unenforceable, the remainder of this Agreement or the application of such term, covenant or condition to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term, covenant or condition of this Agreement shall be valid and be enforced to the fullest extent permitted by law.

ARTICLE VI

ORAL REPRESENTATIONS

Section 6.1 Entire Agreement

There have been no oral representations made by either of the parties hereto which are not contained in this Agreement. This Agreement and the Resolution authorizing this Agreement constitute the entire Agreement between the parties and there shall be no modifications thereto other than by a written instrument approved and executed by and delivered to each.

ARTICLE VII

BINDING EFFECT

Section 7.1 Binding Effect

This Agreement shall be binding upon the Town and the Developer and their successors and assigns.

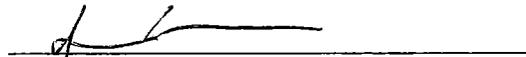
IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written.

ATTEST:

100 PARK PLAZA DRIVE, LLC

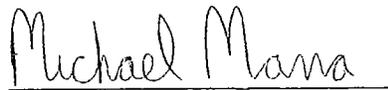


By:

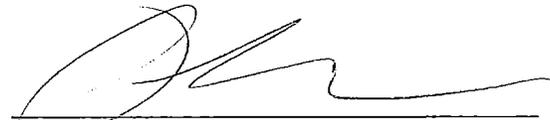

Irwin A. Horowitz
Executive Vice President

ATTEST:

THE TOWN OF SECAUCUS


Michael Marra
Town Clerk

By:


David Drumeler
Town Administrator

TOWN OF SECAUCUS
CONSTRUCTION CODE DEPT.
201-330-2027

**UCC NEW JERSEY
CONSTRUCTION
PERMIT**

Date Issued 10/17/13
Control #
Permit # 13-746

IDENTIFICATION Block 227 Lot 4.03-4.04 Qual _____

Work Site Location 100 PARK PL. DR., NORTH & SOUTH

Contractor HARTZ MOUNTAIN IND
Address 400 PLAZA DRIVE

Owner in Fee HARTZ MOUNTAIN IND
Address 400 PLAZA DRIVE
SECAUCUS, NJ 0794 -

Telephone (201) 272-5402
Lic. No. or Bldrs. Reg. No. _____
Federal Emp. No. 13-2670903

Telephone (201) 348-1200

Is hereby granted permission to perform the following work:

- BUILDING PLUMBING LEAD HAZARD ABATEMENT
 - ELECTRICAL FIRE PROTECTION DEMOLITION
 - ELEVATOR DEVICES ASBESTOS ABATEMENT OTHER _____
- (Subchapter 8 only)

DESCRIPTION OF WORK:
DEMOLITION OF TWO BUILDINGS, USED AS CARPET CENTERS

NOTE: If construction does not commence within one (1) year of date of issuance, or if construction ceases for a period of six (6) months, this permit is void.

Estimated Cost of Work \$ 250,000


Construction Official _____ 10/17/13
Date

PAYMENTS (Office Use Only)

Building _____ 600

Electrical _____ 0

Plumbing _____ 0

Fire Protection _____ 0

Elevator Devices _____ 0

Other _____

DCA State Permit Fee _____ 0

Cert. of Occupancy _____ 0

Other _____

Total _____ 600

Check No. 11079/11083

Cash _____

Collected By ZB

TOWN OF SECAUCUS
CONSTRUCTION CODE DEPT.
201-330-2027

**UCC NEW JERSEY
BUILDING
SUBCODE
TECHNICAL SECTION**

Date Received 10/16/13
Date Issued 10/17/13
Control #
Permit # 13-746

A. IDENTIFICATION-APPLICANT: COMPLETE ALL APPLICABLE INFORMATION. WHEN CHANGING CONTRACTORS, NOTIFY THIS OFFICE. CALL UTILITY DIG NO: 1-800-272-1000
Block 227 Lot 4.03-4.04 Qual
Work Site Location 100 PARK PL. DR., NORTH & SOUTH

C. CERTIFICATION IN LIEU OF OATH
I hereby certify that I am the (agent of) owner of record and am authorized to make this application.

Owner in Fee HARTZ MOUNTAIN IND
Address 400 PLAZA DRIVE
SECAUCUS, NJ 0794 -

Signature _____

Tele. (201) 348-1200
Contractor HARTZ MOUNTAIN IND

D. TECHNICAL SITE DATA
DESCRIPTION OF WORK

Address 400 PLAZA DRIVE
SECAUCUS, NJ 07094-

DEMOLITION OF TWO BUILDINGS, USED AS CARPET CENTERS

Tele. (201) 272-5402 Fax () -
Lic. No. or Bldrs. Reg. No. _____
Federal Emp. No. 13-2670903

JOB SUMMARY (Office Use Only)	INSPECTIONS	Dates (Month/Day)
PLAN REVIEW	Type:	Failure Approval Initial
<input type="checkbox"/> No Plans Req	Footing	
<input type="checkbox"/> All	Footing Bond	
<input type="checkbox"/> Foot/Found	Foundation	
<input type="checkbox"/> Struct/Frame	Slab	
<input type="checkbox"/> Exterior	Frame	
<input type="checkbox"/> Interior	Truss/Brac	
Joint Plan Review Required:	BarrierFree	
<input type="checkbox"/> Elect <input type="checkbox"/> Plumb <input type="checkbox"/> Fire	Insulation	
SUBCODE APPR - PERRM <input type="checkbox"/> Elev	Finishes-Bas	
Date:	Finishes-Fin	
Approved By:	Energy	
SUBCODE APPR - CERTIF	Mechanical	
<input type="checkbox"/> CO <input type="checkbox"/> CCO <input type="checkbox"/> CA	TCCO	
Date:	Other	
Approved By:	Final	
	BarrierFree	

TYPE OF WORK	EST. COST OF BLDG. WORK:	FEE (Office Use Only)
<input type="checkbox"/> New Building	1. New Bldg. \$ 0	\$ 0
<input type="checkbox"/> Addition	2. Alteration \$ 250,000	0
<input type="checkbox"/> Rehabilitation	3. Total (1+2) \$ 250,000	0
<input type="checkbox"/> Roofing		0
<input type="checkbox"/> Siding		0
<input type="checkbox"/> Fence		0
<input type="checkbox"/> Sign		0
<input type="checkbox"/> Pool - Above Ground		0
<input type="checkbox"/> Pool - In Ground		0
<input type="checkbox"/> Asbestos Abatement Subchapter 8		0
<input type="checkbox"/> Lead Haz. Abatement NJAC 5:17		0
<input type="checkbox"/> Other		0
Other		0
Other		0
[X] Demolition		300

B. BUILDING CHARACTERISTICS
Use Group Present B- Proposed U
Constr. Class Present Proposed
No. of Stories 3
Height of Structure 31 Ft.
Area Largest Floor 5,001 Sq. Ft.
New Bldg. Area/All Floors 0 Sq. Ft.
Volume of New Structure 0 Cu. Ft.
Total Land Area Disturbed 0 Sq. Ft.

Administrative Surcharge \$
Minimum Fee \$ 300
TOTAL FEE \$ 600
State Permit Surcharge Fee \$ 0



BUILDING SUBCODE TECHNICAL SECTION



A. IDENTIFICATION—APPLICANT: COMPLETE ALL APPLICABLE INFORMATION. WHEN CHANGING CONTRACTORS, NOTIFY THIS OFFICE. CALL UTILITY DIG NO: 1-800-272-1000.

Block 227 Lot 4.02 Qualification Code _____
Work Site Location SECARIS BLVD

Owner In Fee: LINDA M.T. IND e-mail _____

Tel. (201) 272-5402 e-mail _____

Address 400 PIZZA DRIVE street municipality zip code

Contractor: _____ Tel. (____) _____ e-mail _____

Address _____ street municipality zip code

Contractor License No. or Builder Registration No. _____ Exp. Date _____

Home Improvement Contractor Registration No. or Exemption Reason (if applicable): _____

Federal Emp. ID No. _____ FAX: (____) _____

JOB SUMMARY (Office Use Only)

PLAN REVIEW	Date	Initial	INSPECTIONS	Type:	Failure	Dates (Month/Day)	Approval	Initial
<input checked="" type="checkbox"/> No Plans Required	<u>10/12/07</u>	<u>CC</u>		Footing				
<input type="checkbox"/> All				Footing Bonding				
<input type="checkbox"/> Footings/Foundations				Foundation				
<input type="checkbox"/> Structural/Framework				Slab				
<input type="checkbox"/> Exterior				Frame				
<input type="checkbox"/> Interior				Truss Sys./Bracing				
Joint Plan Review Required:				Barrier-Free				
<input type="checkbox"/> Elec. <input type="checkbox"/> Plumb. <input type="checkbox"/> Fire <input type="checkbox"/> Elevator				Insulation				
SUBCODE APPROVAL for PERMIT				Finishes -Base Layer				
Date:				Finishes -Final				
Approved by:				Energy				
				Mechanical				
SUBCODE APPROVAL for CERTIFICATE				TCO				
<input type="checkbox"/> CO <input type="checkbox"/> CCO <input type="checkbox"/> CA				Other				
Date:				Final				
Approved by:				Barrier-Free				

B. BUILDING CHARACTERISTICS

Use Group Present _____ Proposed _____

No. of Stories _____

Height of Structure _____ ft.

Area — Largest Floor _____ sq. ft.

New Bldg. Area/All Floors _____ sq. ft.

Volume of New Structure _____ cu. ft.

Max. Live Load _____

Max. Occupancy Load _____

Const. Class Present _____ Proposed _____

If Industrialized Building: State Approved _____ HUD _____

Est. Cost of Bldg. Work:

- New Bldg. \$ _____
- Rehabilitation \$ _____
- Total (1+2) \$ 121,000

U.C.C. F110 (rev. 12/07)

C. CERTIFICATION IN LIEU OF OATH

I hereby certify that I am the (agent of) owner of record and am authorized to make this application.

Signature _____

D. TECHNICAL SITE DATA

DESCRIPTION OF WORK

DEMOLISH EXISTING FORMER "CARLET CTR. BLDG."

TYPE OF WORK:

- New Building
- Addition
- Rehabilitation
- Roofing
- Siding
- Fence _____ Height (exceeds 6') _____ Sq. Ft.
- Sign _____ Sq. Ft.
- Pool
- Retaining Wall _____ Sq. Ft.
- Asbestos Abatement Subchapter 8
- Lead Haz. Abatement NJAC 5:17
- Radon Remediation
- Other _____
- Demolition

FEE (Office Use Only)

Administrative Surcharge \$ _____

Minimum Fee \$ _____

State Permit Surcharge Fee \$ _____

TOTAL FEE \$ _____

1 White = Inspector Copy

2 Canary = Office Copy

3 Pink = Office Copy

4 Gold = Applicant Copy

Date Received 10-16-07

Control # 02134665

Date Issued 10-17-07

Permit # 13-746

April 9, 2014

Ms. Sara Sundell
The New Jersey Meadowlands Commission
Richard W. DeKorte Park
One DeKorte Park Plaza
Lyndhurst, NJ 07071

**Regarding: Individual Upland Waterfront Development Permit
100 Park Plaza Drive
Block 227, Lots 4.03 & 4.04
Secaucus, Hudson County, New Jersey**

Dear Ms. Sundell:

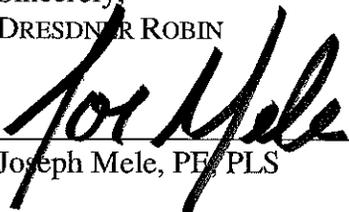
This letter is to provide you with legal notification that applications will be submitted to the New Jersey Department of Environmental Protection, Division of Land Use Regulation Program for an Individual Upland Waterfront Development Permit. The proposed project includes the redevelopment of an existing commercial property with (3) residential mid-rise apartment buildings and associated site improvements.

Enclosed please find the following in support of our application:

- *One (1) copy of the completed LURP application form*
- *One (1) copy of the "Dimensional Site Plan"*

Thank you for your time and attention. If you have any questions concerning this submittal, contact me at (201) 214-9200, extension 276.

Sincerely,
DRESDNER ROBIN



Joseph Mele, PE, PLS





State of New Jersey
Department of Environmental Protection
 Division of Land Use Regulation Application Form (DLUR)
 501 E. State Street Mail Code 501-02A P.O. Box 420
 Trenton, NJ 08625-0420
 Phone #: (609) 777-0454 Web: www.nj.gov/dep/landuse



Please print legibly or type the following: Complete all sections unless otherwise noted Is this project Superstorm Sandy Related Yes No

1. **Applicant Name:** Mr./Ms./Mrs 100 Park Plaza Drive, LLC E-Mail: _____
 Address: 400 Plaza Drive Daytime Phone: 201-348-1200 Ext. _____
 City/State: Secaucus, NJ Zip Code 07094 Cell Phone: _____

2. **Agent Name:** Mr./Ms./Mrs Joseph Mele E-Mail: jmele@dresdnerobin.com
 Firm Name: Dresdner Robin
 Address: 145 Route 46 West, Suite 210 Daytime Phone: 973-696-2600 Ext. 216
 City/State: Wayne, NJ Zip Code 07470 Cell Phone: _____

3. **Property Owner:** Mr./Ms./Mrs 100 Park Plaza Drive, LLC E-mail: _____
 Address: 400 Plaza Drive Daytime Phone: 201-348-1200 Ext. _____
 City/State: Secaucus, NJ Zip Code 07094 Cell Phone: _____

4. **Project Name:** 100 Park Plaza Drive Address/Location: 100 Park Plaza Drive
 Municipality: Secaucus County: Hudson
 Block(s): 227 Lot(s): 4.03 & 4.04
 N.A.D. 1983 State Plane Coordinates(feet) E (x): 619,412 N(y): 713,139 *Not Longitude/Latitude*
 Watershed: Hackensack River Subwatershed: Hackensack River
 Nearest Waterway: Cromkill Creek
 Fees: Total Fee: \$35,500.00 Check #: _____ Project Cost: \$10,000,000

5. **Project Description:** Removal of existing warehouse structures and construction of (3) 6-story residential buildings, above ground parking decks and on grade parking.

Provide if applicable: Previous LUR File # (s): _____ Waiver request ID # (s): _____

A. SIGNATURE OF APPLICANT (required):

I certify, under penalty of law, that the information provided in this document is true and accurate. I am aware that there are significant civil and criminal penalties for submitting false or inaccurate information. If corporate entity, print/type the name and title of the person signing on behalf of the corporate entity.

Kristine Kalpas
 Signature of Applicant
4/7/14
 Date
KRISTINE KALPAS, AVP SITE DEVELOPMENT
 Print Name

 Signature of Applicant

 Date

 Print Name

B. PROPERTY OWNER'S CERTIFICATION

I hereby certify that the undersigned is the **owner of the property** upon which the proposed work is to be done. This endorsement is certification that the owner grants permission for the conduct of the proposed activity. In addition, I hereby give unconditional written consent to allow access to the site by representatives or agents of the Department for the purpose of conducting a site inspection(s) or survey(s) of the property in question.

In addition, the undersigned property owner hereby certifies:

1. Whether any work is to be done within an easement? Yes No
2. Whether any part of the entire project (e.g., pipeline, roadway, cable, transmission line, structure, etc.) will be located within property belonging to the State of New Jersey? Yes No
3. Whether any work is to be done on any property owned by any public agency that would be encumbered by Green Acres? Yes No
4. Whether any part of this project requires a Section 106(National Register of Historic Places) Determination as part of a federal permit or approval? Yes No

[Signature]
 Signature of Owner
4/7/2014
 Date
KRISTINE KALEAS, AVP SITE DEVELOPMENT
 Print Name

 Signature of Owner

 Date

 Print Name

C. APPLICANT'S AGENT (Notary seal is required for Flood Hazard Area (FHA) applications)

I KRISTINE KALEAS, the Applicant/Owner and N/A, co-Applicant/Owner authorize to act as my agent/representative in all matters pertaining to my application the following person:

Joseph Mele
 Name of Agent
Professional Civil Engineer, Director of Engineering
 Occupation/Profession of Agent

[Signature]
 Signature of Applicant/Owner

 Signature of co-Applicant/Owner

AGENT'S CERTIFICATION:
 I agree to serve as agent for the above-referenced applicant:
[Signature] 4-9-14
 Signature of Agent

NOTARY:
 Sworn to me, this day of: April 7 CAROL FEE 2014
Carol Fee NOTARY PUBLIC OF NEW JERSEY
 Notary Public My Commission Expires Dec. 29, 2015

D. STATEMENT OF PREPARER OF PLANS, SPECIFICATIONS, SURVEYOR'S OR ENGINEER'S REPORT

I hereby certify that the plans, specifications and engineer's report, if any, applicable to this project comply with the current rules and regulations of the New Jersey Department of Environmental Protection with the exceptions as noted. In addition, I certify the application is complete as per the appropriate checklist(s).

[Signature] 4-9-14
 Signature
Joseph Mele
 Print Name
Director of Engineering, Dresdner Robin
 Position & Name of Firm
24GB04323900
 Professional License # 4-9-14
 Date

E. STATEMENT OF PREPARER OF APPLICATION, REPORTS AND/OR SUPPORTING DOCUMENTS (other than engineering)

I certify under penalty of law that I have personally examined the information submitted in the document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining and preparing the information, I believe that the information is true, accurate and complete in accordance with the appropriate checklist(s). I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

[Signature] 4-9-14
 Signature
Joseph Mele
 Print Name
Director of Engineering, Dresdner Robin
 Position & Name of Firm
24GB04323900
 Professional License # 4-9-14
 Date
 (If Applicable)

F. APPLICATION(S) FOR: (Check all that apply – follow directions on page 5)

	CAFRA	Fee Amount	Fee Paid
<input type="checkbox"/>	Individual Permit		
<input type="checkbox"/>	Exemption Request	\$300.00	
<input type="checkbox"/>	Permit Modification		
<input type="checkbox"/>	CAFGP5 / Amusement Pier Exp	\$600.00	
<input type="checkbox"/>	CAFGP6 / Beach/Dune Maintenance	\$600.00	
<input type="checkbox"/>	CAFGP7 / Voluntary Reconstruction	\$600.00	
<input type="checkbox"/>	CAFGP8 / New Single Family or Duplex	\$600.00	
<input type="checkbox"/>	CAFGP9 / Reconstruct Single Fam/Dup	\$600.00	
<input type="checkbox"/>	CAFGP10 / New Bulkhead/Fill Lagoon	\$600.00	
<input type="checkbox"/>	CAFGP11 / Revetment	\$600.00	
<input type="checkbox"/>	CAFGP12 / Gablions	\$600.00	
<input type="checkbox"/>	CAFGP13 / Support Facilities/ Marina	\$600.00	
<input type="checkbox"/>	CAFGP14/Reconst Bulkhead above MHWL	\$600.00	
<input type="checkbox"/>	CAFGP15 / Hazard Waste Clean-up	\$600.00	
<input type="checkbox"/>	CAFGP16 / Landfall of Utilities	\$600.00	
<input type="checkbox"/>	CAFGP17 / Recreat Facility Public Park	\$600.00	
<input type="checkbox"/>	CAFGP18 / BulkheadConstruct/Fill upland	\$600.00	
<input type="checkbox"/>	CAFGP21 / Shoreline Stabilization	\$600.00	
<input type="checkbox"/>	CAFGP22 / Avian Nesting Structures	\$600.00	
<input type="checkbox"/>	CAFGP23 / Electrical Sub Facility	\$600.00	
<input type="checkbox"/>	CAFGP24 / Legalize Filling of Tidelands	\$600.00	
<input type="checkbox"/>	CAFGP25 / Construct Telecom Tower	\$600.00	
<input type="checkbox"/>	CAFGP26 / Tourism Indust. Construction	\$600.00	
<input type="checkbox"/>	CAFGP27 / Geotechnical Borings	\$600.00	
<input type="checkbox"/>	CAFGP29/Habitat Create/Restore/Enhance	\$600.00	
<input type="checkbox"/>	CAFGP30 / 1 to 3 Turbines < 200 Feet	\$600.00	
<input type="checkbox"/>	CAFGP31 / Wind Turbines < 250 Feet	\$600.00	
<input type="checkbox"/>	Individual Permit Equivalency/CERCLA	No Fee	No Fee

	Waterfront Development	Fee Amount	Fee Paid
<input type="checkbox"/>	WDGP10 / New Bulkhead/Fill Lagoon < 75'	\$600.00	
<input type="checkbox"/>	WDGP14 / Reconstruct Bulkhead	\$600.00	
<input type="checkbox"/>	WDGP19/Dock/Piers/Boat Lifts Lagoon	\$600.00	
<input type="checkbox"/>	WDGP20 / Minor Maint Dredge Lagoon	\$600.00	
<input type="checkbox"/>	WDGP21 / Shoreline Stabilization	\$600.00	
<input type="checkbox"/>	WDGP32 / Dredge Lagoon (post storm event)	\$600.00	
<input type="checkbox"/>	WDGP33 / Dredge post Bulkhead Failure	\$600.00	
<input type="checkbox"/>	WDGP34 / Dredge Marina (post storm event)	\$600.00	
<input type="checkbox"/>	WDGP35 / Aquaculture Activities	\$600.00	
<input type="checkbox"/>	WDGP36/Placement of Shell (shellfish areas)	\$600.00	
<input checked="" type="checkbox"/>	Individual Permit/Upland	\$30,000.00	\$30,000.00
<input type="checkbox"/>	Individual Permit/Inwater		
<input type="checkbox"/>	Zane Letter	\$300.00	
<input type="checkbox"/>	Modification		
<input type="checkbox"/>	Individual Permit Equivalency/CERCLA	No Fee	

	Coastal/Tidal Wetlands	Fee Amount	Fee Paid
<input type="checkbox"/>	Coastal/Tidal Wetlands Permit		
<input type="checkbox"/>	Coastal Wetland Permit Modification		

	Applicability Determination	Fee Amount	Fee Paid
<input type="checkbox"/>	Coastal Jurisdictional Determination	No Fee	No Fee
<input type="checkbox"/>	Highlands Jurisdictional Determination	No Fee	No Fee
<input type="checkbox"/>	Flood Hazard Area Applicability	No Fee	No Fee
<input type="checkbox"/>	Executive Order 215	No Fee	No Fee

	Flood Hazard Area	Fee Amount	Fee Paid
<input checked="" type="checkbox"/>	FHA Verification	\$500.00	\$500.00
<input checked="" type="checkbox"/>	FHA Individual Permit	\$1,000.00	\$1,000.00
<input type="checkbox"/>	FHA Hardship Exception	\$4,000.00	
<input type="checkbox"/>	FHAGP1 / Chan Clean w/o Sed Removal	No Fee	No Fee
<input type="checkbox"/>	FHAGP1 / Chan Clean w/Sed Removal	No Fee	No Fee
<input type="checkbox"/>	FHAGP2A / Ag - Bank Restoration	\$500.00	
<input type="checkbox"/>	FHAGP2B / Ag - Channel Cleaning	\$500.00	
<input type="checkbox"/>	FHAGP2C / Ag - Road Crossing	\$500.00	
<input type="checkbox"/>	FHAGP2D / Ag - Wetlands Restoration	\$500.00	
<input type="checkbox"/>	FHAGP2E / Ag - Livestock Ford	\$500.00	
<input type="checkbox"/>	FHAGP2F / Ag - Livestock Fence	\$500.00	
<input type="checkbox"/>	FHAGP2G / Ag - Livestock Water Intake	\$500.00	
<input type="checkbox"/>	FHAGP3 / Bridge/Culvert Scour Protection	\$500.00	
<input type="checkbox"/>	FHAGP4 / Stormwater Maintenance	\$500.00	
<input type="checkbox"/>	FHAGP5 / Building Relocation	\$500.00	
<input type="checkbox"/>	FHAGP6 / Rebuild Damaged Home	No Fee	No Fee
<input type="checkbox"/>	FHAGP7 / Residential in Tidal FHA	\$500.00	
<input type="checkbox"/>	FHAGP8 / Utility Crossing <50acres	\$500.00	
<input type="checkbox"/>	FHAGP9 / Road Crossing <50acres	\$500.00	
<input type="checkbox"/>	FHAGP10 / Stormwater Outfall <50acres	\$500.00	
<input type="checkbox"/>	Revision of a GP, IP or Verification		
<input type="checkbox"/>	Transfer of an Approval	\$200.00	
<input type="checkbox"/>	FHA Indv. Permit Equivalency/CERCLA	No Fee	No Fee

	Stormwater Review Fees	Fee Amount	Fee Paid
<input checked="" type="checkbox"/>	Fee for all Stormwater Reviews	\$4,000.00	\$4,000.00

	Consistency Determination	Fee Amount	Fee Paid
<input type="checkbox"/>	Water Quality Certificate		
<input type="checkbox"/>	Federal Consistency	No Fee	No Fee
<input checked="" type="checkbox"/>	HMC Water Quality Certificate	\$0	\$0

	Highlands	Fee Amount	Fee Paid
<input type="checkbox"/>	Emergency Permit		
<input type="checkbox"/>	Pre-application Meeting	\$500.00	
<input type="checkbox"/>	Preservation Area Approval		
<input type="checkbox"/>	Resource Area Determination footprint		
<input type="checkbox"/>	Resource Area Determination <one acre	\$500.00	
<input type="checkbox"/>	Resource Area Determination >one acre		
<input type="checkbox"/>	HPAAGP 1/ Habitat Creation/Enhance	No Fee	No Fee
<input type="checkbox"/>	HPAAGP 2 Bank Stabilization	\$500.00	
<input type="checkbox"/>	PAA with Waiver (Specify type below)		

	Freshwater Wetlands	Fee Amount	Fee Paid
<input type="checkbox"/>	FWGP1 / Main. & repair Exist Feature	\$600.00	
<input type="checkbox"/>	FWGP2 / Utility Crossing	\$600.00	
<input type="checkbox"/>	FWGP3 / Discharge of Return Water	\$600.00	
<input type="checkbox"/>	FWGP4 / Hazard Site Invest/Cleanup	\$600.00	
<input type="checkbox"/>	FWGP5 / Landfill Closure	\$600.00	
<input type="checkbox"/>	FWGP6 / Filling of NSWC	\$600.00	
<input type="checkbox"/>	FWGP6A /TA- Filling of NSWC	\$600.00	
<input type="checkbox"/>	FWGP7 / Fill ditch / swale	\$600.00	
<input type="checkbox"/>	FWGP8 / House Addition	\$600.00	
<input type="checkbox"/>	FWGP9 / Airport Sightline Clearing	\$600.00	
<input type="checkbox"/>	FWGP10A / Very Minor Road Crossing	\$600.00	
<input type="checkbox"/>	FWGP10B / Minor Road Crossing	\$600.00	
<input type="checkbox"/>	FWGP11 / Outfalls / Intakes	\$600.00	
<input type="checkbox"/>	FWGP12 / Survey / Investigation	\$600.00	
<input type="checkbox"/>	FWGP13 / Lake Dredging	\$600.00	
<input type="checkbox"/>	FWGP14 / Water Monitoring	\$600.00	
<input type="checkbox"/>	FWGP15 / Mosquito Control	\$600.00	
<input type="checkbox"/>	FWGP16 / Habitat Create / Enhance	No Fee	No Fee
<input type="checkbox"/>	FWGP17 / Trails / Boardwalks	No Fee	No Fee
<input type="checkbox"/>	FWGP17A / Multiuse paths	\$600.00	
<input type="checkbox"/>	FWGP18 / Dam Repairs	\$600.00	
<input type="checkbox"/>	FWGP19 / Dock or Pier	\$600.00	
<input type="checkbox"/>	FWGP20 / Bank Stabilization	\$600.00	
<input type="checkbox"/>	FWGP21 / Above Ground Utility	\$600.00	
<input type="checkbox"/>	FWGP23 / Expand Cranberry	No Fee	No Fee
<input type="checkbox"/>	FWGP24 / Spring Developments	\$600.00	
<input type="checkbox"/>	FWGP25 / Malfunction Septic System	No Fee	No Fee
<input type="checkbox"/>	FWGP26 / Channel / Stream Clean	\$600.00	
<input type="checkbox"/>	FWGP27 / Redevelop Disturbed Site	\$600.00	
<input type="checkbox"/>	FWGP Modification	\$240.00	
<input type="checkbox"/>	FWGP Extension	\$240.00	

	Freshwater Wetlands	Fee Amount	Fee Paid
<input type="checkbox"/>	Individual Wetlands Permit		
<input type="checkbox"/>	Individual Open Water Permit		
<input type="checkbox"/>	Individual Permit Mod. Major/Minor		
<input type="checkbox"/>	Individual Permit Extension	\$1,200.00	
<input type="checkbox"/>	Wetlands Exemption	\$240.00	
<input type="checkbox"/>	Permit Equivalency/CERCLA	No Fee	No Fee

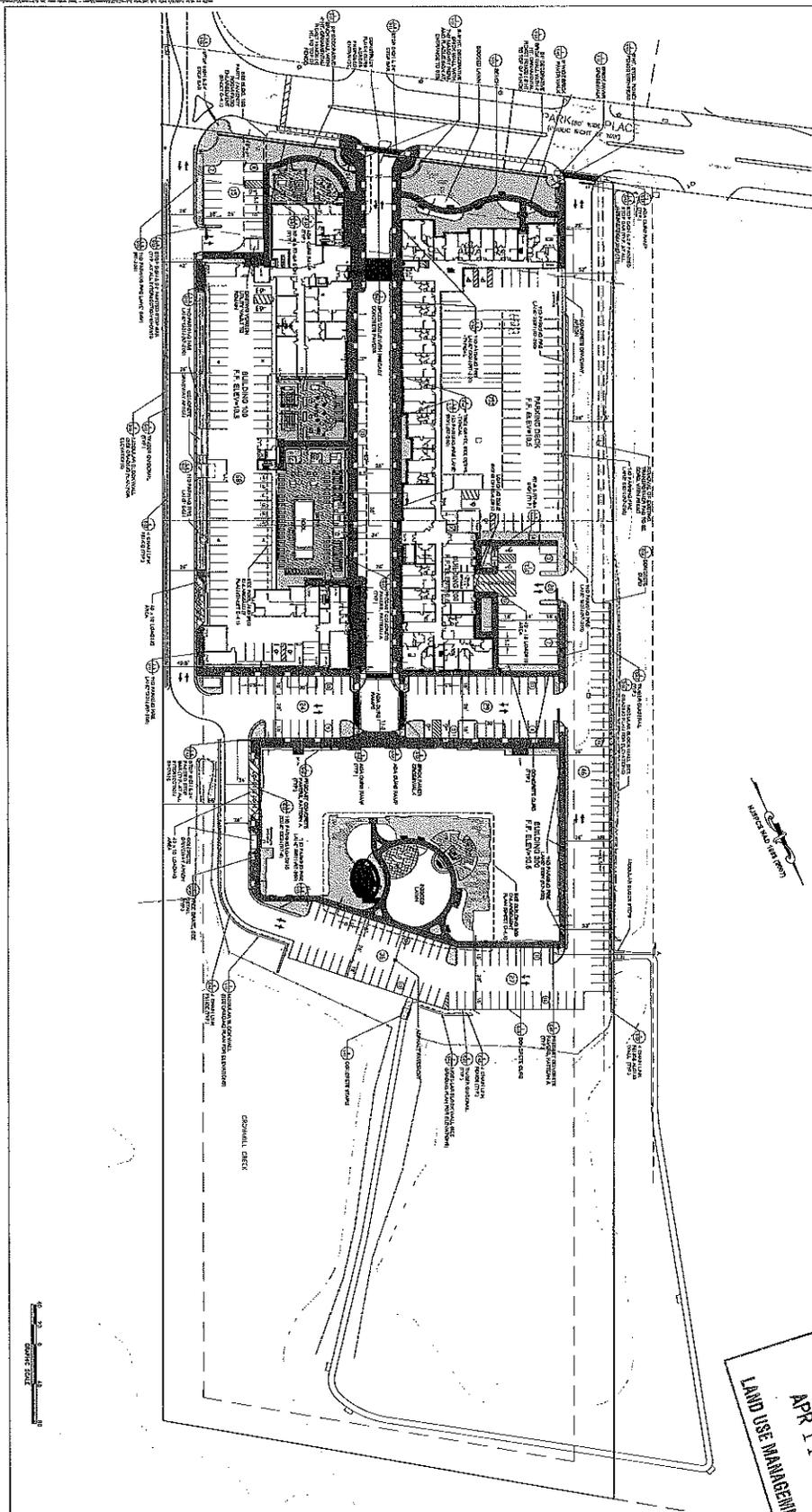
	Transition Area Waiver		
<input type="checkbox"/>	Averaging Plan		
<input type="checkbox"/>	Reduction		
<input type="checkbox"/>	Hardship Reduction		
<input type="checkbox"/>	Special Activity Stormwater		
<input type="checkbox"/>	Special Activity Linear Development		
<input type="checkbox"/>	Special Activity Redevelopment		
<input type="checkbox"/>	Special Activity Individual Permit		
<input type="checkbox"/>	Exemption	\$240.00	
<input type="checkbox"/>	Modification Major/Minor		
<input type="checkbox"/>	Extension	\$240.00	

	Letter of Interpretation		
<input type="checkbox"/>	Presence Absence	\$240.00	
<input type="checkbox"/>	Presence Absence Footprint	\$480.00	
<input type="checkbox"/>	Delineation ≤ 1.00 Acres	\$600.00	
<input type="checkbox"/>	Verification		
<input type="checkbox"/>	Extension		

Please note: If no fee amount is specified in the "Fee Amount" column, please refer to the Regulatory Fee Schedule which can be found at www.nj.gov/dep/landuse/forms.html.

Also: In addition to the standard paper submission, an electronic copy of the entire application, including plans, may be submitted on CD-ROM to assist the Department in the review this application. Plans should be submitted as a CAD file or Shapefile, georeferenced in NJ state plane feet NAD83. Please do NOT send the electronic version via E-Mail.

Electronic permitting and/or application submittal is available for specific applications. Please see the Division website at www.nj.gov/dep/landuse/epermit.html for more information.



- LEGEND**
- 1 CONCRETE DRIVE
 - 2 CONCRETE SIDEWALK
 - 3 ASPHALT DRIVE
 - 4 ASPHALT SIDEWALK
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 - 99 ASPHALT DRIVE
 - 100 ASPHALT SIDEWALK

NOTES

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE INTERNATIONAL PLUMBING CODE (IPC).
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL AND ELECTRICAL CODES (IMC) AND THE NATIONAL ELECTRICAL CODE (NEC).
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL FIRE AND SAFETY CODE (IFSC) AND THE INTERNATIONAL FIRE AND SAFETY CODE (IFSC).
4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL FIRE AND SAFETY CODE (IFSC) AND THE INTERNATIONAL FIRE AND SAFETY CODE (IFSC).
5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL FIRE AND SAFETY CODE (IFSC) AND THE INTERNATIONAL FIRE AND SAFETY CODE (IFSC).
6. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL FIRE AND SAFETY CODE (IFSC) AND THE INTERNATIONAL FIRE AND SAFETY CODE (IFSC).
7. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL FIRE AND SAFETY CODE (IFSC) AND THE INTERNATIONAL FIRE AND SAFETY CODE (IFSC).
8. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL FIRE AND SAFETY CODE (IFSC) AND THE INTERNATIONAL FIRE AND SAFETY CODE (IFSC).
9. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL FIRE AND SAFETY CODE (IFSC) AND THE INTERNATIONAL FIRE AND SAFETY CODE (IFSC).
10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL FIRE AND SAFETY CODE (IFSC) AND THE INTERNATIONAL FIRE AND SAFETY CODE (IFSC).

NO.	DESCRIPTION	AMOUNT	TOTAL
1	CONCRETE DRIVE	100.00	100.00
2	CONCRETE SIDEWALK	200.00	300.00
3	ASPHALT DRIVE	300.00	600.00
4	ASPHALT SIDEWALK	400.00	1000.00
5	ASPHALT DRIVE	500.00	1500.00
6	ASPHALT SIDEWALK	600.00	2100.00
7	ASPHALT DRIVE	700.00	2800.00
8	ASPHALT SIDEWALK	800.00	3600.00
9	ASPHALT DRIVE	900.00	4500.00
10	ASPHALT SIDEWALK	1000.00	5500.00
11	ASPHALT DRIVE	1100.00	6600.00
12	ASPHALT SIDEWALK	1200.00	7800.00
13	ASPHALT DRIVE	1300.00	9100.00
14	ASPHALT SIDEWALK	1400.00	10500.00
15	ASPHALT DRIVE	1500.00	12000.00
16	ASPHALT SIDEWALK	1600.00	13600.00
17	ASPHALT DRIVE	1700.00	15300.00
18	ASPHALT SIDEWALK	1800.00	17100.00
19	ASPHALT DRIVE	1900.00	19000.00
20	ASPHALT SIDEWALK	2000.00	21000.00
21	ASPHALT DRIVE	2100.00	23100.00
22	ASPHALT SIDEWALK	2200.00	25300.00
23	ASPHALT DRIVE	2300.00	27600.00
24	ASPHALT SIDEWALK	2400.00	30000.00
25	ASPHALT DRIVE	2500.00	32500.00
26	ASPHALT SIDEWALK	2600.00	35100.00
27	ASPHALT DRIVE	2700.00	37800.00
28	ASPHALT SIDEWALK	2800.00	40600.00
29	ASPHALT DRIVE	2900.00	43500.00
30	ASPHALT SIDEWALK	3000.00	46500.00
31	ASPHALT DRIVE	3100.00	49600.00
32	ASPHALT SIDEWALK	3200.00	52800.00
33	ASPHALT DRIVE	3300.00	56100.00
34	ASPHALT SIDEWALK	3400.00	59500.00
35	ASPHALT DRIVE	3500.00	63000.00
36	ASPHALT SIDEWALK	3600.00	66600.00
37	ASPHALT DRIVE	3700.00	70300.00
38	ASPHALT SIDEWALK	3800.00	74100.00
39	ASPHALT DRIVE	3900.00	78000.00
40	ASPHALT SIDEWALK	4000.00	82000.00
41	ASPHALT DRIVE	4100.00	86100.00
42	ASPHALT SIDEWALK	4200.00	90300.00
43	ASPHALT DRIVE	4300.00	94600.00
44	ASPHALT SIDEWALK	4400.00	99000.00
45	ASPHALT DRIVE	4500.00	103500.00
46	ASPHALT SIDEWALK	4600.00	108100.00
47	ASPHALT DRIVE	4700.00	112800.00
48	ASPHALT SIDEWALK	4800.00	117600.00
49	ASPHALT DRIVE	4900.00	122500.00
50	ASPHALT SIDEWALK	5000.00	127500.00
51	ASPHALT DRIVE	5100.00	132600.00
52	ASPHALT SIDEWALK	5200.00	137800.00
53	ASPHALT DRIVE	5300.00	143100.00
54	ASPHALT SIDEWALK	5400.00	148500.00
55	ASPHALT DRIVE	5500.00	154000.00
56	ASPHALT SIDEWALK	5600.00	159600.00
57	ASPHALT DRIVE	5700.00	165300.00
58	ASPHALT SIDEWALK	5800.00	171100.00
59	ASPHALT DRIVE	5900.00	177000.00
60	ASPHALT SIDEWALK	6000.00	183000.00
61	ASPHALT DRIVE	6100.00	189100.00
62	ASPHALT SIDEWALK	6200.00	195300.00
63	ASPHALT DRIVE	6300.00	201600.00
64	ASPHALT SIDEWALK	6400.00	208000.00
65	ASPHALT DRIVE	6500.00	214500.00
66	ASPHALT SIDEWALK	6600.00	221100.00
67	ASPHALT DRIVE	6700.00	227800.00
68	ASPHALT SIDEWALK	6800.00	234600.00
69	ASPHALT DRIVE	6900.00	241500.00
70	ASPHALT SIDEWALK	7000.00	248500.00
71	ASPHALT DRIVE	7100.00	255600.00
72	ASPHALT SIDEWALK	7200.00	262800.00
73	ASPHALT DRIVE	7300.00	270100.00
74	ASPHALT SIDEWALK	7400.00	277500.00
75	ASPHALT DRIVE	7500.00	285000.00
76	ASPHALT SIDEWALK	7600.00	292600.00
77	ASPHALT DRIVE	7700.00	300300.00
78	ASPHALT SIDEWALK	7800.00	308100.00
79	ASPHALT DRIVE	7900.00	316000.00
80	ASPHALT SIDEWALK	8000.00	324000.00
81	ASPHALT DRIVE	8100.00	332100.00
82	ASPHALT SIDEWALK	8200.00	340300.00
83	ASPHALT DRIVE	8300.00	348600.00
84	ASPHALT SIDEWALK	8400.00	357000.00
85	ASPHALT DRIVE	8500.00	365500.00
86	ASPHALT SIDEWALK	8600.00	374100.00
87	ASPHALT DRIVE	8700.00	382800.00
88	ASPHALT SIDEWALK	8800.00	391600.00
89	ASPHALT DRIVE	8900.00	400500.00
90	ASPHALT SIDEWALK	9000.00	409500.00
91	ASPHALT DRIVE	9100.00	418600.00
92	ASPHALT SIDEWALK	9200.00	427800.00
93	ASPHALT DRIVE	9300.00	437100.00
94	ASPHALT SIDEWALK	9400.00	446500.00
95	ASPHALT DRIVE	9500.00	456000.00
96	ASPHALT SIDEWALK	9600.00	465600.00
97	ASPHALT DRIVE	9700.00	475300.00
98	ASPHALT SIDEWALK	9800.00	485100.00
99	ASPHALT DRIVE	9900.00	495000.00
100	ASPHALT SIDEWALK	10000.00	505000.00

RECEIVED
 APR 11 2014
 LAND USE MANAGEMENT