

**COMPLIANCE REVIEW - ENGINEERING
BAYONNE LOGISTICS CENTER
APPLICANT : LEG - BP BAYONNE OWNER, LLC
PRELIMINARY AND FINAL MAJOR SITE PLAN APPLICATION
BLOCK 1180, LOT 1.01; BLOCK 680, LOT 1; BLOCK 800, LOT 1; BLOCK 801, LOT 1;
BLOCK 802, LOT 1; BLOCK 830, LOT 1.05; BLOCK 900, LOT 1.01; BLOCK 930, LOT
1; BLOCK 935, LOT 1; BLOCK 1000, LOT 1.01; PORTION OF ROAD "A" (AKA
MEMORIAL BOULEVARD); & PORTION OF ROAD "D"
CITY OF BAYONNE, HUDSON COUNTY, NEW JERSEY**

MATRIX **NEW** WORLD

Engineering Progress

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February 7, 2021

MATRIX JOB NO. 13-454



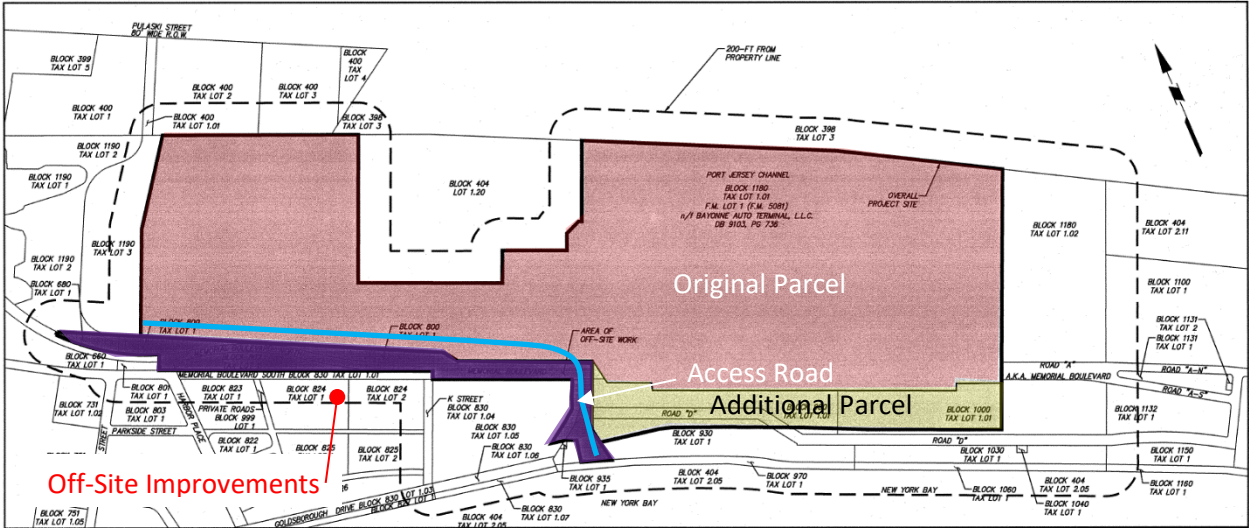
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INTRODUCTION

Matrix New World Engineering, Land Surveying and Landscape Architecture, P.C. (Matrix) has performed a review of the Preliminary and Final Major Site Plan application (the “Application”) submitted by LEG – BP Bayonne Owner, LLC (“Applicant”) for the development of a portion of the Peninsula at Bayonne Harbor Maritime District.

The City of Bayonne Planning Board has previously granted approvals to the Applicant (the “Prior Approvals”) for development of the Maritime District, including the following:

- Application #P-18-036 : Preliminary Major Subdivision and Lot Consolidation Plan approval that created the Original Approval Parcel (shaded in red on image below).
- Application #P-18-028 : Preliminary Major Site Plan approval for construction of a portion of the Maritime Access Road on the Subject Property (approximately identified as a blue line on the image below).
- Application #P-19-009: Preliminary and Final Major Site Plan Approval to develop the Original Approval Parcel with a warehouse/distribution facility consisting of four warehouse/distribution buildings, along with associated parking and other improvements. This approval also included off-site improvements (shaded in purple on image below) that included a landscape berm/sound wall, a connector road (“North-South Connector Road”) and utility extensions.



In 2020, the Applicant became contract purchaser for an additional ~15 acres of land (shaded in yellow on the image above) that adjoins the Original Parcel. In June 2020, the Planning Board approved an amendment to the Peninsula at Bayonne Harbor Redevelopment Plan to incorporate this additional property (the “Additional Property”) into the boundaries of the Maritime District.

The application presently under consideration proposes work on all of the above-referenced parcels (i.e. Original Approval Parcel, Offsite Parcels and the Additional Property). The scope of the proposed project remains substantially equivalent to the previously approved scope, except for the following principal changes:

Original Parcel

- Reduce the number of proposed warehouse buildings from four to two.
- Reduce the total size of proposed warehouse buildings by 195,144 s.f.
- Add the following accessory buildings/facilities:
 - o Office building (3,127 s.f.)
 - o Fueling station and fuel storage
 - o Guard house (1,718 s.f.)
 - o Truck wash tunnel (7,377 s.f.)

Additional Parcel Development

- Surface parking for truck trailers
- Provision of one-acre parcel for City to utilize as ferry parking area
- Truck maintenance facility (16,912 s.f.)
-

Off-Site Development

- Addition of landscaping/screening along western boundaries of proposed “North-South Connector” Road

Elements of the development that were paramount considerations for the initial approval remain the same, including the construction of an off-site landscaped berm and sound wall for noise/visual screening, off-site utility extensions, preservation of commercial access to the deepwater shipping berth, building heights, and perimeter security measures.

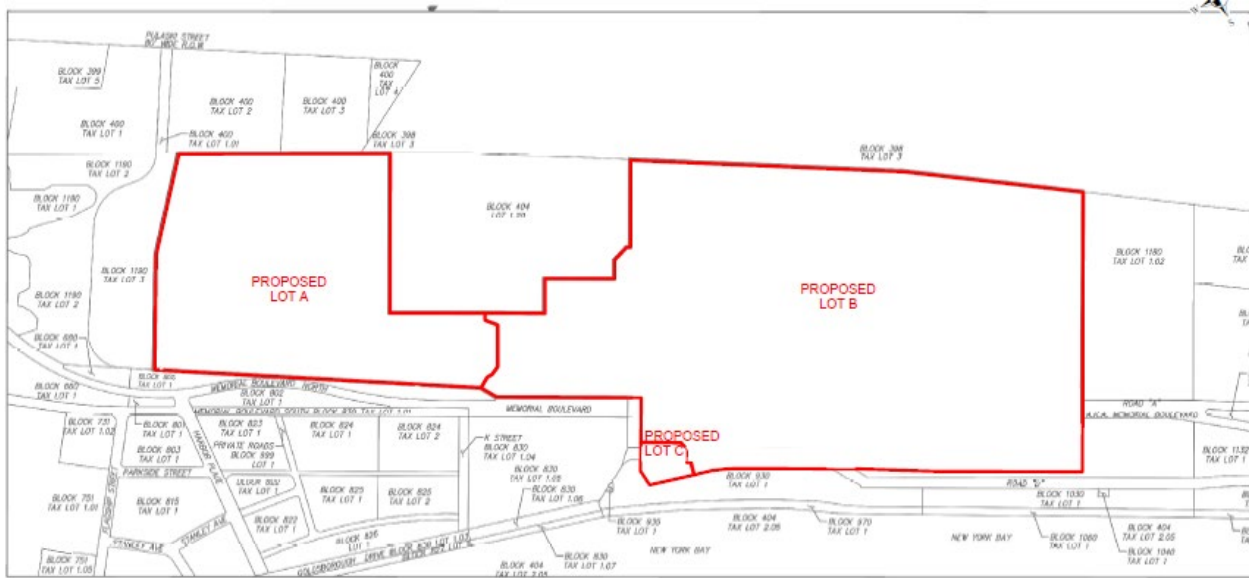
From a site-wide perspective, the proposed development accomplishes the following:

- Reduces existing impervious coverage relative to pre-development conditions
- Improves coastal flood resiliency of the site by raising the development area above the 100-year floodplain
- Preserves the ability to utilize the deep water federal navigation channel for movement of freight
- Improves/replaces the existing stormwater management system and other utilities
- Introduces more than 1,600 new trees to the site
- Reserves an approximately 1 acre parcel for the City’s future use as a ferry parking area

The Applicant’s supporting materials refer to Lots A, B and C in the application as illustrated in the figure below, and described as follows:

- Lot A – Contains the originally proposed and approved “Building 1” warehouse (332,640 s.f.) and associated parking areas, which remain substantially unchanged from the prior approval.
- Lot B – Contains an area previously occupied by three approved warehouses and is proposed to be replaced with a single warehouse (916,176 s.f.). The proposed plan incorporates most of the Additional Parcel and adds accessory buildings including an office building, fueling station/storage area, guard house and truck wash tunnel.
- Lot C – An approximately 1-acre portion of the Additional Parcel reserved for future City of Bayonne ferry parking use.

The Applicant’s Preliminary and Final Major Subdivision Plan application seeks creation of these three new lots from the assemblage of existing lots on the property.



The Applicant’s proposed development of the Subject Property is subject to numerous legal agreements between the property owner, the City of Bayonne, the Port Authority of New York and New Jersey and adjoining property owners. The Applicant has provided evidence of these agreements as part of the application.

APPLICATION DOCUMENTS

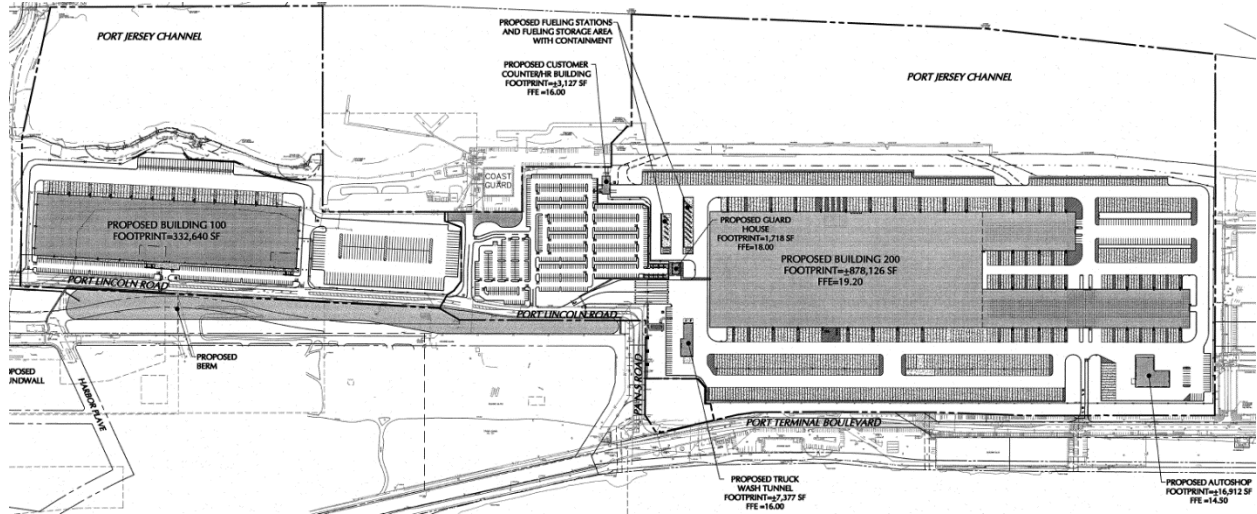
The application package reviewed by Matrix includes the following:

1. Filing Letter for the Applications for Subdivision and Preliminary and Final Major Site Plan Approval from Chiesa Shahinian & Giantomasi PC dated January 15, 2021
2. City of Bayonne Preliminary and Final Site Plan Application Forms and supporting documents
3. City of Bayonne Development Application Checklist and supporting documents
4. Site Photo Report dated January 13, 2021.
5. Site Plans entitled, “*Application for Preliminary and Final Site Plan Approval, Bayonne Logistics Center, Block 1180, Lot 1.01; Block 680, Lot 1; Block 800, Lot 1; Block 801, Lot 1; Block 802, Lot 1; Block 830, Lot 1.05; Block 900, Lot 1.01; Block 930, Lot 1; Block 935, Lot 1; Portion of Road “A” (aka Memorial Boulevard); & Portion of Road “D”*,” City of Bayonne, Hudson County, New Jersey,” prepared by Bryan Waisnor, PE, LEED AP and Michael Szura, RLA of Langan Engineering and Environmental Services, Inc., dated January 25, 2019, last revised January 13, 2021 and consisting of 80 sheets.
6. Plans entitled, “*Bayonne Logistics Center Offsite Utility Improvements, Block 1180, Lot 1.01; Block 680, Lot 1; Block 800, Lot 1; Block 801, Lot 1; Block 802, Lot 1; Block 830, Lot 1.05; Block 900, Lot No. 1.01; Block 930, Lot No. 1; Block 935, Lot 1; Block 1000, Lot 1.01; Portion of Road “A” (aka Memorial Boulevard); & Portion of Road “D”*,” City of Bayonne, Hudson County, New Jersey,” prepared by Bryan Waisnor, PE of Langan Engineering and Environmental Services, Inc., dated November 5, 2018, last revised January 13, 2021 and consisting of 10 sheets.
7. Survey entitled, “*Boundary & Topographic Survey, Prepared for: Bayonne Logistics Center, Block No. 1180, Proposed Lot No. 1.01, City of Bayonne, Hudson County, New Jersey*,” prepared by Langan Engineering and Environmental Services, Inc., dated January 25, 2019, last revised April 3, 2019, and consisting of 10 sheets.
8. Plan entitled, “*Final Plat Major Subdivision, Bayonne Logistics Center, P/O No. 900, Lot No. 1.01; P/o Block No. 1000, Lot No. 1.01; P/O Block No. 930, Lot No. 1; P/O Road “A” (aka Memorial Blvd.); P/O Road “D”*,” City of Bayonne, Hudson County, New Jersey,” prepared by Langan Engineering and Environmental Services, Inc., dated January 13, 2021, and consisting of 1 sheet.
9. Plan entitled, “*Final Plat Major Subdivision, Bayonne Logistics Center, Block No. 1180, Lot No. 1.01; Block No. 900, Lot No. 1.0102*,” City of Bayonne, Hudson County, New Jersey,” prepared by Langan Engineering and Environmental Services, Inc., dated January 13, 2021, and consisting of 1 sheet.
10. Report entitled, “*Stormwater Management Report for Bayonne Logistics Center, Block 1180, Lot 1.01, City of Bayonne, Hudson County, New Jersey*,” prepared by Bryan M. Waisnor, PE of Langan Engineering and Environmental Services, Inc., dated March 13, 2018, and last revised January 13, 2021.
11. Report entitled, “*Environmental Impact Statement for Bayonne Logistics Center, Block 1180, Lot 1.01; Block 680, Lot 1; Block 800, Lot 1; Block 802, Lot 1; Block 830, Lot 1.05; Block 935, Lot 1; Block 900, Lot 1.01; Portion of Road “A” (aka Memorial Boulevard); & Portion of Road “D”*,” City of Bayonne, Hudson County, New Jersey,”

- prepared by Langan Engineering and Environmental Services, Inc., dated February 5, 2019.
12. Memo entitled, “*Environmental Impact Statement Update, LEG-BP Owner Urban Renewal, LLC, Bayonne Logistics Center, Block 1180, Lot 1.01; Block 680, Lot 1; Block 800, Lot 1; Block 802, Lot 1; Block 830, Lot 1.05; Block 935, Lot 1; Block 900, Lot 1.01; Portion of Road “A” (aka Memorial Boulevard); & Portion of Road “D”*,” City of Bayonne, Hudson County, New Jersey,” prepared by Langan Engineering and Environmental Services, Inc., dated January 15, 2021.
 13. Architectural drawings entitled, “*Bayonne Logistics Center, Bayonne, New Jersey*,” prepared by Edward M. Mayer of Ware Malcomb, dated November 5, 2019, and consisting of 2 sheets.
 14. Architectural drawings entitled, “*Bayonne Logistics Center, Building 200*,” prepared by Margulies Hoelzli Architecture, dated January 15, 2021, and consisting of 3 sheets.
 15. Architectural drawings entitled, “*UPS Bayonne Logistics Center, Bayonne, New Jersey*,” prepared by Lockett & Farley Architecture Engineering Interior Design, dated January 11, 2021, and consisting of 5 sheets.
 16. Report entitled, “*Traffic Assessment for Bayonne Logistics Center, Proposed Warehouse Development*,” prepared by Daniel D. Disario, PE, PTOE, of Langan Engineering and Environmental Services, Inc., dated January 13, 2021.
 17. Report entitled, “*Revised Acoustical Evaluation of Proposed Earthen Berm, Proposed Bayonne Logistics Center, Bayonne, New Jersey*,” prepared by Anthony Agresti, INCE, of Lewis S. Goodfriend & Associates Consulting Engineers in Acoustics, dated February 05, 2019.
 18. Report entitled, “*Review of Proposed Site Plan Changes, Proposed Bayonne Logistics Center, Bayonne, New Jersey*,” prepared by Matthew T. Murello, P.E., of Lewis S. Goodfriend & Associates Consulting Engineers in Acoustics, dated January 13, 2021.
 19. Hudson County Recorded Bargain and Sale Deed and Property Description
 20. Hudson County Recorded Settlement Agreement between The Port Authority of New York and New Jersey and Bayonne Bay Developers, Urban Renewal LLC
 21. Proof of Taxes Paid from the City dated 01/08/21
 22. Copy of list of Owners within 200 Feet of Subject Property
 23. Roadway/Rail, Property Buffer and Property Use Agreement By and Between The Port Authority of New York and New Jersey and Bayonne Bay Developers, LLC
 24. Amendment to Roadway/Rail, Property Buffer and Property Use Agreement by and among The Port Authority of New York and New Jersey and Bayonne Bay Developers, LLC
 25. Amendment to Roadway/Rail Property Buffer and Property Use Agreement by and among The Port Authority of New York and New Jersey, Centre Street Developer LLC, 151 Centre Street Urban Renewal, LLC 275 Chosin Few Way Urban Renewal LLC and the City
 26. Amendment to Settlement Agreement and Release by and among The Port Authority of New York and New Jersey, CL Cityview Urban Renewal LLC, Verbena Bayonne Urban Renewal LLC, RS Bayonne Urban Renewal LLC, and the City of Bayonne
 27. License Agreement (Berm/Sound Wall) by and among The City of Bayonne and LEG-BP Bayonne Owner LLC
 28. Settlement Agreement and Release by and among Bayonne Residential Partnership and Bayonne Residential Urban Renewal, LLC

SUMMARY OF PRELIMINARY & FINAL MAJOR SITE PLAN APPLICATION

The Applicant proposes to construct two warehouse buildings on the Property, containing 1,210,766 square feet of warehouse space as itemized and illustrated below.



- **Proposed Building 100-** Consists of 332,640 square feet with a finished floor elevation of 19.20 ft and maximum height (proposed finished floor to roof) of 54 feet on Proposed Lot 1.01 (a.k.a. “Lot A”).
- **Proposed Building 200-** Consists of 878,126 square feet with a finished floor elevation of 19.20 ft with portions of the building being lower at elevations 17.28 and 18.70. This proposed building has a maximum building height of 44.52 feet on Proposed Lot 1.02 (a.k.a. “Lot B”).

The Applicant is also proposing to construct four accessory buildings on Proposed Lot B in support of Proposed Building 200:

- **Proposed Customer Counter/HR Building (“Office Building”)-** Consists of 3,127 square feet with a finished floor elevation of 16.00 ft.
- **Proposed Guard House-** Consists of 1,718 square feet with a finished floor elevation of 18.00 ft.
- **Proposed Truck Wash Tunnel-** Consists of 7,377 square feet with a finished floor elevation of 16.00 ft.
- **Proposed Auto Shop –** Consists of 16,912 square feet with a finished floor of 14.50 ft.

Development on the Subject Property is governed by the Peninsula at Bayonne Harbor Redevelopment Plan, as amended through September 8, 2020 (the “Redevelopment Plan”).

Entry to the property from the west is via Pulaski Lane West, which ultimately connects to the New Jersey Turnpike and the regional highway network. A new, 40-foot wide paved roadway (Access Road), proposed to be named “Port Lincoln Road,” is proposed along a portion of the Property’s southern boundary and will connect to lands owned by the Port Authority of New York and New Jersey (PANYNJ) via the proposed “North South Connector Road”. The Applicant is required to dedicate a right of way easement to the City for use of Port Lincoln Road, and all future truck traffic generated from the Property *and* from PANYNJ-owned properties to the east. Truck traffic will be prohibited from entering the residential areas of the Peninsula at Bayonne Harbor. Access to the individual warehouses will be provided via driveways off Port Lincoln Road and Port Terminal Boulevard, and all warehouse parcels are interconnected via internal drive aisles. The redevelopment proposal also includes improvements that preserve the ability to accommodate future use of the deep-water port facilities located along the Property’s waterfront, as required by the NJDEP and an applicable deed restriction on the Property.

All proposed principal uses, and accessory uses are permitted within the designated redevelopment area according to the Redevelopment Plan.

The Application also involves the construction of off-site improvements on City-owned and PANYNJ-owned properties. The proposed improvements on the City-owned properties (“City Parcels”) consist of a Sound Attenuation Structure (vertical wall and landscaped berm) and utility improvements. The City has consented to the filing of this application that affects its properties. The proposed improvements on PANYNJ property principally include construction of the North South Connector Road and associated landscape screening. PANYNJ has consented to the filing of this application.

The above-referenced improvements proposed on City Parcels are subject to the Planning Board’s jurisdiction and span multiple redevelopment district plans, as itemized below:

- Bayonne Bay East Redevelopment Plan
- Bayonne Bay West Redevelopment Plan
- Peninsula at Bayonne Harbor Redevelopment Plan
- Harbor Station North Redevelopment Plan

In addition to the Redevelopment Plan regulations, development of the City Parcels are subject to land use restrictions associated with legal agreements between the City, the Port Authority of New York and New Jersey, adjacent property owners and City-designated redevelopers with property interests that adjoin the Maritime District.

The City and the Applicant have also entered into a License Agreement that will permit the Applicant to construct the proposed improvements on City Property. This License Agreement has been included within the Application package (Item 27 of the submitted Application Documents)

Along with the proposed buildings, adjacent parking for cars and tractor trailers is also provided. Per the Peninsula at Bayonne Harbor Redevelopment Plan, one parking space is required for each 8,000 square feet of Warehouse and Distribution gross floor area, plus one space for each vehicle

used in connection with the business. A summary of the proposed parking relative to the required parking is itemized below:

- **Proposed Building 100-** 42 parkings spaces required and 227 spaces proposed.
- **Proposed Building 200 and Accessory Buildings-** 114 parkings spaces required and 830 spaces proposed. It is noted that the parking calculation is inclusive of \pm 8,916 SF of proposed future second story office areas.

The site infrastructure will include a new stormwater system to convey the rainwater from the 25-year rainfall event and discharge the runoff to the adjoining tidal waterways. The proposed construction will also require the import of fill needed to raise the surface elevation above FEMA's Base Flood Elevation (13 feet NAVD 88). Additional site improvements include new light pole fixtures, landscape architecture, streetscape improvements, and utility services.

A principal component of the Proposed Application is a Sound Attenuation Structure, which is a required element of the Peninsula at Bayonne Harbor Redevelopment Plan. As noted above, the proposed Sound Attenuation Structure consists of a landscaped berm and a vertical sound wall. The entirety of the Sound Attenuation Structure is proposed to be constructed upon the City Parcels and has not been modified from the prior approvals.

SUMMARY OF PRELIMINARY & FINAL MAJOR SUBDIVISION APPLICATION

The Applicant's proposal involves two actions as described below.

Additional Parcel creation

This action proposes to create the ~15-acre *Additional Parcel* from an assemblage of PANYNJ-owned lots and mapped right of ways. City of Bayonne vacation ordinances for the mapped rights of way have and/or will be required to be executed by the City prior to filing of the subdivision map. Perfection of the Applicant's previously-approved lot consolidation and subdivision (Application #P-18-036) is required as a condition of this approval.

Lot consolidation and subdivision

This action proposes (in a single action) to combine the *Original Parcel* and the *Additional Parcel* and then subdivide the resulting parcel into three lots (referred to as lots A, B and C herein). Perfection of the above-referenced application *and* the Applicant's previously-approved lot consolidation and subdivision (Application #P-18-036) is required as a condition of approval for this request.

The proposed parcels are all compliant with the bulk requirements of the Redevelopment Plan. None of the lots adjoin a public street; however, existing and/or required public access easements required as a condition of approval will satisfy access requirements of the MLUL.

Matrix offers the following comments concerning the application materials:

DESIGN WAIVERS / VARIANCES

To the extent that they are necessary, the Applicant has requested that design waivers be granted for the following items identified in the City of Bayonne Development Application Checklist:

Plan Sizing-

Applicant Request : The Applicant requests that plans be permitted on 30” x 42” sheets.

Recommendation : Recommend that the requested waiver be granted.

No variances are being requested as part of this application.

PRELIMINARY AND FINAL SITE PLANS

General Site Plan Comments

1. Certain proposed door and gate locations as shown on the site plans are identified as “for illustrative intent.” Site plans shall be modified to include the final door locations.
2. The Applicant shall identify a future location for emergency access along the property’s eastern boundary that anticipates future development of the adjoining PANYNJ properties.
3. Relocation of items identified as “Potential Outdoor Refuge Storage Areas” shall require approval of the Planning Board or City Engineer.
4. Remove the “by others” portion of the “Port Lincoln Road by Others” and “North-South Road by Others” note from all drawings.
5. The proposed internally illuminated, freestanding business signs exceed the following Redevelopment Plan standard:
Freestanding business signs shall be set back at least 20 ft. from a street right-of-way and not exceed 100 sf. in area and shall be no higher than 15 ft.
The Applicant shall propose a compliant design or request a design waiver.
6. The Applicant’s proposal regarding the property’s new interface with Port Terminal Boulevard is not clear. The proposed plan does not include any improvements adjacent to the active roadway (e.g. curb, sidewalk, etc.), Applicant shall clarify.
7. Port Terminal Boulevard and the PANYNJ’s properties adjoining the eastern property boundary may be raised and/or improved in the future by the City or PANYNJ. The proposed sloped fill approach along the Property’s boundaries is not accommodating of future road/site raising. The Applicant shall provide evidence of how the future site raising can be accomplished, including provision of an easement in favor of the City of Bayonne an the PANYNJ that allows filling of the Applicant’s property along the sloped area, if necessary.
8. Show site triangles on all driveway entrances.
9. The Site Plan’s demonstration that the proposed City Ferry Parking Lot (“Lot C”) are inadequate. The Applicant shall demonstrate that required utility connections are provided

and that site grading and pedestrian access are achievable by showing driveway entrances, grading and other necessary basic site improvements that the City will require in order to develop the Site.

10. The proposed development maintains access to the US Coast Guard property. The Applicant shall provide evidence that it has satisfied all access and utility service requirements of applicable legal agreements affecting the US Coast Guard property to the satisfaction of USCG.
11. The Applicant anticipates creation of local City jobs and has provided pedestrian access provisions to the Site. Pedestrian crossings of the proposed Lincoln Road are inadequate to ensure pedestrian safety. Applicant shall provide revised pedestrian crossing controls to the satisfaction of the City.
12. The Applicant has provided 1,200+ parking spaces, but provides bike racks that accommodate less than 10 bikes. Applicant shall provide additional bike racks to the satisfaction of the City.
13. The development proposal includes construction of habitable buildings within zones designated as “Coastal A” or “VE”. To the extent that building code regulations require, the Applicant shall submit evidence of a FEMA Letter of Map Revision or Post-Appeal Map Modification that confirms that the building footprint areas have been removed from the FEMA Special Flood Hazard Area.

Sheet CS002

1. The Applicant shall provide an illustrative reference that designates the limits of Lots A, B and C or change the references to the proposed lot designations.
2. The Applicant shall revise the “Maximum Tract Coverage” item to reflect the total impervious coverage area.
3. The Applicant shall revise note 1 of the zoning table to include the 2020 Amendment to the Redevelopment Plan.

Sheet CS111

1. The Applicant shall clarify if the ingress only designation for the driveway at the center of Proposed Building 100 is for car access only. If so, signage shall be provided to indicate so to deter trucks from trying to access the site from this entrance.

Sheet CS112

1. The light fixtures within the 830-car parking space lot shall be shifted to all be within the landscape islands if possible. If they cannot be moved and some need to remain in the stalls themselves, bollards shall be installed around the light fixtures to protect the pole’s foundation from potential damage.
2. The uncontrolled area between Building 200 and the eight ingress/egress traffic lanes is concerning from a traffic and pedestrian safety perspective. Provide controls.
3. Provide spot grades for wharf access driveway that illustrate the feasibility of truck access.
4. Provide detail for the Proposed Gate at the eight lane ingress/egress to Building 200.

Sheet CS113

1. A detail of the proposed compactors shall be provided.

Sheet CS115

1. Provide detail regarding the proposed interface with Port Terminal Boulevard.
2. Proposed driveways to “Lot C,” and associated site triangles shall be shown.
3. Add signs prohibiting truck traffic entry onto Port Terminal Boulevard, west of the intersection with the North-South Connector Road.

Sheet CS116

1. The fenced site feature that is shown on the Southwestern side of the Proposed Auto shop shall be labeled.
2. Provide detail regarding the proposed interface with Port Terminal Boulevard.
3. The proposed Port Terminal Boulevard driveway would require modification if Port Terminal Boulevard is modified (including elevation raising), in the future. Provide evidence that road raising and/or other improvements can be accommodated.

Sheet CS200

1. The phasing plan shall acknowledge the conditions of applicable settlement agreements regarding the timing of the landscaped berm and soundwall construction.
2. The proposed phasing plan does not supersede the City Engineer and City Building Department’s rights to require, at their sole discretion, completion and acceptance of site improvements that are necessary to justify issuance of a temporary or permanent certificate of occupancy.

General Truck Movement Plan Comments

1. Turning maneuvers shall be added to the plans for a truck turning into Lot B traveling North toward Proposed Building 200 from Port Terminal Boulevard as well as a truck exiting the site traveling South toward Port Terminal Boulevard (i.e. the Guard House Area).

Sheet CS301

1. Turning Area 1-2 shall be revised to include the turning maneuver for a WB-67 going North bound and making a right turn into the 140 trailer parking space lot.

Sheet CS302

1. Turning Area 2-1 shall be revised so that a truck making a left turn into the site will avoid an idle truck waiting to make a left or right turn onto Port Lincoln Road.
2. Turning Area 2-2 shall be revised so that the truck traveling South bound does not cross the curb line.

Sheet CS304

1. The Turning Area 4-3 viewport is incorrect and shall be revised.
2. A turning maneuver shall be added to show a truck turning left into the drive in ramp along the Southern edge of the building, across from the Port Terminal Boulevard access.

Sheet CP101

1. The gravel hatch near the Coast Guard site and along the trailer staging stalls shall be removed from this sheet as it looks similar to the “Major Access Drives Asphalt Pavement” hatch.
2. The note “Refer to CS111-CS114 for detailed site plans” shall be updated
3. Proposed sidewalks shall be added to the plan.

General Grading Comments

1. Additional wall shots for the proposed wharf access ramps shall be provided.
2. The retaining walls along the drive-in ramps to the proposed buildings shall have proposed elevations called out along them.
3. The grading of Lot “C” (City Ferry Parking) shall be modified to illustrate anticipated final grades that accommodate driveway entrances and site improvements necessary to complete a functional parking lot, including provision of retaining walls.

Sheet CG111

1. A note shall be added where the proposed curb on the North side of Port Lincoln Road is to tie into the existing curb.
2. Additional spot shots shall be added to all walkways including the walkways which front the building as to ensure positive drainage and ADA compliance.
3. The proposed contours in the northeast portion of the sheet near the text “Matchline-See Sheet CG112” do not tie into existing contours and shall be revised.

Sheet CG112

1. Additional spot shots shall be added to the 140 trailer parking space lot as to ensure positive drainage and constructability.
2. The area West of CB-420 around the curbed island shall be regraded to eliminate the runoff that will get trapped at the low point called out as BC 13.88.

Sheet CG114

1. The proposed contours along the northern property line are not correctly tying into the existing grades.
2. The proposed contours along the eastern property line are not correctly tying into the existing grades.

Sheet CG115

1. The proposed contours along the southern property line are not correctly tying into the existing grades.
2. The note saying “Refer to sheet CG213 for Drainage shall be updated.

Sheet CG116

1. The proposed contours along the eastern property line are not correctly tying into the existing grades.
2. It is difficult to see if the proposed grade of the access road properly ties into Port Terminal Boulevard and a proposed elevation 8 contour may be required. The Applicant shall add an inset of this area as to clearly show the tie-in to existing grade.
3. The elevation 9 contours seem to tie into the curb at gutter elevations greater than 8.50, this shall be clarified or revised.
4. The note saying “Refer to sheet CG214 for Drainage” shall be updated.

General Drainage Comments

1. All inlet labels shall be corrected to read “GR” with the respective grade elevation at the structure. Some inlets are calling out “RIM” elevations within the label.
2. All manhole labels shall be corrected to read “RIM” with the respective grade elevation at the structure. Some manholes are calling out “GR” elevations within the label.
3. The legends on the Drainage Plans shall be updated to remove the sign details.
4. The legend shall be updated to include the symbol and description for the structure which is typical as structure “OWS-401”.
5. Applicant shall conduct an engineering inspection of the existing pipes, structures and outfalls proposed to be utilized as part of the stormwater system, including a visual and/or video inspection of all existing pipes, structures and outfalls proposed to be utilized as part of the proposed system. Applicant shall repair or replace deficient elements to the satisfaction of the City Engineer.
6. Applicant shall provide evidence that the proposed truck wash, fueling and auto shop facilities have complied with applicable NJPDES permitting requirements and shall describe the relationship between proposed washwater/exposed stormwater and the proposed stormwater conveyance system connections.
7. Applicant shall provide evidence that the proposed stormwater conveyance system will feasibly serve a proposed parking lot on the proposed Lot C.

Sheet CG211

1. RL-107 shall have an invert out listed.
2. MH-200 shall be revised so that the invert out is at the same elevation as the lowest invert into the structure as to not have permanent standing water.
3. MH-131 shall be relabeled to CB-131 or the structure symbol revised to be consistent.

Sheet CG212

1. EX. MH-268 shall list the invert in from the existing CB-267 as that structure and pipe shall remain.

Sheet CG213

1. The invert out of the drainage pipe from the guard house shall be labeled as shall the pipe itself.
2. The pipe between CB-505 and CB-504 shall be labeled.
3. It is noted that the Proposed Wash Tunnel 12” HDPE roof leader connections to the customer counter/HR building to be coordinated with MEP. It is believed that that part of this note referring to the customer counter/HR building is incorrect and shall be revised.

Sheet CG214

1. The pipe between MH-602 and CB-602 shall be labeled.
2. The pipe label between CB-602 and CB-604 shall be moved to be legible.

Sheet CG215

1. The stubbed pipe coming into MH-801 shall have an invert listed at the stub.

Sheet CG216

1. It is noted that the Proposed Auto Shop 12” HDPE roof leader connections to the customer counter/HR building to be coordinated with MEP. It is believed that that part of this note referring to the customer counter/HR building is incorrect and shall be revised.

General Drainage Profile Comments

1. All inlet labels shall be corrected to read “GR” with the respective grade elevation at the structure. Some inlets are calling out “RIM” elevations within the label.
2. All manhole labels shall be corrected to read “RIM” with the respective grade elevation at the structure. Some manholes are calling out “GR” elevations within the label.
3. The comments listed under the Drainage Plan Comments shall also be corrected on the Drainage Profiles in terms of relabeling of structures, if required.
4. Applicant shall provide evidence of an agreement/permission to discharge stormwater to PANYNJ facilities, including evidence that those facilities will be maintained to continue their performance requirements. Applicant shall also provide evidence that it has the authority to make off-site improvements to the stormwater system that may be necessitated by engineering inspections.

Sheet CS116

1. The fenced site feature that is shown on the Southwestern side of the Proposed Auto shop should be labeled.
2. Provide detail regarding the proposed interface with Port Terminal Boulevard.
3. The proposed Port Terminal Boulevard driveway would require modification if Port Terminal Boulevard is modified (including elevation raising), in the future. Provide evidence that road raising and/or other improvements can be accommodated.

Sheet CG401

1. The label for the pipes from Vault-101 to OF-101 shall be revised to indicate that the invert out consists of three outlet pipes.
2. The hydrant service line crossing shall be added to profile CB-215 to MH-203.

Sheet CG402

1. It shall be clarified if profile CB-211 to OF-201 is required as part of this application or if it is a part of the Port Lincoln Road construction.

Sheet CG403

1. Per the utility plans, the CB-303 to MH-302 profile shall be revised to remove the 8” existing water main crossing.
2. The pipe label for the pipe between MH-406 to CB-416 shall be moved to be legible.

Sheet CG405

1. Within profile CB-511 to MH-506 the 217 LF 8” PVC label shall be removed.

Sheet CG408

1. Profile CB-609 to MH-617 shall be revised to indicate the 371 LF 24” HDPE pipe is to be Duraslot. Also, the portion of pipe between ~ stations 3+60 to 4+25 shall be revised to appear the same as the other Duraslot sections within the profile for consistency.
2. The proposed water main crossing the pipe section from CB-610 to MH-619 shall be removed as the utility plan does not indicate a crossing in this location.

Sheet CG410

1. Profile RL-705 to MH -702 shall be revised to show the second water main crossing near MH-707.

Sheet CG411

1. Profile CB-804 to CB-801 shall be revised as the drainage shown from MH-801 to CB-804 does not match that as shown on the drainage plans.

General Utility Comments

1. Proposed utility notes and labels including but not limited to sanitary sewer structure labels, pipe labels, etc. which appear near match lines shall be shown on each sheet for ease of following the system design.
2. Proposed sanitary sewer cleanout labels for the sanitary runs leaving the proposed buildings shall including inverts of the pipes connecting to the structure.
3. The legend shall be updated to include the symbol and description for the structure typical as “SAN. OWS-204”, “SAN. OWS-201”, etc.
4. All utility work to be coordinated with the appropriate utility company and MEP engineer to ensure proper installation and sizing per the notes on the utility sheets.
5. All utility structures including transformers, meter locations, etc. shall all be coordinated with the appropriate utility company and MEP engineer to ensure proper installation and sizing per the notes on the utility sheets.
6. All utility work proposed on lands owned by the City of Bayonne shall be coordinated with the City and all necessary license agreements, indemnification and insurance requirements shall be satisfied prior to conducting work. Any City property disturbed by the proposed work shall be restored to the satisfaction of the City Engineer.
7. Those portions of the proposed water mains that will ultimately serve as part of the City’s distribution loop (if any) shall be dedicated to the City of Bayonne and an entry and maintenance easement shall be granted. Determination of the public nature of any water loops shall be made by the City Engineer in consultation with Suez.
8. The adequacy and location of proposed fire hydrants shall be subject to the City of Bayonne Fire Official’s approval.

Sheet CU111

1. The sanitary run from Proposed Building 100 to SAN. MH-102 shall be revised to have the typical 0.10’ drop within each structure.

Sheet CU113

1. The location of the proposed future connection to a gas main and water main are subject to future development that is indeterminate. Location and/or availability of this connection is uncertain and may change from the projected location. The Applicant shall be responsible for making the connection, wherever it exists.

Sheet CU116

1. The sanitary pipe from SAN. MH-213 to SAN. MH-214 shall be labeled.

General Sanitary Profile Comments

1. Any profiles affected by the comments under the Utility Plan comments above shall be addressed and carried over to the respective profiles as well.

Sheet CU205

1. The San. MH labels for some structures within Profile San. Connection 11 to Building 200 to San. MH-202 do not line up with the structures themselves. The labels shall be shifted to properly point to the applicable structure.

General Water Profile Comments

1. Final water design shall be coordinated with the City engineer and Suez.

General Soil Erosion and Sediment Comments

1. Matrix defers to the Hudson-Essex-Passaic Soil Conservation District for any additional comments on the Soil Erosion and Sediment Control Plans/Details or plan set.
2. Soil Erosion and Sediment Control Plans/Details shall be coordinate with the offsite improvements.

Sheet CE101

1. Inlet protection shall be added to structure CB-404.

Sheet CE102

1. Inlet protection shall be added to structure TD-402.

Sheet CE501

1. The slope armoring details do not provide adequate protection for the soils above the stone slope. A provision for erosion control at this interface shall be provided.

General Landscape & Lighting Comments

1. The proposed tree species shall be selected to survive the harsh coastal environment of the site. Engineer reserves the right to modify the landscape plan to achieve this goal.
2. The Applicant shall be responsible for complying with the requirements of the Landscape Maintenance notes, including all future maintenance associated with upkeep of the proposed improvements. Maintenance shall be an Applicant responsibility in perpetuity.
3. A warrantee/guarantee specification shall be added for the seeding elements.
4. Applicant shall provide evidence that the proposed demolition of the existing buildings along Port Terminal Boulevard will not cause a reduction in light levels along the roadway (i.e. elimination of existing building-mounted lighting).

Sheet LP111

1. The Plant Schedule contains a note indicating that if there are any discrepancies between the amounts shown in the plan and the plant list, the plan shall dictate. It is noted that there does seem to be some minor discrepancies between the plans and the chart, but nothing too extreme. What is shown on the Landscape Plans shall dictate what shall be installed during construction.

Sheet LP115

1. The “RA” plant labels along the PANYNJ Access Road shall be revised as it is believed they shall be “RAG” labels as plant type “RA” is not within the Plant Schedule.

Sheet LL501

1. The Applicant shall confirm the quantities within Site Lighting Schedule-Pad 200 for light fixture Type J and L.
2. The Applicant shall provide a detail for the transition between the development and Port Terminal Boulevard.

Sheet LL112

1. The Type J lights in the car parking lot between the two proposed buildings shall be moved to be within the landscape islands. If they cannot be moved, four bollards shall be installed as to protect the pole and foundation of the lights. Should this modification affect parking, the parking tables shall be updated.

General Detail Comments

1. Sewer and Water Connection details shall be reviewed by the City Engineer and Suez.
2. Gas, Electric, Cable and Telephone details shall be reviewed by the appropriate agency.
3. All sanitary and stormwater details shall be consistent with City requirements.
4. The structures as shown on the utility plan labeled “OWS” shall have applicable details added to this set.
5. Applicant shall confirm and revise plans to show that all freestanding signs do not project more than 18 inches from face to face.

Sheet CS501

1. The “Asphalt Pavement Section” details notes that the pavement sections are based on assumed traffic loading and that the pavement design shall be re-evaluated based on a traffic study or specific tenant requirements. The pavement section is approved as shown. If the pavement section is modified, it shall be subject to the City Engineer’s review and approval.

General Wharf and Bulkhead Repair Details

1. The proposed wharf and bulkhead repair are outside of the Planning Board's jurisdiction.

OFF-TRACT UTILITY IMPROVEMENTS

Sheet CG101

1. There are existing water main features which should be shown on this sheet as per the site plans. This plan sheet shall be revised to show the applicable utilities.

Sheet CG201

1. There are existing water main features which shall be shown on this sheet as per the site plans. This plan sheet shall be revised to show the applicable utilities.

Sheet CU101

1. There are existing water main features which shall be shown on this sheet as per the site plans. This plan sheet shall be revised to show the applicable utilities.

General Soil Erosion and Sediment Comments

1. Matrix defers to the Hudson-Essex-Passaic Soil Conservation District for any additional comments on the Soil Erosion and Sediment Control Plans/Details or plan set.

Sheet CE100

1. The limit of disturbance as shown on this sheet shall be updated as to not extend as far east along Port Terminal Boulevard as disturbance is not required that far east.

Sheet CE102

1. The limit of disturbance as shown on this sheet shall be updated as to not extend as far east along Port Terminal Boulevard as disturbance is not required that far east.
2. The existing inlets southwest and northwest of Lift Station No. 2 within the roadway shall indicate proposed inlet protection.

General Detail Comments

1. Sewer and water connection details shall be reviewed by the City Engineer and Suez.
2. A detail shall be added for the 8-foot plywall to be installed South of the concrete pad for the switchgear as recommended within the acoustical evaluation.

General Survey Comments

1. Matrix has no comment on this submittal.

General Subdivision Comments

1. The proposed lot numbers shall be reviewed and approved by the Tax Assessor's office prior to recording. If any proposed lot numbers are to be modified, these plans shall be updated as required.
2. The Applicant shall perfect the original subdivision lot consolidation (Application #P-18-036) prior to any action on the subdivision / lot consolidation actions proposed in this application.
3. The Applicant shall perfect the Additional Parcel lot consolidation prior to filing the overall subdivision / lot consolidation plat.

Sheet CB401

1. This map shall reference the plat prepared as CB301 within the map reference notes.

STORMWATER MANAGEMENT REPORT

The Applicant has provided an updated Stormwater Management Report that addresses the additional area to be developed on-site which is to be conveyed through the proposed drainage systems, as well as the layout modifications. It is noted that there are a number of pipe runs which have a velocity less than 2.0 fps which could cause a cleansing issue for the proposed system. It is also noted and described in the section below that there are a number of stormwater pipes which are under designed for the 25-Year Storm. The Applicant shall revise these pipe runs to the to ensure self-cleansing of the system and capacity requirements are met. Additionally, it is not clear based upon the information provided, if the evaluation of off-site pipe and outfall capacity is sufficient to accommodate the design storm drainage from the proposed development area and offsite contributions. Clarification is required.

Matrix also offers the following comments for the Stormwater Management Report:

1. The pipe size between CB-124 to CB-123 does not match the site plans.
2. The pipe between CB-123 and CB-122 is undersized per the pipe calculations.
3. The pipe between CB-133 and CB-132 is undersized per the pipe calculations.
4. The pipe between CB-220 and CB-219 is undersized per the pipe calculations.
5. The pipe between CB-219 and CB-218 is undersized per the pipe calculations.
6. The pipe between CB-213 and MH-203 is undersized per the pipe calculations.
7. The pipe between CB-214 and MH-203 is undersized per the pipe calculations.
8. The pipe between MH-203 and CB-202 is undersized per the pipe calculations.
9. The existing pipe between EX. MH-268 and EX. MH-269 is undersized. The Applicant shall work with and modify the plan to the City Engineer's satisfaction, including reconstruction of this pipe run if necessary. It is noted that the Hydraulic Grade Line (HGL) during the 25-Year Storm does not exceed the rim elevation of the upstream structure.

10. The pipe between CB-410 and CB-409 is undersized per the pipe calculations.
11. The pipe between TD-402 to MH-403 is undersized per the pipe calculations.
12. The pipe between TD-401 to MH-403 is undersized per the pipe calculations.
13. The pipe between MH-402 to MH-401 is undersized per the pipe calculations.
14. The pipe between CB-501 to MH-501 is undersized per the pipe calculations.
15. The pipe between RL-501 to MH-506 is undersized per the pipe calculations.
16. The pipe between RL-502 to MH-507 is undersized per the pipe calculations.
17. The pipe between RL-503 to MH-508 is undersized per the pipe calculations.
18. The pipe between RL-504 to MH-509 is undersized per the pipe calculations.
19. The existing pipe between Doghouse MH-501 and EX. OF-501 is undersized. The Applicant shall work with and modify the plan to the City Engineer's satisfaction as these are existing pipes, including pipe run reconstruction if necessary. It is noted that the HGL during the 25-Year Storm does not exceed the rim elevation of the upstream structure.
20. The pipe between CB-722 to CB-721 is undersized per the pipe calculations.
21. The Applicant shall clarify the sizing and limits of Storm Network 800 as some of the conveyance system is not shown within the site plans and/or the report. As part of that system, the pipe between CB-801 to EX. CB-88 is undersized per the pipe calculations.
22. The existing pipes between EX. CB-136 and EX. CB-206 are undersized. The Applicant shall work with and modify the plan to the City Engineer's satisfaction as these are existing pipes, including pipe run reconstruction if necessary. It is noted that the HGL during the 25-Year Storm does not exceed the grate/rim elevations of the upstream structure for these two pipe runs.
23. The pipe slope between EX. CB-206 and EX. OF-901 is incorrect in the pipe calculations. The pipe is also undersized and subject to the same comment as listed above under Comment #22 as it is the same conveyance system.
24. The existing pipes between Doghouse MH-1001 and EX. OF-1001 are undersized. The Applicant shall work with and modify the plan to the City Engineer's satisfaction as these are existing pipes, including reconstruction if necessary. It is noted that the HGL during the 25-Year Storm does not exceed the grate/rim elevation of the upstream structure for these two pipe runs.

TRAFFIC STATEMENT

The Applicant has provided an updated traffic statement for the modified proposed development which maintains the original Traffic Statement conclusion in that the proposed development will not have any significant traffic impact. It also concludes that the proposed design is consistent with current standards and will provide adequate access, circulation, and parking.

The Traffic Statement shall be updated to reflect any of the potential parking changes specified herein.

Matrix offers the following comments in regard to the Traffic Statement (supplemented with information provided by Suzanne Mack, AICP, Certified Transportation Planner):

1. The Peninsula at Bayonne Harbor Maritime District traffic is covered by a Letter of No Interest (LONI) from the NJDOT which calls for the separation of truck traffic from the residential district's traffic covered in an NJDOT Highway Access Permit for the rest of

the districts which prohibited truck traffic using Goldsborough Drive. The Applicant's report was reviewed in that context for Board's consideration and future documentation to NJDOT.

2. Page 7 shall be revised to correctly identify the proposed building numbers as shown within the site plans.
3. Given the prohibition against trucks entering the residential districts of the Peninsula at Bayonne Harbor, Applicant shall clarify how trucks coming from the Bayonne Bridge to access Buildings 100 and 200 will enter the Site. The report states no trucks would use Goldsborough Drive which is consistent with the NJDOT Highway Access permit . The Applicant shall work with the City to establish offsite wayfinding and regulatory signage to direct trucks to Pulaski St. and prohibit trucks using Goldsborough Drive in accordance with the NJDOT Highway Access Permit.
4. The Applicant shall provide testimony relative to the ability of the proposed intersection of the North South Connector Road and Port Terminal Boulevard to accommodate future development on the PANYNY-owned properties and shall specifically identify whether future traffic control measures (e.g. traffic lights) are anticipated at this intersection. The Planning Board should reserve the right to require an off-site improvement contribution for future improvements at this intersection.
5. The Applicant shall provide testimony relative to the feasibility of raising Port Terminal Boulevard in the future, and shall provide design accommodations to make the future road raising possible.
6. The Applicant shall provide testimony concerning traffic routes and features of the proposed development that will limit the introduction of new commercial traffic to City of Bayonne residential neighborhoods, including those located on the Peninsula at Bayonne Harbor and those west of Route 440.
7. The Applicant shall modify the traffic report to address the complex traffic and pedestrian interactions at the intersection of the “guard house” entry lanes (8) with Building 200.
8. The Applicant shall provide testimony demonstrating that the proposed traffic circulation can accommodate transportation “drop-off” movements, including jitneys from proximate mass-transit facilities and taxi/ride-share/app-based transportation services.

ENVIRONMENTAL IMPACT STATEMENT AND ENVIRONMENTAL IMPACT STATEMENT UPDATE MEMORANDUM

Matrix has previously reviewed the original Environmental Impact Statement which was prepared for the development prior to the layout modifications and offered no comment on this submittal.

Matrix has reviewed the newly prepared Environmental Impact Statement Update Memorandum and offers the following comments:

1. The drawing numbers as indicated within the report shall be updated to match the revised site plans as sheets were added for the expanded layout and additional lot area.
2. The Report's “Proposed Lot” nomenclature shall match that as shown on the Final Subdivision Plat.
3. Table 1 shall be updated to include required permits for the Truck Wash, Fueling and Auto Shop facilities, including NJPDES Industrial Stormwater Permits and Passaic Valley Regional Sewerage Authority approvals.

4. The Noise Level comment (page 5) shall be modified to acknowledge the existing of adjoining residential uses.

ARCHITECTURAL DRAWINGS

1. The architectural plans provided for Building 100 submitted to date are subject to future modification based upon tenant needs. Prior to application for City Building Permits, Applicant shall provide final architectural plans for approval (including final proposed signage). If final architecture plans necessitate site plan modifications, they shall also be submitted for approval.
2. Proposed building tenant signs shall be in full compliance with the Redevelopment Plan's sign ordinance. The Applicant shall submit an updated to the previously approved Exterior Signage Plan to show compliance with Section 2.5 from The Peninsula at Bayonne Harbor Redevelopment Plan.
3. The Applicant shall confirm the footprint area of the HR & Customer Counter Building as there is a slight variation in the overall size as shown on the Architectural Plans as compared to the Site Plans.
4. The Site Plans and/or MEP Plans shall be revised to include notation of the trench drains to be installed for the Wash Tunnel and Auto shop and how they are connecting into the proposed drainage system and/or sanitary sewer systems.
5. The proposed fence as shown on the Guard House development plan on the North and South side of the building shall be shown on the Site Plans.
6. The architectural drawings shall be supplemented to include any rooftop installations (e.g. mechanical equipment) and their exceedance of roof parapets (subject to approval).

REVISED ACOUSTICAL EVALUATION AND A SUPPLEMENTAL REVIEW OF PROPOSED SITE PLAN CHANGES

The supplement addresses the proposed development plan modifications, and concludes that the only necessary plan modification to accommodate the revised Site Plan is construction of an 8-foot tall solid fence be constructed along the west side of PANYNJ Access Road, from the South end of the proposed switch gear area to the South property line of Lot B. The site plans indicate a proposed 8-foot plywall or approved equal to be installed within the recommended limits described above, therefore the Site Plans comply with the new recommendation from Lewis S. Goodfriend & Associates. The Site Plans shall be revised to include a detail for the 8-foot plywall or approved equal as commented also above within the Site Plan comments.

THIRD-PARTY LAND USE RESTRICTIONS

The property subject to this application is subject to numerous agreements, easements and deed restrictions that restrict the property's land use. The Applicant shall provide a written certification that the proposed development complies with all applicable land use restrictions.

ACCESS AND MAINTENANCE AGREEMENTS

Portions of the development proposed in this application require construction on property owned by the City of Bayonne and the PANYNJ. The Applicant shall provide a written certification that

all necessary legal agreements for the construction and perpetual maintenance of these improvements have been secured by the Applicant.

SOUND ATTENUATION STRUCTURES PHASING

Matrix understands that the Applicant may request approval of a phasing plan that allows issuance of a Certificate of Occupancy (CO) to operate one or more of the proposed warehouse buildings and/or to initiate commercial traffic (potentially including PANYNJ traffic) on the proposed access road prior to completion of the proposed Sound Attenuation Structures.

If the Applicant makes such a request, Matrix recommends that the following information/conditions be required for the Board's consideration of the request:

- A modified Acoustical Evaluation demonstrating that operation of the warehouses and Access Roadway (including PANYNJ traffic) without the Sound Attenuation Structures in place will not cause the Redevelopment Plan's ambient noise thresholds to be exceeded.
- Evidence that existing legal agreements requiring the construction of a Sound Attenuation Structure prior to the commercial use of the Access Road by PANYNJ traffic have been waived, modified, terminated, replaced, or otherwise changed to allow the proposed phasing.
- Establishment a performance guarantee with the City for construction of the Sound Attenuation Structures. The guarantee shall be established as part of the first phase of construction, even if the Applicant proposes to construct the Structures at a later date. The guarantee amount shall be based upon public procurement of virgin source, clean fill material and shall include all necessary elements for the vertical wall and the landscaped berm to be constructed.
- Installation of a noise monitoring system along the adjoining City property line. Operation of noise monitoring shall be required upon opening of the Proposed Access Road to commercial traffic and shall continue until the Sound Attenuation Structures is complete and accepted by the City Engineer. The noise monitoring program shall be submitted to the City Engineer for review and approval prior to implementation, and results shall be provided to the City on a monthly basis and upon request.
- Shall chronic violations of the ambient noise thresholds occur due to use of the Access Road or Warehousing operations, the Applicant shall be required to initiate construction of the Sound Attenuation Structures within thirty days' notice from the City Engineer. Failure to initiate construction of the Sound Attenuation Structures within this timeframe shall be cause for the City to draw upon the Sound Attenuation Structures performance guarantee. The determination of what constitutes chronic violations shall rest solely with the City Engineer.

- In all circumstances, the Sound Attenuation Structures shall be completed within 18 months of the earlier of a) issuance of the first Certificate of Occupancy or b) initiation of commercial traffic upon the Access Road.

TESTIMONY / DISCUSSION TOPICS

Matrix recommends that the Applicant provide testimony at the Planning Board Hearing with regards to the following topics:

1. General

The Applicant shall provide testimony concerning all comments referenced above. This may be covered by a blanket statement that the Applicant accepts the comments of the Engineer and Planner or may be addressed on an item-by-item basis.

2. Architecture

The Applicant shall provide testimony concerning the materials and amenities of the proposed buildings.

3. Visual Impacts

The Applicant shall provide testimony concerning the elevation, and visual impact, of all proposed improvements upon the adjoining residential properties. Testimony shall include, but not be limited to, the following:

- *Proposed rooftop infrastructure or appurtenances* - At present, no rooftop installations are indicated on the proposed architectural drawings and no visual impact is anticipated. If Applicant anticipates rooftop structures, their height relative to the roof and/or parapet shall be discussed.
- *Sound Attenuation Structures* – Including both the proposed sound wall and earthen berm.
- *Lighting* – Testimony concerning the height and shielding requirements of lighting shall be presented.

4. Refuse

The Applicant shall provide testimony concerning the proposed manner of refuse handling and storage.

5. Noise

The Applicant shall provide testimony concerning the proposed Sound Attenuation Structures and their ability to comply with the Redevelopment Plan's noise standards.

6. Emergency Access

The Applicant shall provide testimony concerning the incorporation of emergency access to and within the site.

7. Flood Resilience

The Applicant shall provide testimony concerning the flood resiliency of the design.

8. Public Transit

The proposed development lies in close proximity to two light rail stations. The Applicant shall provide testimony regarding future employees' transit-oriented access to the warehouses.

9. Pedestrian / Bicycle Access

Many workers employed within the Port Industrial District of Bayonne and Jersey City walk or ride bicycles to work. Applicant shall provide testimony concerning their plans to accommodate this practice.

10. ADA Compliance

The Applicant shall provide testimony that their plan complies with applicable ADA requirements.

11. Coast Guard Access

The Applicant shall provide testimony concerning their plans to maintain vehicular access and utility service to the Coast Guard property throughout the construction period.

12. Landscaping and Sound Attenuation Structure Maintenance

The Applicant's shall provide testimony concerning their plans to ensure long-term maintenance of the proposed on-site and off-site landscaping and Sound Attenuation Structures

13. Traffic

The Applicant shall provide testimony concerning its impact upon local residential traffic, if any.

RECOMMENDATIONS FOR CONDITIONS OF APPROVAL & OUTSIDE AGENCY APPROVAL

Matrix recommends the following conditions of final approval. Evidence of compliance shall be provided by the Applicant to my attention and the City Planning and Zoning Office.

1. Satisfaction of all testimony, additional information, submittals and plan revisions recommended herein.
2. Approval of the City of Bayonne Fire Official.
3. Approval by all federal, state, and local entities having jurisdiction over the proposed redevelopment, including but not limited to Hudson, Essex, Passaic, and Sussex County Soil Conservation District, NJDEP, Hudson County, and US Army Corps of Engineers .
4. Posting of Performance Guarantees and Inspection Fees in the amount determined by the City Engineer and in compliance with applicable City ordinances.
5. Review and approval of the sanitary sewer, stormwater and potable water utilities by the City Engineer and Suez.
6. Executed Redeveloper Agreement
7. Evidence of an agreement for perpetual maintenance of the proposed off-site improvements.

8. County Site Plan Approval or Statement of No Interest.
9. Coordination with Bayonne Police Department's Traffic Control Unit and submittal of Maintenance and Protection of Traffic Plans for any proposed road closures or temporary traffic modifications.
10. Execution of a right of way easement for Lincoln Way in a form acceptable to the City of Bayonne.
11. Execution of a right of way easement for the North-South connector road in favor of the City.
12. Application to the City of Bayonne for Title 39 Enforcement of traffic and parking violations on Applicant's property, if warranted.
13. Those portions of the proposed water mains that will ultimately serve as part of the City's distribution loop (if any) shall be dedicated to the City of Bayonne and an entry and maintenance easement shall be granted. Determination of the public nature of any water loops shall be made by the City Engineer in consultation with Suez
14. .To the extent that any of the conditions of final approval for each of the previously approved applications for the property remain in effect or have not been fully satisfied, they shall be incorporated into the Resolution of Approval for this application (if granted). In the event of a conflict between conditions of approval for the prior approvals, and those of this application (if granted), the conditions of approval for this application shall govern.