

FIRST ENGINEERING REVIEW

PRELIMINARY & FINAL MAJOR SITE PLAN APPLICATION (P-23-018)

**BLOCK 478 – LOTS 1 & 1.01; BLOCK 466 – LOTS 1, 2, 3, & 4; & BLOCK 465 – LOT 9
CITY OF BAYONNE, HUDSON COUNTY, NEW JERSEY**

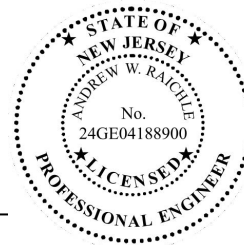
OWNER/APPLICANT: DUKE REALTY BAYONNE URBAN RENEWAL, LLC.

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Prepared by:
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October 2, 2023

MATRIX JOB NO. 13-454-36



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INTRODUCTION

Matrix New World Engineering, Land Surveying and Landscape Architecture, P.C. (Matrix) has prepared this engineering technical review of our initial findings for a Preliminary and Final Major Site Plan Application to the Planning Board.

The Applicant, Duke Realty Bayonne Urban Renewal, LLC, has previously submitted and secured approval for Preliminary / Final Major Subdivision of the property (P-22-021) but has yet to perfect the subdivision. The proposed development lies on a portion of the property that is the subject of P-22-021.

The Applicant proposes to redevelop the property, which was formerly developed with a heavy industrial use (“Exxon”), as a modern warehouse campus consisting of five warehouse buildings range in size from approximately 1.1 million SF to 110,000 SF. Site improvements would include truck parking areas, trailer storage and passenger vehicle parking, bicycle parking, signage, a private roadway system to provide access to Avenue J, E. 22nd Street and Hook Road to reach Rt. 440, fencing, lighting, landscaping, and an 8,000 SF maintenance and repair garage.

SUBMITTED DOCUMENTS

The application package reviewed by Matrix included the following:

1. Site Plan set, consisting of 70 sheets, entitled “*Preliminary & Final Major Site Plan for Prologis Bayonne, Block 478, Lots 1 & 1.01; Block 466, Lots 1, 2, 3 & 4; Block 465, Lot 9; City Tax Map Sheets 137-140. City of Bayonne, Hudson County, New Jersey,*” prepared by Joseph D. Hanrahan, P.E. of Hammer Land Engineering, LLC., dated March 18, 2022, last revised April 14, 2023;
2. Topographic Survey Plan sheet, entitled “*Roadway Topographic Survey; East 22nd Street, City of Bayonne, Hudson County, New Jersey,*” prepared by James J. Heiser, P.L.S. of DPK Consulting, LLC., dated March 1, 2022;
3. ALTA Survey Plan set, entitled “*ALTA/NSPS Land Title Survey, Tax Lots 1-4, Block 466; Tax Lots 1-4 & 9, Block 465; and a Portion of Avenue “I”; East 22nd Street and Avenue “J”, City of Bayonne, Hudson County, New Jersey,*” prepared by James J. Heiser, P.L.S. of DPK Consulting, LLC., dated April 28, 2022;
4. ALTA Survey Plan set, entitled “*ALTA/NSPS Land Title Survey, Tax Lots 1 & 1.01, Block 478; East 22nd Street and Avenue “J”, City of Bayonne, Hudson County, New Jersey,*” prepared by James J. Heiser, P.L.S., of DPK Consulting, LLC., dated December 8, 2021;
5. Stormwater Report, entitled “*Stormwater Management Report, for Duke Bayonne, Block 478, Lots 1 & 1.01; Block 466 Lots 1, 2, 3 & 4; Block 465, Lot 9; located in City of Bayonne, Hudson County, New Jersey,*” prepared by Joseph D. Hanrahan, P.E. of Hammer Land Engineering, LLC., dated May 11, 2022;
6. Supplemental Stormwater Report, entitled “*Supplemental Stormwater Management Report, for Prologis Bayonne, Block 478, Lots 1 & 1.01; Block 466 Lots 1, 2, 3 & 4; Block 465, Lot 9;*”

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located in City of Bayonne, Hudson County, New Jersey,” prepared by Joseph D. Hanrahan, P.E. of Hammer Land Engineering, LLC., dated November 3, 2022;

7. Environmental Impact Report, entitled “*Environmental Impact Statement, prepared for Duke Realty Bayonne Urban Renewal, LLC., Block 478, Lot 1 & 1.01; Block 466 Lots 1, 2, 3 & 4; Block 465, Lot 9, City of Bayonne, Hudson County, New Jersey,*” prepared by Kristin Wildman, P.W.S. of DuBois & Associates, LLC., dated June 2, 2023;
8. Preliminary Geotechnical Engineering Report, entitled “*Preliminary Geotechnical Engineering Report, IMTT Bayonne, City of Bayonne, Hudson County, New Jersey,*” prepared by Allison Tether, P.G., and Dennis C. Loh, P.E., both of GTA USA, LLC., dated December 2, 2021;
9. Geotechnical Engineering Report, entitled “*Geotechnical Engineering Report, Exxon Bayonne, City of Bayonne, Hudson County, New Jersey,*” prepared by Allison Tether, P.G., and Dennis C. Loh, P.E., both of GTA USA, LLC., dated October 2021;
10. Pavement Design Report, entitled “*Pavement Design Report, Exxon Bayonne, City of Bayonne, Hudson County, New Jersey,*” prepared by Allison Tether, P.G., and Dennis C. Loh, P.E., both of GTA USA, LLC., dated March 21, 2022;
11. Traffic Report, entitled “*Traffic Impact Analysis, Avenue J & New Hook Road; Block 465, Lot 9; Block 466 Lots 1, 2, 3 & 4; Block 478, Lot 1 & 1.01, City of Bayonne, Hudson County, New Jersey,*” prepared by Craig W. Peregoy, P.E. of Dynamic Traffic, LLC., dated April 19, 2023;
12. Force Main Electrical Plan sheet, entitled “*Electrical Pump Station Power Plan,*” prepared by Joseph D. Hanrahan, P.E., of Hammer Land Engineering, LLC., dated May 5, 2022;
13. Force Main Engineer’s Design Report, entitled “*Engineer’s Design Report, Duke Bayonne, Wastewater Pumping Station, City of Bayonne, Hudson County, New Jersey,*” prepared by Raymond J. Wheaton Jr., P.E., of Taylor, Wiseman & Taylor, LLC., dated April 15, 2022, last revised June 3, 2022.

REFERENCE DOCUMENTS

1. Redevelopment Plan, entitled “*Redevelopment Plan, Former Exxon and IMTT, Block 465, Lot 9; Block 466, Lots 1, 2, 3, and 4; and Block 478, Lots 1 and 1.01, City of Bayonne, Hudson County, New Jersey,*” prepared by the City of Bayonne Division of Planning and Zoning, dated April 12, 2022.

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Matrix offers the following comments concerning the application materials:

GENERAL COMMENTS – ADMINISTRATIVE/CHECKLIST WAIVER REQUESTS

The Applicant requests the following administrative / checklist waivers.

1. Order of the Administrative Officer precipitating the application
2. Copies of protective covenants, deed restrictions or easements (partial waiver request)
3. Landscaping plan (partial waiver request for omission of inventory of materials)

Matrix recommends that the waivers be granted, with the exception of the proposed partial landscaping plan waiver.

GENERAL COMMENTS – PHASING

The Applicant proposes a two-phase development of the Site. The first phase consists of all proposed development that is located east of the existing Conrail property and the second phase consists of development of the property that is located north Conrail property.

The Applicant proposes to provide access for the first phase via a temporary access road. The timing and design of the temporary roadways is inadequately detailed for Matrix to determine if the temporary access phasing is adequate. Applicant shall provide additional information, plans and traffic evaluation for the temporary access for the Board Professional's review and approval as a condition of Board approval (if granted).

Matrix recommends that the Board require, as a condition of approval, that the Applicant implement all buffering and sidewalk improvements along its boundary with all public rights of way in the first phase of work.

GENERAL COMMENTS - WATERFRONT

The Applicant proposes an area of the waterfront that remains undeveloped with buildings to satisfy the Redevelopment Plan and NJDEP requirements for preservation of opportunities for future water-dependent uses. The Applicant shall provide testimony regarding the adequacy of the area reserved for water-dependent use and the intentions of the Applicant to facilitate such a use. In particular, the Applicant has programmed some of the waterfront area as open space that may be necessary for more intensive water-dependent use. The Applicant shall provide testimony concerning the extent to which it relies on the waterfront open space to satisfy the bulk zoning and NJDEP requirements, and whether conversion of that space to an active, industrial use could be accomplished.

The Redevelopment Plan requires that the Applicant provide an in-lieu monetary contribution to the City for construction of an off-site waterfront public access improvement. Payment of the fee shall be a condition of approval.

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GENERAL COMMENTS - SANITARY SEWER CONVEYANCE

The City of Bayonne does not presently have adequate capacity within its combined sewer system to accommodate sanitary demand during low frequency “surcharge” events (i.e., heavy rain events). As a condition of approval, the Applicant shall provide the necessary storage to retain sanitary sewage generated from the development. The storage capacity shall be based upon a design storm duration, which shall be specified by the Board Engineer in consultation with the City’s professionals. Provision of requisite storage shall be provided as a condition of each building’s occupancy. In the event that the City constructs and operates off-site improvements that would accommodate the proposed development’s sanitary sewage generation in the future, this condition may be waived.

GENERAL COMMENTS - TRAFFIC IMPACT

The Applicant has presented a traffic impact analysis that concludes the proposed development will not result in any significant degradation in operation conditions of the City’s roadway network and does not require any off-site mitigation.

The Applicant shall provide robust testimony on this matter, including the experts’ evaluation of the sensitivity of the traffic generation to possible tenant options and whether the submitted impact evaluation is conservative with respect to tenancy outcomes.

Matrix recommends that the Applicant be required to perform off-site traffic improvements and/or contribute its fair share of costs for off-site traffic improvements, the nature and extent of which shall be determined by the Board’s professionals.

GENERAL COMMENTS - UTILITIES

1. All utility work to be coordinated with the appropriate utility company to ensure proper installation and sizing per the notes on the utility sheets.
2. 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.
3. 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 Veolia.
4. It is noted that the gas main shall be sized, and material determined by PSE&G. Applicant shall coordinate with PSE&G.

GENERAL COMMENTS - LANDSCAPING

The Applicant shall perform a comparison of the drainage and utility lines to the landscape plans as to ensure there is no conflict with the landscape improvements.



GENERAL COMMENTS – STORMWATER MANAGEMENT & ENGINEER’S REPORT

The Applicant shall confirm, via testimony, that the proposed development will not increase stormwater discharge off of the subject property and onto adjoining properties or the City’s Right of Way. The Applicant shall also confirm that proposed development will not increase stormwater discharge / conveyance into the City’s combined sewer system.

GENERAL COMMENTS – EASEMENTS

The boundary survey includes multiple instances of existing and/or proposed easements that conflict with proposed redevelopment. The Applicant shall provide testimony concerning the disposition of those easements and how they will be extinguished or otherwise modified to allow the proposed redevelopment to occur.

GENERAL COMMENTS – ENVIRONMENTAL REMEDIATION & LEGACY CONTAMINATION

The subject site is a known contaminated site that requires substantial remediation efforts and satisfaction of post-remediation obligations in accordance with NJDEP requirements. The Applicant shall satisfy all of their remediation obligations as a condition of compliance.

The nature of the former Exxon operation on the subject property and adjoining properties is such that it is likely that the City’s public rights of way have been contaminated by former industrial operations on the subject site. It is also likely that formerly used pipelines (with or without product remaining in them) reside within the right of way. To the extent that the Applicant’s work within the right of way (e.g., utility installation) requires excavation of contaminated soil and/or groundwater, it is the sole obligation of the Applicant to incur the costs of performing the work in those conditions. Likewise, the City reserves its right to recover costs for the premiums associated with installing underground infrastructure within rights of way that have been contaminated by third parties that caused the contamination.

GENERAL COMMENTS – INTERNAL RIGHT OF WAY DEDICATION

The Board’s Consulting Planner’s recommendation that the Applicant dedicate a right of way for a future improvement that will accommodate utilities and traffic (pedestrian and vehicular) through the Site is confirmed by Matrix. Matrix recommends that dedication of a right of way, the details of which shall be determined in consultation with the Board’s professionals, be made a condition of approval.

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GENERAL COMMENTS – ON-SITE OPEN SPACE / RECREATIONAL SPACE FOR EMPLOYEES

The Applicant shall provide testimony regarding the adequacy of on-site open space and recreational opportunities for workers and whether / how it intends to satisfy the Redevelopment Plan's requirements for same.

TECHNICAL COMMENTS - AMENDED PRELIMINARY AND FINAL SITE PLAN APPLICATION FOR BAYFRONT PROPERTY

General Site Plan Comments

1. Applicant shall be required to submit structural designs for approval for all site plan elements that require evidence of structural design (e.g., retaining walls over four feet in height, large sign foundations, etc.).
 2. Additional calculations and evidence of bulk zoning compliance for open space, green roofs (if proposed) and EV parking spaces shall be provided.
- Sheet 2 – Zoning Table and General Notes
 1. Maximum building coverage percentage: The value indicated is below required percentage but unclear how this value was determined – calculations should be provided to substantiate all zoning values not readily discernible on the plans.
 2. Minimum electric vehicle parking spaces: Building No. 5 provides 160 total parking spaces with only four (4) make-ready spaces. However, per the Model Statewide Electric Vehicle Ordinance, for lots with more than 150 off-street parking spaces, install at least four percent (4%) of the total parking spaces as make-ready parking spaces, at least five percent of which will shall be accessible for people with disabilities. As such: (160 total spaces) x (4%) = 6.4 \approx 7 make-ready spaces required. The plans and calculations need to be revised accordingly to provide a total of seven (7) make-ready spaces, one of which shall be designated as ADA-accessible (which is already provided). Adjust zoning table to reflect plan revisions.
 3. Maximum site access points: Presently, the Applicant proposes a total of four (4) access points / curb cuts along East 22nd Street and one (1) along Avenue J. The zoning table should be updated accordingly.
 - Sheet 11 – Enlarged Site Plan (Northwest Section)
 1. Handicapped designated parking is 8' x 18' (Buildings 2 & 3), whereas the zoning table lists the dimensions as 9' x 18'. 8' x 18' handicapped parking dimensions are acceptable, adjust zoning table to reflect varying stall sizes.
 2. Several R5-1 “Do Not Enter” Signs are placed around the middle of the Avenue J site access point. Confirm curb cut at Avenue J only provides access/egress for loading docks, vehicles can't leave parking lot at this point.

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- Sheet 13 – Enlarged Site Plan (West-Center Section)
 1. Handicapped designated parking is 8' x 18' (Building 1), whereas the zoning table lists the dimensions as 9' x 18'. 8' x 18' handicapped parking dimensions are acceptable, adjust zoning table to reflect varying stall sizes.
- Sheet 14 – Enlarged Site Plan (East-Center Section)
 1. Add labels or callouts for the knockout docks. Callout for knockout door is cut off on sheet, move text so it may be fully visible.
- Sheet 15 – Enlarged Site Plan (South Section)
 1. Handicapped designated parking is 8' x 18' (Building 1), whereas the zoning table lists the dimensions as 9' x 18'. 8' x 18' handicapped parking dimensions are acceptable, adjust zoning table to reflect varying stall sizes.
- Sheet 16 – Overall Grading Drainage Utility Plan
 1. Same loading dock/auto stall quantity changes from “Overall Site Plan” need to be made on this sheet as well. Adjust loading dock/auto stall quantities to reflect values noted in “Overall Site Plan”.
 2. Confirm square footage data with overall site plan as well. Adjust square footage data to reflect values noted in “Overall Site Plan”.
- Sheet 21 – Enlarged Grading Plans (South Section)
 1. East of Building 1, there are three grates that extend outside of the project area. If these are being proposed, elevation data should be provided. Add additional contour labels near northernmost grate.
- Sheet 22 – Enlarged Drainage Plans (Northwest Section)
 1. Confirm there are to be no connections to existing sanitary sewer system.
- Sheet 23 – Enlarged Drainage Plans (Northeast Section)
 1. Type B Inlets #313 and #313A are located in a crosswalk (and/or an ADA-accessible route) and will need ADA compliant grates (typical throughout the project). Include inlet in detail for ADA Ramp Area #9 with callout for ADA compliant grate.
- Sheet 25 – Enlarged Drainage Plans (East-Center Section)
 1. East of Building 1, in the truck parking lot, there is an underdrain callout that isn't pointing to anything.

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- Sheet 26 – Enlarged Drainage Plans (South Section)
 1. The proposed 48” pipe between DMH #201 and DMH #202 has a slope of -0.30% - this needs to be corrected to provide positively pitched piping throughout. The proposed 48” HDPE pipe has been adjusted to be positively pitched, however at DMH #202 the pipe should be noted as invert out, not invert in. Similarly, at DMH #201 the proposed 48” HDPE pipe should be noted as invert in at an adjusted value of 0.14.
 2. Proposed B Inlet #201BD is located adjacent to ADA parking and should have an ADA compliant grate. Include inlet in detail for ADA Ramp Area #18 with callout for ADA compliant grate.
- Sheet 28 – Enlarged Utility Plans (Northeast Section)
 1. Generally, all callouts for existing conditions (i.e., approximate location of existing 16” water main) should have bolded arrows and lines to match callouts for proposed conditions. It can be hard to identify where these are pointing to.
- Sheet 31 – Enlarged Utility Plans (South Section)
 1. Fire hydrants generally vary with some including bollard protection and others standing alone. Callouts for where bollards are required should be included, just as an add-on to the hydrant callout would be fine. Callout for fire hydrant in east loading dock is missing bollards distinction, no callout provided for fire hydrant in west loading dock.
- Sheet 32-38 – Enlarged Soil Erosion & Sediment Control Plans, Notes, and Details
 1. Callouts for “Faircloth skimmers” seem randomly placed throughout plans, these callouts should point within temporary sediment basin. Callout arrows still need to be moved within temporary sediment basins #1, 2, 5, 6, 7, 8 & 9. Please note on the west side of Building 1, there are two temporary sediment basins labelled as #8, revise labelling to prevent confusion.
- Sheet 39-44 – Enlarged Landscape Plans
 1. Landscape Plan Details and Plant Schedule have not been reviewed in depth at this time.
 2. Plans should be revised to depict all proposed surface and subsurface improvements (i.e., drainage piping and structures, utility piping and structures, lights, signs, etc.) which may conflict with proposed tree and planting locations. Lights and signs are included in the landscape plans; however, drainage inlets and all subsurface improvements are still not noted on these sheets.
 3. Near the northeast corner of Building 1, there are 8 trees proposed (3 Cherokee chief and 5 white pine). Any existing trees that don’t conflict with proposed conditions should be preserved. Tree protection has been provided for tree/shrub area 100’ southeast of proposed

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trees. More data is required to determine if any existing trees near the 8 proposed trees can be preserved.

- Sheets 58-60 – Construction Details

1. Curb Ramp Type Details are very small and should be enlarged. Additionally, the curb ramp type numbers should be added to each ramp on the site plans. Curb Ramp Type Details have been enlarged only slightly, consider creating an additional detail sheet for so dimensions and callouts can be read more clearly. Curb ramp type numbers are missing from both enlarged site plans and ADA detail sheets.

- Sheet 61-63 – ADA Details

1. In general, slope arrows are used inconsistently to show sloping downwards or upwards. All slope arrows should be correlated so that all slope arrows point downslope would make these details read better.
2. It appears there is a wide variety of detectable warning surface sizes utilized throughout the project, whereas sizes should be relatively standard.
3. No details are provided for the transition from curb ramp back to original curb height; if side flares are to be used, elevation data and/or a common detail should be provided. Detail has been provided showing transition from curb ramp to original curb height for ADA Type 5 curb ramps. Applicant should note curb ramp type numbers on plans. Elevation data and/or the curb transition ratio should also be included since detail notes transition as variable.

Sheets not listed above had no specific comments from Matrix.

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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. Signage

The Applicant shall provide testimony concerning the on-site signage regarding materials, placement, and sizing.

4. Rooftop Infrastructure

The Applicant shall provide testimony concerning the elevation, and visual impact, of any proposed rooftop infrastructure or appurtenances.

5. Refuse

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

6. Emergency Access

The Applicant shall provide testimony concerning the incorporation of emergency access within the site. In particular, the Applicant shall provide testimony that all proposed fire access routes and associated turning radii comply with the State of New Jersey Fire Access Code and how access will be maintained throughout the proposed phase buildout.

7. Flood Resilience

The Applicant shall provide testimony concerning the flood resiliency of the design and compliance with applicable building codes.

8. Public Transit

The Applicant shall provide testimony regarding worker's access to nearby public transit systems.

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9. Pedestrian / Bicycle Access

The Applicant shall provide testimony regarding the pedestrian/bicycle access and storage/parking within the site.

10. ADA Compliance

The Applicant shall provide testimony regarding the proposed project's ADA compliance.

11. Phasing / Timing

A phasing plan has been provided within the application documents. The Applicant shall provide testimony concerning the various phases of the work and estimated delivery timeframes, as well as assurance that adequate infrastructure will be developed in each phase to service the proposed improvements.

12. Common Improvements

The Applicant shall provide testimony regarding the common improvements which are proposed within and off of the site, and what entity will be responsible for their operation and maintenance in perpetuity. In particular, address the concern that individual development lots or buildings will be sold and that a single entity will need to survive those sales to own, operate and maintain the common infrastructure and open space.

13. Traffic

The Applicant shall provide testimony concerning internal circulation, emergency vehicle access, parking, and off-site traffic impacts.

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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 the City Engineer.

1. Satisfaction of all testimony, additional information, and plan revisions recommended herein.
2. Approval of the City of Bayonne Fire Official.
3. Hudson, Essex, Passaic, and Sussex County Soil Conservation Permit.
4. Posting of Performance Guarantees and Inspection Fees in the amount determined by the City Engineer.
5. Review of the sanitary sewer and potable water utilities by the City Engineer and Veolia.
6. NJDEP Sanitary Sewer Main Extension Permit
7. NJDEP Water Main Extension Permit
8. NJDEP Waterfront Development and Flood Hazard Area Control Act permit.
9. Executed Redeveloper Agreement
10. County Site Plan Approval or Statement of No Interest
11. 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.
12. Application to the City of Bayonne for Title 39 Enforcement of traffic and parking violations on Applicant's property (if applicable).
13. All other Federal, State and Local approvals as may be required.
14. Evidence of executed easements, licenses, or other agreements acceptable to the City of Bayonne to ensure the public accessibility, operation and maintenance of private roads, streetscapes, open spaces, and public utilities in perpetuity.
15. Evidence of executed easements, licenses, or other agreements acceptable to the City of Bayonne for the Applicant's proposed off-site construction on City property.
16. Evidence of executed easements, licenses, or other agreements necessary for the Applicant to construct and operate crossings of Conrail property.
17. In the event that plans are modified to accommodate other regulatory authorities' requirements, the Applicant shall submit revised plans and reports reflecting those changes. The Board and its professionals will make a determination as to how any changes' review and approval will be processed (e.g., administrative modification or formal site plan modification), which shall be a condition of resolution compliance.
18. A requirement that, as a condition of Zoning Approval for any phase of the redevelopment, the Applicant provide the Zoning Officer with a status of the satisfaction of density bonus requirements.

END OF REPORT