

**5. Preliminary Compensation Proposal based on the requirements of N.J.A.C. 7:36- 26.10 and prepared in accordance with Attachment III: Preliminary Compensation Proposals for Major Disposals or Diversions of Parkland and Attachment II: Value Statement (N.J.A.C. 7:36-26.9(d)5):**

This Preliminary Compensation Proposal will show the Proposed Replacement Properties meet the requirements of N.J.A.C. 7:36-26.10 and exceed the 3:1 ratio agreed to by NJ DEP for this application with a combined fair market value of \$7,715,000. They would provide substantial tax relief for North Bergen and Hudson County taxpayers if ever developed. Approval of this application will mean they will be preserved as open space in densely populated North Bergen. Furthermore, by agreement between North Bergen and Hudson County officials, the proposed diverted area of Braddock Park will only be used for another public purpose in perpetuity. As this is a Legalization of past diversions and disposals, the additional information required will be provided below.

This attachment summarizes the requirements of N.J.A.C. 7:36-26.10 and is intended to serve as guidance for the preparation of preliminary and final compensation proposals. Please check the box next to the applicable preliminary compensation proposal category or categories:

1. Minimum Compensation Ratios for Replacement Land (taken from Table 1 at NJAC 7:36-26.10(g))

If the applicant chooses to offer replacement land as the method of compensation the following conditions apply:

- The proposed replacement land must be determined to be eligible pursuant to N.J.A.C. 7:36-26.10(d)2i-iii.
- If replacement land is offered, it must be at least equivalent in acreage to the parkland to be disposed of or diverted. (N.J.A.C. 7:36-26.10(d)3)
- The proposed replacement land shall be of reasonably equivalent or superior quality and have a market value that is equal to or greater than the parkland proposed for disposal or diversion. (N.J.A.C. 7:36-26.10(d)5 and 6)
- If the proposed replacement land is inadequate to meet the market value and quality requirements mentioned above, the Department shall require the applicant to supplement its proposal with additional compensation in excess of that which would otherwise be required under Table 1. (N.J.A.C. 7:36-26.10(d)7)
- The replacement lands shall be, to the extent possible, located in the same municipality in which the parkland proposed for disposal or diversion is located and shall not consist of land on which streets are shown on a subdivision plan as either offered for dedication or dedicated but not constructed. (N.J.A.C. 7:36-26.10(d)8 and 9)
- The proposed replacement land shall either be free of contamination by hazardous substances or shall be remediated to the Department's satisfaction prior to its dedication as parkland. (N.J.A.C. 7:36-26.10(d)10)
- The applicant is required to provide appraisals, surveys, and title work for any proposed replacement land as part of the final application. (N.J.A.C. 7:36-26.11(b)1, 2 and 3) All technical reports must be prepared to the Department's specifications. In some circumstances, appraisal waivers may be available under N.J.A.C. 7:36-26.10(l), if the applicant is willing to propose a higher compensation ratio than would otherwise be required

The minimum acreage of the replacement land to be provided for a specific type of disposal or diversion of parkland shall be determined in accordance with the provisions outlined below or in Table 1 of N.J.A.C. 7:36-26.10(g). (N.J.A.C. 7:36-26.10(d)4)

**Legalization of past diversions and disposals:** Please also include the following information in the preliminary compensation proposal when choosing to offer replacement land as compensation:

- Block(s) and lot(s) of any proposed replacement land(s) (N.J.A.C. 7:36-26.10(d)1iv); and
- The street address of the proposed replacement land(s), if available (N.J.A.C. 7:36-26.10(d)1iii); and
- The size of the proposed replacement land(s) in acres (for replacement land(s) larger than one acre) or square feet (for replacement land(s) smaller than one acre) (N.J.A.C. 7:36-26.10(d)1iii and iv); and
- A description of the proposed replacement land(s) (prepared by completing Section II of the Environmental Assessment, Attachment I, for each parcel) (N.J.A.C. 7:36-26.10(d)1i);
- A description of the intended recreational and conservation use for the proposed replacement land(s) (N.J.A.C. 7:36-26.10(d)1ii); and
- Information sufficient for the Department to verify that the proposed replacement lands are eligible as replacement under N.J.A.C. 7:36-26.10(d)2i-iii; and
- A preliminary assessment report, prepared in accordance with the Technical Requirements for Site Remediation, N.J.A.C. 7:26E, for each proposed replacement parcel (N.J.A.C. 7:36-26.9(d)5 and N.J.A.C. 7:36-26.10(d)10); and

**Summary Table for Legalization of Past Diversions and Disposals**

Proposed Replacement Property	6300 Meadowview	1401 64 <sup>th</sup> Street	7903-7909 River Road	1811 Paterson Plank Road	Total Acres/Value	3:1 ratio
Description/Eligibility	Owned by NBBOE Not ROSI	Owned by NBBOE Not ROSI	Owned by Hudson County Not on ROSI	Owned by Hudson County Not on ROSI		
Intended Recreational and Conservation Use	Continued Recreation Space protected from future development	Continued Recreation Space protected from future development	Valuable Developable Property preserved as open space	Recreation Space in an underserved area of North Bergen		
Block/Lot	B 205 L 22	B 205 L 30	B 437 L 2.01 and 2.02	B 27 L 27		
Acres	2.69 acres	2.07 acres	0.7 acres	1.57 acres	7.03 acres	+2.779

			30492 sq.ft.			
Value	\$1,975,000	\$2,455,000	\$1,410,000	\$1,875,000.	\$7,715,000	

## **64<sup>TH</sup> STREET PROPERTY**

- Block(s) and lot(s) of any proposed replacement land(s) (N.J.A.C. 7:36-26.10(d)1iv): **Block 205, Lot 22 , 2.69 acres; Block 205 Lot 30; 2.07 acres**
- The street address of the proposed replacement land(s), if available (N.J.A.C. 7:36-26.10(d)1iii): **6300 Meadowview Road; 1401 64<sup>th</sup> Street, North Bergen, NJ**
- The size of the proposed replacement land(s) in acres (for replacement land(s) larger than one acre) or square feet (for replacement land(s) smaller than one acre) (N.J.A.C. 7:36-26.10(d)1iii and iv); **a total of 4.76 acres**
- A description of the proposed replacement land(s) (prepared by completing Section II of the Environmental Assessment, Attachment I, for each parcel) (N.J.A.C. 7:36-26.10(d)1i);

## **II. A DESCRIPTION OF THE ENVIRONMENTAL CONDITIONS ON THE PARKLAND PROPOSED FOR DISPOSAL OR DIVERSION AND REPLACEMENT PARCELS (IF ANY) PRIOR TO THE IMPLEMENTATION OF THE PROJECT**

Include a description of the existing environmental conditions on the parkland proposed for disposal or diversion and replacement parcels (if any) in each of the following areas:

- A. Natural Resources of the Site and Surrounding Area** – Describe geological character, soil characteristics, topography, landform (i.e., wetlands, steep slopes, etc.), hydrological features, surface water classification and biological resources of the area including State and federal threatened and endangered species and critical habitats. (Please contact the NJ Natural Heritage Program and review the NJ DFW Landscape Project Mapping for the most recent information regarding threatened or endangered species):

**The parcels at 6300 Meadowview Road and 1401 64<sup>th</sup> Street are set in a densely populated urban area. They encompass the lots that make up the 64<sup>th</sup> Street Park owned by the North Bergen Board of Education. There are no landforms, hydrological features, surface water, or threatened or endangered species or critical habitats within the boundaries of the diversion parcel.**

- B. Manmade Resources**—Describe present site land use, adjacent land uses, access, the presence of any hazardous substances or waste, the presence of any underground storage tanks or structures, the presence of abandoned wells not properly sealed, transportation patterns, and zoning:

The area proposed for replacement property encompasses a total of 4.75 acres and it is zoned R1. There are no known hazardous substances or waste at the site, nor any underground storage tanks or structures, or the presence of abandoned wells not properly sealed. Transportation patterns show busy Tonnele Avenue/Route 1 and 9, NJ Transit bus lines 88 and 154 on John F. Kennedy Boulevard, and the Bergen Hudson Rail Line nearby. It is in close proximity to the Lincoln School, low-income housing, a daycare center, a senior center, and area businesses.

- C. **Human Resources** – Describe cultural and social factors; park and recreational facilities; aesthetic features; historical, archeological, and architectural resources:

The field is used for a variety of sporting events and recreational activities including the summer youth program, which serves nearly 750 children annually and approximately 100 children with special needs. It includes a playground area and dog run. The North Bergen Recreation Center is located there as well as existing recreation space. There are no known historical, archeological, and architectural resources.

- D. A description of the intended recreational and conservation use for the proposed replacement land(s) (N.J.A.C. 7:36-26.10(d)1ii):

The 64<sup>th</sup> Street property will remain recreational space and be protected from future potential development if approved and listed on the Recreation and Open Space Inventory for North Bergen.

- E. Information sufficient for the Department to verify that the proposed replacement lands are eligible as replacement under N.J.A.C. 7:36-26.10(d)2i-iii:

These parcels are eligible under N.J.A.C. 7:36-26.10 (d) 2i (6) Board of Education property, except lands leased to or otherwise controlled by a local government unit in connection with a Green Acres development project.

### **7903-7909 RIVER ROAD**

- Block(s) and lot(s) of any proposed replacement land(s) (N.J.A.C. 7:36-26.10(d)1iv);

**Block 437; Lots 2.01 and .02**

- The street address of the proposed replacement land(s), if available (N.J.A.C. 7:36-26.10(d)1iii); **7903-7909 River Road, North Bergen, NJ**

- The size of the proposed replacement land(s) in acres (for replacement land(s) larger than one acre) or square feet (for replacement land(s) smaller than one acre) (N.J.A.C. 7:36-26.10(d)1iii and iv);

**0.7 Acres or 30,492 square feet**

- A description of the proposed replacement land(s) (prepared by completing Section II of the Environmental Assessment, Attachment I, for each parcel) (N.J.A.C. 7:36-26.10(d)1i):

**II. A DESCRIPTION OF THE ENVIRONMENTAL CONDITIONS ON THE PARKLAND PROPOSED FOR DISPOSAL OR DIVERSION AND REPLACEMENT PARCELS (IF ANY) PRIOR TO THE IMPLEMENTATION OF THE PROJECT**

- A. **Natural Resources of the Site and Surrounding Area** – Describe geological character, soil characteristics, topography, landform (i.e., wetlands, steep slopes, etc.), hydrological features, surface water classification and biological resources of the area including State and federal threatened and endangered species and critical habitats. (Please contact the NJ Natural Heritage Program and review the NJ DFW Landscape Project Mapping for the most recent information regarding threatened or endangered species):

**When combined, the lots form a long, narrow property on the western side of River Road. River Road forms the 750-foot eastern boundary and Braddock Park is the western boundary, with the full depth measured at 40 feet. Much of the site is tree and brush-filled and slopes upward steeply from the road to the park. The site expands the footprint of the 167-acre Braddock Park by 0.7 acres. Approval as replacement property would permanently preserve the property which is adjacent to the existing bird sanctuary in Braddock Park.**

- B. **Manmade Resources**—Describe present site land use, adjacent land uses, access, the presence of any hazardous substances or waste, the presence of any underground storage tanks or structures, the presence of abandoned wells not properly sealed, transportation patterns, and zoning:

**The area proposed for replacement property encompasses a total of 0.7 acres and will remain vacant. The surrounding area is commercial and high-rise residential property on both sides of River Road, which overlooks the Hudson River and the New York City skyline. There are no known hazardous substances or waste at the site, nor any underground storage tanks or structures, or the presence of abandoned wells not properly sealed. Transportation patterns show River Road is a busy thoroughfare extending through several towns along the Hudson River in addition to North Bergen. The NJ Transit 188 bus route stops along River Road near the property. Palisades Medical Center is nearby. The lot is zoned Palisades/Waterfront.**

- C. **Human Resources** – Describe cultural and social factors; park and recreational facilities; aesthetic features; historical, archeological, and architectural resources:

**The property will remain open space and undeveloped, preserving open space and views of the New York skyline from Braddock Park and its bird sanctuary. River Road is a busy thoroughfare extending through several towns along the Hudson River in addition to North Bergen. The NJ Transit 188 bus route stops along River Road near the property. Palisades Medical Center is nearby. There are no historical, archeological, and architectural resources.**

- D. A description of the intended recreational and conservation use for the proposed replacement land(s) (N.J.A.C. 7:36-26.10(d)1ii):

**The intended recreational and conservation use of the site is to expand the footprint of the 167-acre Braddock Park by 0.7 acre and conserve the area adjacent to the bird sanctuary. Approval as a replacement property would permanently preserve the property as open space and protect it from future development in similar fashion to the surrounding properties.**

- E. Information sufficient for the Department to verify that the proposed replacement lands are eligible as replacement under N.J.A.C. 7:36-26.10(d)2i-iii:

**The parcel is eligible under NJAC 7:36-26.10 (d) 2i 3.**

- F. Vacant land for which there is no evidence of any intended use by the local government unit and that does not qualify as parkland and N.J.A.C. 7:36-26.10 (d) 2i (6):

**Land held by a local government unit for general municipal or county purposes that does not qualify as parkland under one or more of the factors at N.J.A.C. 7:36-25.3 such as does not appear on the Recreation and Open Space Inventory.**

**1811 PATERSON PLANK ROAD, NORTH BERGEN, NJ**

- Block(s) and lot(s) of any proposed replacement land(s) (N.J.A.C. 7:36-26.10(d)1iv):  
**Block 27, Lot 27**
- The street address of the proposed replacement land(s), if available (N.J.A.C. 7:36-26.10(d)1iii): **1811 Paterson Plank Road, North Bergen, NJ**
- The size of the proposed replacement land(s) in acres (for replacement land(s) larger than one acre) or square feet (for replacement land(s) smaller than one acre) (N.J.A.C. 7:36-26.10(d)1iii and iv): **1.57 acre**

- A description of the proposed replacement land(s) (prepared by completing Section II of the Environmental Assessment, Attachment I, for each parcel) (N.J.A.C. 7:36-26.10(d)1i)

## **II. A DESCRIPTION OF THE ENVIRONMENTAL CONDITIONS ON THE PARKLAND PROPOSED FOR DISPOSAL OR DIVERSION AND REPLACEMENT PARCELS (IF ANY) PRIOR TO THE IMPLEMENTATION OF THE PROJECT**

- A. Natural Resources of the Site and Surrounding Area-** Describe geological character, soil characteristics, topography, landform (i.e., wetlands, steep slopes, etc.), hydrological features, surface water classification and biological resources of the area including State and federal threatened and endangered species and critical habitats. (Please contact the NJ Natural Heritage Program and review the NJ DFW Landscape Project Mapping for the most recent information regarding threatened or endangered species):

**The site measures 1.57 acres in total and is situated on the western side of the Palisade ridge and offers sweeping views of the Meadowlands. The lot itself is relatively flat with a steep slope and treed area along the western boundary.**

- B. Manmade Resources-** Describe present site land use, adjacent land uses, access, the presence of any hazardous substances or waste, the presence of any underground storage tanks or structures, the presence of abandoned wells not properly sealed, transportation patterns, and zoning:

**There was a non-operational car wash facility on the parcel that has been demolished. It now contains a recreational area on roughly half of the parcel on the relatively level area of 0.76 acres. The present site land use is as a small urban playground area in an underserved area of highly congested North Bergen. It is adjacent to a new residential development known as "Hudson Mews" and older multi-family housing on the eastern side of Paterson Plank Road. There are no known hazardous substances or waste at the site, nor any underground storage tanks or structures, or the presence of abandoned wells not properly sealed. Transportation patterns show the area is served by the NJ Transit Bus line 192 and Tonelle Avenue/Route 1/9 is just below the sloped side of the property. The parcel is within the boundaries of a C-2 Highway Business zone which runs to the north, with an industrial zone to the south and a residential R-3 Moderate Density Zone to the east across Paterson Plank Road. The "Hudson Mews" site to the south is moderate density housing, further increasing the residential population in an area of Hudson County with a limited number of parks and open space. It is zoned C1/C2 Industrial, Commercial, Residential.**



- C. **Human Resources:** Describe cultural and social factors; park and recreational facilities; aesthetic features; historical, archeological, and architectural resources:

**The property will remain open space used for recreational purposes and protected from development. It will provide playground space in an underserved area of densely populated North Bergen. There are no historical, archeological, and architectural resources.**

- D. A description of the intended recreational and conservation use for the proposed replacement land(s) (N.J.A.C. 7:36-26.10(d)1ii):

**The intended recreational and conservation use of the site is for the urban park and recreation space that has been created there. Approval as a replacement property would permanently preserve the property as open space and protect it from future development in similar fashion to the surrounding properties.**

- E. Information sufficient for the Department to verify that the proposed replacement lands are eligible as replacement under N.J.A.C. 7:36-26.10(d)2i-iii:

**The parcel is eligible under N.J.A.C. 7:36-26.10 (d) 2i (6):Land held by a local government unit for general municipal or county purposes that does not qualify as parkland under one or more of the factors at N.J.A.C. 7:36-25.3 such as it does not appear on the Recreation and Open Space Inventory.**