

From: [Donna Dorgan](#)
To: [Stevens, Karen](#); [Tabachnick, Alan](#)
Cc: [SHAWN.LATOURETTE@DEP.NJ.GOV](#); [KATHERINE.MARCOPUL@DEP.NJ.GOV](#); [jesse.west-rosenthal@dep.nj.gov](#); [elizabeth.dragon@dep.nj.gov](#)
Subject: Proposed Harsimus Abandonment - September 28, 2023, Public Meeting Information
Date: Thursday, September 28, 2023 8:25:17 AM
Attachments: [STB letter.pdf](#)

Hi Ms. Stevens and Mr. Tabachnick,

I am an adjoining property owner. I am submitting written comments concerning the Harsimus Abandonment.

I would also like to be designated as Consulting Party for this project.

Thank you in advance.

Donna J. Dorgan

274 Fifth Street
Jersey City, NJ 07302

September 27, 2023

Surface Transportation Board
Office of Environmental Analysis
395 E Street SW
Washington, DC 20423
Attn: Karen Stevens

RE: National Historic Preservation Act Section 106 Review
Harsimus Branch Rail Line Abandonment - Docket No. AB 167

Dear Board:

I have owned my house on Fifth Street, between Jersey Avenue and Coles Street, in Jersey City, New Jersey since 1998. My house is a historic attached brick row house located in the Harsimus Cove Historic District. The elevated Harsimus Branch Rail Line Embankment ("Embankment") is essentially part of my back yard. The abandonment of the Harsimus Branch rail line and the redevelopment of the property will affect my historic property. Thus, the Board's Section 106 review will impact me.

I ask that the Board make me a **Consulting Party** pursuant to Section 106 due to my legal and economic relation to the undertaking and/or affected properties and my concerns with the undertaking's effects on historic properties.

I ask that the Board place adequate restrictions to protect the historic neighborhoods on the entire Embankment as part of the abandonment of the Embankment and that they be uniform for its entire length.

1) The Entire Embankment Should Be Uniform, including the block between Marin Boulevard and Manilla Boulevard.

I ask that the Board place uniform restrictions on the entire Embankment from Manilla Boulevard through Brunswick Street as part of the abandonment. The entire Embankment is listed on the New Jersey Register of Historic Places. It is located between the Harsimus Cove Historic District and the Hamilton Park Historic District; consequently the two districts and the Embankment complement one another.

I understand that currently some Jersey City municipal officials and representatives of the Hyman Group¹ which purchased the Embankment properties from Conrail are planning on slicing the block between Marin Boulevard and Manilla Avenue off of the Embankment and treat it differently from the remaining parts. The City has entered into some secret "Term

¹ Stephen Hyman created a group of eight limited liability companies to purchase eight blocks of the Harsimus Stem from Conrail after the City of Jersey City failed to purchase the properties. Stephen Hyman passed away, but his widow appears to control the companies. Public outrage led the City to engage in the lengthy litigation over the status of the Embankment.

Sheet” with the Hyman Group which the City of Jersey City refused to produce.² Planning officials have publicly acknowledged that they are planning on building a 50 story high-rise luxury apartment building on top of the Embankment between Manilla and Marin Boulevards. It is unfortunate that they are seeking to exempt this block from restrictions and engage in spot-zoning.³

The City of Jersey City should be equitably estopped from taking the position that one sixth of the Embankment is not really historic and can be redeveloped into another luxury high-rise building for wealthy people. Throughout this multi-year saga, the City of Jersey City and has argued that entire Embankment is historic; the City should not be permitted to argue that one block should be exempted from any historic restrictions and redeveloped into more luxury housing.⁴

Either the Embankment is historic or it is not historic; restrictions should apply to the entire Embankment. The elevated portion of the Embankment is only six blocks long.

2) The Creation of a Bicycle “Rail to Trail” is Consistent With the Historic Use

The Embankment was built to accommodate railroad traffic and transport.

Throughout this county, the “Rails to Trails” movement has converted former railways to bike and walking paths. In this case, it would be consistent with the character of the property and compatible with the visual and atmosphere of the neighborhood. There were bridges connecting the Embankment when it was an active railway; these bridges were disassembled in the 1990s. The bridges could be reinstalled in a manner consistent with historic nature of the Embankment. Use of the Embankment as a rail trail is less likely to harm the underlying structure than the building of a 50 story high steel and glass luxury high-rise.

Jersey City is a densely populated area and would greatly benefit from a rail trail. New Jersey has recently purchase former rail property and is embarking in creating a lengthy rail trail from Jersey City to Montclair. The addition of this property to the rail trail would benefit the project.

The building of a luxury high-rise on top of the rail bed is inconsistent with the historic use.

3) The Overdevelopment Destroys the Historic Neighborhoods

In the 1980s, Jersey City created four significant historic neighborhoods, namely Harsimus Cove Historic District, Hamilton Park Historic District, Van Vorst Historic District and

² I submitted an Open Public Records Act (“OPRA”) request for the Term Sheet, but the City of Jersey City has refused to produce it.

³Hudson County has a reputation for political corruption; currently one of our U.S. Senators and the former Mayor of Union City, is out on bail for taking bribes from real estate developer, Fred Daibes. Many Hudson County politicians have been convicted of corruption. Other politicians have not been caught.

⁴ My recollection is that Hyman’s initial plans were to tear down the Embankment and build two family homes that were four stories or less on the property. Now, Hyman wants to build 50 story high-rises. The City will probably give the developer a tax abatement.

the Paulus Hook Historic District. The creation of the four Historic Districts helped to preserve the area and attracted people like myself to the area.

During the past 25 years, I have witnessed the transformation of the area. Initially, a few skyscrapers were built on waterfront. Redevelopment on the edges of the Historic Districts was limited to four stories and the buildings had to have a historic look to them. For example, buildings built along Grand Street near the Paulus Hook and the Van Vorst districts were designed to look like 19th century row houses and limited to four stories. These early redevelopment projects complemented the four Historic Districts.

In the past decade, numerous large skyscrapers have been constructed in Downtown Jersey City in close proximity the four Historic Districts. Properties adjoining the Historic Districts, no longer have to look like 19th century row houses. They are modern looking steel, glass and plastic structures. They seriously detract from the feel and ambiance of the Historic Districts where the homes were built out of brick and brownstone. I have felt the vibrations and noises created by the pile driving in various parts of the area. The increased density of humans has created problems. More people can live in a high rise than in a four story brownstone. This overdevelopment has impaired the quality of life. Although the current political administration will come to an end, the Mayor has announced that he is not seeking reelection, property owners and residents of the City will be stuck with the skyscrapers, ugly buildings and overdevelopment. Downtown Jersey City would have a much better feel and ambiance if they had limited the redevelopment on the fringes of the Historic District to four stories.

In conclusion, I ask that you designate me as a Consulting Party as I am a long term adjoining property owner. Further, I ask that you place uniform restrictions on the entire Embankment and not let the City of Jersey City and the Hyman Group build luxury high-rises on top of the Embankment. I ask that the entire Embankment be turned into a rail-trail. I would be happy to discuss this with you further and can be reached at (201) 488-2100.

Thank you in advance for your consideration.

Very truly yours,

S/ Donna J. Dorgan

Donna J. Dorgan

cc: New Jersey State Historic Preservation Office

Shawn LaTourette, SHPO
Katherine Marcopul
Jesse West-Rosenthal
Elizabeth Dragon