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BY EMAIL TRANSMISSION ONLY

Office of Environmental Analysis
Surface Transportation Board
Attn: Joshua Wayland
395 E Street, S.W.
Washington, D.C. 20472

Re: Comments on the Cultural Resources Identification
Report Conrail Harsimus Branch Abandonment Exemption,
STB Docket No. AB 167 (Sub-No. 1189X)

Dear Mr. Wayland:

During our recent telephone conversation, I referenced a number of pertinent submissions in a related proceeding involving the Harsimus Branch, STB FD 34818. While these materials are highly relevant to the Board's environmental and historic review in the above-captioned proceeding, however, it appears that they may not have been placed on the record yet in this docket.

So that the Board will have a complete record in this docket and to ensure these important materials are fully considered, I am attaching, on behalf of the LLCs,¹ these documents from FD 34818.

These documents also relate directly to the comments filed in response to the Cultural Resources Identification Report, and in particular, consist of material previous assertions made and activities engaged in by interested parties, particularly by the City of Jersey City, that have been omitted from the record in this docket and unaddressed. I respectfully submit that this additional information is necessary in order for the Board to

¹ The LLCs consist of 212 Marin Boulevard, LLC.; 247 Manila Avenue, LLC; 280 Erie Street, LLC; 317 Jersey Avenue, LLC; 354 Cole Street, LLC; 389 Monmouth Street, LLC; 415 Brunswick Street, LLC; and 446 Newark Avenue, LLC.

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July 3, 2017

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have a complete record, and to better understand and place in context the comments and assertions being made by interested parties and commentators. Because of the voluminous nature of these materials, and for ease of reference, I have also assembled a document summary table.

Because of their fairly large size, these materials are being submitted in two (2) separate portable document format ("pdf") files.

I appreciate your attention to this matter and ask that these materials be fully considered and included as part of the record in this proceeding. Thank you.

Very truly yours,

A handwritten signature in cursive script that reads "Michele R. Donato".

Michele R. Donato

MRD:dp

Encs.

cc: Mrs. Vickie Hyman
(by email transmission only)
Mr. Ray Obssuth
(by email transmission only)

City of Jersey City Assertion	Prior Assertion or Evidence (Excerpts)	Source	Tab #
Jersey City has always wanted rail operations over the Embankment to continue and did not want the line to be abandoned.	In a letter dated December 18, 1984 to Conrail's Chairman, the Jersey City Mayor referenced the Embankments, complained that "underutilized railroad property and trackage which services the remaining industrial facilities has become an impediment to the redevelopment of entire development tracts along the Hudson River," and added "Because of the dramatically changing land uses in the area, I believe you will agree that the time of the freight line service on this line has passed. I suggest we meet in the near future to discuss the discontinuance of this impediment and to select an alternate means of serving your remaining customers."	Exhibit G of the Verified Statement of Robert W. Ryan of Conrail to Conrail's Reply Statement in STB F.D. 34818 (dated April 24, 2006) ("Ryan V.S.").	1
Conrail "engaged in an unlawful de facto abandonment" without getting STB approval "prior to removal of rail structures;" by removing the rail lines, bridges, and structures on the Embankment; in doing so it acted surreptitiously without the City's knowledge, consent, approval, and participation.	In a letter dated July 28, 1989 to the Jersey City Division of Engineering, Conrail responded to the City's complaints about the dangers of the remaining bridges and advised that retirement of the six (6) inactive tracks and the removal of the bridge superstructures between Henderson Street and Brunswick Avenue had been initiated.	Exhibit H of the Ryan V.S.	2
	A Jersey City Division of Engineering internal memorandum regarding "Removal of Conrail 6th Street Viaduct" dated August 31, 1994," stating: "All rail from these bridges has now been removed and we are continuing to work with Conrail to secure the removal of these hazardous structures as soon as possible." Accompanying materials include a letter to the local electric utility (Sept. 1, 1994) on the connected removal of street lighting and overhead wires on and around the Embankment bridges.	Exhibit J of the Ryan V.S.	3
	An April 5, 1995 letter from Jersey City Director of Engineering to Conrail urging the removal of all of the remaining Embankment structures stating: "In July 1994, Jersey City in a joint venture with National Bulk Carriers, Inc. demolished and removed the Harsimus Cove Bridge spanning over Luis Munoz Marin Blvd. (Henderson Street) at no cost to Conrail." The letter further referenced that the remaining bridges were a significant public safety hazard, with serious accidents occurring with "trucks striking the bridges" because of low Embankment underclearances, and the City Engineer added, "[w]e feel these bridges are hazardous structures which should be removed as soon as possible." The City also requested Conrail to provide its "long term plans for the removal of the masonry stone/earth filled embankments," described as "an eyesore which divides the downtown section of Jersey City." The City added that "[w]e feel that . . . emphasis should now be placed on this abandoned Harsimus Cove Viaduct by removing it not just for aesthetics but more importantly for safety." The City concluded: "We hope that Conrail will now cooperate with Jersey City by removing the abandoned Harsimus Cove Viaduct for the benefit of all parties involved."	Exhibit J of the Ryan V.S.	4

City of Jersey City Assertion	Prior Assertion or Evidence (Excerpts)	Source	Tab #
The City is committed to historic preservation, and opposed to development. The Embankments have structural integrity, and should be preserved in their current state, not responsibly redeveloped, because they have substantial utility and viability as a freight rail structure, are not deleterious to public safety, and resumption of actual freight rail service is desirable and will not be detrimental to productive utilization of property.	A "Report Concerning the Determination of the Proposed Sixth Street Study Area as 'An Area in Need of Redevelopment,'" authored by the Director of City Planning Division for Jersey City, and approved by the Jersey City Planning Board on March 10, 1998, found that, under the New Jersey Statute 40A: 12A-5, the Embankment qualified as an "area in need of redevelopment" as defined by New Jersey Statute 40A: 12A-5 under the criteria of subsections b, d, and e. The Report made the following conclusions: Subsection b: "This railway bed, which was once a considerable contributor to the commercial, manufacturing and industrial base of the City and region has now been abandoned. Its former use is no longer viable for this location and there is no possibility of reclaiming the site for this purpose. This great deficit of utility is exactly that envisioned in the statute in subsection 'b'." Subsection d: "the primary transportation function of the right of way has effectively been discontinued. This subsection refers to ' improvements which, by reason of dilapidation, obsolescence, faulty arrangement or design, excessive land coverage, deleterious land use or obsolete layout are detrimental to the safety and welfare of the community.' It is rather evident that the present condition of the viaduct's raised earthen ramparts meets all the above criteria of this subsection of the statute. Measurements confirm these lots are covered 100% by the railway stone walled viaduct. The longer these massive viaducts remain abandoned and unimproved, the more deleterious they will become to the public safety. Lack of determined maintenance will eventually create hazards from dislodged wood, metal or stone elements. The soils will likely subside and expand through severe weather cycles and then spill over the walls as mud or ice blocks. Weeds are already growing on the slopes creating opportunities for vermin and allergens. There can also be no doubt that this site will become an attractive nuisance that will entice adventurous youngsters to climb upon them and court disaster with careless behavior. Some sections are 25 feet high but there are likely hidden hazards on top of the mounds themselves. The common expectation that youths will eventually hurl objects down on cars and passersby below should not be discounted. All these above cited conditions are magnified by the traffic congestion, so evident in this study area, heading toward the riverfront as well as the tunnel. They clearly satisfy the statutory criteria of subsection 'd,' as evidence that the area is in need of redevelopment." Subsection e: "Subsection 'e', which talks about a growing lack of proper utilization of areas caused by condition of title or other conditions resulting in stagnant or not fully productive condition of lands potentially useful and valuable for contributing to and serving the public health safety and welfare, can apply to this study area. You can find that the condition of title and the ownership of real property by a railroad entity has resulted in the stagnation of this study area. The land is clearly not fully productive. These properties are owned by Conrail, which is a major corporation that has certain restrictions in the ability to function because of their potential sale that's coming up to CSX. Another functional restriction of Conrail relates to-why it was formed some 15 to 20 years ago to provide a service and that is no longer viable in this study area or general waterfront vicinity." "In addition, Block 2J2, Lot M is presently part of the Luis Munoz Marin Blvd Redevelopment Plan area and Block 247 Lot 50.A is presently part of the Grove Street Redevelopment Plan Area and they are already designated as "areas in need of redevelopment.["] As part of this study it is recommended that they be taken out of the redevelopment plan districts and made part of the Sixth Street Study area and Six Street Redevelopment Plan area."	Exhibit L of the Ryan V.S. (pages 8 and 9).	5

City of Jersey City Assertion	Prior Assertion or Evidence (Excerpts)	Source	Tab #
	Study Conclusions: “Based on the conclusions reached above, we find that the Study Area meets the statutory criteria as per NJSA 40A: 12A-5, subsections b, d and e to be declared an ‘area in need of redevelopment’ and we recommend that it be declared such in order to expedite its productive return to economic reuse.” “We further recommend the adoption of a redevelopment plan outlining a program for rehabilitation to eliminate sub-standard conditions, arrest the deterioration of this stone walled viaduct and provide for an alternative re-use which will promote the overall development of the Study Area and surrounding community.”		
	On December 9, 1998, the Jersey City Municipal Council unanimously adopted a corrected resolution that approved the Jersey City Planning Board Study recommendation to the Council and declared that the Embankments constitute “an area in need of redevelopment” under the New Jersey Statute criteria NJSA 40A: 12A-5b., d., and e., and stated that “the Study Area is declared and re-confirmed as an area in need of redevelopment.”	Exhibit to the Verified Statement of Robert D. Cotter, Planning Director of the City of Jersey City for the City, Embankment Preservation Coalition, and Rails to Trails Conservancy, Opp. Summ. Statement (Exhibit I) in STB F.D. 34818 (dated Jan. 21, 2009) (“Cotter V.S.”).	6
	The City used a third-party developer in an attempt to facilitate a three-party purchase deal involving the developer, the Embankment Committee, and the City. In his May 30, 2003, memorandum, Mr. Frank Palmaccio, a private land developer, stated that he was “requested [by Jersey City] to act as an intermediary between Conrail and Jersey City in order to facilitate a potential deal” to acquire the Embankments.	Exhibit to the Cotter V.S., Memorandum dated May 30, 2003, from Frank Palmaccio to Director of Jersey City Housing, Econ. Dev., and Commerce, regarding conference with Director of Real Estate, Conrail.	7
	A June 10, 2005 letter from State of New Jersey, DOT to Conrail stated that “The NJDOT has no regulatory interest in this transaction as it pertains to rail freight movement.”	Exhibit Y of the Ryan V.S.	8
Jersey City believes that the entirety of the Embankment is clearly historic, and Conrail was wrong in refraining from consenting on its listing in the National Register.	On July 7, 1999, the Mayor of Jersey City wrote to the New Jersey Dept. of Environmental Protection, Natural and Historic Resources, and lodged a “formal objection by the City of Jersey City to the nomination of the Sixth Street Embankment to the State Historic Register.” The letter made detailed objections and noted that “[t]he fact that Board members were impressed with the preservation sentiment expressed by a select group of residents is irrelevant as to whether the embankment is legally ‘eligible’ to be placed on	Exhibit O of the Ryan V.S.	9

City of Jersey City Assertion	Prior Assertion or Evidence (Excerpts)	Source	Tab #
	the Historic Register.” The City offered expert testimony, including that of Dr. Michal Alterman, that stated, among other things, the following: “Photographic slides of other railroad embankments within Jersey City and surrounding communities demonstrated the Sixth Street Embankment's lack of distinction as an architectural feature.” “For example, Block 212, which runs from Luis Munoz Marin Boulevard to Manila Avenue, contains the smallest and most seriously deteriorated section of the six-block embankment. It was determined that reconstruction of the embankment on this block was neither feasible nor prudent from many perspectives, including historic preservation. Photographic slides of the severe deterioration of this block were shown to the Board. Despite this block-by-block analysis of the Embankment and the photographic slides of the deterioration of this portion of the Embankment, there was no discussion among members of the Board regarding possible boundaries of the Embankment for placement on the State and National Historic Registers.”		
The Embankment constitutes an essential contributing resource to the nearby historic residential neighborhoods and to the Pennsylvania Railroad New York to Philadelphia Historic District. Any development is incompatible with neighboring historic districts.	The July 7, 1999 letter of the Jersey City Mayor further explains: “The nomination application indicated that the Embankment forms a connection between two historic districts, Harsimus Cove and Hamilton Park. Yet historically this is incorrect. Rather than forming a link with either the Harsimus Cove or Hamilton Park Historic Districts, the Embankment was built with total disregard for the surrounding residential neighborhoods, its purpose being to transport freight as efficiently as possible through this area to the waterfront yards. Construction of the Harsimus Branch freight line and the Embankment specifically created a barrier, rather than a link, between the historic residential neighborhoods.”	Exhibit O of the Ryan V.S.	9
	Jersey City’s May, 1999 Historic Resources Evaluation Report found as follows: “The embankment structure, albeit historically and architecturally significant, is somewhat of an "orphan" industrial resource, disconnected from the former rail lines and freight facilities that it was built to service. Also, by removing the bridges that connected the six sections of the embankment, the integrity of the feature has been affected. The incursion of freight service into this neighborhood in the 1870s introduced a blighting factor. Construction of the embankment in 1901-02 required demolition of historic housing and intensified railroad traffic which further blighted the area. With the abandonment of freight service along this line, the embankment has suffered from a lack of maintenance; intrusive vegetation is causing separation in the stonework and some portions of the embankment are deteriorating and have been subject to vandalism (Plates 4-6).” “The historic Pennsylvania Railroad Embankment along Sixth Street was not included in the adjacent Harsimus Cove National Register designation for sound reasons (Sullebarger and Arms 1987). The historic district consists primarily of 19th century residences that predate the construction of the 1901-02 embankment and most were built prior to and without regard for the freight rail line that was established circa 1870. Rather than forming a link with either the Harsimus Cove or Hamilton Park Historic Districts, the embankment was built with total disregard for the surrounding residential	Exhibit P of the Ryan V.S., (Appendix A, Historic Resources Evaluation Sixth Street Railroad Embankment Study, Jersey City, New Jersey, Prepared for City of Jersey City by Louis Berger & Associates, Inc. (May, 1999)).	10

City of Jersey City Assertion	Prior Assertion or Evidence (Excerpts)	Source	Tab #
	neighborhoods, its purpose being to transport freight as efficiently as possible through this area to the waterfront yards. Construction of the Harsimus Branch freight line and the embankment specifically created a barrier rather than a link between the historic residential neighborhoods. It can be argued that the preservation of these embankment structures continues to impede the integration of the Hamilton Park and Harsimus Cove Historic Districts.” “Put through a middle class and artisan neighborhood where there was the least political power and resistance, the Pennsylvania Railroad Harsimus Branch introduced noise, smoke and pollutants that blighted the neighborhood. Comparisons of the streetscape along Sixth Street with the surrounding blocks, many contained in historic districts, shows the results of this blight in vacant lots and properties that lack maintenance or have attracted historic property rehabilitation. If no action is taken regarding the embankment, the portions of the Hamilton Park and Harsimus Cove Historic Districts adjacent to the embankment will also continue to be affected by blight (Plates 10 and 11).” “Development of housing on portions of the embankment property could be used to integrate the two adjacent historic districts through compatible design. The design of any infill structures should be sensitive to adjacent historic properties in terms of massing, texture, and scale, in particular the Stewart building at the corner of Fifth and Erie streets, a Key building in the Harsimus Cove Historic District. Portions of the embankment wall could also be integrated into design options to provide a visual and historic link to the historic resources of the surrounding area.”		
Jersey City incorporates and supports the “independent judgment” and separate views submitted by Richard A. James, who authored the Harsimus Embankment historic listing nomination papers 20 years ago.	The July 7, 1999 letter of the Jersey City Mayor further explains: “The National Register of Historic Places Registration Form was principally prepared by Richard A. James, who resides at 226 Fifth Street, Jersey City, New Jersey, which borders the embankment. He prepared the Form with the assistance of Bob Craig, a Historic Preservation Specialist with the New Jersey Historic Preservation Office (HPO). Mr. Charles Scott, a Principal Historic Preservation Specialist from the HPO, made the presentation before the State Review Board. A possible explanation as to why he made the presentation, rather than Mr. James, could be that a conflict of interest exists because Mr. James owns a residence within two hundred feet of the Embankment.”	Exhibit O of the Ryan V.S.	9
Any responsible development would result in a substantial detriment to historic preservation.	“<i>No-Action Alternative</i>. Under the <i>No-Action Alternative</i>, the historic embankment will continue to deteriorate and be defaced. The embankment on Block 212 [easternmost Embankment] has already lost some capping stones and wall sections, the earth fill is exposed and eroding, and the stone walls have been defaced with graffiti. Invasive vegetation, particularly on top of the embankment, has loosened stones and threatens the long-term stability of the embankment.” “[Block 212] does not border either the Hamilton Park or Harsimus Cove Historic Districts; on the north side of Sixth Street the embankment faces a ball field and to the south faces	Exhibit P of the Ryan V.S., Final Report, Sixth Street Railroad Embankment Study, Prepared for City of Jersey City by Louis Berger & Associates, Inc. (May, 1999) (Section 4 Excerpts).	11

City of Jersey City Assertion	Prior Assertion or Evidence (Excerpts)	Source	Tab #																														
	a modern housing development. Therefore, the development of housing on this block will not visually impact historic architectural resources. Proposed improvements to the embankment on the remaining blocks, including stabilization, cleaning, landscaping, and street furniture, would enhance the historic resources in the project vicinity.” “No Action Alternative. Under the No-Action Alternative, the [Hamilton Park and Harsimus Cove] historic districts will be affected by continued blight in the vicinity of the embankment. Active historic preservation actions will continue to be concentrated in the portions of the historic districts further from Sixth Street, for example near Hamilton Park and within the core of the Harsimus Cove Historic District.” Evaluation/Scoring: responsible development alternatives (including “Preservation,” which includes development) produces among the highest scores for historic preservation, while retaining the structures in their current form (“No-Action”) produces among the lowest scores for preservation: <table><caption>Table 4.1.1 Scoring of Evaluation Measures by Alternative Historic Factors</caption><tr><th></th><th colspan="5">Alternatives:</th></tr><tr><th></th><th>No-Action</th><th>Preservation</th><th>Build A</th><th>Build B</th><th>Build C</th></tr><tr><td>Preservation and Interpretation</td><td>3.00</td><td>5.00</td><td>4.00</td><td>5.00</td><td>1.00</td></tr><tr><td>Adjacent Historic Properties</td><td>2.00</td><td>3.00</td><td>4.00</td><td>4.50</td><td>3.00</td></tr><tr><td>Historic Factors Total</td><td>5.00</td><td>8.00</td><td>8.00</td><td>9.50</td><td>4.00</td></tr></table> Source: Louis Berger & Associates, 1999. “No Build Alternative. While no immediate impact is foreseen, the structural inspection of the embankment structure conducted for this study found a reasonable potential for a continuation of long term settlements in the western portions of the project corridor. This could increase the already existing instability in the embankment structure.” “No Action Alternative. This alternative interrupts the surrounding neighborhood land-use patterns by separating them with a massive wall barrier in between. The lack of streetscape and maintenance contributes to the blighted feel of the area.” “No-Action Alternative. The community will not benefit from the No Action Alternative. Many of the observations point to the need for active intervention and planned improvements. The No-Action Alternative is an inadequate means for embankment preservation over the long-term.” “Build Alternatives C and B provide distinct, but significant initiatives capable of improving physical appearance, safety, socioeconomic well-being and social interaction. The No-Action Alternative and the Preservation Alternative are the least effective at achieving these long-term benefits to the neighborhood.”		Alternatives:						No-Action	Preservation	Build A	Build B	Build C	Preservation and Interpretation	3.00	5.00	4.00	5.00	1.00	Adjacent Historic Properties	2.00	3.00	4.00	4.50	3.00	Historic Factors Total	5.00	8.00	8.00	9.50	4.00		
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	Evaluation/Scoring: responsible development alternatives produce among the highest scores for historic resource, architectural and aesthetic, engineering, environmental, and socioeconomic, economic factors, while retaining the structures in their current form (“No-Action”) produces among the lowest scores: <table><tr><th colspan="6">Table 4.7.1 Scoring of Evaluation Measures by Alternative Composite Total -- Summary of Evaluation Measures</th></tr><tr><th colspan="6">Alternatives:</th></tr><tr><th></th><th>No-Action</th><th>Preservation</th><th>Build A</th><th>Build B</th><th>Build C</th></tr><tr><td>Historic Factors</td><td>5.00</td><td>8.00</td><td>8.00</td><td>9.50</td><td>4.00</td></tr><tr><td>Physical Factors</td><td>10.0</td><td>11.0</td><td>12.0</td><td>12.7</td><td>14.3</td></tr><tr><td>Environmental Factors</td><td>12.0</td><td>15.3</td><td>15.3</td><td>15.3</td><td>13.3</td></tr><tr><td>Socioeconomic Factors</td><td>10.0</td><td>17.0</td><td>23.0</td><td>25.0</td><td>28.0</td></tr><tr><td>Historic Design & Architectural Features</td><td>6.3</td><td>8.7</td><td>7.7</td><td>7.3</td><td>5.5</td></tr><tr><td>Development Economic Factors</td><td>2.0</td><td>5.0</td><td>7.0</td><td>5.0</td><td>8.0</td></tr><tr><td>Composite Total</td><td>40.3</td><td>65.0</td><td>73.0</td><td>74.8</td><td>73.2</td></tr></table> Source: Louis Berger & Associates, 1999.	Table 4.7.1 Scoring of Evaluation Measures by Alternative Composite Total -- Summary of Evaluation Measures						Alternatives:							No-Action	Preservation	Build A	Build B	Build C	Historic Factors	5.00	8.00	8.00	9.50	4.00	Physical Factors	10.0	11.0	12.0	12.7	14.3	Environmental Factors	12.0	15.3	15.3	15.3	13.3	Socioeconomic Factors	10.0	17.0	23.0	25.0	28.0	Historic Design & Architectural Features	6.3	8.7	7.7	7.3	5.5	Development Economic Factors	2.0	5.0	7.0	5.0	8.0	Composite Total	40.3	65.0	73.0	74.8	73.2		
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Conrail “retaliated against the City” and refused to work with Jersey City altogether on the purchase of the Embankment after 1999.	Conrail engaged the City in several bid solicitations between 2001-2002 to purchase the Embankment property.	Exhibits R and S of the Ryan V.S.	12																																																												
	A memorandum dated from October 28, 2002 from the Jersey City Redevelopment Agency to Jersey City referenced Conrail’s offers to sell the Embankment and stated that “I know the JCRA is not interested in bidding on this property. I presume that the City has no interest either at this point but felt you should see the attached.”	Exhibit T of the Ryan V.S.	13																																																												
	As referenced above, the City used a third-party developer in an attempt to facilitate a three-party purchase deal involving the developer, the Embankment Committee, and the City. In his May 30, 2003, memorandum, Mr. Palmaccio, a private land developer, who was “requested [by Jersey City] to act as an intermediary between Conrail and Jersey City in order to facilitate a potential deal” to acquire the Embankments, concluded that “[a]fter speaking to [Conrail’s represented and attorney] over the last six months, I firmly believe that if a collective offer with \$1.15 million cash was presented, that Conrail would be willing and flexible on the balance and terms of the transaction.” He further stated: “In closing, [Conrail] expressed a strong desire to work out negotiations and requested that Jersey City send a letter to him with specific particulars which would show Conrail a desire to move forward rather than the current status.” “Mark, assuming the current administration truly wants to acquire this property and not have this messy situation linger for years, I am very confident that a deal can be struck. Kindly give me a call to discuss further and I look forward to our next meeting with all parties involved.”	Exhibit to the Cotter V.S., Memorandum dated May 30, 2003, from Frank Palmaccio, private developer acting at the behest of Jersey City, to Mark Munley, the Director of Jersey City Housing, Economic Development, and Commerce, regarding telephone conversation with Bob Ryan, Director of Real Estate, Conrail.	7																																																												

TAB 1

CITY OF JERSEY CITY

GERALD McCANN
Mayor



CITY HALL
JERSEY CITY, N.J. 07302
(201) 547-5200

December 18, 1984

L.S. Crane, Chairman
Consolidated Rail Corporation
1838 #6 Penn Center
Philadelphia, Pennsylvania 19104

Dear Mr. Crane:

With the development of New Jersey's Hudson River Waterfront, the demand for freight railroads is dwindling. Investors purchasing outmoded industrial facilities have begun their redevelopment into higher-use offices and residential complexes. This is a phenomena with which Conrail is intimately familiar as you have sold several surplus parcels to facilitate Jersey City's waterfront development activities. At the same time, however, underutilized railroad property and trackage which services the remaining industrial facilities has become an impediment to the redevelopment of entire development tracts along the Hudson River.

As Conrail is well aware through its current negotiations, this is the present case with the P&H Branch and the Sixth Street trestle serving the Hudson Street tracks in Jersey City. Although the majority of the property at this location is under contract to the ASH Development Company, the remaining active tracks cut a diagonal line through a forty acre waterfront development site. The line then runs at street grade bisecting two major office projects to the south: the Harborside Financial Center, a two million square foot rehab project where the Bankers Trust Company is already leasing almost one-half million square feet of office space, and a seventeen story, 325,000 square foot office building under construction by an affiliate of the Evergreen Shipping Lines.

The line continues along Hudson Street at grade, crossing both Christopher Columbus Drive and Montgomery Street which will serve as main arteries to the imminent commercial developments at Exchange Place.

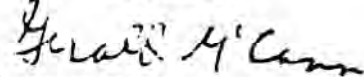
Because of the dramatically changing land uses in the area, I believe you will agree that the time of the freight line service on this line has passed. I suggest we meet in the near future to discuss the discontinuance of this impediment and to select an alternate means of serving your remaining customers.

Page Two
December 18, 1984
L.S. Crane, Chairman

Because of the dramatically changing land uses in the area, I believe you will agree that the time of the freight line service on this line has passed. I suggest we meet in the near future to discuss the discontinuance of this impediment and to select an alternate means of serving your remaining customers.

My office will be in contact immediately after the Holidays to arrange a date.

Very truly yours,



Gerald McCann
Mayor

GMCC:AH:vp

TAB 2

CONRAIL



RECEIVED

89 AUG -1 AM 9:55

CITY OF JERSEY CITY
ENGINEERING

cc: Jerry N.
John M.
Sue M.
orig: MJB
I need to
write back &
schedule a
site mtg.
MJB

July 28, 1989

Mr. Michael J. Barnes, P.E., P.P.
Municipal Engineer
Division of Engineering
280 Grove Street
Jersey City, New Jersey 07302

Re: Harsimus Branch, Jersey City, NJ

Dear Mr. Barnes:

Please reference your letter of May 12, 1989 in regard to bridge conditions along the Harsimus Cove Branch. All bridges and retaining walls between Henderson Street and Newark Avenue were inspected on June 6, 1989. At the time of this inspection there was no immediate danger or evidence of loose material falling from these bridges.

We will continue to inspect and monitor bridge conditions along this line and remove any loose material as necessary.

Also, you may be aware that only one track is in service along this six (6) track line segment. The remaining active track will be abandoned once the new Marion Junction Connection is in service. This project, in cooperation with the State of New Jersey, is scheduled for completion in late 1992. At the completion of the Marion Connection the Harsimus Branch will be sold and dismantled.

In the interim, I have initiated the retirement of the six (6) inactive tracks and the removal of the bridge superstructures between Henderson Street and Brunswick Avenue, inclusive. I will keep you advised as to when this retirement project has been finalized and funded.

Very truly yours,

C. F. Morey, P.E.
Assistant Division Engineer
Conrail
Philadelphia Division

10th Floor-15 N. 32nd Street
Philadelphia, PA 19104-2849

TAB 3

FIELD NOTES

JOB NO. 92-008

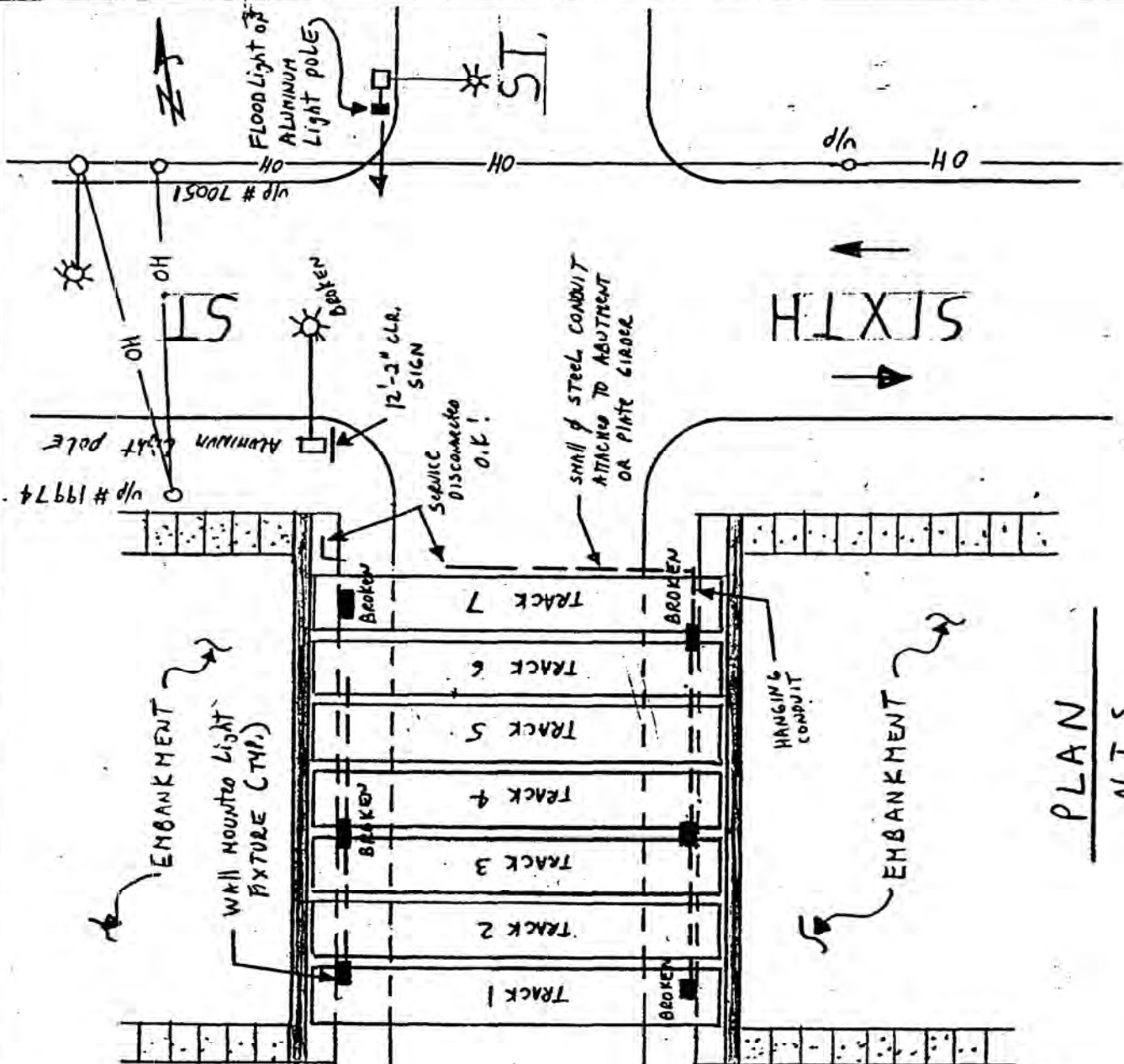
BRIDGE NO. CONRAIL
GROVE ST.

DATE AUG 26 & 29, 1994

SHEET 1 OF 6

PREPARED BY: JERSEY CITY ENGINEERING

CREW J. MUCHA



← GROVE

NOTES:

- * LIGHTING CONDUIT BROKEN AND ELECTRICAL SERVICE WIRES DISCONNECTED
- * O.K. FOR DEMOLITION
- * NEW TRAFFIC LIGHT SYSTEM TO BE INSTALLED @ 6TH & GROVE BY JC IN OCTOBER 1994

PLAN

N.T.S.

FIELD NOTES

JOB NO. 92-008

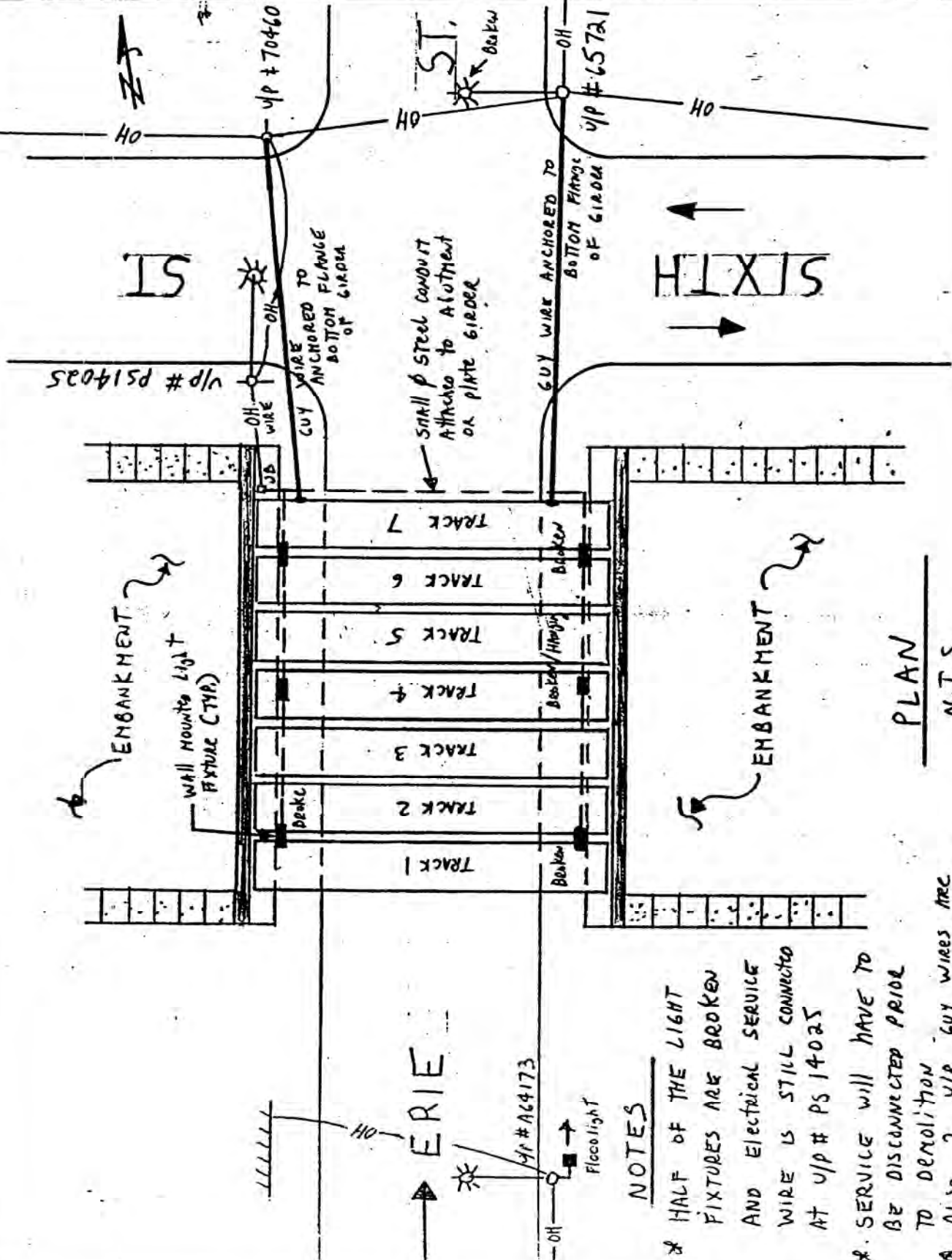
BRIDGE NO. CONRAIL
ERIE ST.

DATE AUG 26 229, 1994

SHEET 2 OF 6

PREPARED BY: JERSEY CITY ENGINEERING

CREW J, MUCHA



NOTES

- * HALF OF THE LIGHT FIXTURES ARE BROKEN AND ELECTRICAL SERVICE WIRE IS STILL CONNECTED AT UP# PS 14025
- * SERVICE WILL HAVE TO BE DISCONNECTED PRIOR TO DEMOLITION
- * ALSO 2 UP GUY WIRES ARE ANCHORED TO BOTTOM FLANGES AND WILL HAVE TO BE REMOVED

PLAN

N.T.S.

FIELD NOTES

PREPARED BY: JERSEY CITY ENGINEERING

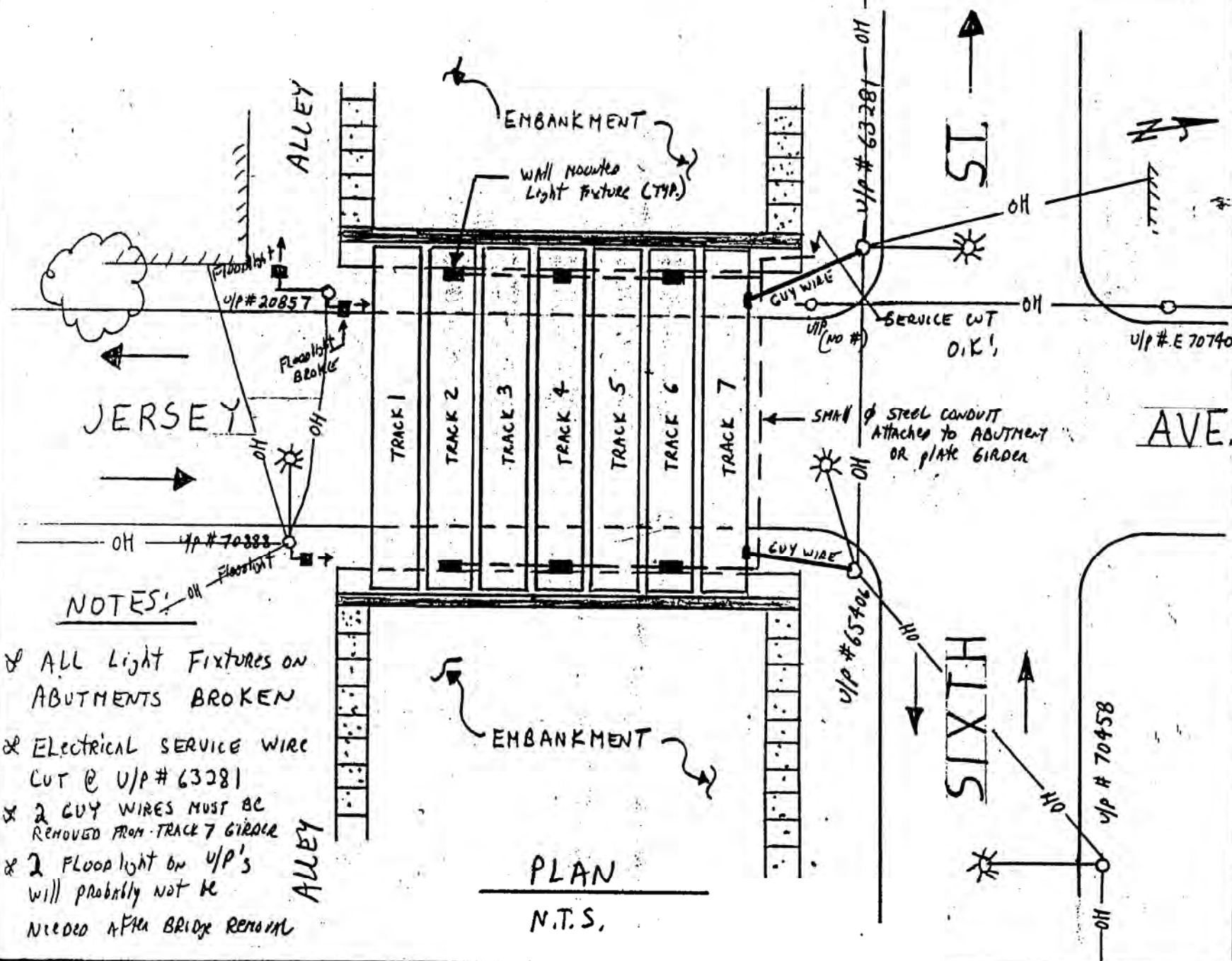
CREW J. MUCHA

JOB NO. 92-008

BRIDGE NO. CONRAIL AVE
JERSEY AVE

DATE AUG 26 29, 1994

SHEET 3 of 6



NOTES:

- ✗ ALL Light Fixtures on ABUTMENTS BROKEN
- ✗ ELECTRICAL SERVICE WIRE CUT @ U/P # 63281
- ✗ 2 GUY WIRES MUST BE REMOVED FROM TRACK 7 GIRDER
- ✗ 2 FLOODLIGHT on U/P's will probably NOT BE NEEDED AFTER BRIDGE REMOVAL

PLAN

N.T.S.

FIELD NOTES

JOB NO. 92-008

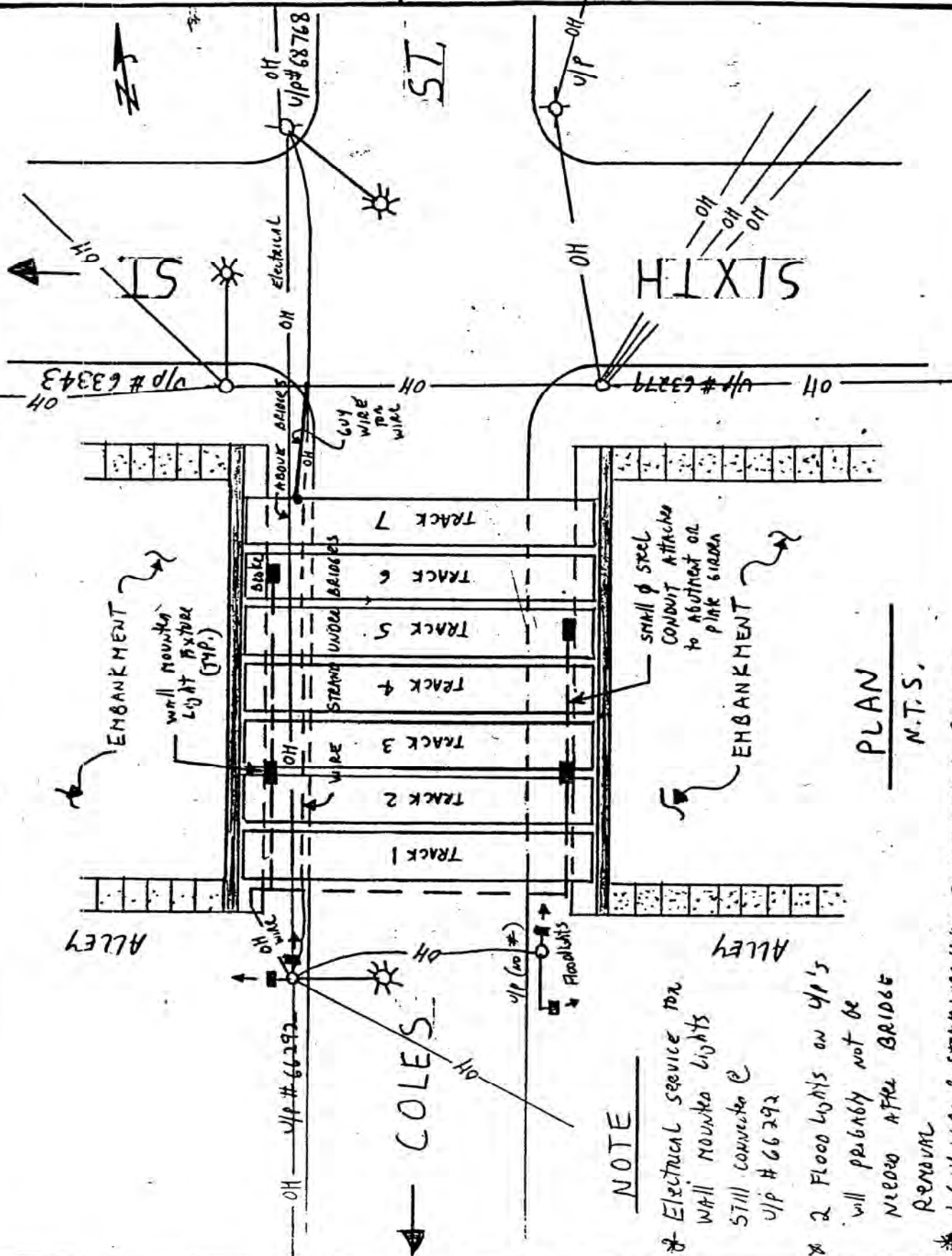
BRIDGE NO. CONRAIL
COLES ST.

DATE AUG 26 & 29, 1994

SHEET 4 OF 6

PREPARED BY: JERSEY CITY ENGINEERING

CREW J, MUCHA



PLAN

N.T.S.

NOTE

Electrical service for
wall mounted lights
still connected
U/P # 66292

* 2 Flood Lights on up's
will probably not be
needed after bridge
removal

* 1 Guy wire & strand wire under bridge must be removed

FIELD NOTES

JOB NO. 92-008

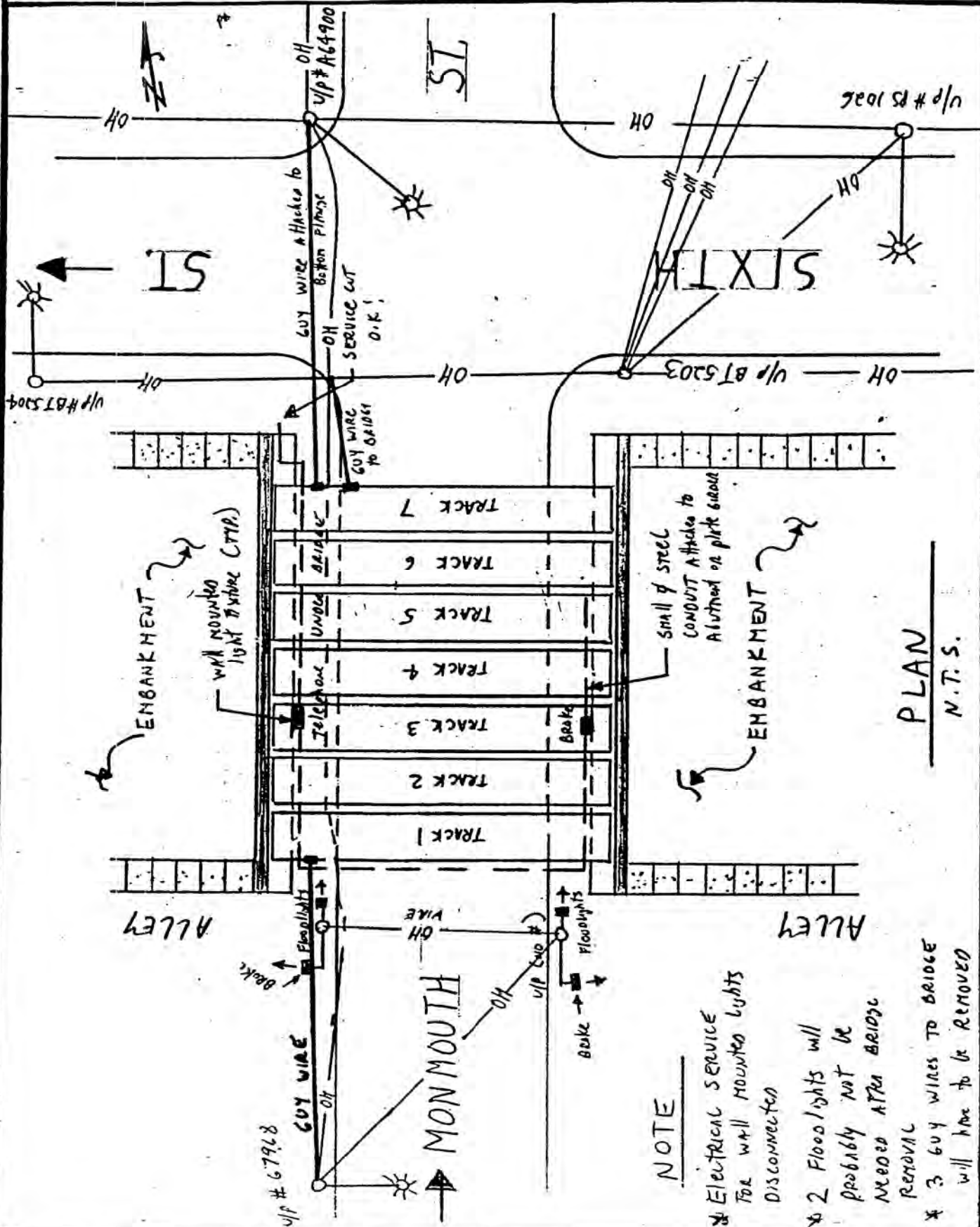
BRIDGE NO. CONRMC
MONROE ST.

DATE AUG 26 & 29, 1944

SHEET 5 OF 6

PREPARED BY: JERSEY CITY ENGINEERING

CREW J, MUCHA



PLAN
N.T.S.

NOTE

Electrical Service
For wall mounted lights
Disconnected

* 2 Floodlights will probably not be needed after bridge

REMOVAL
* 3 604 wires to bridge
will have to be removed

FIELD NOIES

JOB NO. 92-008

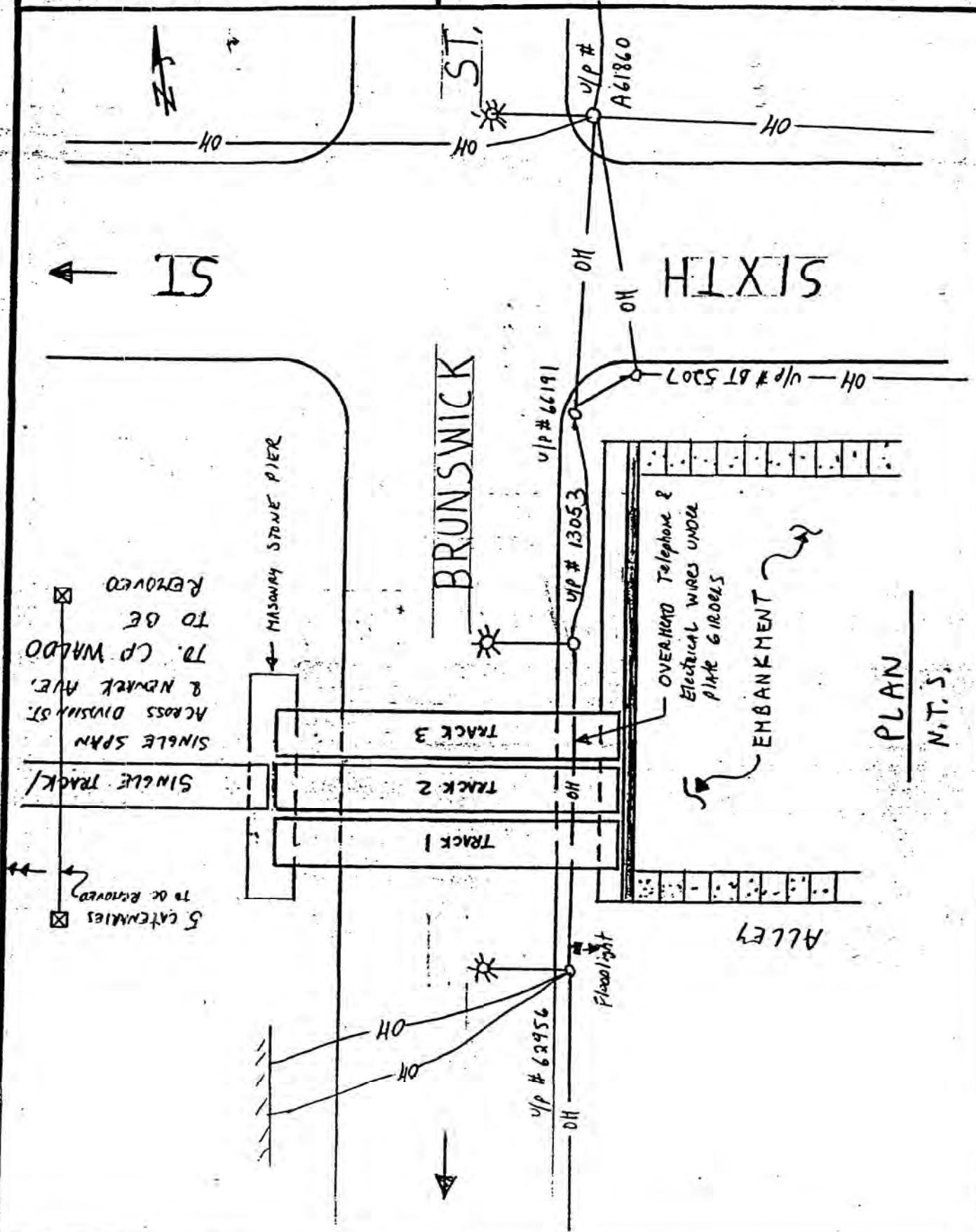
BRIDGE NO.	CON RML BRUNSWICK ST.
------------	--------------------------

DATE AUG 26 29, 1994

SHEET 6 OF 6

PREPARED BY: JERSEY CITY ENGINEERING

CREW J, MUCHA



PLAN

N.T.S.

RECEIVED

File: 92-008



September 1, 1994

PSE&G
333 Meadowlands Parkway
Secaucus, New Jersey 07094

Attention: James Hazell, Senior Commercial Representative

SUBJECT: CONRAIL-6TH STREET VIADUCT

Dear Mr. Hazell,

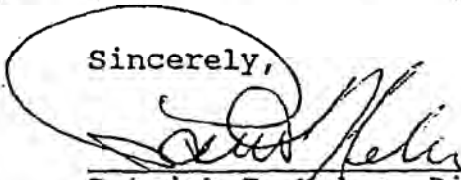
Enclosed herewith, please find correspondence from John Mucha of the Jersey City Engineering Division, and attached sketches concerning the Conrail 6th Street Viaduct, which are self explanatory.

Kindly make arrangements to deactivate any service connections to previously abandoned under deck lighting at the attached locations. All other PSE&G equipment attached to the structures, should be removed as soon as possible.

Apparently, the PSE&G flood lights on the perimeters of the Viaduct will not be necessary after the demolition of the structure. However, the flood lights that are aligned for the adjacent alleyway, should remain in operation.

If you have any questions on the above, do not hesitate to contact me.

Sincerely,


Patrick J. Nolan, Director
Traffic & Transportation

PJN:ds

c John Mucha, Engineering
Gerald Nissen, Municipal Engineer
file

CITY OF JERSEY CITY
DIVISION OF ENGINEERING
* INTERDEPARTMENTAL MEMORANDUM

DATE: August 31, 1994
TO: Pat Nelan, Traffic Engineering
FROM: JOHN MUCHA, P.E., PRINCIPAL ENGINEER
SUBJECT: Removal of Conrail 6th Street Viaduct
Project No. 92-008

=====

We have conducted an indepth inspection of the underbridge lighting system for the remaining abandoned Conrail Bridges along Sixth Street from Grove Street to Brunswick Street which are being scheduled for demolition and removal (the single spans west from Brunswick Street across Division Street\Newark Avenue to CP Waldo will also be removed). Please refer to the attached sketches of each crossing.

Many of the crossings have wall mounted fixtures that are either broken or disconnected. Some have been replaced with floodlights on utility poles aimed under the bridges of which some are also broken. In addition, many utility poles are anchored with guy wires attached to the bottom flanges of the bridge steel plate girders which must be removed prior to demolition operations.

Please review the attached lighting plans at each crossing and contact the marketing division of PSE&G so that they can begin planning for the removal and/or modification of the street lighting system and overhead wires at these bridge locations. By copy of this memo, we are notifying PSE&G Overhead Engineering, NJ Bell and Cable TV of Jersey City about this upcoming demolition project.

All rail from these bridges has now been removed and we are continuing to work with Conrail to secure the removal of these hazardous structures as soon as possible. We have already alerted Conrail that the Grove Street Bridges must be removed prior to the installation of a new Jersey City traffic light at 6th Street and Grove Street tentatively scheduled for October 1994.

We will keep you advised of further developments.



JOHN MUCHA, P.E.
Principal Engineer



Gerald J. Nissen, P.E.
Municipal Engineer

tb

attachments

cc: J.L. McGlynn, P.E., Conrail (Fax 1-609-231-2455)
Dennis Kreiss, Conrail
Joe Bova, Conrail
Don Hewitson, PSE&G Overhead Engineering
Rick Newsome, NJ Bell Engineer
Kevin Rooney, Cable TV of Jersey City
Cheryl Allen-Munley, Asst. Municipal Engineer
Abdus Safi, P.E., Supervising Engineer

TAB 4

File

CITY OF
JERSEY CITY
DIVISION OF ENGINEERING



GERALD J. NISSEN, P.E., P.P.
DIRECTOR OF ENGINEERING

April 5, 1995

280 GROVE STREET
JERSEY CITY, NJ 07302
(201) 547-4412

Conrail
2001 Market Street
PO Box 41410
Philadelphia, PA 19101-1410

Attention: J. D. Cossel, P.E., Chief Engineer
Design and Construction

SUBJECT: Removal of Conrail's 6th St. Viaduct (abandoned Harsimus Cove Branch) JC Project No. 92-008

Dear Mr. Cossel:

On April 13, 1994, Conrail's Northern Branch was connected to the P & H Branch at Marion Junction. During the summer of 1994, a private contractor National Salvage and Service Corporation hired by Conrail removed all rail and ties from the now abandoned Harsimus Cove Branch. The only exception to this was that the larger ties on the bridges connecting the elevated earth embankments were not removed.

In July 1994, Jersey City in a joint venture with National Bulk Carriers, Inc. demolished and removed the Harsimus Cove Bridge spanning over Luis Munoz Marin Blvd. (Henderson Street) at no cost to Conrail. At that point, Conrail solicited demolition bids and selected a low bidder, thus we were led to believe that the remaining Harsimus Cove Bridges from Grove Street west to Newark Avenue and beyond to CP Waldo would be removed during the winter of 1994/95. In August 1994, we performed a survey of all underbridge lighting and overhead wires at each bridge that would have to be disconnected, removed or relocated and alerted the various utility companies of the proposed demolition project. Please refer to the attached sketches.

Unfortunately, when we contacted Conrail in mid December 1994, we were advised that no funding had been budgeted for the first 6 months of 1995 and that the project had been put on hold.

At this time, we are requesting a schedule when Conrail will remove these bridges and what are the long term plans for the removal of the masonry stone/earth filled embankments as well as the future use of the Harsimus Cove Right-of-way.

We feel these bridges are hazardous structures which should be removed as soon as possible. Some of these bridges have very low underclearances which have resulted in trucks striking the bridges.

The latest incident occurred on September 13, 1994 when a garbage container truck struck the Erie Street Bridge significantly moving and buckling two large plate girders and raining debris on the road and sidewalk below. Fortunately, no pedestrians were walking under the bridge when the incident occurred. Some of these bridges are so old that large flakes of rust are lying on the bottom flanges, not to mention other miscellaneous debris.

This elevated viaduct is also an eyesore which divides the downtown section of Jersey City. Recently, Conrail reconstructed the National Docks Secondary Branch in downtown Jersey City and the design selected placed an emphasis on aesthetics. We feel that same type of emphasis should now be placed on this abandoned Harsimus Cove Viaduct by removing it not just for aesthetics but more importantly for safety.

Jersey City cooperated with Conrail and the NJDOT on the new Marion Junction connection for many years which as we mentioned at the beginning of this letter culminated on April 13, 1994. We hope that Conrail will now cooperate with Jersey City by removing the abandoned Harsimus Cove Viaduct for the benefit of all parties involved.

Very truly yours,


John Mucha, P.E.
Principal Engineer


Gerald J. Nissen, PE, PP
Municipal Engineer

tb

cc: Councilman Jaime Vasquez
Barbara Bieber, Director, JC Redevelopment Agency
Cheryl Allen-Munley, Director, Bureau of H&T
Pat Nelan, Traffic Engineering
Tom Leane, NBC
Francois LeBrun
Liz Jeffrey, Director, Economic Dev.

TAB 5

R e p o r t

Concerning the Determination of

the Proposed

SIXTH STREET

STUDY AREA

as

"An Area in Need of Redevelopment"

*As approved by the Planning Board
March 10, 1998*

I. SURVEY OF CONDITIONS IN THE STUDY AREA

A. Introduction

The Municipal Council of the City of Jersey City, on April 23, 1997 adopted a resolution authorizing the Jersey City Planning Board to:

1. Conduct a preliminary investigation of the physical and economic conditions of an area known as the Sixth Street Study Area, (hereinafter the "Study Area") to determine whether or not this Study Area meets the statutory criteria necessary to be declared an "area in need of redevelopment" as outlined in NJSA 40A:12A-6 et. seq.
2. Propose a redevelopment plan for this Study Area if it is found to be in need of redevelopment.

B. Boundary Description

The Study Area is comprised of Block: 212 Lot: M, Block: 247 Lot: 50A, Block: 280 Lot: 50A, Block: 317 Lot: 50A, Block: 317 Lot: 50A, Block: 354 Lot: 50A and Block: 389.1 Lot: 50 and the alleys/lanes abutting these parcels to the south and running between Brunswick Street, Monmouth Street, Coles Street and Jersey Avenue. (see attached boundary map).

C. Historical Background

The Study Area consists of the remaining sections of the former elevated tracks that carried freight to and from the northern waterfront of Jersey City, for over a hundred years after their first construction in the 1880's. This viaduct along Sixth Street was the culmination of the general industrialization of the Jersey City waterfront which proceeded apace through the middle decades of the Nineteenth Century. In 1867 the United New Jersey Railroad & Canal Company purchased the waterfront at Harsimus Cove, east of the present Harsimus Cove Historic District. A intricate complex of railroad tracks, freight yards, spurs and sidings grew up to enable the distribution of raw materials and manufactured goods into and out of our City and across New York and Newark Bays. The Pennsylvania Railroad after 1871 controlled the rails and yards of the New Jersey RR & Canal Company. They continued the policy of reclaiming land from the Cove, begun in 1856 by the Long Dock Company and by the 1880's the Harsimus Cove terminal was the largest installation in the harbor. It contained piers, float bridges, elevators, freight houses, warehouses, a stock yard, engine terminal and

storage yard. But this freight terminal, now known as the Harsimus Yards, could not be reached without a lengthy detour by way of temporary tracks along the riverfront. A more direct connection to the main line was not possible until the wall of the Palisades was breached. In anticipation of this opportunity, a right-of-way along Sixth Street was purchased on behalf of the United New Jersey Company by Robert C. Bacot. An engineer, architect and City surveyor, Mr. Bacot must have completed the assembly of this access route before the Pennsylvania came on the scene. A pictorial map of the New York area, drawn for the Harper's Weekly of May 6, 1871, clearly illustrates the rail lines of the N.J. Railroad and other lines in that year, but the Sixth Street right-of-way still lay fallow. But by 1884 the barrier of Palisade rockface was cleaved and the Pennsylvania constructed the first connecting line down the blocks between Fifth and Sixth Streets. These original tracks of the Pennsylvania Railroad Harsimus Branch are depicted on the Fowler- Bromley Atlas of 1887. The pair of elevated tracks coexists with residential lots on the south side of Sixth Street, preventing the rail line from expanding. The Harsimus Branch tracks were enlarged between 1895 and 1905 by construction of a viaduct which eliminated the residences. By the time the Hopkins Plat Book was published in 1908, the full present configuration of six elevated tracks is shown and the houses\lots to the north are gone. By 1890 the Pennsylvania had also elevated its tracks on Railroad Avenue, dominating the streetscape of Downtown Jersey City. But the Sixth Street viaduct was a singular undertaking; as if the stones excised from the Palisades were rolled down the hill and re-assembled. The elevated railbed supported by massive stone retaining walls terminated at Henderson Street, where it adjoined a Yardmaster's office. This Italianate brick structure was still standing at Sixth and Henderson, in 1981, when it was considered by the Phase I Historical Structures Report as having been constructed between 1909 and 1919. Dr. Joseph Brooks of Jersey City Planning Division, primary author of this report, noted in 1981 that the railroad tracks beside the building were elevated to the second story of this now demolished structure.

These tracks were an integral part of the industrialization of Jersey City which was heavily dominated by the railroads. The Pennsylvania Railroad, once it developed its trunk lines into Harsimus Cove, could deliver anthracite and bituminous coal from the Pennsylvania collieries directly to the homes, factories and power plants of the eastern entrepot. Grain and livestock from the heartland were also transported to fill the grain elevators and abattoirs of the northern waterfront. Live cattle and swine were still brought in by this viaduct as late as the mid 1960's. The Swift, Sioux Pork and Armour companies were long associated with Jersey City. Many foodstuffs were reexported not only by rail but upon ships bound across the Atlantic. The City's factories drew more goods and materials in by the Harsimus Branch Main Stem and reexported their value added products by the same Pennsylvania rails.

But the railways were in decline by the 1950's. Commercial aircraft flights and the wide private ownership of automobiles driving on the new interstate highway system took a heavy toll on their passenger traffic. The same highways serviced by the trucking industry encouraged the dispersal of industrial land uses, taking an equally heavy toll from the railway's freight operations. Total freight tonnage transported through the Jersey City waterfront declined from 27,854,983 (1951) to 18,119,361 (1959). Percentage losses in freight tonnages during 1949-1959 were 23%, 44%, 25% and 12% respectively for; Interchange, Lighterage, Local Freight and Tidewater Coal. Source: Port of New York Authority

As measured by the Jersey City Planning Division in 1972 for the period 1925-1970 the percentage losses are even starker:

<u>Classification</u>	<u>New Jersey Side</u>	<u>Port of New York</u>
Coal		
Tidewater	70.0%	60.8%
Team Track	90.4	87.5
Perishables	62.2	62.2
Merchandise		
Car Load	33.3	31.2
Less Than Car Load	99.8	99.6

Jersey City did not benefit from the measures taken in the 1960's and 1970's by the railroad companies to meet the challenge of the trucking industry's freight delivery operations. Both corporate mergers and efficiency responses, trailer-on-flat car (TOFC) or container-on-flat car (COFC), left the City with abandoned or disinfested railway acreage. New TOFC-COFC facilities were built in other parts of Hudson County, including Secaucus and Weehawken. The Penn-Central Corporation, which emerged from this period of rail company consolidations, retained control of the Harsimus Branch through the 1970's but eventually abandoned plans to expand operations and attract freight forwarding companies to their Harsimus Cove site. Through the last two decades of our Century, Penn-Central's corporate successor, Conrail, used the line more as an extended siding for its intermodal operations than to deliver goods to our locality. The tracks were last used in 1994.

C. Local Setting and Transportation Access

The Study Area is located on the site of the former Pennsylvania Railroad freight tracks, known as the Harsimus Branch Main Stem, operated by Conrail since the railroad consolidations of the 1970's. It formerly terminated easterly at the Harsimus Yards of the Pennsylvania Railroad, creating an impenetrable rail yard which impeded

the redevelopment of the northern waterfront for many years. For over a century, elevated railways at Sixth Street, Railroad Avenue (also Penn) and Tenth Street (Er Lackawanna), together with the commercial streets - Newark, Grove, lower Montgomery -, defined the neighborhoods and industrial districts of Downtown. The Warehouse District was then nestled east of Henderson Street between the two track lines of the Pennsylvania Railroad. As the customers served by the railroads moved to the waterfront and the land uses changed from industrial to commercial and residential, the railroad's properties became a drain on the City's finances and an obstacle to its physical and economic revitalization. Though the line had little purpose with regard to delivering freight to the Waterfront area, after the closing of spurs to the Collate and Manichevitz plants some ten years ago, through the end of 1994, Conrail still relied on it for its function as an extended siding - a giant K turn. Intermodal trains, up to two miles in length, were coupled together by backing sections of cars down from the Croxton yard, west of Tonnele Avenue, all the way down the Harsimus line, until they reached the Harsimus Yard at what is now Metro Plaza. They could then proceed north and continue west to Buffalo and ultimately Oakland, California. As the new Marion Junction came on line, trains could pass directly over the street grid and connect with the tracks west of Tonnele. The Harsimus Line tracks were finally de-commissioned by Conrail in early 1995 and the tracks and bridges once connecting the tracks have been removed. With the abutting lanes included, this site runs 100 feet wide by six city blocks in length presenting a significant swath of vacant land in a densely populated section of downtown Jersey City.

Situated at the bottom of the slope below the crest of the Palisades Ridge, running between two Historic Districts to within 4 blocks west of the Hudson River, the study area is close to the New Jersey Turnpike, US Routes 1 & 9, the Holland Tunnel. It is perpendicularly aligned to the city's major mixed use waterfront development projects and just a few hundred feet from the alignment of the NJ Transit Hudson-Bergen Light Rail transit system, in construction now. The thriving historic neighborhoods of Hamilton Park and Harsimus Cove flank it on the south and north. Its western end joins the Italian Village neighborhood and the parishes of Holy Rosary and Saint Anthony's. Towards the east and north are Hudson Exchange and Newport. A few short blocks south lies the Newark Avenue shopping district which is undergoing its own revival effort with UEZ sponsored facade enhancements and the new adoption of an historic commercial district.

Transportation Access

The Study Area is located near public transportation systems. Numerous bus stops are located on Newark Avenue, Grove Street, Jersey Avenue and Grove Street. The PATH stations at Grove Street and Pavonia Avenue are within walking distance. The public transportation systems provide access to points across the city and offer bus and rail connections to points throughout the region.

D. Study Area Characteristics

Block 212 Lot M contains 30,000 square feet
Block 247 Lot 50.A contains 40,000 square feet
Block 280 Lot 50.A contains 38,000 square feet
Block 317 Lot 50.A contains 38,000 square feet
Block 354 Lot 50.A contains 38,000 square feet
Block 389.1 Lot 50 contains 38,000 square feet

The following information on assessment of the Study Area parcels was provided by The Jersey City Tax Assessor.

All of the above - captioned properties are assessed directly by the Director of the Jersey Department of Taxation and have been tax-exempt, in accordance with statute, through their years of operation as Class I Railroad property. This designation reflects that the property consists of the main and branch lines of the railroad.

Values for properties are based on several variables: 1) location; 2) topography; and whether or not the property has acceptable access. Also considered are contaminants such as asbestos, PCBs, chromate, etc. However, all six (6) properties total 192,000 square feet. Even if a minimal value of \$5.00 per square foot were placed on all six lots, the total assessment would be \$960,000 with taxes of \$40,176. This is based on the 1997 Tax rate for Jersey City of \$41.85 per \$1,000.00 of assessed value.

Each property would have to be thoroughly inspected to determine if any of the above mentioned problems exist to put a fair and accurate value on each individual site.

For comparison purposes, three blocks were chosen, at random, from three separate and distinct areas of the City- one in the Heights, one in Downtown and one in Greenville. The total area of these three blocks was calculated and then divided into the total assessed value of each block, yielding a per square foot taxable value number. The results are summarized below.

Table 1.

Comparison of Per Square Foot Property Values

	Heights Block 811	Downtown Block 277	Greenville Block 1369	Study Area
Size in Square Feet	137,379 sq. ft.	78,875 sq. ft.	83,411 sq. ft.	192,000 sq.
Total Assessed Value (Land and Buildings)	\$7,545,900	\$5,409,000	\$2,651,500	\$960,000
Value per Square Foot of Property	\$54.93	\$68.58	\$31.79	\$5.00

Each tax lot is covered 100% at the base by the stone retaining walls of the former viaduct.

The Study Area contains 4.4 acres of land.

Massive stone retaining walls enclose earthen berms on four sides of each block long section. The westernmost blocks have a secondary, stepped in wall and reach heights over 40 feet. The easternmost block is no more than 25 feet in height with parts of the former wall removed from the sections near Marin Blvd. The walls consist of both basalt and sandstone blocks of various dimensions and irregular placement. Stones as large as 6 feet by 4 feet are interspersed with some as narrow as 18 inches by 24 inches. Weeds cover almost all the exposed soil atop the berms. The entire perimeter of each block's upper surface is enclosed by 6 foot cyclone fencing. There is also a complete path of alleys running the entire length of the embankment's southern wall from Brunswick Street through Jersey Avenue.

II. CRITERIA FOR DETERMINATION OF NEED FOR REDEVELOPMENT

The Study Area may be determined to be in need of redevelopment if, after investigation notice and hearing, as provided within NJSA 40A:12A-6, the governing body concludes by resolution that with study area, any of the following conditions are found:

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent possess any of such characteristics, or are so lacking in light, air or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of buildings previously used for commercial, manufacturing, industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great state of disrepair as to be untenable.
- c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
- e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real property therein or other conditions, resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare.
- f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
- g. In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L. 1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L. 1992, c.79 (C.40A:12A) and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L. 1991, c.431. (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L. 1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L. 1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.

III. REVIEW AND CONCLUSIONS

A review of the unique characteristics of the Study Area indicates that it qualifies as "area in need of redevelopment" as defined by NJSA 40A:12A-5, meeting the criteria of subsections b, d and e.

Although subsection "b" refers to buildings, not vacant land, it is applicable to this particular site since it is a walled edifice of considerable height and width enclosing a huge volume of packed landfill. This railway bed, which was once a considerable contributor to the commercial, manufacturing and industrial base of the City and region has now been abandoned. Its former use is no longer viable for this location and there is no possibility of reclaiming the site for this purpose. This great deficit of utility is exactly that envisioned in the statute in subsection "b".

The Study Area also meets the criteria outlined in subsection "d" since the primary transportation function of the right of way has effectively been discontinued. This subsection refers to ".....improvements which, by reason of dilapidation, obsolescence,.....faulty arrangement or design,.....excessive land coverage, deleterious land use or obsolete layout.....are detrimental to the safety and welfare of the community." It is rather evident that the present condition of the viaduct's raised earthen ramparts meets all the above criteria of this subsection of the statute. Measurements confirm these lots are covered 100% by the railway stone walled viaduct. The longer these massive viaducts remain abandoned and unimproved, the more deleterious they will become to the public safety. Lack of determined maintenance will eventually create hazards from dislodged wood, metal or stone elements. The soils will likely subside and expand through severe weather cycles and then spill over the walls as mud or ice blocks. Weeds are already growing on the slopes creating opportunities for vermin and allergens. There can also be no doubt that this site will become an attractive nuisance that will entice adventurous youngsters to climb upon them and court disaster with careless behavior. Some sections are 25 feet high but there are likely hidden hazards on top of the mounds themselves. The common expectation that youths will eventually hurl objects down on cars and passersby below should not be discounted. All these above cited conditions are magnified by the traffic congestion, so evident in this study area, heading toward the riverfront as well as the tunnel. They clearly satisfy the statutory criteria of subsection "d" as evidence that the area is in need of redevelopment.

Subsection "e", which talks about a growing lack of proper utilization of areas caused by condition of title or other conditions resulting in stagnant or not fully productive condition of lands potentially useful and valuable for contributing to and serving the public health safety and welfare, can apply to this study area. You can find that the condition of title and the ownership of real property by a railroad entity has resulted in the stagnation of this study area. The land is clearly not fully productive. These properties

are owned by Conrail, which is a major corporation that has certain restrictions in its ability to function because of their potential sale that's coming up to CXS. Another functional restriction of Conrail relates to why it was formed some 15 to 20 years ago to provide a service and that is no longer viable in this study area or general waterfront vicinity.

In addition, Block 212, Lot M is presently part of the Luis Munoz Marin Blvd Redevelopment Plan area and Block 247 Lot 50.A is presently part of the Grove St Redevelopment Plan Area and they are already designated as "areas in need of redevelopment. As part of this study it is recommended that they be taken out of the redevelopment plan districts and made part of the Sixth Street Study area and Sixth Street Redevelopment Plan area.

Based on the conclusions reached above, we find that the Study Area meets the statutory criteria as per NJSA 40A:12A-5, subsections b,d and e to be declared an "area in need of redevelopment" and we recommend that it be declared such in order to expedite its productive return to economic reuse.

We further recommend the adoption of a redevelopment plan outlining a program of rehabilitation to eliminate sub-standard conditions, arrest the deterioration of this steel walled viaduct and provide for an alternative re-use which will promote the overall development of the Study Area and surrounding community.

Respectfully submitted,

Robert D. Cotter, PP, AICP
Director of City Planning Division

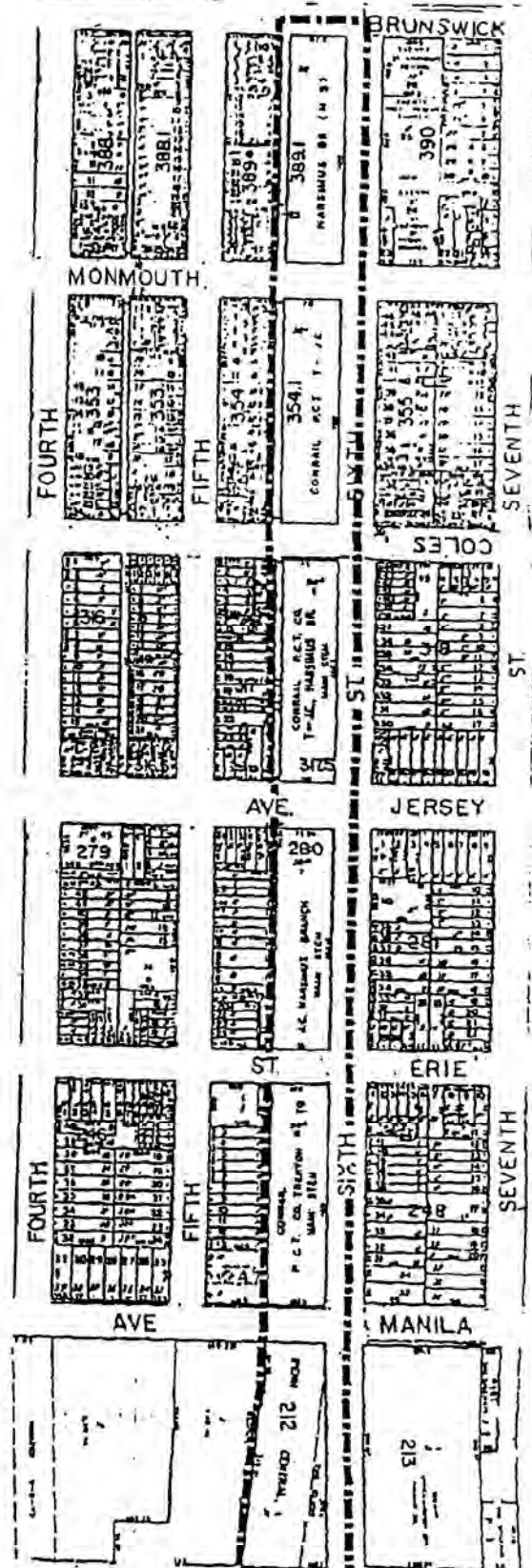
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SIXTH STREET STUDY AREA

BOUNDARY MAP



Date: 1997



TAB 6

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 98-872

Agenda No. 10.4

Approved: DEC 09 1998



TITLE:

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY CORRECTING A RESOLUTION DECLARING THE SIXTH STREET STUDY AREA AN AREA IN NEED OF REDEVELOPMENT

WHEREAS, the Municipal Council of the City of Jersey City, has, by Resolution, authorized the Jersey City Planning Board to conduct a preliminary investigation to determine if the Sixth Street Study Area meets the criteria of New Jersey's Local Redevelopment and Housing Law, *NJSA 40A:12A-1 et seq.*, and can be declared an area in need of redevelopment; and

WHEREAS, the Planning Board, at its meeting of March 10, 1998, which meeting was properly noticed as required by law, did conduct an investigation into the conditions affecting the property in question, and did approve a motion to recommend to the Municipal Council that the referenced area be so declared; and

WHEREAS, the Planning Board's recommendation is based on evidence presented to them and contained in the Study Report prepared by the City Planning Division, and testimony of interested parties attending said Planning Board meeting; and

WHEREAS, the Planning Board did find, and so recommends to the Municipal Council, that the area in question meets the statutory criteria of *NJSA 40A:12A-5. b, d., and e.*;

WHEREAS, the Municipal Council Resolution 98-140 adopted on March 11, 1998 included a typographical error, to wit, it listed sections b., c., and d. as the legislative criteria justifying the declaration of redevelopment need when, in fact, the Study Report adopted by the Municipal Council and recommended by the Planning Board proved that the Study Area met the criteria of *NJSA 40A:12A-5.b., d., and e.*;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Jersey City as follows:

1. That the Municipal Council corrects the record to identify *NJSA 40A:12A-5. b., d., and e* as the criteria met and included within the Planning Board Study Report and that the Study Area is declared and re-confirmed as an area in need of redevelopment.

CERTIFIED to be a true copy of
RESOLUTION adopted by the
Municipal Council of the city of
Jersey City at its meeting of 12/9/98

Robert D. Cotter, PP, Director
Division of City Planning

APPROVED
CITY CLERK

APPROVED:

Business Administrator

APPROVED AS TO LEGAL FORM

Thomas A. DeGisi 12/2/98
Atty Corporation Counsel

Certification Required ☐

Not Required ☒

APPROVED 9-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 12/9/98

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
CAVANAUGH	✓			GAUGHAN	✓			COLON	✓		
DONNELLY	✓			VEGA	✓			SMITH	✓		
BETTINGER	✓			HOLLOWAY	✓			DEGISE, PRES.	✓		

✓Indicates Vote

N.V.—Not Voting (Abst.)

Adopted at a meeting of the Municipal Council of the City of Jersey City, N.J.

Thomas A. DeGisi, President of Council

Robert Byrne, City Clerk

TAB 7

May 30, 2003

JUN 17 2003

TO: Mark Munley (Director, Jersey City Housing, Economic
Development and Commerce) 30 Montgomery Street (Suite 900)
Jersey City, NJ 07302-3821

FROM: Frank Palmaccio
201-206-7887 (phone)
201-858-0853 (fax)

RE: CONRAIL PROPERTY

Thank you for the time you and Mr. Cotter afforded me yesterday per our meeting regarding the acquisition of Conrail property.

Pursuant to your request for me to act as an intermediary between Conrail and Jersey City in order to facilitate a potential deal, this letter summarizes my telephone conversation of 5/30/03 with Mr. Bob Ryan (Director of Real Estate, Conrail).

Please note, per your instruction I prefaced my conversation by indicating to Mr. Ryan that I was acting only as an interested party in hopes of re-opening an unproductive relationship that may prove fruitful for all concerned.

The following points were discussed with applicable responses:

1) Jersey City will be ordering an appraisal on subject property.
Reply: He was happy to hear this. Mr. Ryan asked by who and when?

2) With regards to letter Conrail received which had negative connotations.
Reply: He was more put off by Jersey City's lack of follow-up.

3) Jersey City will be submitting applications for grant money.
Reply: When, by who, and how much?

4) Abandonment Environmental Issues - I asked Mr. Ryan to provide me with information/steps of process involved.
Reply: He requested Jersey City law department request in writing and he would instruct Conrail's council to reply in detail. With respect to environmental, he intimated studies were done 3-4 years ago (illegally) by Jersey City and to his knowledge they were inconclusive. He added that Conrail would permit Jersey City to conduct whatever studies they wanted providing necessary paperwork was signed by Jersey City. He also added that railroad properties historically do not inheritantly have significant environmental issues.

5) Would Conrail consider a long-term lease or combination purchase/finance arrangement?

Reply: Yes, if a good percentage of money was put up front. I then explained to Mr. Ryan the City's plight and lack of funds available presently. However, I then indicated to him that the following monies

are presently available:

\$200K - Between myself and other property owner

\$250K - Acquisition money from Embankment Committee

Mr. Ryan asked if this property is so important to Jersey City, why don't they free up some money from somewhere else?

My response: I would speak to you, Mark, why not utilize the \$700K (+/-) earmarked for the street-scape project for the Conrail parcels? I would think that Jersey City residents would be very happy to put off the street-scape project in order to resolve this issue. And, if added to current collective bankroll, the following monies would then be available:

\$200K - Between myself and other property owner

\$250K - Embankment acquisition money

(+/-) \$700K - Street-scape budget

\$1.15 Million

After speaking to Mr. Ryan and Mr. Fiorilla over the last six months, I firmly believe that if a collective offer with \$1.15 million cash was presented, that Conrail would be willing and flexible on the balance and terms of the transaction.

In closing, Mr. Ryan expressed a strong desire to work out negotiations and requested that Jersey City send a letter to him with specific particulars which would show Conrail a desire to move forward rather than the current status.

Mark, assuming the current administration truly wants to acquire this property and not have this messy situation linger for years, I am very confident that a deal can be struck. Kindly give me a call to discuss further and I look forward to our next meeting with all parties involved.

Sincerely,



Frank J. Palmaccio

cc: Bob Cotter (J. City, Director of City Planning)
Alex Booth (J. City Legal Department)
Stephen Gucciardo (Commissioner, Embankment Committee)
Lucianno/Alberto (A&L Auto Shop)

TAB 8



State of New Jersey

DEPARTMENT OF TRANSPORTATION

P.O. Box 600

Trenton, New Jersey 08625-0600

RICHARD J. CODEY
Acting Governor

JACK LETTIERE
Commissioner

June 10, 2005 *Rec'd 6/14/05*

Robert W. Ryan
Director, Real Estate
Conrail
510 Thornall Street, Suite 390
Edison, NJ 08837

Dear Mr. Ryan:

The New Jersey Department of Transportation (NJDOT), Bureau of Freight Services, has reviewed the petition covering Case #72931 - Jersey City, Hudson County, NJ.

The NJDOT has no regulatory interest in this transaction as it pertains to rail freight movement.

Sincerely,

James L. Badgley
James L. Badgley
Manager
Freight Services

c: P. Larkins/NJDOT Right-of-Way

TAB 9

CITY OF
JERSEY CITY

BRET SCHUNDLER
MAYOR



CITY HALL
JERSEY CITY, NJ 07302
(201) 547-5200

July 7, 1999

James Hall
Department of Environmental Protection
State of New Jersey
Assistant Commissioner for Natural and Historic Resources
P.O. Box 402
Trenton, New Jersey 08625

Re: State Review Board Hearing on the Sixth Street Embankment

Dear Mr. Hall:

Please accept this letter as a formal objection by the City of Jersey City to the nomination of the Sixth Street Embankment to the State Historic Register by the State Review Hearing Board on June 9, 1999. It is my understanding that the Board's jurisdiction is limited to determine historic eligibility of a site, yet during the hearing there was no specific discussion of eligibility criteria, nor was there any discussion of the presentation of the City's consultant, Dr. Michael Alterman of Louis Berger Associates, as to the lack of historic significance of this site.

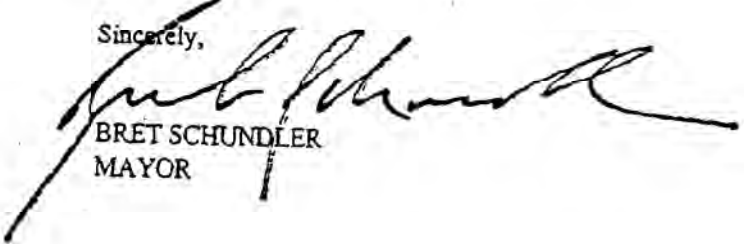
Dr. Alterman's extremely detailed presentation specifically addressed the issue of historic significance of this site. We fail to understand why the Board seemed to completely disregard the merits of the points he raised. In fact, according to my staff, there was no discussion at all relative to Dr. Alterman's presentation on behalf of the City. The attached summary represents the City's specific concerns as to what occurred at the hearing.

As you know, Jersey City celebrates its rich history and has worked hard to preserve significant structures which represent our history, including: the Apple Tree House, P.S. #2, and the Loews Theater. However, we respectfully disagree with the Board's opinion regarding the eligibility of this site. At a minimum, the Board should have considered alternatives to wholesale preservation of the embankment, including: partial preservation of the structure, or the creation of a historic park, as suggested by Jersey City. The fact that Board members were impressed with the preservation sentiment expressed by a select group of residents is irrelevant as to whether the embankment is legally "eligible" to be placed on the Historic Register.

James Hall
Page 2
July 7, 1999

After reviewing these facts, I am confident you will agree that the Sixth Street Embankment should not be placed on the State and National Historic Registers due to its ineligibility under the National Register Criteria for Evaluation. Thank you for your consideration of this request. If you would like to discuss this matter in further detail or visit the site, please contact me at (201) 547-5500.

Sincerely,



BRET SCHUNDLER
MAYOR

BS:TG:jmt
Enclosure
cc: Dorothy Guzzo

OBJECTIONS

1. Pursuant to the Public Comment Guidelines, Dr. Michael Alterman, the City's consultant, gave a photographic slide presentation and expert testimony regarding facts that were not included in the nomination application. Dr. Alterman explained to the Board how the Embankment no longer serves its function to support a freight line; tracks and connecting bridges have been removed and the Harsimus Cove freight yards have been replaced by the flourishing Newport development. He stressed the fact that over the past thirty years, the Embankment has suffered from lack of maintenance and intrusive vegetation. He showed photographic slides of some portions of the remaining Embankment that are severely deteriorated and which show evidence of vandalism on the stonework and trespassing on the top of the Embankment. Photographic slides of other railroad embankments within Jersey City and surrounding communities demonstrated the Sixth Street Embankment's lack of distinction as an architectural feature. Despite this expert testimony and photographic slide presentation, the State Review Board did not ask any questions of Dr. Alterman or discuss his presentation, as they had stated that they would do prior to the Hearing.
2. The nomination application indicated that the Embankment forms a connection between two historic districts, Harsimus Cove and Hamilton Park. Yet historically this is incorrect. Rather than forming a link with either the Harsimus Cove or Hamilton Park Historic Districts, the Embankment was built with total disregard for the surrounding residential neighborhoods, its purpose being to transport freight as efficiently as possible through this area to the waterfront yards. Construction of the Harsimus Branch freight line and the Embankment specifically created a barrier, rather than a link, between the historic residential neighborhoods.
3. Prior to the commencement of the Hearing, the staff of the State Review Board distributed Public Comment Guidelines to everyone who attended the Hearing. Pursuant to Paragraph Two of the Guidelines, public comment must only address issues within the Board's jurisdiction in evaluating nominations. Subjects which the Board may not consider in its evaluation are economic issues or any other issue that does not directly address the National Register Criteria for Evaluation. Despite this language, the State Review Board allowed members of the Embankment Preservation Coalition to discuss economic issues and other issues which did not address the Criteria for Evaluation. For example, a member of the Coalition tainted the hearing by inaccurately stating that the study by Louis Berger & Associates, Inc. dealt solely with redevelopment of the Embankment.
4. In their report, Louis Berger & Associates, Inc. included a conclusions and recommendations section that deals with the project area on a block-by-block basis. Based upon an evaluation of an array of historic resource, architectural and aesthetic, engineering, environmental, socioeconomic, and development economic factors, this section concludes on a block-by-block basis what should be the major goals and preferred design choices for any redevelopment activity. For example, Block 212, which runs from Luis Munoz Marin Boulevard to Manila Avenue, contains the smallest and most seriously deteriorated section of the six-block embankment. It was determined that reconstruction of the embankment on this block was neither feasible nor prudent from many perspectives, including historic preservation. Photographic slides of the severe deterioration of this block were shown to the Board. Despite this block-by-block analysis of the Embankment and the photographic slides of the deterioration of this portion of the Embankment, there was no discussion among members of the Board regarding possible boundaries of the Embankment for placement on the State and National Historic Registers.
5. The City of Jersey City requested that Louis Berger & Associates, Inc. examine the feasibility of

development for the six-block area. A copy of their report was forwarded to Mr. Terry Karschner of the New Jersey Historic Preservation Office on May 25, 1999. The study evaluated various development alternatives and included recommendations regarding embankment preservation, stabilization and interpretation, and design options that were sensitive to the Embankment and to the adjacent residential areas that included the Hamilton Park and Harsimus Cove Historic Districts. For example, a park concept for Block 280, which runs from Erie Street to Jersey Avenue, was recommended. The park design preserves most of the historic railroad embankment walls, deconstructing it from the interior to create terraced spaces with differentiated functions. This park concept is an essential community-building asset and a unique way of preserving the embankment stones and commemorating the engineering achievement, former rail use, and history of Jersey City's industrial age.

6. The Deputy Attorney General (DAG) at the Hearing was Valerie Gray. She serves as the DAG for both the Historic Preservation Office (HPO) and for the State Review Board. We were informed by Sue Pringle of the HPO that Valerie Gray does not serve as a member of the Board, but is present at such meetings in purely an advisory capacity. At the Hearing, the DAG commented that she lived near the Embankment in her youth and made several improper comments to the Board regarding her opinion that the Embankment was a great structure and worthy of preservation.
7. The National Register of Historic Places Registration Form was principally prepared by Richard A. James, who resides at 226 Fifth Street, Jersey City, New Jersey, which borders the embankment. He prepared the Form with the assistance of Bob Craig, a Historic Preservation Specialist with the New Jersey Historic Preservation Office (HPO). Mr. Charles Scott, a Principal Historic Preservation Specialist from the HPO, made the presentation before the State Review Board. A possible explanation as to why he made the presentation, rather than Mr. James, could be that a conflict of interest exists because Mr. James owns a residence within two hundred feet of the Embankment.

TAB 10

**HISTORIC RESOURCES EVALUATION
SIXTH STREET RAILROAD EMBANKMENT STUDY
JERSEY CITY, NEW JERSEY**

Prepared for:

City of Jersey City
Department of Housing, Economic Development & Commerce
30 Montgomery Street
Jersey City, New Jersey

Prepared by:

Louis Berger & Associates, Inc.
100 Halsted Street
East Orange, New Jersey

May 1999

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I. INTRODUCTION

The City of Jersey City is interested in the potential for redeveloping the historic railroad embankment that extends along the south side of Sixth Street from Brunswick Street east to Luis Muñoz Marín Boulevard, formerly Henderson Street (**Figure 1**). The embankment was built in 1901-02 by the Pennsylvania Railroad Company to serve the Harsimus Cove freight facilities and replaced an earlier viaduct. The steel bridges which connected the sections of the embankment were removed in 1996 by Conrail.

The project area is adjacent to two historic districts, the Hamilton Park Historic District to the north and the Harsimus Cove Historic District to the south. Both of these districts are listed in the New Jersey and National Registers of Historic Places. The Jersey City historic preservation ordinance, revised in 1992, establishes a mechanism for protecting designated city landmarks or properties within designated historic districts, which include the Hamilton Park and Harsimus Cove districts. Alterations to the facades of any property within the designed historic districts is reviewed by the City's acting historic preservation officer and a nine-member Historic Preservation Commission.

The railroad embankment is a monumental structure associated with the industrial, economic, and political history of Jersey City. This report describes the history of the site, evaluates the historical significance of the embankment, and assesses potential impacts of site development to this resource and adjacent historic properties. Background research for this study was conducted at the New York Public Library, the Jersey City Public Library, and the New Jersey Historic Preservation Office. The report was written by Michael L. Alterman, Ph.D., with research assistance from Ingrid Wuebber.



FIGURE 1: Site Location

SOURCE: USGS 7.5-minute quadrangle, Jersey City, NJ-NY, 1981

II. SITE HISTORY

The history of the Sixth Street Embankment site is directly tied to the Pennsylvania Railroad Company, which built the embankment to improve access to their enormous freight facilities at Harsimus Cove. When it was chartered in 1823, the Pennsylvania Railroad Company's main objective was to build a rail line connecting Philadelphia to Pittsburgh. After the Erie Canal opened in 1825, the bulk of western trade was attracted through this route, making it imperative for the Pennsylvania Railroad Company to consider extending its routes westward to the Great Lakes region and eastward to New York City, which had eclipsed Philadelphia as the financial and industrial center of the nation (Figure 2). The first line was opened in 1834, from Philadelphia west to the Susquehanna River, using horsedrawn cars until 1836, when locomotives were introduced. At this same time, the Philadelphia & Trenton Railroad made an agreement with the New Jersey Railroad to create an all-rail line that would connect Philadelphia and New York; this railroad route became operational on January 1, 1839 (Alexander 1947:9-11, 18).

As New York City increasingly became the preeminent port, the Pennsylvania Railroad was forced to seek a direct line of its own to New York. The competitive situation with the New York Central Railroad and the transporters on the Erie Canal made it imperative that the Pennsylvania should reach New York over its own rails or a controlled route (Burgess and Kennedy 1949:235). Negotiations were begun in 1862 with the group of companies, referred to as the "Joint Companies," that formed a through line from Philadelphia to New York (Burgess and Kennedy 1949:236).

In 1867, the Pennsylvania Railroad entered into negotiations with the United New Jersey Railways and Canal Company, which was formed through a merger of the New Jersey Railroad and the Camden & Amboy Railroad, in order to extend its connections to New York. The formal transfer of these lines to the Pennsylvania Railroad was completed December 1, 1871, through a combination of lease and purchase (Alexander 1947:18-19; Schotter 1927:94).

Between 1867 and 1871, the Pennsylvania Railroad Company spent more than a million dollars for land at Jersey City and Harsimus Cove on which to build new terminals, four hundred thousand dollars for improvements at Jersey City, and three million on the Harsimus Cove terminal (Burgess and Kennedy 1949:238-239). Development of the Harsimus Cove property included two large piers, one of which was used by the Central Stock-Yard and Transit Corporation, and two car ferry bridges. During this time, the passenger station in Jersey City was torn down and rebuilt, and improvements were made to the freight stations in Manhattan that were served by "car floats."

The development of these railroad facilities was intensely controversial. On February 21, 1868, a special meeting of the Common Council and citizens of Jersey City was held to consider "The Great Railroad Grab Bill," which was referred to as "a bold attempt by the railroad monopolists to obtain possession of Jersey City" (*The American Standard* 1868a). This meeting united opposition to Senate Bill 84, entitled *An act to enable the United Railroad and Canal Companies to increase their depot and terminal facilities in Jersey City*. The bill granted the companies possession of valuable property, gave them power to construct a railroad through the city, and exempted their property from local taxation, which was described as virtually abolishing the corporate authority of the city.

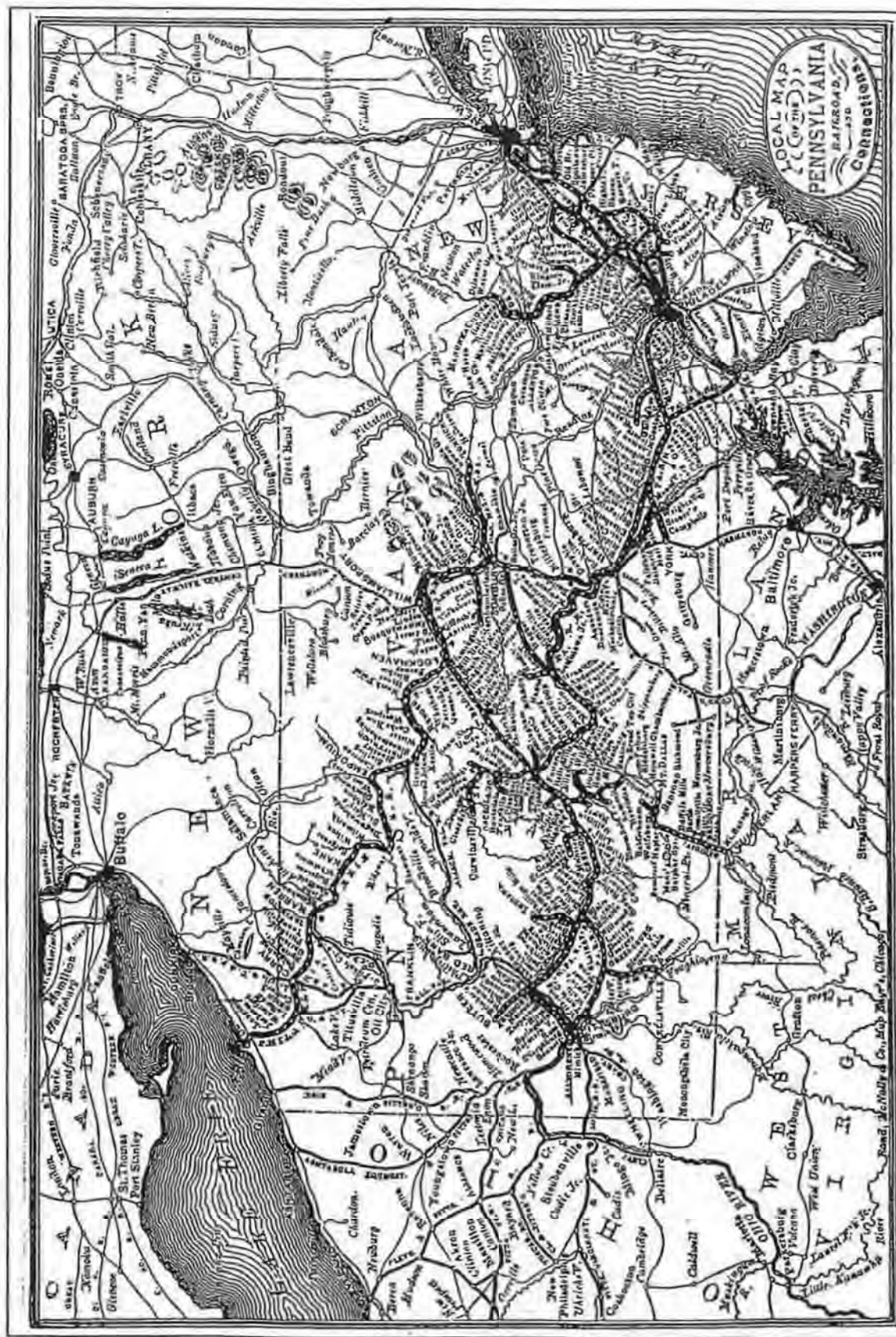


FIGURE 2: Circa 1876 Map of the Pennsylvania Railroad System

SOURCE: Alexander 1947:Fig.27

Representatives from Jersey City went to Trenton to protest the bill and were able to secure a delay of action and an appointment for a hearing before the Committee of the Senate on Corporations (*The American Standard* 1868b). One of the amendments to Bill No. 84 requested by its opponents was that, if the railroad must come through the populous part of Jersey City, that the company "be compelled to take an entire tier of blocks in width and then to locate their road in the centre of the block, with authority to sell the houses as erected fronting on the street running east and west thereby reimbursing themselves and retaining in the city a large amount of taxable property, which otherwise would be destroyed" (*The American Standard* 1868c).

When the bill was taken up by the Senate, Mr. Christie said the proposed railroad "would damage a portion of the city which is now very handsomely built up." Mr. Wheelan added that along the railroads then in the city, "What were once comfortable homes are now merely shanties, inhabited by the lowest class of people. What has caused this except the disagreeable shriek of the whistle and the blast of smoke from the locomotive?" (*The American Standard* 1868d).

In 1874, the Pennsylvania Railroad had completed the new passenger station and extended its freight facilities at Harsimus Cove through a new railroad connection through a portion of Bergen Hill (Schotter 1927:124). An 1875 publication by the company described these freight improvements at Harsimus Cove: "They have been made at a cost of several millions of dollars, and probably exceed, in their magnitude and perfectness, anything of the kind on the continent" (Sipes 1875:45). Nearly 200 trains arrived and departed daily from Jersey City over the Pennsylvania Railroad lines, more than half of these were freight trains, which made Jersey City "one of the great marts of American industry" (Sipes 1875:45). An 1876 edition of *Frank Leslie's Illustrated Newspaper* (1876:101) depicted the waiting room of the new passenger station in Jersey City, and described the immense scale of the freight improvements at Harsimus Cove. This publication also included an illustration of "The Deep Cut," the tunnel through Bergen Hill that was excavated to improve access from the main line to the Harsimus Cove freight yards (Figure 3).



THE DEEP CUT AT JERSEY CITY.

FIGURE 3: Cut through Bergen Hill

The new freight line to Harsimus Cove departed from the Main Line at Waldo Avenue, near the Jersey City Cemetery, and followed the center of the blocks defined by Fifth and Sixth streets to the freight and stock yards east of Henderson Street (Figure 4). An 1880 topographic map of the area, which depicts the new freight line, indicates that much of the project area west of Erie Street was previously marshland (Figure 5). The earliest map that shows this railroad line is from 1873, on which it is labeled "N.J.R.R. & T.C." for the New Jersey Railroad and Transit Company (Figure 6). An birds-eye view of Jersey City from 1883 clearly shows the Pennsylvania Railroad Harsimus Line as a two-track elevated railroad (Figure 7). Unlike the new freight lines, the Pennsylvania Railroad's passenger line through Jersey City was not elevated until 1891, which is when a new passenger station was built (Burgess and Kennedy 1949:434). "The popular complaint was that Jersey City was the worst community in the New York metropolitan area in respect to the number of accidents at street crossings" and in 1887, the city passed ordinances related to the elevation of tracts on embankments and iron-framed viaduct (Condit 1980:154).

The 1885 *Insurance Maps of Hudson County* describe this Pennsylvania Railroad freight line as "trestle work" and show in detail the way the railroad was shoehorned between mostly residential properties along Sixth and Fifth streets (Figure 8). The 1887 *Atlas of Jersey City* shows the project area in detail (Fowler et al. 1887). The railroad viaduct occupied an approximately 35-foot-wide property set back 60 feet from Sixth Street. At Grove Street, now Manila, the line veered at an angle to the south before crossing Henderson Street and entering the freight yards. The south side of Sixth Street was densely developed, mostly with residences; one exception was the westernmost block between Monmouth and Brunswick, which appears to have been undeveloped (Figure 9).

The introduction of the railroad into the neighborhood had various effects. For example, what was described on the 1885 map as the 3rd Presbyterian Church on the southeast corner of Sixth Street and Erie Street (Brush 1885), later becomes the Church of the First Born (Fowler et al. 1887), and eventually a Salvation Army Building (Harrison 1894). These changes suggest negative effects of the railroad presence in the neighborhood. In a 1901 newspaper article it was reported that the Pennsylvania Railroad Company, which owned all of the property on the south side of Sixth Street, for many years had been having trouble finding tenants for these properties because their rear yards abutted the tracks and there was constant disturbance from freight trains (*Jersey City Evening Journal* 1901a).

Between 1901 and 1902, the Pennsylvania Railroad Company replaced the trestle with the present embankment along Sixth Street in order to widen the tracks serving the Harsimus Cove freight facilities. The embankment, which consisted of massive stone walls with earth fill, supported a seven-track road (Figure 10). Work began with the company serving notice to their tenants along the line to vacate their property; in May of 1901, the company began to tear down houses on the south side of Sixth Street between Grove and Erie streets (*Jersey City Evening Journal* 1901b). In June, the contractors Sanford & Stillman began work on the massive retaining wall along Sixth Street from Henderson to Erie. A subsequent wall was built at the rear of the houses that faced the north side of Fifth Street, following which solid earth fill was placed (*Jersey City Evening Journal* 1901c). By September, the wall on the south side of Sixth Street between Grove and Erie streets was almost complete, and the section between Henderson and Grove streets was half finished.

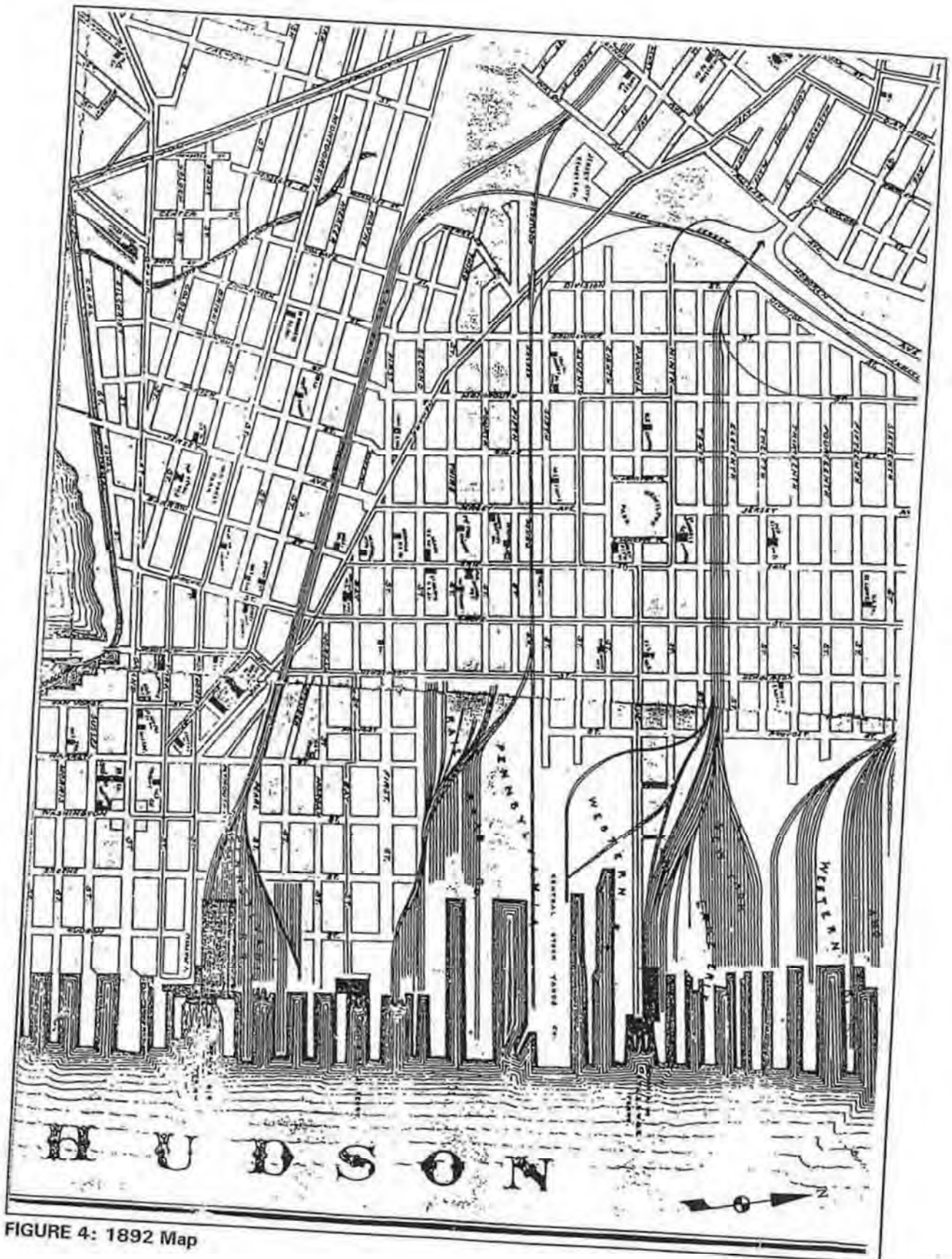


FIGURE 4: 1892 Map

SOURCE: Harrison 1892

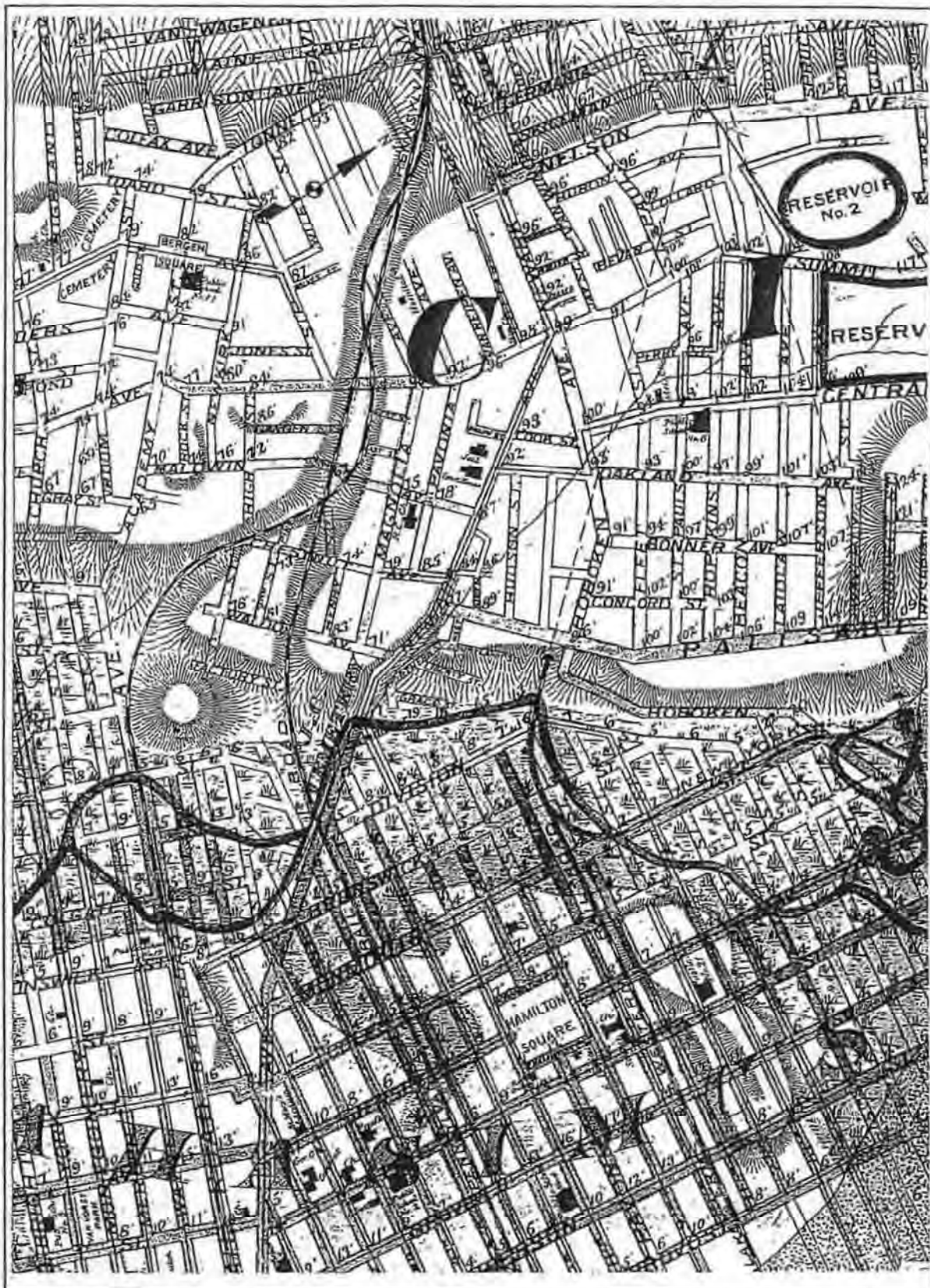


FIGURE 5: 1880 Topographic Map

Spielmann and Brush 1880

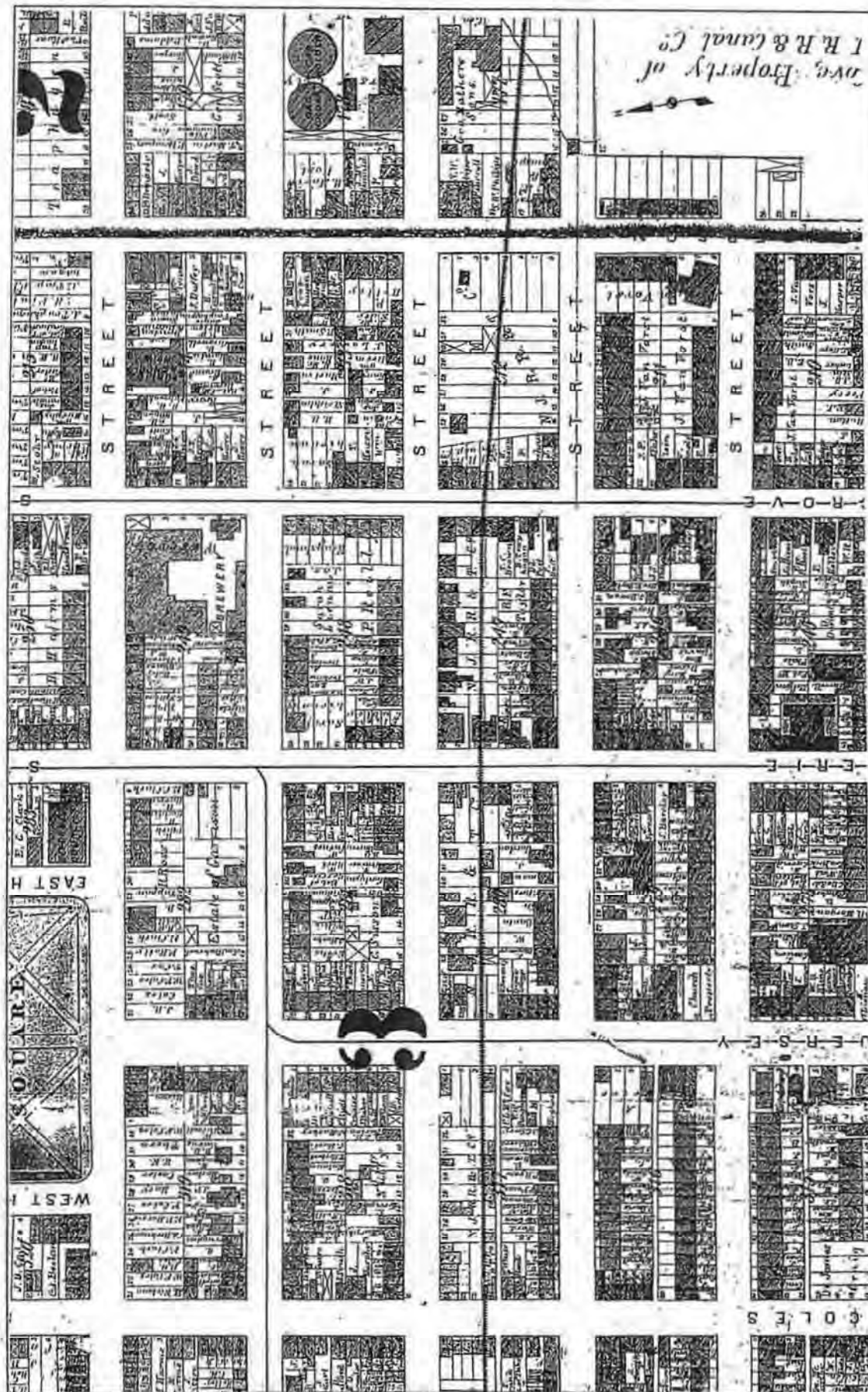


FIGURE 6: 1873 Map

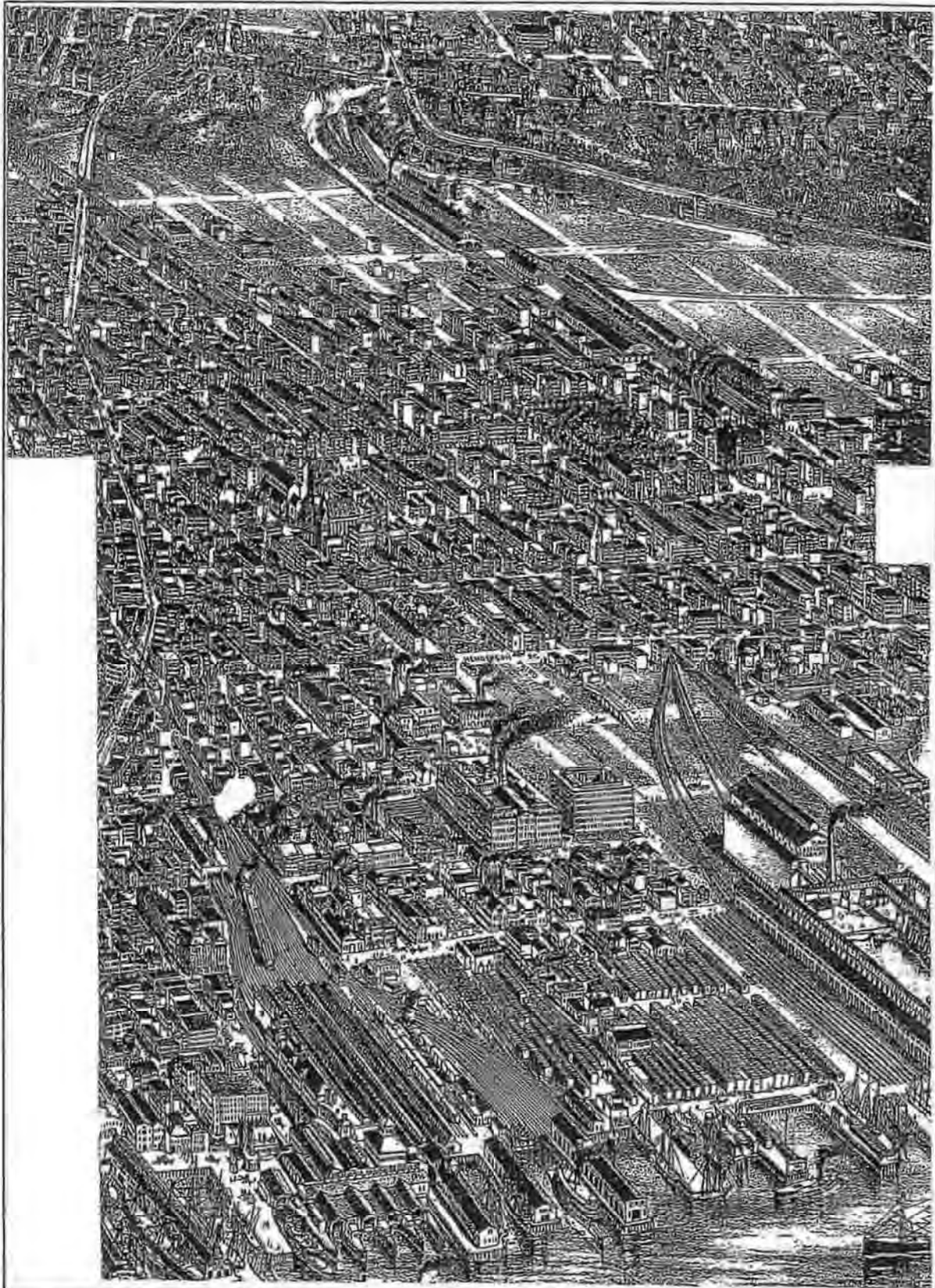
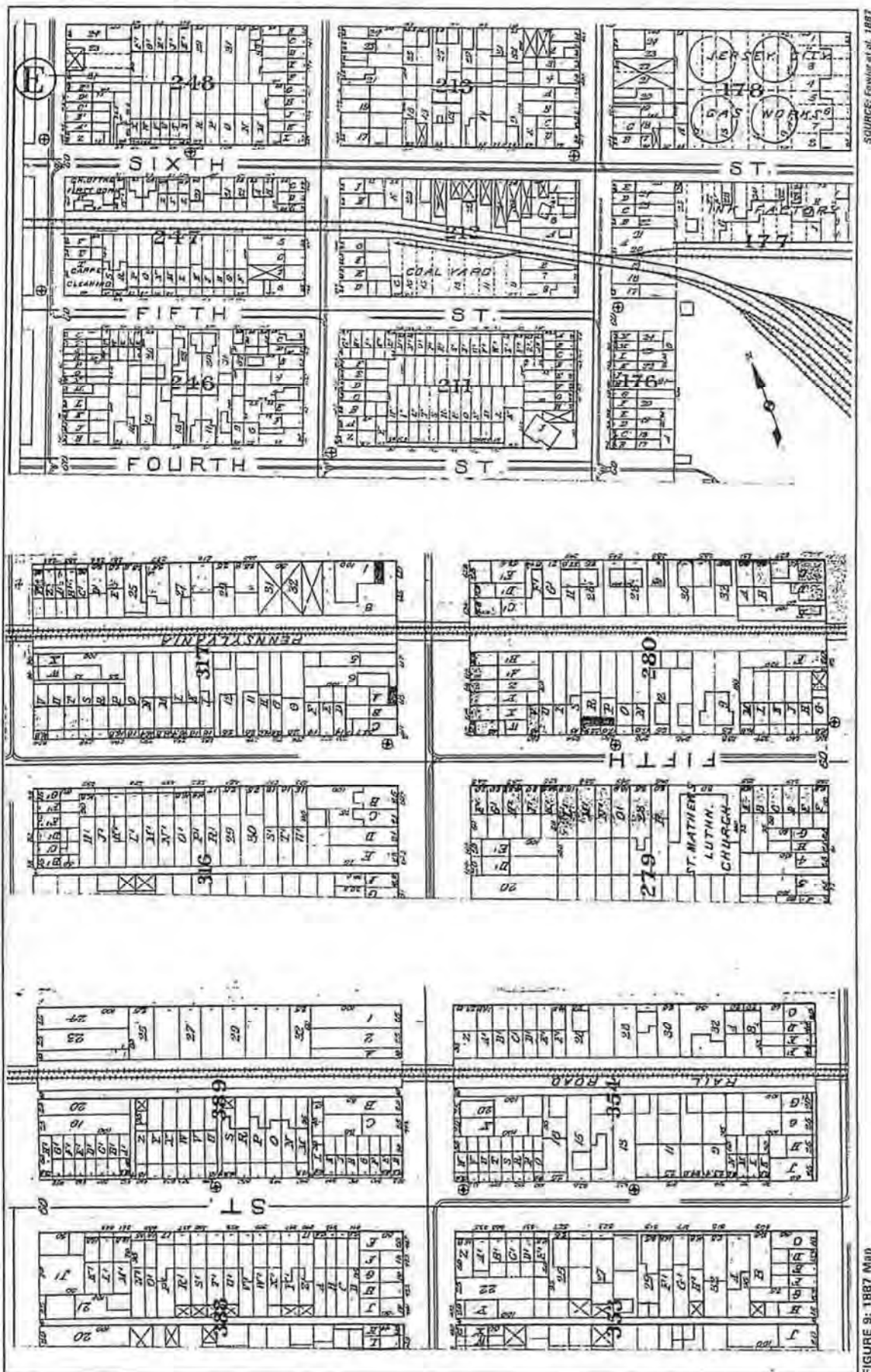


FIGURE 7: 1883 Bird's-eye View

SOURCE: Unknown publisher 1883



SOURCE: Fowler et al. 1887

FIGURE 9: 1887 Map

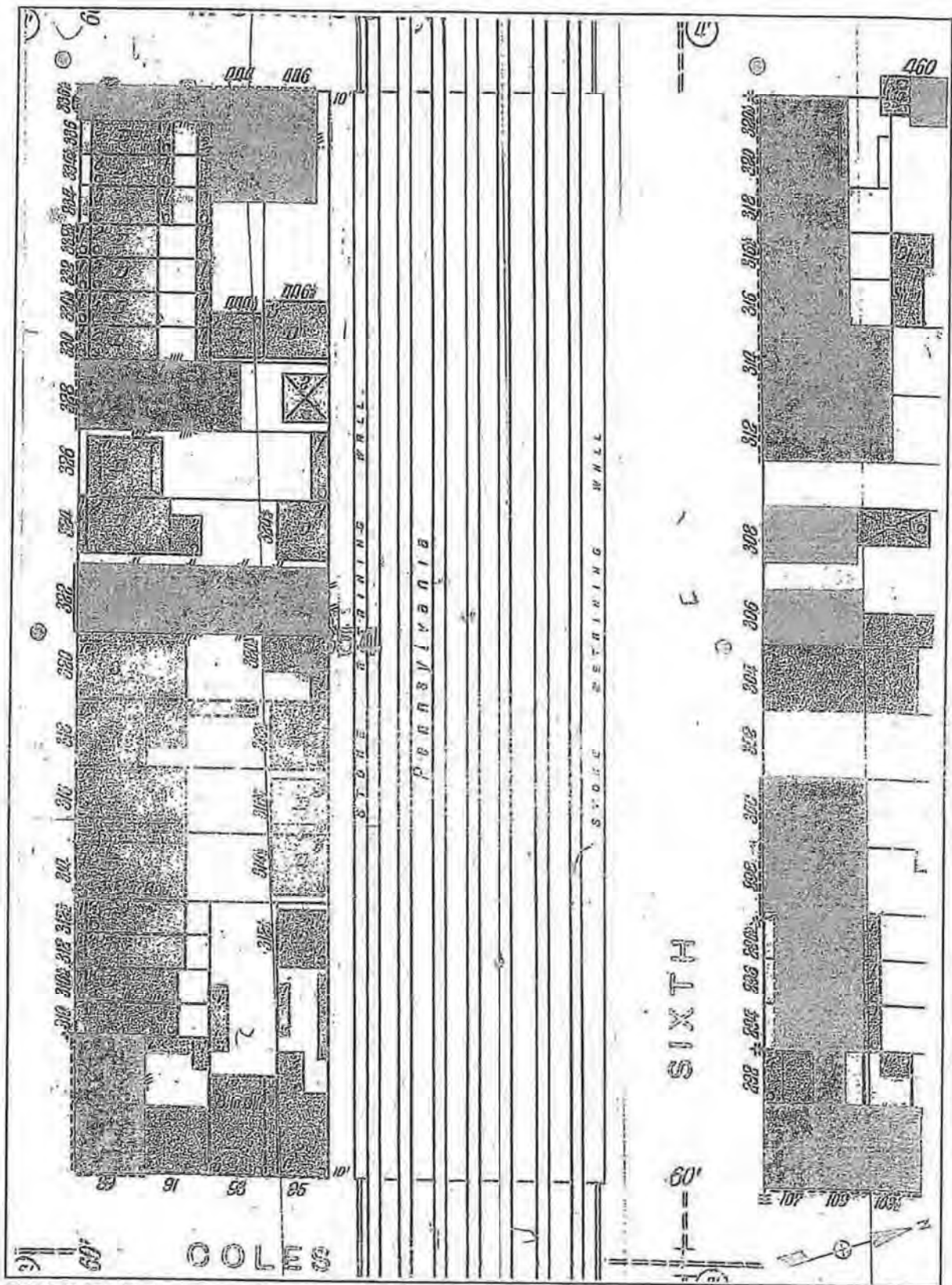


FIGURE 10: Embankment Area Between Monmouth and Coles Streets SOURCE: Sanborn Map Co. 1906

The importance of Jersey City as a railroad terminus began to decline after direct access to Manhattan was achieved through tunnels under the Hudson River. Between 1902 and 1906, the Pennsylvania Railroad constructed two tubes from New Jersey; partial service between Jersey City and the Cortlandt Street terminal in Manhattan began in 1909 and on September 8, 1910, the service was connected with the new Pennsylvania Station at West 33rd Street (Alexander 1947:54-56).

III. EMBANKMENT DESCRIPTION AND EVALUATION

The Sixth Street Embankment is a remnant of the Pennsylvania Railroad Harsimus Branch freight line. The freight line was originally elevated on a steel viaduct that was replaced in 1901-02 by an enlarged track system carried on the subject embankment. The remains of this railroad embankment extend for six blocks along Sixth Street, from Brunswick Avenue east to Luis Muñoz Marin Boulevard (formerly Henderson Street). The embankment structures rise about 17 feet above street grade at Marin Boulevard to a maximum height of around 26 feet at Brunswick Avenue. The block-long structures, which each measure about 375 feet by 95 feet, were originally connected by steel bridges that were removed in 1996. The embankments consist of massive, mortared stone walls that retain earth fill. The retaining walls that parallel Sixth Street and Fifth Street are constructed of large brownstone ashlar blocks, while the shorter walls along the side streets, which served as the bridge abutments, are constructed of granite block (Plates 1 and 2).

A Pennsylvania Railroad Company (1892) engineering plan shows a typical section of a retaining wall for a railroad embankment (Figure 11). In describing the construction of the embankment, the *Jersey City Evening Journal* (1901c) stated that each stone block was said to weigh nearly a ton. In reality the stones vary greatly in size; some are as large as six feet across while other stones are two feet and less in dimension (Plate 3).

The New Jersey Historic Preservation Office issued a Certification of Eligibility for the Sixth Street Railroad Embankment on February 17, 1999 (Guzzo 1999) (Attachment A). This certification states:

the Pennsylvania Railroad Harsimus Branch Embankment is eligible for listing in the New Jersey and National Registers of Historic Places under Criterion A for its association as a significant part of the railroad grade separation campaigns that especially affected the politics and quality of life in Jersey City and Newark during the two decades flanking the turn of the 20th century. The embankment is also eligible under National Register Criterion C as both an important example of large-block ashlar masonry favored by the Pennsylvania Railroad during this period for its bridges and viaducts, and of the work of James J. Ferris, a notable Jersey City civil engineer.

The embankment structure, albeit historically and architecturally significant, is somewhat of an "orphan" industrial resource, disconnected from the former rail lines and freight facilities that it was built to service. Also, by removing the bridges that connected the six sections of the embankment, the integrity of the feature has been affected. The incursion of freight service into this neighborhood in the 1870s introduced a blighting factor. Construction of the embankment in 1901-02 required demolition of historic housing and intensified railroad traffic which further blighted the area. With the abandonment of freight service along this line, the embankment has suffered from a lack of maintenance; intrusive vegetation is causing separation in the stonework and some portions of the embankment are deteriorating and have been subject to vandalism (Plates 4-6).



PLATE 1: View of Embankment from Erie and Sixth Streets, Looking West



PLATE 2: View of Embankment at Manila and Sixth Streets, Looking West

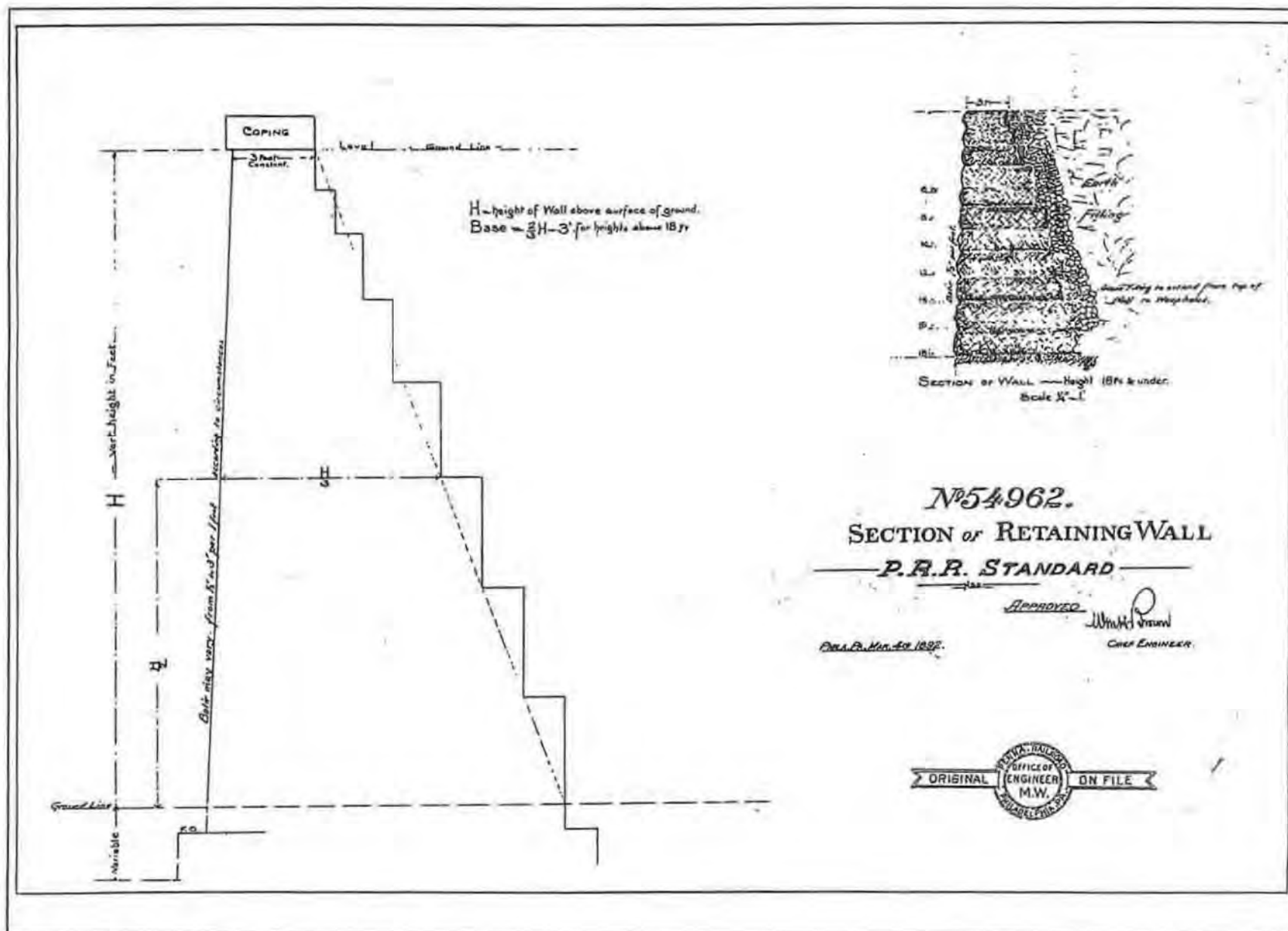


FIGURE 11: Standard Plan for Retaining Wall

SOURCE: Pennsylvania Railroad Company 1892

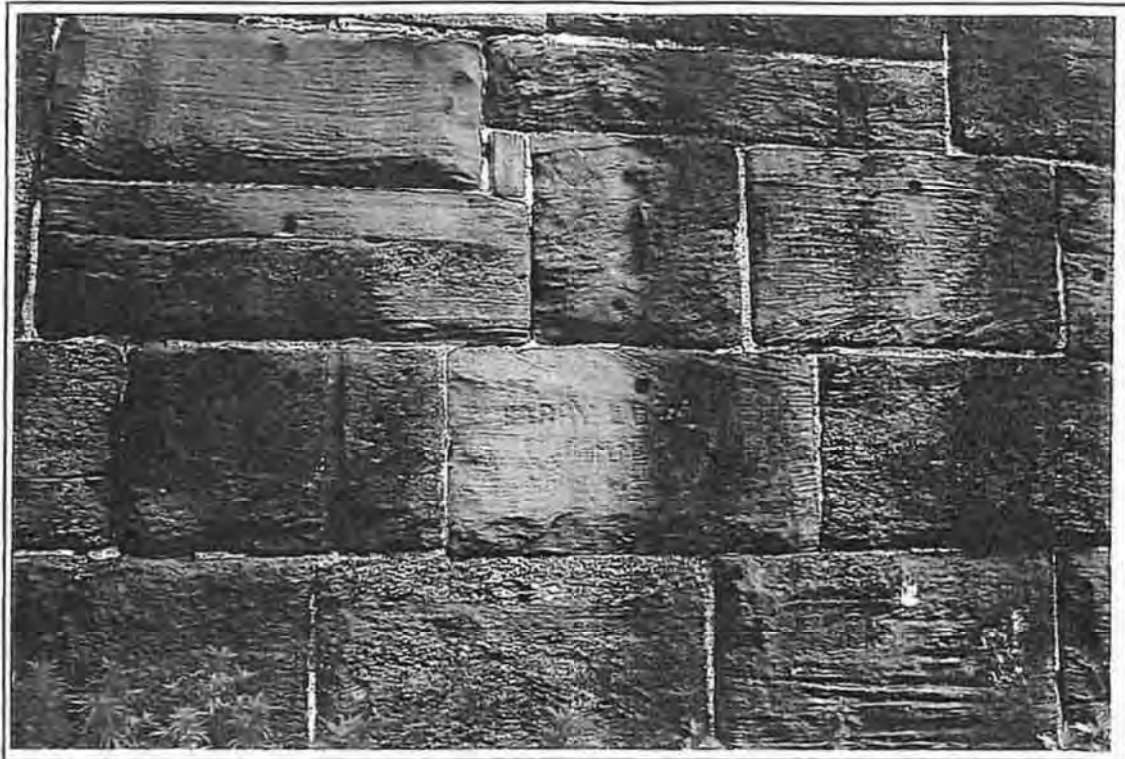


PLATE 3: Detail of Brownstone Retaining Wall

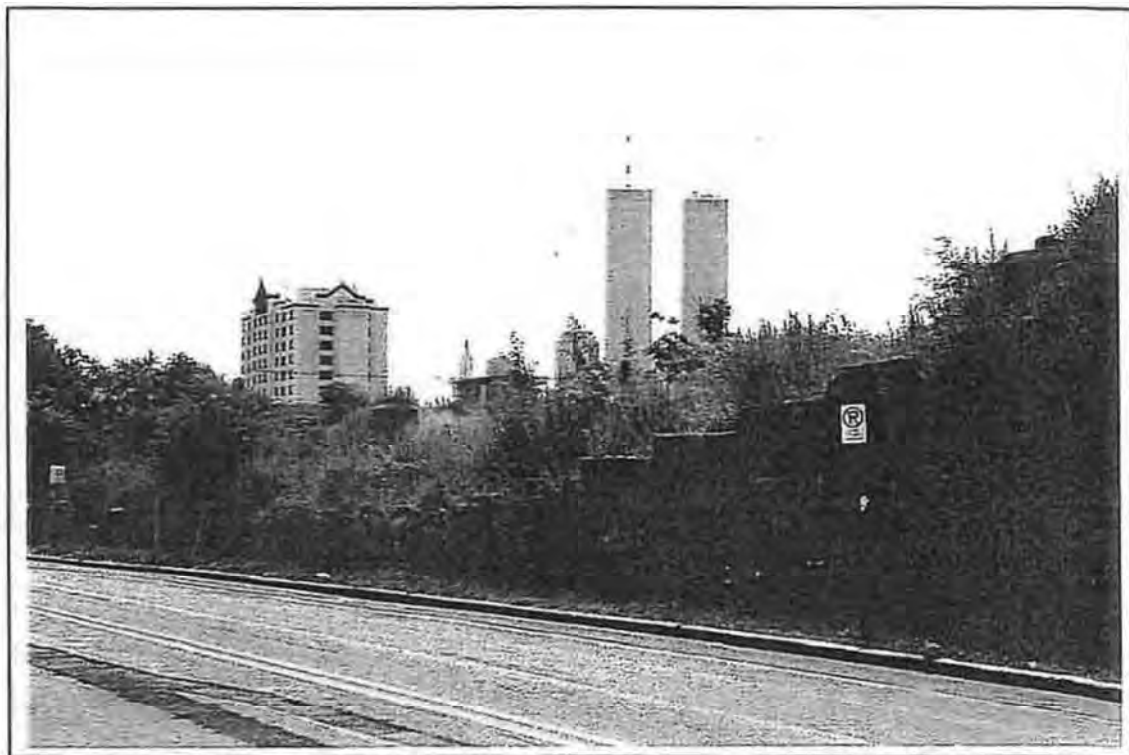


PLATE 4: Deteriorated Retaining Wall, Sixth Street Embankment Between Marin Boulevard and Manila Avenue



PLATE 5: Sections of Embankment are Deteriorating from Intrusive Vegetation and Marred with Graffiti

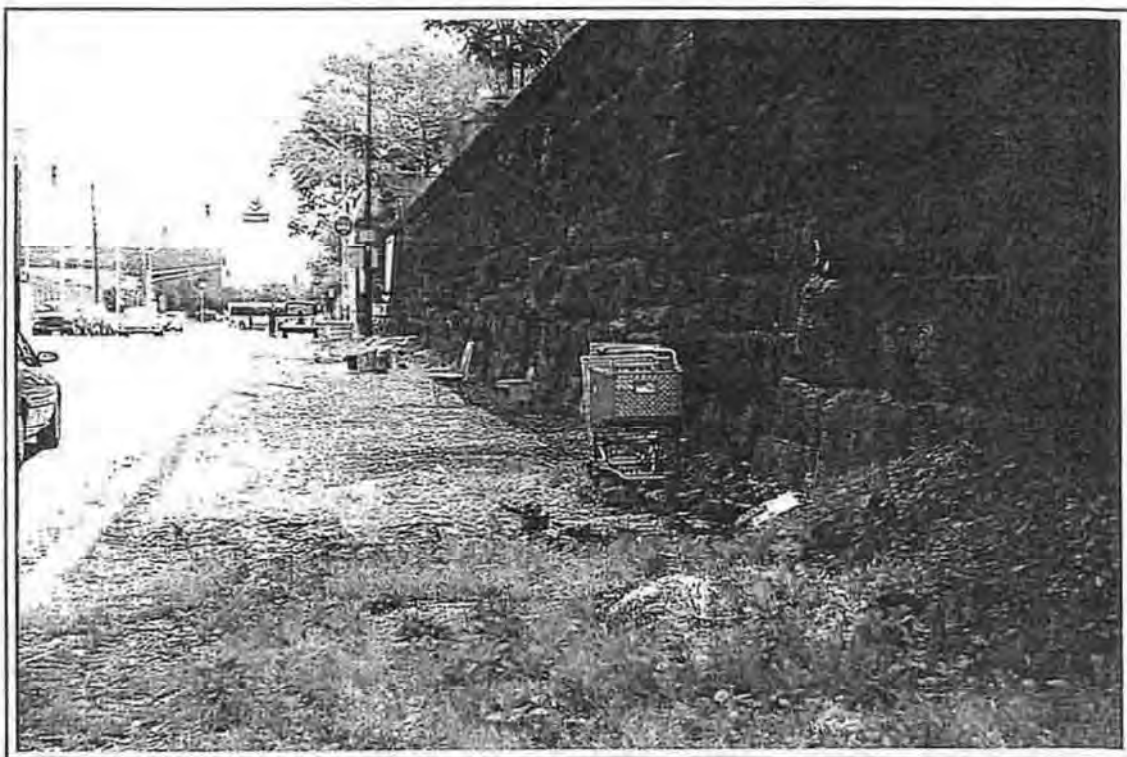


PLATE 6: A Location Where Lack of Embankment Use and Maintenance Has Created Blight Conditions

IV. HISTORIC RESOURCES IN PROJECT VICINITY

The development alternatives being considered for the Sixth Street Railroad Embankment have the potential to effect the historic embankment as well as other historic resources in the project vicinity. The embankment is adjacent to the Harsimus Cove Historic District and the Hamilton Park Historic District; both historic districts are listed on the New Jersey and National Registers of Historic Places (Figure 12).

The Harsimus Cove Historic District comprises parts of 18 city blocks bounded approximately by Coles Street on the west, Newark Avenue on the south, Manila Street on the east, and the Sixth Street Railroad Embankment on the north. The embankment was used as the northern boundary of this district partly because it was considered to have a distinct use from the predominantly residential district; most of the structures in the district were built between 1850 and 1887, which is prior to the construction of the embankment in 1901-02. The portion of the embankment contiguous with the historic district extends for just less than three blocks, from Coles street east almost to Manila Street (Sullebarger and Arms 1987).

One of the Key Buildings in the district that is adjacent to the railroad embankment is the former Thomas J. Stewart Company carpet-cleaning factory at 220-224 Fifth Street. This building consists of a 5-story Romanesque Revival building constructed in 1887, with a corner entrance at Fifth and Erie, and a 6-story addition, built in 1893, which abuts the south side of the embankment along the east side of Erie Street (Plate 7).

The Hamilton Park Historic District basically circumscribes an area within two blocks of Hamilton Park, extending from the north side of Sixth Street to the former Erie Railroad north of Tenth Street. The district boundary along Sixth Street encompasses three blocks, from just west of Grove Street to just west of Coles Street. The district is described in the National Register form as a "well preserved mid-19th—early 20th century residential area surrounding an attractive 19th century urban park" (Sheehan 1978).

At the time of the district nomination, the buildings along Sixth Street were described as "a series of turn-of-the-century, small scale apartment houses simply detailed in red brick with stone sills, lintels, water tables and low entrance stoops. Intermittently there are groups of two, four or six town houses, all of them in the Victorian vernacular and most of them built during the period immediately prior to and immediately post Civil War" (Sheehan 1978). Most of Jersey Avenue from Sixth to Seventh streets was developed before 1873 and has continuous rows of red brick houses with cast iron lintels, masonry sills and water tables (Plate 8).

There are several historic properties on the north side of Sixth Street, between Monmouth and Brunswick that are outside of the Hamilton Park Historic District. These include, from east to west: (1) St. Anthony's Roman Catholic Church at 459 Monmouth Street; (2) the Priest's House (330 Sixth Street); (3) the Italian Roman Catholic Church (Holy Rosary) at 336 Sixth Street; (4) the Italian Church Hall and rectory (340-344 Sixth Street); and the former St. Anthony's Parochial School (346-352 Sixth Street) (Plate 9).

SIXTH STREET REDEVELOPMENT PLAN AREA

HARSHIMUS COVE
HISTORIC DISTRICT

CIRCULATION PLAN



DATE: 1998

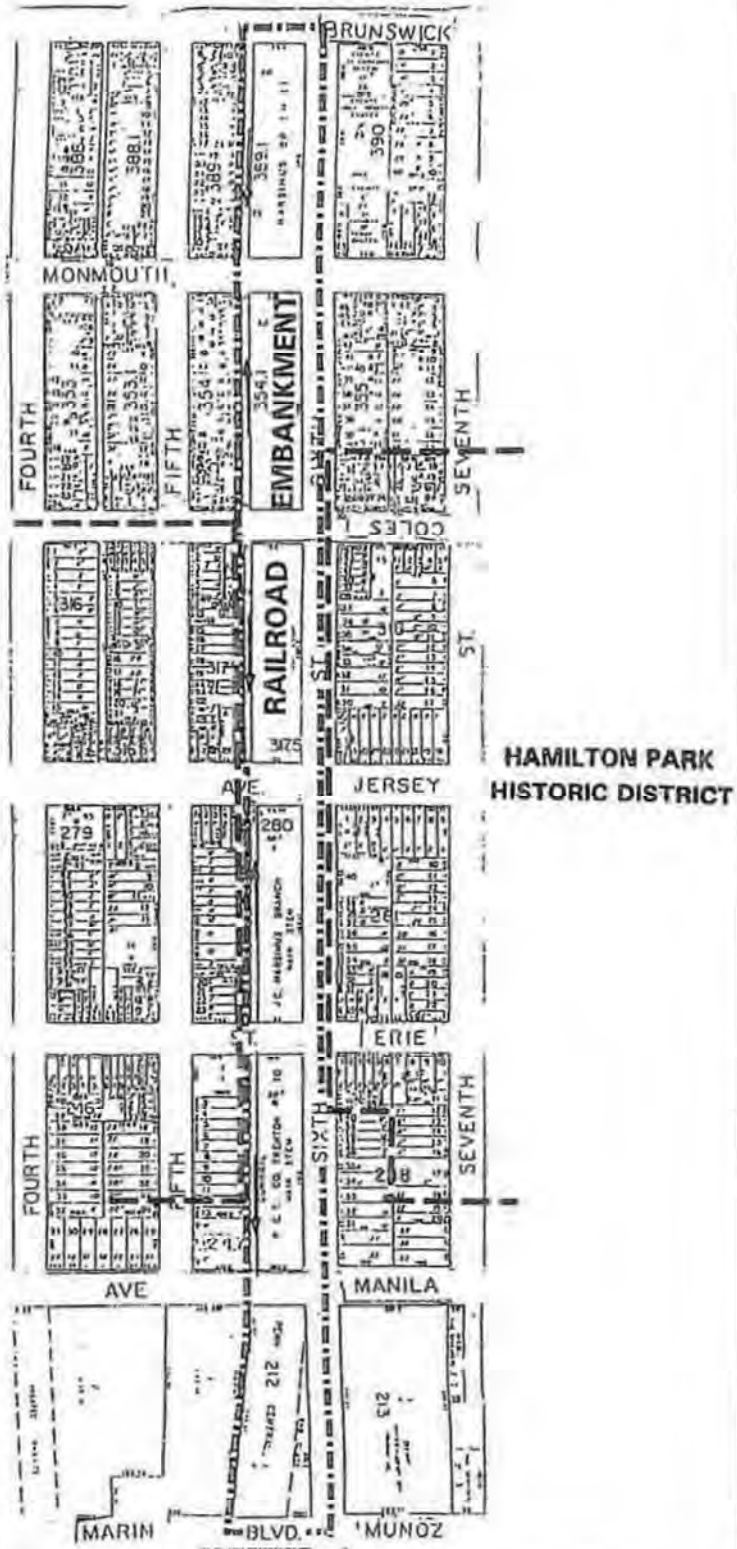


FIGURE 12: Relationship of Historic Districts and Buildings to Sixth Street Embankment



**PLATE 7: Former Stewart Carpet Cleaning Factory and
Adjacent Embankment, View from Erie Street
Looking South**



PLATE 8: View of Hamilton Park Historic District from Jersey Avenue and Sixth Street, Looking North



PLATE 9: Historic Church-related Buildings on Sixth Street, Looking East from Brunswick Street

The historic Pennsylvania Railroad Embankment along Sixth Street was not included in the adjacent Harsimus Cove National Register designation for sound reasons (Sullebarger and Arms 1987) . The historic district consists primarily of 19th century residences that predate the construction of the 1901-02 embankment and most were built prior to and without regard for the freight rail line that was established circa 1870. Rather than forming a link with either the Harsimus Cove or Hamilton Park Historic Districts, the embankment was built with total disregard for the surrounding residential neighborhoods, its purpose being to transport freight as efficiently as possible through this area to the waterfront yards. Construction of the Harsimus Branch freight line and the embankment specifically created a barrier rather than a link between the historic residential neighborhoods. It can be argued that the preservation of these embankment structures continues to impede the integration of the Hamilton Park and Harsimus Cove Historic Districts. In addition, by maintaining this corridor as passive open space, the area will remain under threat for future transportation developments to serve the waterfront area.

V. POTENTIAL DEVELOPMENT STRATEGIES

Possible development alternatives for the Sixth Street Railroad Embankment include: preserving the embankment in whole or in part; removal of the embankment to develop the property for housing and/or recreational space; and various combinations of the above, including the incorporation of portions of the embankment in housing and recreational development schemes.

If no action is taken, the historic embankment will continue to deteriorate and be defaced. The embankment on Block 212, between Marin Boulevard and Manila Street, has already lost some capping stones and wall sections, the earth fill is exposed and eroding, and the stone walls have been defaced with graffiti. Invasive vegetation, particularly on top of the embankment, has loosened stones and threatens the long-term stability of the embankment.

Put through a middle class and artisan neighborhood where there was the least political power and resistance, the Pennsylvania Railroad Harsimus Branch introduced noise, smoke and pollutants that blighted the neighborhood. Comparisons of the streetscape along Sixth Street with the surrounding blocks, many contained in historic districts, shows the results of this blight in vacant lots and properties that lack maintenance or have attracted historic property rehabilitation. If no action is taken regarding the embankment, the portions of the Hamilton Park and Harsimus Cove Historic Districts adjacent to the embankment will also continue to be affected by blight (**Plates 10 and 11**). In addition, without intervention, the vacant corridor represented by the embankment remains a suitable candidate for a transportation development providing access to the Jersey City waterfront.

Various development options include stabilizing the embankment structure, cleaning the stone walls, and improving the streetscapes through landscaping and lighting. These interventions would help preserve the embankment, improve the setting, and allow for a range of interpretative projects that could include commemorative plaques or signs and on-site exhibits. The three most western blocks of the embankment provide the best preserved and most dramatic sections of wall construction. Priorities should be placed on preserving these portions of the embankment as they best convey the character of the historical railroad property type.

Development of housing on portions of the embankment property could be used to integrate the two adjacent historic districts through compatible design. The design of any infill structures should be sensitive to adjacent historic properties in terms of massing, texture, and scale, in particular the Stewart building at the corner of Fifth and Erie streets, a Key building in the Harsimus Cove Historic District. Portions of the embankment wall could also be integrated into design options to provide a visual and historic link to the historic resources of the surrounding area.



PLATE 10: Abandoned Buildings in Harsimus Cove Historic District,
Looking West from Sixth and Erie Streets



PLATE 11: Urban Blight in Hamilton Park Historic District, Looking North from Sixth Street

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TAB 11

FINAL REPORT

SIXTH STREET RAILROAD EMBANKMENT STUDY

Prepared for:

City of Jersey City

Department of Housing and Economic Development



Prepared by:

Louis Berger & Associates, Inc.

East Orange, NJ



In Association With:

Li-Saltzman Architects, P.C.

New York, NY

July 1999



4.0 EVALUATION OF ALTERNATIVES

An integral step in the overall feasibility investigation portion of this study involves a close examination of the sensitivity of impacts to alternative redevelopment plans. Each of the impact evaluation measures described in Section 3.0, Measures and Criteria for Evaluation of Alternatives are analyzed in this section.

This section describes the technical investigations, findings and compares the performance of the various six alternatives. The individual evaluation measures are organized by the following major assessment categories:

- Historic Factors
- Physical Factors
- Environmental Factors
- Socioeconomic Factors
- Historic Design and Architectural Factors
- Development Economics

The strengths and weaknesses of each alternative are described for each of the evaluation measures. The performance of the alternatives in terms of the scoring criteria are reported at the conclusion of each section on a major assessment category. The scores are then summarized and compared in a composite summary score. The composite score reflects the equal weighting of all factors.¹

The evaluation of the alternatives provides an important, but intermediate step, in formulating conclusions and recommendations block-by-block. The conclusions and recommendations section at the close of this chapter identify, on a block-by block basis, the Sixth Street embankment area's critical opportunities and constraints, preferred design choices and appropriate guiding principles for redevelopment planning.

¹The composite score reported in this chapter reflects an equal weight for all factors. It would be entirely appropriate to consider placing a "weight" (i.e., a greater or lesser value) upon those individual factors most important to the redevelopment decision-making.



4.1 Historic Factors

4.1.1 Embankment Preservation and Interpretation

The alternatives vary in their preservation and treatment of the embankment as a historic resource. The embankment varies from block to block in its condition as well as integration into the neighborhood, both aesthetically and functionally:

1. *No-Action Alternative.* Under the *No-Action Alternative*, the historic embankment will continue to deteriorate and be defaced. The embankment on Block 212 has already lost some capping stones and wall sections, the earth fill is exposed and eroding, and the stone walls have been defaced with graffiti. Invasive vegetation, particularly on top of the embankment, has loosened stones and threatens the long-term stability of the embankment.
2. *Preservation Alternative.* This alternative proposes to restrict housing development to one of the six blocks that contain embankment structures. The housing would be erected on Block 212, where the embankment is already in an advanced state of deterioration. The embankment on the remaining five blocks would be enhanced through cleaning, structural stabilization, and streetscape improvements that include landscaping and lighting. This alternative is given a high rating because it preserves a significant portion of the embankment and would allow for a range of interpretive projects, including plaques and on-site exhibits.
3. *Build Alternative A.* The three most western blocks of the embankment would be preserved under this build alternative. These are the most dramatic and well preserved sections of the embankment and therefore convey the essential character of this typical railroad property type. Improvements to the preserved sections of the wall would include structural stabilization, cleaning, landscaping, and interpretive signs or displays; this treatment would enhance the historic embankment, ensure its preservation, and allow its history and architecture to be explained and appreciated.
4. *Build Alternative B.* This alternative also preserves the three most dramatic and well-preserved sections of the embankment on the western end of the project site. The two easternmost embankment sections would be replaced by housing and the embankment on Block 280, between Jersey Avenue and Erie Street, would be developed as a park. The park design that has been developed for this alternative retains the east-west embankment walls; portions of the fill are removed to create terraces that would support a variety of recreational uses. This design treatment provides an opportunity to "deconstruct" a portion of the embankment and preserve it as a historical feature with powerful interpretive potential.
5. *Build Alternative C.* All six sections of the embankment are affected by this alternative. The embankment is removed in its entirety on Block 212. On the remaining five blocks, the embankments are taken down with the exception of the southern stone retaining walls, which are retained to shield the properties on Fifth Street. This alternative gets a low rating in terms of embankment preservation, although the remaining walls can be used to memorialize and interpret the history of this railroad feature.



4.1.2 Consideration of Adjacent Historic Properties/Districts

The impact of each alternative to the Harsimus Cove and Hamilton Park Historic Districts and other adjacent historic properties is assessed below.

1. *No Action Alternative.* Under the *No-Action Alternative*, the historic districts will be affected by continued blight in the vicinity of the embankment. Active historic preservation actions will continue to be concentrated in the portions of the historic districts further from Sixth Street, for example near Hamilton Park and within the core of the Harsimus Cove Historic District.
2. *Preservation Alternative.* Housing would replace the section of the embankment on Block 212 where it is deteriorated. This block does not border either the Hamilton Park or Harsimus Cove Historic Districts; on the north side of Sixth Street the embankment faces a ball field and to the south faces a modern housing development. Therefore, the development of housing on this block will not visually impact historic architectural resources. Proposed improvements to the embankment on the remaining blocks, including stabilization, cleaning, landscaping, and street furniture, would enhance the historic resources in the project vicinity.
3. *Build Alternative A.* The three most eastern blocks of the embankment would be developed under this alternative. As discussed under the *Preservation Alternative*, there are no historic resources adjacent to Block 212 that would be affected. Townhouse development is proposed for Blocks 247 and 280 which are adjacent to both the Hamilton Park and Harsimus Cove Historic Districts. Two design options have been presented that are compatible with the scale and materials of proximate historic resources. One townhouse design option incorporates the historic embankment wall along Sixth Street; the other, which requires total removal of the Sixth Street embankment, incorporates appropriate design elements and detail that are sensitive to the aesthetics of the historic district context.

Enhancements to the historic embankment on the westernmost blocks, which include stabilization, cleaning, landscaping, and street furniture, would benefit the adjacent historic districts and the historic church properties on Sixth Street.

4. *Build Alternative B.* In this build alternative, the two easternmost embankment sections would be replaced by housing and the embankment on Block 280, between Jersey Avenue and Erie, would be modified for use as a terraced park. As with *Build Alternative A*, development of Block 212 will have no impact on historic resources and development on Blocks 247 and 280 have the potential to affect the adjacent Hamilton Park and Harsimus Cove Historic Districts. The mid-rise housing development proposed for Block 247 is sensitive to the adjacent historic properties in terms of massing, texture, and scale, with the 6-story Stewart building at the corner of Fifth and Erie streets, which is a historic carpet-cleaning factory that has been listed as a key building in the Harsimus Cove Historic District. The proposed design for a park on Block 280 incorporates portions of the embankment and will have a positive impact on the adjacent historic districts, both visually and socially. The proposed park will not only be visually unobtrusive, but can enliven the neighborhood by opening up the embankment block for community recreation. The park design will also provide an opportunity to interpret the history and construction of the embankment as well as the adjacent historic districts.
5. *Build Alternative C.* This alternative calls for development of the entire six blocks that contain the embankment. Three of these blocks (247, 280, and 317.5) and a small portion of Block 354.1 are



adjacent to the Hamilton Park and Harsimus Cove Historic Districts. As described under *Build Alternative B*, proposed mid-rise housing development for Block 247 is sensitive to the adjacent historic properties, particularly the significant 6-story Stewart building at the corner of Fifth and Erie streets. The proposed townhouse development options for Blocks 280, 317.5, and 354.1 are compatible with historic residential properties in the adjacent Hamilton Park and Harsimus Cove Historic Districts (see *Alternative A*).

4.1.3 Summary Scoring of Evaluation Measures: Historical Factors

Table 4.1.1 summarizes the scores for the individual historical evaluation measures by alternative.

Table 4.1.1
Scoring of Evaluation Measures by Alternative
Historic Factors

	Alternatives:		
	No-Action	Preservation	Build A Build B Build C
Preservation and Interpretation	3.00	5.00	4.00 5.00 1.00
Adjacent Historic Properties	2.00	3.00	4.00 4.50 3.00
Historic Factors Total	5.00	8.00	8.00 9.50 4.00

Source: Louis Berger & Associates, 1999.



4.2 Physical Factors

This evaluation of physical factors presents a conceptual evaluation of probable engineering improvements for the redevelopment of the six (6) block project corridor from the south side of Sixth Street between Luis Munoz Marin Boulevard and Brunswick Avenue in Jersey City. These probable improvements by *alternative* include capital construction activities necessary to minimize the impact of redevelopment and/or preservation of the railroad embankment structures. Available documents were reviewed including storm sewer and water system plans for the project corridor, Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency (FEMA), and the *Geotechnical Evaluation* (December 1997) prepared by MATRIX Environmental & Geotechnical Services (MATRIX). Several field inspections were performed to identify the existing condition of the embankment structures, roadway, streetscape, and utilities. Interviews were also conducted with the Jersey City Engineering Department and Municipal Utilities Authority (MUA) and two local developers (Newport Associates Development Company and K. Hovnanian)².

4.2.1 Storm Water Management

Existing and potential future storm water and flooding issues were discussed with an engineer from the Jersey City Engineering Department, especially in light of the recently completed improvements to Jersey Avenue in 1996 under a grant from the New Jersey Department of Transportation (NJDOT) that included the intersection with Sixth Street. Specifically, this work entailed the milling of the existing roadway to improve drainage to the catch basins, replacement of substandard catch basins and storm sewer laterals to improve slope to main storm sewer, and inspection of main storm sewer lines by the Jersey City MUA to determine the need for maintenance and/or upgrade. Based on discussions with Newport Associates Development Company, a bulkhead was removed in 1989 from the 87" x 136" storm sewer at the intersection of Sixth Street and Luis Munoz Marin Boulevard and the storm sewer regulators and outfalls further east were upgraded as part of the ongoing residential/commercial redevelopment of the adjacent and nearby waterfront properties.

Conservative preliminary drainage calculations were estimated for the existing and proposed conditions along the project corridor using TR-55 worksheets in accordance with the Soil Conservation Service (SCS) procedures in *Urban Hydrology for Small Watersheds* (June 1986). Table 4.2.1 summarizes the calculations.

Based on review of the referenced documents, results of field inspections and interviews, and the estimated 50 percent increase in stormwater runoff, the following impacts and recommendations are presented for the five (5) alternatives:

1. *No Action Alternative.* The No-Action Alternative assumes that no improvements would be made to the existing conditions. Therefore, the problem of periodic flooding throughout the project

²Telephone communications and meetings with representatives of the Newport Associates Development Company in December 1998 and March 1999 and K. Hovnanian Enterprises, May 1999.



Table 4.2.1
Storm Water Run-Off Estimates

Existing Conditions			Proposed Redeveloped Conditions		
Cover Description	Area	Runoff	Cover Description	Area	Runoff
Open Space (Poor Condition)	70%	3.5 inches	Open Space (Poor Condition)	0%	5.0 inches
Landscaping (Trees and Grass)	0%		Landscaping (Trees and Grass)	10%	
Impervious (i.e. Pavement)	30%		Impervious (i.e. Pavement)	90%	

corridor would likely continue, specifically, for Blocks 280, 317.5, 354.1, and 389.1 located within the Zone A-5 (within an area of the 100-year flood with a hazard factor of 5).³

- Preservation Alternative.* This alternative includes construction of a high-rise apartment building on the eastern block (Block 212) and embankment wall improvements for the other five (5) blocks. Upgrades to the storm sewer and roadway as described above may be necessary along Sixth Street to manage the increased stormwater runoff. To minimize site preparation costs for a prospective developer, consideration should be given to deferring these improvements for the undeveloped blocks from Manila Avenue to Brunswick Street. For the purposes of this evaluation, it is assumed that four (4) catch basins, one (1) manhole, and the laterals from each catch basin would be replaced. Given the estimated increased stormwater runoff, space limitations and water quality requirements, an underground stormwater detention chamber designed to temporarily store excess precipitation and separate oil/grease and grit is recommended. It is understood that the sanitary sewer system is currently combined with the storm sewer system for the project corridor. Separation of these systems would improve stormwater management. In addition, better maintenance of the storm sewer system by the Jersey City MUA including removal of debris from catch basins, observed during the field inspection and condition survey of the main storm sewer line, is also strongly recommended.
- Build Alternative A.* This alternative includes construction of a high-rise apartment building on Block 212 and residential townhouses on the adjacent two blocks (Blocks 247 and 280). The recommendations for storm sewer and roadway improvements and temporary stormwater runoff storage referenced in the *Preservation Alternative* would likely be necessary for the redevelopment from Luis Munoz Marin Boulevard to Jersey Avenue.
- Build Alternative B.* This alternative includes construction of a high-rise and mid-rise apartment building on Blocks 212 and 247, respectively, and a terraced park on the adjacent block (Block 280) for public recreation use. The storm sewer system along Erie Avenue would likely manage drainage from the proposed park redevelopment. Hence, the recommended improvements for stormwater management included in the *Preservation Alternative* would likely be necessary for the

³The base flood elevation and approximate elevation for the project corridor is 10-feet (NGVD of 1929) according to the FEMA Flood Insurance Rate Maps and the U.S.G.S. Topographic Map for Jersey City.



redevelopment from Luis Munoz Marin Boulevard to Erie Avenue.

5. *Build Alternative C.* This alternative includes construction of a high-rise and mid-rise apartment building on Blocks 212 and 247, respectively, residential townhouses on the adjacent 3 blocks (Blocks 280, 317.5, and 354.1) and a park on the final block (Block 389.1) for public recreation use. The storm sewer system along Monmouth Street would likely manage drainage from the proposed park redevelopment. Hence, the recommended improvements for stormwater management included in the *Preservation Alternative* would likely be necessary for the redevelopment from Luis Munoz Marin Boulevard to Monmouth Street.

Using the criteria developed for the civil engineering analysis, implementation of the *Build Alternative C* would manage stormwater the best due, in part to the use of best management practices for stormwater detention, but mainly as a result of the recommendation to replace substandard catch basins and sewer laterals for the complete project corridor.

4.2.2 Utility Services

Representatives from the local utility providers in the vicinity of the project corridor were contacted including United Water (water), PSE&G (gas and electric), Comcast (cable), and Bell Atlantic (telephone) to confirm the availability of utility capacity. With the confirmation of available capacity, the primary issue addressed in this section, consistent with the criteria described in Section 3.2.2, is to determine whether utility services may be delivered to improve the aesthetic environment (e.g., through the underground placement of utilities).

The primary obstacle for aesthetic improvements and redevelopment along Sixth Street would be from potential conflicts with existing underground utilities: namely, two (2) high voltage electric lines and one 20-inch gas service. In addition, the Jersey City Engineering Department recommends sanitary sewer separation for any residential development. An available manhole on Luis Munoz Marin Boulevard would allow for underground connection to the existing 66-inch sanitary interceptor line.

Based on the above evaluation, the following impacts and recommendations are presented for the five (5) alternatives:

1. *No Action Alternative.* It is anticipated that no improvements would be made to the existing utilities under this alternative. Therefore, there would be no impact to the adjacent properties. However, the presence of the overhead utilities would continue to be an aesthetic detraction.
2. *Preservation Alternative.* This alternative includes redevelopment of a high-rise apartment building on the eastern block and improvements to the embankment for the other five (5) blocks. Replacement of the overhead utilities with underground utilities from Luis Munoz Marin Boulevard to Manila Avenue is recommended (although not absolutely necessary). The presence of the underground utilities may increase the construction costs due to the difficulty and hazard. At a minimum, the existing miscellaneous conduit and lighting fixtures should be removed from the embankment walls for the remaining western blocks to accommodate streetscape improvements (i.e. lighting, landscaping, etc.).
3. *Build Alternative A.* This alternative includes redevelopment of a high-rise apartment building and residential townhouses on the three (3) eastern blocks. The recommended utility improvements included in the *Preservation Alternative* would be implemented including replacement of overhead utilities for the redevelopment from Luis Munoz Marin Boulevard to Jersey Avenue.



2. *Build Alternative B.* This alternative includes redevelopment of a high-rise and mid-rise apartment building and terraced park on the three (3) eastern blocks. The recommended utility improvements included in the *Preservation Alternative* would be implemented including replacement of overhead utilities for the redevelopment from Luis Munoz Marin Boulevard to Jersey Avenue.
3. *Build Alternative C.* This alternative includes a high-rise and mid-rise apartment building, residential townhouses, and a park for the six (6) blocks, respectively. The recommended utility improvements included in the *Preservation Alternative* would be implemented including replacement of overhead utilities for the redevelopment from Luis Munoz Marin Boulevard to Brunswick Street.

The *No Action Alternative* requires the fewest disruptions to existing utilities, although offering no aesthetic improvements. *Build Alternative C* ranks highest because the increased effort to deliver underground utility services would be greatly offset by aesthetic improvements associated with replacement of overhead utilities.

4.2.3 Geotechnical

The *Geotechnical Evaluation* report prepared by MATRIX for the Jersey City Redevelopment Agency presented the activities conducted and findings obtained during the performance of a subsurface investigation program for the project corridor. This report specifically provided geotechnical information on the subsurface conditions in the proximity of the six (6) embankment structures. The report finds that the presence of unsuitable subsurface materials would impact redevelopment of the railroad embankment structures. Specifically, the engineering measures necessary to minimize impacts would involve further geotechnical investigation, excavation of unsuitable materials, and appropriate shallow and deep foundation construction to support the redevelopment alternatives. A summary of the MATRIX's *Geotechnical Evaluation* is presented herein.

Based on the MATRIX report, eleven (11) soil borings were advanced at street level to a depth of approximately 24-feet below ground surface (bgs) (see Appendix B, Engineering References). Split spoon samples were collected at 5-foot intervals and laboratory testing was performed. According to MATRIX, the surface fill layer is 2.5-feet or less; the fill materials are predominantly silty sands and gravel with some cinders, bricks, and concrete fragments; and the native soils are generally loose to very compact silt sands and gravels and firm to very stiff clays and silts. Significant layers of fibrous peat and organic silt were identified in the western portion of the site (Blocks 317.5, 354.1 and 389.1) to a depth of approximately 15-feet bgs. Groundwater levels varied from approximately 10 to 15-feet bgs. MATRIX concluded that conventional spread footing foundations extending to 4-feet bgs and proportioned for a net allowable soil bearing pressure of 2,000 pounds per square foot (psf) may be used for three to four story buildings with foundations assuming that the peat and organic silts are removed. While the effect of embankment surcharging the underlying soils will likely enhance the geotechnical properties beneath the embankments, organics will continue to decompose and consolidate. Hence, there can be no guarantee that small settlements will not occur.

While geotechnical information was not available from the Jersey City Engineering Department, the Newport Associates Development Company provided records for Well No. MW-14BR installed northeast of Block 212 (See Appendix B - Engineering References) that identifies bedrock at approximately 50-feet bgs and a competent, hard till layer at approximately 34 to 49-feet. Reportedly, timber piles were driven from 25 to 35-feet to support a 3-story parking garage located adjacent to Block 212 and 80 to 100-ton concrete filled steel piles were driven to support a 10-story apartment building at a nearby waterfront property.



To assess the cost impact for the various alternatives, typical total floor loading (live and dead loads) and external wall loading were estimated based upon the Building Officials & Code Administration International (BOCA). For the purposes of this conceptual evaluation, it is assumed that the floor and wall loading for the multi-story apartment buildings would be 100 psf and 80 psf, respectively. Due to the height of these apartment buildings and use of brick for historic value, conservative estimates for wind loads were applied. It is also assumed that the floor and wall loading for the residential townhouses would be 70 to 80 psf and 40 to 50 psf, respectively. On this basis and utilizing R.S. Means Assembly Construction Cost Data 1999, a pile cap foundation supported by clusters of concrete filled 12-inch diameter steel pipe piles, 50-feet long, rated at 300 to 400 and 800 to 1,000 thousand pounds (kips) would likely be necessary to support the estimated loads for the mid-rise and high rise apartment buildings, respectively. Further, conventional 7 to 8-foot square spread footings with 12-inch wide grade beams would likely be necessary to support the estimated loads for the residential townhouses. These estimates were assumed to assess cost impacts and are contingent on column spacing, wind bracing design, and further geotechnical investigation and engineering.

The following impacts and recommendations are presented for the five (5) alternatives:

1. *No Build Alternative.* While no immediate impact is foreseen, the structural inspection of the embankment structure conducted for this study found a reasonable potential for a continuation of long term settlements in the western portions of the project corridor. This could increase the already existing instability in the embankment structure.
2. *Preservation Alternative.* Recalling that this alternative includes construction of a high-rise apartment building on the eastern block, a deep pile foundation would be necessary to support the estimated building loads. For the purposes of this evaluation, it is assumed that 25 pile clusters would likely be expected to support the proposed 11,500 square foot per floor, 19-story building. In addition, it is assumed that 40 conventional spread footings with grade beams spanning between footings would be suitable to support the estimated 100 psf building load for the proposed 22,000 square foot parking structure. It is estimated that 25 percent of the footings would require removal of unsuitable materials.

The on-site soils may be suitable to support concrete slabs on grade provided subsurface drainage is incorporated into the design. Excavated on-site soils may be reused as structural fill provided the moisture content is suitable for compaction. Reuse of the embankment stone may be possible. Specifically, a portable crusher could be setup on-site to recycle the stone for use as aggregate in concrete and roadways. The granite stone at the ends would likely be suitable for re-use as rip-rap for local municipal waterfront improvement projects. Further testing would be necessary to determine if the sandstone is durable enough for reuse as rip-rap. Reuse of the "brownstone" to create a historic architectural facade may also be possible for other development projects in the region. Regardless, further geotechnical investigations are recommended to evaluate the foundation requirements to determine more cost effective design approaches. It is possible that the price of steel or concrete could dictate type of building construction and loading. A prospective developer could reduce construction costs if a geotechnical investigation clearly identifies the unsuitable fibrous peat and organic silt layers recommended to excavate.

3. *Build Alternative A.* Recalling that this alternative includes redevelopment of a high-rise apartment building and residential townhouses on the three (3) eastern blocks, different foundation requirements for the residential townhouses would be necessary. Conventional spread footings every 20 feet with grade beams spanning 20-feet would likely be suitable to support the residential



townhouses assuming removal of any unsuitable materials. It is estimated that 25 percent of the footings would require removal of unsuitable materials.

4. *Build Alternative B.* Recalling that this alternative includes redevelopment of a high-rise and mid-rise apartment building on the two eastern blocks and a terraced park on the adjacent block, a deep pile foundation would also be necessary to support the estimated building load for the mid-rise apartment building. For the purposes of this conceptual evaluation, it is assumed that a 24 pile cluster would likely be necessary to support the proposed 11,500 square foot, 7-story building. There would be no geotechnical impacts from the park construction.
5. *Build Alternative C.* Recalling that this alternative includes redevelopment of a high-rise and mid-rise apartment building, residential townhouses and a park for the project corridor, the geotechnical recommendations for the proposed building foundations and reuse of elements of the embankment wall are consistent with the previously discussed alternatives.

Regardless, further geotechnical investigations are recommended to evaluate the foundation requirements to determine more cost effective design approaches. It is possible that the price of steel or concrete could dictate type of building construction and loading. A prospective developer could reduce construction costs if a geotechnical investigation clearly identifies the unsuitable fibrous peat and organic silt layers recommended to excavate.

Using the criteria developed for the geotechnical engineering analysis, implementation of the *No Action Alternative* would require fewer changes to the geotechnical state of the area. However, the *Preservation Alternative* ranks nearly as high given the offset of passive open space recreation with the intensive development of the high-rise apartment building.

4.2.4 Wall Stability and Maintenance

Based on review of the *Geotechnical Evaluation* prepared by MATRIX, the embankment structures vary from approximately 15 to 27 feet in height, 340 to 410 feet in length, and 90 to 95 feet in width (see Figure 1.3.1). The embankment structures were built in the late 1800's. The pervious fill material consists predominately of silty sands and gravel with small amounts of cinders, bricks and concrete fragments. The embankments are surrounded on all sides by cut stone retaining walls which extend to an unknown depth below grade. The stone retaining walls consist of both reddish sandstone and basalt blocks and grey granite blocks of various dimensions and irregular placement. The natural soil occurs in layers of varying thickness, with silt often present at the surface.



A structural inspection was conducted to determine the physical condition of the six (6) railroad embankments. Field observations from the structural inspection conducted on December 28 and 30, 1998 provided evidence of the following:

- embankment wall settlement and some possible tilting;
- cracks at the embankment wall joints and through some stone blocks;
- some cracks dispersed all over the exposed face of the embankment walls;
- some abnormal leakage through construction joints;
- seepage through stone blocks in the appearance of wet spots and efflorescence (several cracks show a brown-white substance discharging); and
- some spalled (i.e., chipped) areas.

Several photos documenting evidence of cracking and leakage at select locations of the embankment wall are included at the end of Section 4.0, Site Photo Views. A standard design for a section of a railroad embankment retaining wall from the Pennsylvania Railroad Office of Engineer dated March 4, 1892 provided background on the embankment structure's construction (See Figure 11 in Appendix A, Historic Resources Evaluation).

Based on the structural engineering analysis performed, the following potential design considerations are recommended for the five (5) redevelopment alternatives:

1. *No Action Alternative.* No immediate impact is foreseen. However, it is possible for long term settlement to occur in the western portions of the project corridor that could increase the already existing instability in the embankment structure.
2. *Preservation Alternative.* Complete demolition of the embankment structure on the eastern block for redevelopment of a multi-story apartment building would eliminate the need for future maintenance of the embankment wall and reduce liabilities from deteriorating embankment wall elements. In-place improvements would be recommended for the remaining western blocks, including:
 - Remove all vegetation from the perimeter area and exposed faces of the embankment walls in order to minimize further instability.
 - Resurface the top of the embankment with concrete at a minimum 2 percent slope away from the inner face and provide adequate joints to minimize further loosening of coping stones.
 - Fill all impaired joints with grout using a proper repair method to minimize further separation of stones and infiltration of vegetation.
 - Investigate the mechanical strength of the stone blocks at the abnormal leakage areas and patches of heavy lamination of the stone blocks.

Improvements aside, the remaining embankment structures from Manila Avenue to Brunswick Street would still require a regular commitment of resources by its eventual owner(s) and/or from some other operating entity responsible for its long term maintenance.

3. *Build Alternative A.* This alternative includes redevelopment of a high-rise apartment building and residential townhouses on the three (3) eastern blocks. The design option assumes that some elements of the embankment structure will be preserved during construction of the residential townhouses rather than demolished. The option reconstructs portions of the Sixth Street and southern walls and refaces embankment sidewall ends to enhance the historic value of this



alternative. Undertaking this partial demolition scenario, to the maximum extent practicable, would likely require extensive site preparation work and an additional commitment of resources for long term maintenance of the remaining elements of the wall.

4. *Build Alternative B.* This alternative includes redevelopment of a high-rise and mid-rise apartment building on the two eastern blocks and a terraced park on the adjacent block. The design option assumes that elements of the embankment structure will be maintained or reconstructed for the mid-rise apartment building and park. Several intriguing effects are created from this option: terracing the park up from the eastern end of the embankment structure would invite neighborhood access as well as be a unique and marketable open space attribute for the proposed multi-story dwellings on the eastern blocks; shield from view the rear yards of homes fronting along Fifth Street; and minimize site preparation and disposal costs through reuse of embankment fill. Similarly, ramping the entrance to the mid-rise apartment building up to an elevated surface parking area will create the same intriguing advantages.
5. *Build Alternative C.* This alternative includes redevelopment of a high-rise and mid-rise apartment building, residential townhouses, and a park for the project corridor. The design option assumes that only the elements of the embankment structures buffering the properties fronting along Fifth Street would be maintained or reconstructed for the residential townhouses and park. This alternative considers the advantages of creating an open, inviting frontage along Sixth Street. In addition, the increased demolition effort may be offset by the decreased reconstruction costs and long term requirement maintenance costs.

Using the criteria developed for the structural engineering analysis, the *No Action Alternative* exposes the site owner to the most long term liability because no improvements deemed necessary in the structural inspection are considered. All of the remaining alternatives consider improvements necessary to stabilize elements of the embankment wall. However, *Build Alternative C* ranks the highest because it incorporates full or partial demolition throughout the project corridor and minimizes long term maintenance requirements.

4.2.5 Summary Scoring of Evaluation Measures: Physical Factors

Table 4.2.2 summarizes the scores for the individual physical factor evaluation measures by alternative. Considered in aggregate, *Build Alternative C* performs slightly better on physical factor measures than *Build Alternatives A and B* and considerably better than the *Preservation Alternative* and the *No-Action Alternative*.

Table 4.2.2
Scoring of Evaluation Measures by Alternative
Physical Factor Measures

	Alternatives:				
	No-Action	Preservation	Build A	Build B	Build C
Storm/Flood	1.00	1.67	2.33	2.67	3.67
Utilities	3.00	3.33	3.67	3.67	4.33
Geotechnical	5.00	4.33	3.67	4.00	3.00
Wall Stability and Maintenance	1.00	1.67	2.33	2.33	3.33
Physical Total	10.00	11.00	12.00	12.67	14.33

Source: Louis Berger & Associates, 1999.



4.3 Environmental Factors

4.3.1 Environmental Contaminants

The *Subsurface and Geotechnical Investigation Report* (November 1998) prepared by Dresdner Robin for the Jersey City Redevelopment Agency describes the methodology and findings of a screening program of geotechnical and environmental subsurface investigations along the six (6) block project corridor. The potentially hazardous constituents suspected to be present included several Target Compounds/Target Analytes, including: volatile organic compounds (VOCs); semi-volatile organic compounds (SVOCs); pesticides; polychlorinated biphenols (PCBs); metals; total petroleum hydrocarbons (TPH); and hexavalent chromium. Figures 2, 4 and 5 included in Appendix B, Engineering References present the constituents in soil samples in exceedance of the NJDEP Residential Direct Contact Soil Cleanup Criteria.

The purpose of this evaluation is to present the probable remedial activities and site cleanup costs based on the findings and recommendations presented in the *Subsurface and Geotechnical Investigation Report*. The estimated costs include residential redevelopment and/or preservation of the railroad embankment structure due to the presence of contamination. Specifically, this would entail full or partial demolition of the embankment structure, excavation and handling of contaminated soils necessary for utility improvements and foundation construction to support the redevelopment alternatives. A summary of the environmental screening results along the project corridor is presented below:

The soil samples were collected from three (3) regions for each of the twelve (12) soil borings; specifically, surface soils (1.5 to 2.0 feet bgs), backfill (12 to 16-feet bgs within the embankment), and subsurface soils (24 to 28 feet bgs beneath the embankment). The laboratory analysis indicated elevated levels of base neutral compounds and metals above the NJDEP Residential Direct Contact Soil Cleanup Criteria. No VOCs, pesticides, PCBs, TPH, or hexavalent chromium were found at levels exceeding NJDEP criteria in the borings sampled. With the exception of several polynuclear aromatic hydrocarbons (PAHs) typically associated with creosote coated railroad ties, all base neutral compounds were detected below the NJDEP Residential Direct Contact Soil Cleanup Criteria. Although, the Non-Residential Direct Contact Soil Cleanup Criteria for these PAHs are generally higher, these concentrations will warrant remedial actions to comply with NJDEP. With the exception of lead, antimony, arsenic and mercury, all inorganic compounds were detected below the NJDEP Residential Direct Contact Soil Cleanup Criteria. The Non-Residential Direct Contact Soil Cleanup Criteria for these metals are generally higher and the antimony, arsenic, and mercury concentrations may be anomalous. However, the high concentrations of lead will warrant remedial actions to comply with NJDEP.

Limited information on the quality of groundwater exists along the project corridor. Based on review of groundwater data obtained from the Newport Associates Development Company, groundwater is typically 10-feet bgs and under some tidal influence, however, this should not impact construction or require dewatering. Groundwater sampling for priority pollutants plus forty (PP+40) from monitoring well MW-4S (See Appendix B, Engineering References) located on the northwest corner of the intersection of Luis Munoz Marin Boulevard and Sixth Street indicates no contaminants; however, the importance of this data is not clear because the groundwater flow regime in the area is not known. Groundwater contamination is present northeast of Block 212 at the intersection of Luis Munoz Marin Boulevard and Sixth Street from historical uses from a former gasoline station and coal gas plant. According to the Newport Associates Development



Company, negotiations are ongoing with the NJDEP to determine the final remedial actions required to address the groundwater contamination adjacent to Block 212.

The following environmental impacts are assessed for the five (5) redevelopment alternatives:

1. *No Action Alternative.* The site's existing environmental conditions attributable to its former rail uses are not affirmatively remedied. If a property transaction occurs, state regulations dictate that "due diligence" be conducted which may warrant a Remedial Investigation based on the results of the completed Site Investigation conducted by Dresdner Robin. It is possible that the NJDEP may not require a groundwater investigation based on the concentrations of contaminants in the soil. However, for the purposes of this conceptual evaluation in the absence of site specific data, it is assumed that determination of groundwater quality would likely be required.
2. *Preservation Alternative.* This alternative includes the remedial construction activities necessary to demolish the bulk of the decrepit embankment structure on the eastern block to accommodate redevelopment of a high-rise apartment building. A Soil Reuse Plan and Remedial Action Workplan (RAW) would likely need to be developed to address the health and safety requirements, soil characterization requirements for reuse/disposal, and engineering controls required to improve the remaining embankment structures to assure the safety, health, and welfare of the community.

Based on the soil sampling analytical results, it is assumed that all of the excavated soils would be characterized as non-hazardous waste. Reuse of the excavated soils on-site would be severely limited. For the purposes of this conceptual evaluation and any redevelopment scenario, it is further assumed that either Jersey City or a prospective developer would be able to transport excavated soils off-site for reuse locally. Specifically, reuse off-site at local landfills as daily cover or at local construction sites as backfill would be much less costly than disposal as contaminated (non-hazardous) waste at a licensed facility. The estimated quantity of contaminated soil to be excavated for this alternative is approximately 32,300 cubic yards. This magnitude of soil may require multiple disposal options considering that local landfills may only be able to accept 150 to 200 cubic yards as daily cover per day. The use of deep foundations for the high-rise apartment building may eliminate the need to overexcavate to remove unsuitable materials. Approximately 5,000 tons of stone blocks would also be removed to accommodate the proposed redevelopment for this alternative. For the purposes of this conceptual evaluation, it is assumed that 10 percent of the removed stone blocks would likely be too coated with contaminants or damaged to salvage for reuse as discussed in Section 4.2.3.

In addition, the *Preservation Alternative* includes remedial construction activities that may be required to excavate surface soils for the remaining five (5) blocks in order to implement engineering controls (i.e. fencing and placement of clean fill) to prevent exposure and minimize risk to human health. While the obvious physical barrier would continue to restrict public access to the top of the embankment structures, engineering controls would likely be required in accordance with the NJDEP *Technical Requirements for Site Remediation*. A Deed Notice would also be required to identify the affected areas with contaminants remaining in-place and establish institutional controls (i.e., prohibit intrusive activities).

3. *Build Alternative A.* This alternative includes full and partial demolition of the embankment structures to accommodate redevelopment of a high-rise apartment building and residential townhouses on the three (3) eastern blocks. In addition to remedial construction activities referenced above, the subsurface soils may need to be overexcavated to remove isolated layers of fibrous peat



and organic silt (approximately 7,500 cubic yards). The estimated quantity of contaminated soil to be excavated for this alternative is approximately 71,400 cubic yards. Approximately 16,400 tons of stone blocks would also be removed to accommodate the proposed redevelopment for this alternative.

4. *Build Alternative B.* This alternative includes full and partial demolition of the embankment structures to accommodate redevelopment of a high-rise and mid-rise apartment building and terraced park on the three (3) eastern blocks. In addition to remedial construction activities referenced above, the conceptual design for the mid-rise apartment building incorporated a ramped driveway entrance to an elevated surface parking area and the park incorporates terraces, in part, to minimize excavation and disturbance to the embankment walls. The estimated quantity of contaminated soil to be excavated for this alternative is approximately 51,400 cubic yards. Approximately 9,100 tons of stone blocks would also be removed to accommodate the proposed redevelopment.
5. *Build Alternative C.* This alternative includes full and partial demolition of the embankment structures to accommodate redevelopment of a high-rise and mid-rise apartment building, residential townhouses, and park for the project corridor. The estimated quantity of contaminated soil to be excavated for this alternative is approximately 130,800 cubic yards. Approximately 46,200 tons of stone blocks would also be removed to accommodate the proposed redevelopment for this alternative.

Using the criteria developed for the environmental engineering analysis, implementation of the *No Action Alternative* would expose any potential site owner to the most long term liability because the previously identified soil contamination would not be addressed. All the remaining alternatives rank equally considering the same remedial investigation requirements are applicable to each.

4.3.2 Traffic

A review of commuting patterns for the census tracts in this area of Jersey City indicates that working residents are much less dependent on the automobile as the predominant mode of transportation to work than other parts of Hudson County or the state. The car and subway accounted for virtually the same share of the morning commute (42 and 40 percent, respectively) followed by bus, pedestrian and other means (see Table 4.3.1)

A closer look at these commuting patterns (see Table 4.3.2) illustrates how transport mode varies by work location. Nearly 45 percent of work trips are to Hudson County. Individuals reporting to work destinations in Hudson County including Jersey City comprise: two-thirds of the auto trips and around 80 percent of the bus trips. Manhattan is the other major worker destination; the subway is the principal means followed by bus for such workers. The automobile accounts for around 5 percent of the Manhattan-bound workers.

Table 4.3.1
Modal Share of Work Trips for Residents in the Study Area, 1990

Mode	Share (%)
Car	41.8%
Bus	6.7%
Subway	39.9%
Others	11.5%
Total	100.0%

Source: 1990 Census Transportation Planning Package: Urban Element,
Bureau of Transportation Statistics, U.S. Department of Transportation.

Table 4.3.2
Work Trip Distribution by Destination County for Major Modes, 1990

County	Total	Car	Bus	Subway	Others
Hudson, NJ	44.7%	66.9%	79.4%	4.5%	83.7%
Manhattan, NY	38.7%	5.1%	20.6%	84.3%	13.3%
Bergen, NJ	4.1%	7.8%	0.0%	2.0%	0.0%
Essex, NJ	4.0%	5.2%	0.0%	3.8%	2.9%
Brooklyn, NJ	2.1%	3.4%	0.0%	1.8%	0.0%
Staten Island, NY	1.0%	0.8%	0.0%	1.8%	0.0%
Queens, NY	1.0%	0.5%	0.0%	1.9%	0.0%
Middlesex, NJ	0.8%	1.9%	0.0%	0.0%	0.0%
Union, NJ	0.7%	1.7%	0.0%	0.0%	0.0%
Somerset, NJ	0.7%	1.6%	0.0%	0.0%	0.0%
Westchester, NY	0.6%	1.5%	0.0%	0.0%	0.0%
Passaic, NJ	0.5%	1.3%	0.0%	0.0%	0.0%
Morris, NJ	0.5%	1.1%	0.0%	0.0%	0.0%
Others	0.5%	1.3%	0.0%	0.0%	0.0%
Total	100.0%	100.0%	100.0%	100.0%	100.0%

Source: 1990 Census Transportation Planning Package: Urban Element,
Bureau of Transportation Statistics, U.S. Department of Transportation.



These commuting patterns suggest no adverse impact upon peak-hour traffic from residential redevelopment of the study area. It can be reasonably anticipated that a very significant share of peak-hour work trips will be accommodated by other means than single occupancy vehicles. The study area's proximity to PATH as well as work sites at Exchange Place and Newport/Pavonia will reduce the need for auto transport. The study area's residents are also advantageously located to the future Hudson-Bergen Light Rail system. In the future, some Hudson County-destined auto traffic will be siphoned to the new light transit system. When completed, the study area's perceived accessibility may prove a highly desirable attribute for individuals in pursuit of housing.

Additionally, site visits to the study area during the morning commute suggested little reason to believe that project-induced traffic would be sufficient to significantly affect the capacity of the immediate local road network.

The following conclusions can be drawn:

1. *No Action Alternative.* While the alternative generates no additional traffic, the site possesses a strategic proximity to the PATH system and waterfront development (retail shopping and nonresidential) which is not maximized. This alternative fails in promoting transit-friendly and pedestrian-friendly designs at an appropriate location for higher density development. To the extent that market demand may be satisfied at other sub-optimal locations, the alternative may indirectly contribute more vehicles miles of travel to regional and local road network.
2. *Preservation Alternative.* Similar to the *No Action Alternative*, this alternative can be criticized for failing to maximize development opportunities on Block 247, a transit- and pedestrian-friendly location. However, this alternative does promote higher density for the easternmost Block 212. It is not anticipated that level-of-service or safety issues will be created by the entranceway and exit to the high-rise building along Luis Munoz Marin Boulevard.

The most preferable alternatives are the *Build Alternatives A, B and C*. While promoting residential developments at site locations that can advantageously promote transit and pedestrian usage, the circulation patterns promoted in design should effectively facilitate safe-turning movements without detriment to level-of-services. The designs minimize the number of new curb cuts and individual driveways. This has the beneficial effect of saving on-street parking spaces and channeling locations where cars enter/exit the local road network.

4.3.3 Parking

This section assesses the degree to which the various alternatives effectively provide and shield requisite off-street parking areas and whether on-street parking areas may be detrimentally affected by development. The following conclusions are drawn:

1. *No-Action Alternative.* The No-Action Alternative does not generate additional demand for off-street parking nor beneficially or adversely affect the availability and location of on-street parking.
2. *Preservation Alternative.* The site plan for the high-rise building accommodates on-site treatment of parking, assuming the standard of 1 space per residential unit. To satisfy parking demand for the high rise structure on Block 212, a two-story parking garage and off-street surface parking for the remainder of the site is required. The illustrated design option should effectively shield parking



areas from view through the use of a wall with decorative grilled windows along Sixth Street and Manila Avenue as well as buffering on the southern boundary (see Figure 2.1.2a).

3. *Alternatives A and C.* The townhouse concept provides requisite off-street parking, visually-shielded, in the back of the units with the reuse of the embankment wall on the southern edge. Parking is provided via ground-floor garage and/or surface stalls adjacent to the driveway. While the embankment wall's reuse can effectively shield ground floor views, the wall's reconstructed configuration width must satisfy parking, driveway and sidewalk requirements to assure parking maneuverability (see Section Figure drawings in Chapter 2).
4. *Alternative B.* For the mid-rise project on Block 247, parking needs can be accommodated by on-site surface parking. Surface parking on these blocks may be able to accommodate the retention of the some of embankment's fill material and stones. While reducing the elevation on the eastern blocks may offer a more effective, pedestrian-friendly streetscape, on-site reuse of fill material can reduce the total site remedial and disposal costs (see Section 4.6 for Site Development Costs).

Each of the proposed residential design concepts is able to effectively shield parking, garages and driveways from view through a combination of reuse of the embankment wall, decorative elements and landscape buffering. Moreover the residential concepts should be able to satisfy parking demand through the provision of off-street parking. To the degree that auto-dependency is reduced in favor of transit and pedestrian options by the siting of residential uses proximate to PATH and the future Hudson-Bergen Light Rail Transit corridor, the build options may also afford a minor opportunity to deliver off-street parking to neighboring residents.

4.3.4 Air Quality and Noise

4.3.4.1 Air Quality

During the construction phase, the *Preservation* and *Build Alternatives* will have temporary impacts on local air quality, particularly if control measures are not applied to the construction site. Construction activities must be planned and conducted in a manner that will minimize emissions. These impacts include the following:

- Fugitive Dust (particulate) emissions from demolition, land clearing and materials handling, excavation, dumping, compaction, hauling, wind erosion, short-term storage, and vehicle motion over unpaved areas.
- Mobile source emissions, including CO, HC and NO_x emissions from construction equipment and employees' vehicles at site.

4.3.4.2 Noise

Temporary noise impacts can be expected during project construction. Construction activities will include: 1) demolition and carting removal; 2) excavation for foundations and grading; 3) construction of structures; and 4) construction of driveways, surface parking and garage facilities. Typical noise levels of principal



construction equipment are shown in Table 4.3.3 and principal noise levels for select building activities including domestic housing and parking garages are shown in Table 4.3.4.

The demolition and carting removal of the embankment wall materials and stones can be expected to generate significant truck activity which can become a temporary, but intrusive nuisance for sensitive receptors (e.g., churches; senior citizen residences; residential dwellings). Truck activity to cart materials would be particularly intensive where development plans call for demolition on the westernmost blocks (see Figure 1.3.1).

A highly conceptual, order-of-magnitude estimate of the amount of truck traffic required to cart materials has been made. It is estimated that there are 29,000 cubic yards of fill and 5,000 cubic yards of stone to be carted away on the westernmost Block 389, where the embankment wall is at its highest. Assuming 20 cubic yards per truck load, it is estimated that 1,450 truck loads would be required to remove the fill materials on this block. It would take an additional 250 truckloads to transport the stone. Assuming 50 truck trips per day, it would take approximately 6 weeks to remove the fill and another week to remove the stone.

With its complete removal of fill material and the Sixth Street embankment wall, *Alternative C* presents the most adverse noise impacts to the local community. By contrast, the *Build Alternatives A and B* seek to preserve-in-place the embankment wall on several blocks. These latter Build Alternatives also anticipate the reuse of embankment wall stone and fill materials either for park, residential use or parking. The reuse of materials not only offers lower site preparation costs but limits disturbance from construction. The least noise impacting of the Build Alternatives is the *Preservation Alternative* due to its extensive preservation-in-place approach and its confining of construction to the easternmost block—the block with the smallest volume of fill and stone to cart.

It should be kept in mind that construction activities are only of a temporary duration and noise levels attenuate rapidly with distance (6 dB per doubling of distance). Construction activities usually only occur during weekday, daytime hours; the period when the majority of people are the least noise sensitive and background noise levels are at their highest. Although the construction noise levels may present a noise impact during construction, the impact will be relatively short-term and intermittent in nature.

4.3.5 Summary Scoring of Evaluation Measures: Environmental Factors

Table 4.3.5 summarizes the scores for the individual environmental factor evaluation measures by alternative. Considered in aggregate, the *Preservation Alternative* and *Build Alternatives A and B* perform better on environmental measures than the *No-Action* and *Build Alternative C*.



Table 4.3.3 Typical Noise Levels of Principal Construction Equipment (Noise level in dBA at 50 feet)							
Excavation & Earth Moving		Structure Construction		Grading and Paving		Landscaping and	
Activity / Source	Level (dBA)	Activity/Source	Level (dBA)	Activity/Source	Level (dBA)	Activity/Source	Level (dBA)
Bulldozer	80	Crane	75-87	Grader	80-93	Bulldozer	80
Backhoe	72-93	Welding Generator	71-82	Roller	73-75	Backhoe	72-93
Front End Loader	72-84	Concrete Mixer	74-88	Jack Hammer	81-98	Truck	83-94
Dump Truck	83-94	Concrete Pump	81-84	Paver	86-88	Front End Loader	72-84
Scraper	80-93	Concrete Vibrator	76	Truck	83-94	Paver	86-88
Demolition Crane	75-87	Air Compressor	74-87	Tamper	74-77		
		Pneumatic Tool	81-98				
		Truck	83-94				

Source: U.S. Environmental Protection Agency, 1971.

Table 4.3.4 Typical Ranges of Noise Levels at Construction Sites						
Activity	Domestic Housing		Parking Garages Service Stations Stores & Amusements		Public Works Roads & Highways Sewers & Trenches	
	I	II	I	II	I	II
Ground Clearing	84	83	84	87	84	84
Excavation	88	76	89	74	89	79
Foundations	81	81	78	78	88	88
Erection	82	71	85	74	79	79
Finishing	88	74	89	75	84	84

Source:

U.S. Environmental Protection Agency, 1971.

NOTE:

I - Implies all pertinent equipment is in operation.

II - Implies the minimum required equipment is in operation.

III- Noise levels assume a 70 dBA ambient.

Table 4.3.5
Scoring of Evaluation Measures by Alternative
Environmental Factor Measures

	Alternatives:				
	No-Action	Preservation	Build A	Build B	Build C
Environmental Remediation	1.00	3.33	3.33	3.33	3.33
Traffic	3.00	4.00	5.00	5.00	5.00
Parking	3.00	4.00	4.00	4.00	4.00
Air/Noise	5.00	4.00	3.00	3.00	1.00
Environmental Total	12.00	15.33	15.33	15.33	13.33

Source: Louis Berger & Associates, 1999.



4.4 Socioeconomic Factors

4.4.1 Land Use and Zoning

4.4.1.1 Overview of Land Use Conditions

The existing land use along Sixth Street in the study area is predominantly residential, with only a few commercial uses, a church and a ball field. The vast majority of the homes are attached units, fluctuating in bulk, height and density along Sixth Street. The church, the Holy Rosary, is located adjacent to the westernmost block, and the ball field, Roberto Clemente Field, is located on the easternmost section of the study area across the street from the embankment (both on the northern side of Sixth Street). Several vacant lots are scattered throughout the western portion of the study area. Among the residential uses are pockets of fenced-in vacant land used as parking lots, the largest holding no more than 30 cars, and the smallest, 3 to 4 cars.

There is a lack of visual compatibility along the north side of Sixth Street. While some of the units are sided with brick, others are sided with wood or aluminum paneling. Colors also range from deep brick red, to tans, and even pastel greens, blues and yellows. The condition, width and material of the sidewalk along the northern side of Sixth Street, beginning from Brunswick Street and extending to Luis Munoz Marin Boulevard change from block to block. The frontages of the units also vary. Some have stoops, others do not. Some units have chainlink fences bordering their property, others have wooden fences.

The condition, texture and architectural style of the homes adjacent to the embankment vary as one moves along Sixth Street. The western entrance into the study area (between Brunswick Street and Monmouth Street) is rather consistent in scale, texture and use. The lot which once housed St. Anthony's School now houses a senior citizen building. The only non-residential building on this block is the Holy Rosary Church, the highest peaked structure along the northern side of Sixth Street within the study area. Looking south into Brunswick Street, there is a large fenced in parking lot with yellow school buses and other vehicles. The building heights on this block vary between 2 and 3 stories and have no visual consistency. Looking northward into Brunswick Street, there is a great architectural consistency in scale, and color.

The intersecting street of Monmouth has a few first floor retail-type stores, a funeral home, and residential units. There is also a vacant fenced-in lot on this street. Looking southward onto this street, the embankment serves as the dominant visual focal point among the uses.

Moving eastward, between Monmouth and Coles Street, there are two vacant lots, one in the middle of the block and one in the eastern portion of the lot. These lots are situated between all residential units whose inconsistent texture varies from brick, to wood paneling, with discordant colors ranging from greens to reds to tan.

Coles Street is more disadvantaged in terms of consistent architectural themes and land use than most of the other Sixth Street intersecting streets. Looking southward, there is a one story auto service garage with its sign hanging on a slant. This building is sandwiched between the embankment's alley and residential units. The height difference between the embankment, the auto garage, and the residential buildings contribute to a blighted feel on this block. The sidewalk is also in poor condition.

The block between Coles Street and Jersey Avenue contains residential units varying in height from 3 to 4 stories. The facades of the building range from brick earthtones, to wood panel siding. Some of the units



have stoops, others do not. There is also a fenced-in lot in the middle of the block used for off-street parking. The units on the eastern most portion of the block are rowhomes.

Jersey Avenue offers a more appealing visual landscape. The sidewalks are in very good condition, and lined with trees. Trash receptacles can be found along Jersey Avenue. There is consistency in setback, height, bulk, color, and architectural style on the units, all of which contribute to a healthy and vibrant pedestrian realm. The brownstone rowhomes have stoops with ornate iron railings and fences. The facades and window treatments do vary in color from unit to unit, but are quite complementary to each other. Some commercial retail can be found along this block on the first level of the rowhomes.

The block between Jersey Avenue and Erie Street (Block 281) continues the styles and characteristics found on Jersey Avenue. Heights on this block range from 3.5 to 4 stories. Looking northward into Erie Street, it can be seen that the consistency carried over from Jersey Avenue onto Block 280, no longer holds true. Heights randomly vary from 2 to 4 stories as do the architectural styles. A fenced-in vacant lot can also be found on this block. Looking south onto Erie Street the highest building is 6 stories, and a similarity can be seen in style between this side of the street and Jersey Avenue. There is also a boarded-up building on Erie Street. While underutilized, it does not stand out, or emit a feeling of blight because the facade has been repainted, with the boards in the windows painted to match.

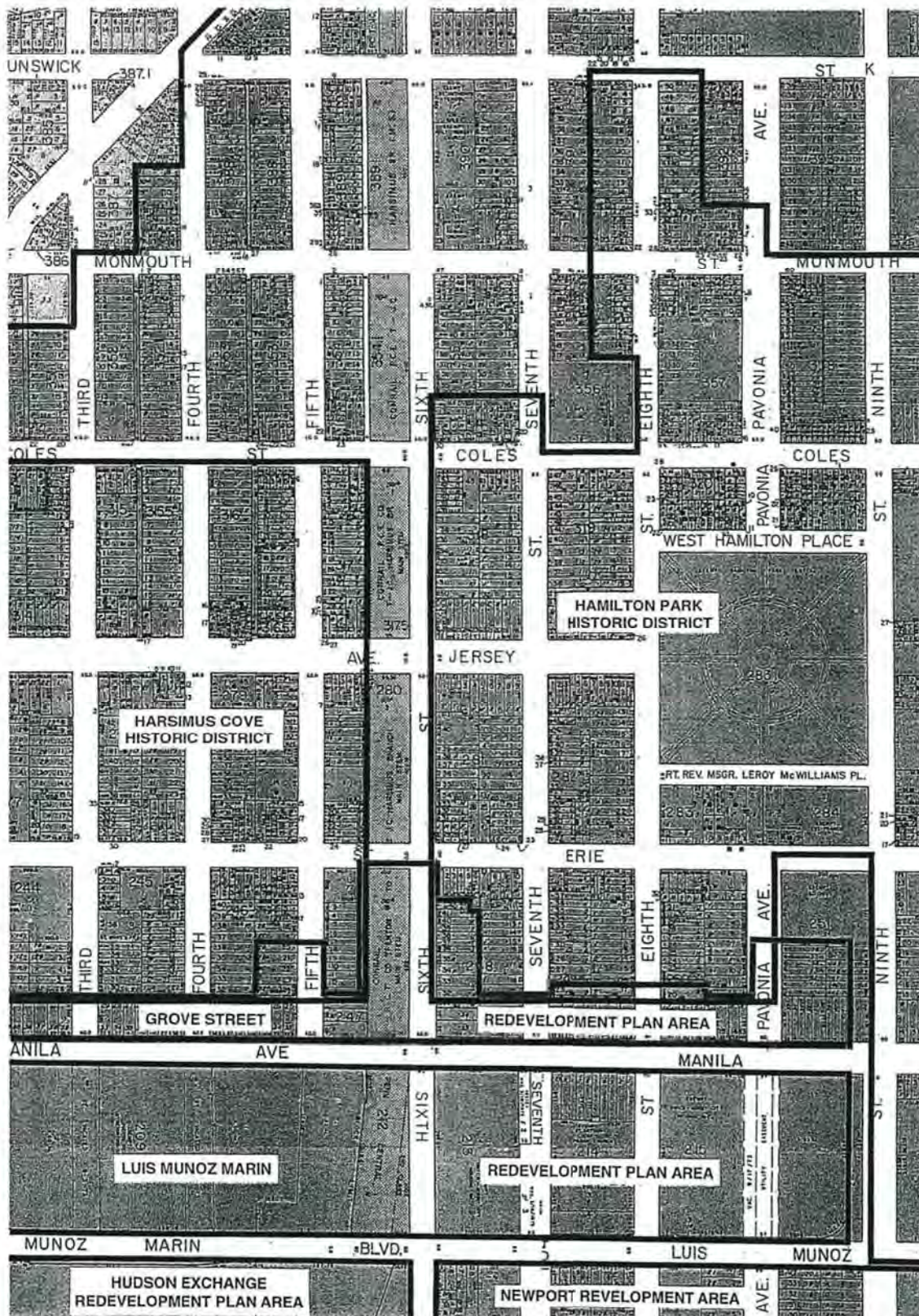
Block 248, between Erie and Manila Street, contains residential units. There is a 4-story brick apartment building in the middle of the block and detached units found on the eastern corner of the block. The latter units have wood paneling. The structures on Manila Avenue, part of the Grove Street NDP, are much different than those on Sixth Street or the intersecting streets, exhibiting a more modern, suburban-detached style, with heights of 2 to 3 stories. Parking is found both off-street as well as on-street. There are several parking areas which have been enclosed by chainlink fences. Unlike any of the other streets, there are few, if any, overhead wires.

Manila Avenue and Luis Munoz Marin Boulevard are their own neighborhoods, different in bulk, height, and architectural style than Sixth Street or any of the Study Area's intersecting streets.

4.4.1.2 Existing Zoning and Redevelopment Plan Zones

The Sixth Street Embankment Study Site lies within minutes of the vibrant Hudson Waterfront which boasts the Newport redevelopment sites and other major commercial, office and residential uses (see Section 1.5). With the exception of its western borders, the Study Area is enveloped on all sides by different redevelopment planning areas and serves as a boundary between two historic districts (Figure 4.4.1). The four westernmost blocks within the Study Area (Blocks 389.1, 354.1, 317.5, and 280) lie within R-2 zone classification of low density residential and the two easternmost embankments, Blocks 247 and 212, are each a part of different redevelopment plans—the Luis Munoz Marin (formerly Henderson Street) Redevelopment Plan (RDP) and Grove Street Neighborhood Development Plan-Area Redevelopment Plan(NDP).

As Figure 4.4.1 shows, in addition to the westernmost blocks within the Study Area, areas on the western periphery are also zoned R-2. This zone is the most common type of zoning found within Jersey City. The



Source: City of Jersey City Tax Map,
Hudson County, NJ.

LEGEND:

- R-2 Low Density Residential
- C-2 Office and Retail
- Embankment
- Harsimus Cove and Hamilton Park Historic Districts
- Redevelopment Plan Areas

Sixth St. Railroad Embankment Study

Redevelopment and Zoning Districts



purpose of this zone is to create a variety of residential types, public and private services convenient to residents, and limited commercial services in the more intense residential uses.⁴ The intent of the district is to provide some flexibility pending on the size of property and proper site planning. Commercial uses are limited within this district to the major streets, where a pattern of commercial already exists.

Block 247 is part of the Grove Street NDP. The intent of this NDP is to create a link between existing uses to the west of the NDP and the new uses to the east in the Luis Munoz Marin Renewal Area. While creating this link, the NDP is to provide sites for the construction of low density residential housing that offer both rental and ownership opportunities.⁵ The permitted uses within this NDP aside from residential, are neighborhood retail commercial establishments, open space facilities and semi-public and public uses. Currently, the Sixth Street surrounding neighborhood which falls within this district, are either detached dwelling units (to the North of Sixth Street) or attached townhomes (to the south of Sixth Street) and are consistent to the Grove Street NDP.

Block 212 was part of the Henderson Street Redevelopment Plan (now Luis Munoz Marin Boulevard). The objective of the Henderson Street Plan was to create a new residential area free from the intrusion of incompatible land-uses and which are effectively buffered from the nonresidential land uses to the east by a major arterial street.⁶ Although Block 212 is within this boundary delineation, it was not included within the properties to be acquired for demolition and renewal because of its use as a rail right-of-way at the time. The bulk and height requirement for this district is much higher than that of Grove Street NDP. The Henderson Street Redevelopment Plan allowed for heights of 140 feet, and densities of 66 units per acre. However, these heights are not currently found within one block north or south of Sixth Street on Luis Munoz Marin Boulevard. Immediately north of Block 212 and within this redevelopment area is Roberto Clemente Field. Immediately to the south of Sixth Street (on Block 212) are the rear lots of the townhouse units found on Manila Avenue. East of Luis Munoz Marin Boulevard can be found an active commercial area (Wiz, Shoprite and other retail type activities) which serve the local and area residents.

Based on the review of the existing land use conditions and current zoning, each alternative was evaluated as follows:

1. *No Action Alternative.* This alternative interrupts the surrounding neighborhood land-use patterns by separating them with a massive wall barrier in between. The lack of streetscape and maintenance contributes to the blighted feel of the area.
2. *Preservation Alternative.* Concentrating development to the easternmost block, the *Preservation Alternative* can serve to strengthen the bulk, density and use requirements of the Luis Munoz Marin Redevelopment Area.⁷ High rise land use on Block 212 will increase pedestrian activity and

⁴Zoning Chapter 345, From the Code of the City of Jersey City, 1995.

⁵Grove Street NDP Area Redevelopment Plan, 1984. Division of Urban Research and Design, Department of Housing and Economic Development.

⁶Luis Munoz Marin Boulevard (Henderson Street) Redevelopment Plan, 1990. Division of Urban Research and Design, Department of Housing and Economic Development.

⁷The area addressed in the Henderson Street Redevelopment Plan.



serve as a intermediate transition area between the predominantly high- and mid-rise scale of Newport/Pavonia Area and the lower-rise interior blocks surrounding the westerly end of the residential Sixth Street embankment study area. High-rise or Mid-Rise building placement on Block 212 will bring more streetlife to the gateway to Newport/Pavonia. An improved streetscape and dedicated attention to wall maintenance/preservation can partially counterbalance the mass of the embankment wall found along the entire length of the study area.

3. *Build Alternative A.* The proposed one-family and two-family homes are in height and materials consistent with the existing Sixth Street area. The proposed configuration may, in some cases, produce units slightly higher than existing structures on Sixth Street as a result of keeping between 13 to 16 feet of the embankment elevation. However, their placement on two eastern interior blocks (Block 280 and 247) will certainly strengthen the link between the scale and use of the Luis Munoz Marin District and the Sixth Street Embankment Area. It will also create stronger connection between the Harsimus Cove District and Hamilton Park. As reflected in this design option for the one- and two-family homes, the reuse of the embankment wall will create patio space (along Sixth Street) that may enhance street life, adding "eyes along Sixth Street", as well as significantly shield off-street parking, driveways and trash areas from general view.
4. *Build Alternative B.* This alternative will encourage the same gateway transition effects described for the *Preservation Alternative* and *Alternative A*, but will provide a recreational resource for the new and existing residents. An urban park on an interior block would enhance the livability of the neighborhood and would be a major asset for the community. The placement of a mid-rise structure on Block 247 would be compatible with the scale of the nearby historic Stewart Company carpet cleaning factory building and places a higher density concept on the eastern portion, adjacent to existing and proposed higher density project sites.
5. *Build Alternative C.* With more one- and two-family residential units and an urban park to support the new and existing residents of the local area, *Build Alternative C* is the most compatible land use alternative in terms of bulk, height and use. It provides for a great transition in heights, density and bulk from the easternmost sections to the urban infill concepts along the western end of the urban residential neighborhood. However, the park in this alternative may not be optimally located. It may better serve the existing and prospective community by its placement in between one of the blocks with townhouses. However, under this alternative, park placement on the western edge would perhaps accommodate and complement the festivities supported by the church by the removal of the wall along Sixth Street wall.

Build Alternative C, followed by *Build Alternatives A* and *B*, are more effective approaches than the *Preservation Alternative* and the *No-Action Alternative* for strengthening the residential land use characteristics (i.e., height, bulk, use and continuity of urban design) of the neighborhood. However, the effectiveness of *Build Alternatives A* and *B* is truly conditioned upon establishing an active instrumentality for the embankment wall's preservation as well as a design plan and funding scheme to carry out a plan of streetscape improvements and annual operational maintenance improvements.



4.4.2 Residential Population

This section identifies the potential residential population impacts from the various alternatives. Demographic multipliers for the study area in Jersey City have been prepared using the U.S. Bureau of the Census, Public Use Microdata Sample (PUMS), which contains housing unit and person records drawn from the full census sample (i.e., the long form questionnaire). The geographic area used in the PUMS data includes the census tracts of the study area and waterfront within Jersey City.

Two types of demographic multipliers have been derived: 1) household size; and 2) school-age children (between the ages of 5 and 18). Three multipliers have been separately derived based upon three population determining factors: tenure status (owner vs. renter); housing type (townhouse and high rise); and total number of bedrooms.⁸ For the household multipliers, Table 4.4.1 illustrates the degree to which more bedrooms contribute to larger household sizes. Table 4.4.1 also shows that for a given bedroom size, townhouses tend to have more persons than high rises regardless of whether the unit is owned or rented. In most cases, rental units exhibit larger households than owner units for a given housing type.

Table 4.4.2 reports the total number of persons projected by alternative. The largest residential impacts can be expected to occur from *Build Alternative C* (637 persons) followed by *Alternative A* (440 persons). With less development on the interior western blocks, fewer persons are projected with *Alternative B* (381 persons) and the *Preservation Alternative* (270 persons). Assuming *Alternative C*, the total number of persons generated by the project would add .2 percent to the Jersey City's estimated 1996 population of 229,039.

Adding more residents to this urban residential neighborhood should improve the livability and vitality of the larger community. This is particularly true under *Build Alternatives B* and *C* where an urban park provides open space to accommodate new residents. Placing residences on the more western interior blocks as proposed in *Build Alternative C*, in contrast to *Build Alternative B's* embankment wall preservation-in-place, would be a further contributing element to more livable and vital neighborhood. Properly maintained streetscape improvements on the Sixth Street side would be a partial mitigating design feature should embankment preservation-in-place, rather than residences be sited on the more western blocks.

4.4.3 School Children

The total number of school-age children is also projected in Table 4.4.2. As with total persons, more school-age children are expected under *Build Alternative C* (106 children). With more high-rise rental units, *Alternative B* generates nearly as many school-age children as *Alternative A* (71 versus 70 school-age children) despite fewer total residential units. The *Preservation Alternative* generates the fewest school-age children. Even under *Alternative C*, the projected number of school-age children represents less than one-half of 1 percent (.3 percent) of the District's school-children.

Recalling that "school-age children" are, by definition, children between the years of 5 and 18 years, there are 14 separate grade levels covered. Under *Alternative C*, should the generated school-age children be evenly distributed by age, there would be approximately 7 to 8 more children per grade. However, according to PUMS records, approximately 23 percent of the school-age children in this portion of Jersey City attended private or parochial schools. Therefore, the typical public school by grade may have only 5 to 6 more children, under a worst-case *Alternative C*. With multiple classes per grade, the subject project would not

⁸The purpose and validity of demographic multipliers is described in some detail in Burchell and Listokin, *Fiscal Impact Handbook* and *New Practitioner's Guide for Fiscal Impact*. This study updates multipliers based upon more current and available local area data.

Table 4.4.1
Demographic Multipliers for the Study Area in Jersey City

	Owned Townhouse	Owned High Rise	Rental Townhouse	Rental High Rise
Total Household Size				
Studio	NA	1.600	NA	1.214
1 BR	1.695	1.368	2.571	1.484
2 BR	2.792	2.111	3.250	2.711
3 BR	2.944	NA	4.200	3.769
	Owned Townhouse	Owned High Rise	Rental Townhouse	Rental High Rise
School-Age Children				
Studio	NA	0.004	NA	0.0048
1 BR	0.033	0.004	0.143	0.049
2 BR	0.417	0.222	0.168	0.737
3 BR	0.361	NA	1.333	1.000

Notes: "NA" indicates no household data reported for the category.

School Age Children are children between the years of 5 and 18 years, regardless of whether they attend public or private school.

Source: U.S. Bureau of the Census, Public Use Sample, 1990; Louis Berger and Associates, 1999.

Table 4.4.2
Total Units, Persons and School Age Children by Alternative

	Townhouse Units				High Rise/Mid Rise Units				Project Total
	1 BR	2 BR	3BR	Total	Studio	1 BR	2 BR	3 BR	Total
Number of Dwelling Units									
No Action Alternative	0	0	0	0	0	0	0	0	0
Preservation Alternative	0	0	0	0	15	60	60	0	135
Alternative A, High Rise, Townhouse	0	40	20	60	15	60	60	0	135
Alternative B, High Rise, Mid Rise	0	0	0	0	15	75	90	2	182
Alternative C, High Rise, Mid Rise, Townhouse	0	60	30	90	15	75	90	2	272
Total Persons									
No Action Alternative	0	0	0	0	0	0	0	0	0
Preservation Alternative	0	0	0	0	18	89	163	0	270
Alternative A, High Rise, Townhouse	0	112	59	171	18	89	163	0	440
Alternative B, High Rise, Mid Rise	0	0	0	0	18	111	244	8	381
Alternative C, High Rise, Mid Rise, Townhouse	0	168	88	256	18	111	244	8	637
Total School Age Children									
No Action Alternative	0	0	0	0	0	0	0	0	0
Preservation Alternative	0	0	0	0	0	0	44	0	44
Alternative A, High Rise, Townhouse	0	17	7	24	0	3	44	0	71
Alternative B, High Rise, Mid Rise	0	0	0	0	0	4	66	2	70
Alternative C, High Rise, Mid Rise, Townhouse	0	25	11	36	0	4	66	2	105

Note: School Age Children are children between the years of 5 and 18 years, regardless of whether they attend public or private schools.

Source: U.S. Bureau of the Census, Public Use Sample, 1990; Louis Berger and Associates, 1999; Li/Saltzman, 1999.



place an undue burden on the resources of the public school or classroom size.

While none of the alternatives are expected to place an undue burden on capacity and capabilities of city schools, the *No-Action* and the *Preservation Alternative* generate the fewest number of school-children.

4.4.4 Neighborhood Character

When sited, the embankment wall displaced residents and decimated an existing community. Later, as a conduit for freight rail operations and as a massive scale structure, the facility both bisected an urban residential neighborhood and was an intermittent, noisy, intrusive facility. Now, with its bridge spans removed, the structure is without its former rail purpose; its current neighbors recognize that in its current inactive state, the facility is a unique and scarce amenity—passive open space.

Still, it can be argued that the embankment's prior function, its massive scale, current condition and inactive ownership, continue to exact a price upon the surrounding community and the rest of Jersey City. The land use section (Section 4.4.3) as well as the Site View Photos (Section 4.9) identify examples of embankment wall deterioration, inadequate fenestration, adjacent underutilized properties, graffiti, and trash—indicators that the facility is not, *block by block*, an unqualified benefit to residents and property owners.

Several other observations pertaining to safety, urban design and aesthetics were catalogued during the study which reflect upon the neighborhood character:

- Portions of the wall are deteriorating and affect the safety of individuals walking along it.
- The wall's massive scale closes off route options for pedestrians. Without adequate streetscape improvements (e.g., landscaping, benches, proper lighting) along Sixth Street, the wall contributes to zones of isolation. Significant features that can enhance an active streetlife and promote conditions for safety are absent. With the exception of the area between the streets of Brunswick and Monmouth, there is no formal sidewalk along the embankment.
- There are no trash receptacles along the Sixth Street and trash, shopping carts and, occasionally, abandoned furniture collect on a predominantly, non-landscaped greenspace next to the embankment. Graffiti is present on some walls. These are exterior indicators of disorder.
- More positively, the preparation of the *Proposed Sixth Street Redevelopment Plan: Community Consensus Draft*, the pursuit of a certificate of significance from the State Historic Preservation Office (SHPO) regarding the embankment wall's history, and the planting of some trees at the base of the wall are relevant indicators of community interest and activism.
- There is no physical memorial pertaining to the embankment structure, its prior function, its history in the economic life of the city, who built it, the construction's impact on the neighborhood, etc.
- The embankment wall divides Harsimus Cove and Hamilton Park Historic Districts and no landscaping feature, memorial, or other design treatment explains the history or visually integrates the two areas.

Based on the above observations, the following conclusions are drawn with respect to the various alternatives:

- *No-Action Alternative.* The community will not benefit from the *No Action Alternative*. Many of the observations point to the need for active intervention and planned improvements. The *No-Action Alternative* is an inadequate means for embankment preservation over the long-term..
- *Preservation Alternative and Build Alternatives.* Each of the Build Alternatives offers a better prospect for improving neighborhood character with the addition of residential development on the



easternmost block, removing a "no-man's land" between Luis Munoz Marin and Manila Avenue. Regardless of Build Alternative, an important key to enhancing neighborhood character will be identifying a source of funds and agent for one-time and annual streetscape and embankment improvements.

Reviewing the major features of the separate alternatives, other particularly valuable community-enhancing provisions would include the development of a park on or near the mid-interior block (*Build Alternative B*), streetscape improvements along the south side of Sixth Street, embankment wall preservation on the westernmost block (*Preservation, Build Alternatives A and B*), and the retention of at least a portion of the southern embankment wall to shield Fifth Street homes and maintain the existing alleyway. The integration of patios into the reuse of the southern embankment wall for townhouses development offers an engaging way to improve security and vitality to Sixth Street (*Build Alternative A*), but *Alternative C* adds more persons and places a residential streetscape on the more western blocks.

Build Alternatives C and B provide distinct, but significant initiatives capable of improving physical appearance, safety, socioeconomic well-being and social interaction. The *No-Action Alternative* and the *Preservation Alternative* are the least effective at achieving these long-term benefits to the neighborhood.

4.4.5 Inducing Indirect Land Development Effects

The redevelopment plan can directly effect changes in land use within the subject embankment area boundaries. This redevelopment activity can also become an important signal to other private landowners or investors that the subject area's physical conditions will be improving. These non-project redevelopment investments can be deemed "secondary", or induced indirect effects.

- *No-Action Alternative.* The *No-Action Alternative* offers no signal to private landowners or investors about the timing, location or scale of redevelopment. The *No-Action Alternative* fails to create an investment climate of certainty regarding the structure's future. In recent years, the *No-Action Alternative* has not effectively attracted private investment in renovating existing structures or building on adjacent vacant lots. The area along Sixth Street, on the whole, remains in somewhat of a visually challenged state. There are vacant lots scattered throughout both the surrounding neighborhoods and along Sixth Street. The lack of an active project sponsor will lead to the continual physical deterioration of the structure, hence the community does not stand to benefit to the fullest extent.
- *Preservation Alternative and Build Alternatives.* Regardless of Build Alternative, an important key to enhancing neighborhood character will be identifying a source of funds and agent for one-time and annual streetscape and embankment improvements. Streetscape improvements can enhance the area greatly as well as to add to the community's passive open space. Studies have shown that landscape and streetscape improvements made to scale, increase reinvestment within the community. Pedestrian activity also increases as a result of both reinvestment and streetscape improvements. This, in turn, may improve public safety. More eyes on the street often means less opportunity for crime.

Among the Build Alternatives, the *Preservation Alternative* may not be sufficiently strategic in its use of parks or residential development on the interior and western blocks. This alternative may not trigger or induce investments on the western edge of the subject area.



By balancing embankment wall preservation with additional residential development on the interior blocks, *Build Alternatives A and B* offer more potential to induce indirect effects than the *Preservation Alternative*. *Alternative C* most completely transforms the built environment. It is reasonably foreseeable that this latter alternative may best promote additional off-site reinvestment.

4.4.6 Economic Effects

Residential construction will create predominantly regional economic benefits as well as smaller local economic benefits during the construction period. Residential construction will require more construction laborers, materials and supplies than alternatives calling for embankment preservation-in-place.

There is no guarantee that construction requirements will be fully satisfied by local contractors and laborers--although, it is reasonable to anticipate that a portion of such services will be fulfilled by Jersey City residents. However, during the construction period, some on-site laborers will frequent local establishments (e.g., convenience stores, restaurants, service stations) to the benefit of local businesses. These benefits are of a temporary duration. It is reasonably foreseeable that the largest temporary economic benefits would be obtained by the construction of *Build Alternative C* followed by *Alternative A*.

More permanent are the *direct* local economic benefits from the growth of retail customer base due to more residents within the study area utilizing nearby businesses--local neighborhood retail and services, restaurants, grocery stores, and Newport mall businesses. These businesses will, in turn, employ local as well as non-local residents and require supporting goods and services (e.g., electricity, office supplies, inventory, etc.). To satisfy this demand, other local supplier businesses must increase their production (an *indirect* effect) and employees can be expected to consume their wage and salary payments on necessary goods and services (an *induced* effect). This virtuous chain of activity is frequently termed a "multiplier effect". While not fully quantified in this study, it can be reasonably anticipated that the permanent economic effects will be greatest from *Build Alternative C* followed by *Alternative A*. Depending on its scale, purpose and attractiveness, the park development may draw non-local visitors and/or support small local vendors or neighborhood business, by altering pedestrian traffic patterns.

4.4.7 Summary Scoring of Evaluation Measures: Socioeconomic Factors

Table 4.4.3 summarizes the scores for the individual socioeconomic factor evaluation measures by alternative. Considered in aggregate, *Build Alternative C* offers more potential for transformation of the local built environment and generally performs better on socioeconomic measures than any other alternative. *Build Alternative B* performs nearly as well and is preferable to *Build Alternative A* largely due to its inclusion of an urban park. *The No-Action Alternative* and *Preservation Alternatives* are less effective approaches for improving the socioeconomic environment.

Table 4.4.3
Scoring of Evaluation Measures by Alternative
Socioeconomic Measures

	No-Action	Preservation	Alternatives:		
			Build A	Build B	Build C
Land-Use	1	3	4	4	5
Residential Population	1	2	3	4	5
School Age Children	5	4	4	4	3
Neighborhood Character	1	3	4	5	5
Induced Indirect Land Dev. Effects	1	2	4	4	5
Economic Effects	1	3	4	4	5
Socioeconomic Total	10	17	23	25	28

Source: Louis Berger & Associates, 1999.



4.5 Historic Design and Architectural Features

4.5.1 Compatibility of Design with Historic Character

This section evaluates how select architectural and urban design strategies can be adopted to promote the historic character of the surrounding community. Several assumptions have been made in the assessment:

- Preserving the embankment wall is an important strategy for preserving the area's historic character.
- Use of the block as a park, particularly should it incorporate the reuse of embankment walls, is a highly reasonable preservation strategy.
- One-to two-family townhouses, designed to be compatible in height and contextual with its historic neighbors in terms of material, fenestration and rhythm, is an appropriate response, although it introduces new challenges to retaining the area's historic character.
- Mid-rise and high-rise apartment buildings are the least compatible with the area's historic character. While there are existing buildings of similar scale within view of Blocks 247 and 212, the general area is typically low-rise.

The *Preservation* and *Build Alternatives* illustrate different approaches for balancing development objectives and costs with the preservation of the area's historic character. Clearly, leaving the embankment in place—particularly if a dedicated capital and operating source for maintenance is established—maximizes the goal of preserving the historic character of the area, but at some expense to other city, community and development objectives. The project's intent is to establish an equilibrium between preservation and development. Designing new buildings in the historic context of low-scale rowhouses and institutional buildings is a difficult task. The relationship of the new elements to one another as well as to the historic buildings must be evaluated.

Architecturally, maximizing the development at the easternmost block (Block 212), as illustrated by the *Preservation Alternative* and *Alternative A* seem appropriate. Block 212 is the best location for such a building. Only remnants of the embankment wall, in a state of disrepair, remain in Block 212, where the original embankment wall was at its lowest elevation. Block 212 also faces Luis Munoz Marin Boulevard, a major thoroughfare, Newport Mall and a playing field, all of which are of much larger scale than the historic districts.

From a preservation and architecturally contextual perspective, the park, townhouses and retention of the embankment wall are the most successful intervention features. As originally specified for analytical purposes, *Alternative A* does not include a park, but does illustrate how the embankment wall could be retained as part of a townhouse development scheme on some of the interior blocks. By contrast, *Alternative B* identifies a park on Block 280, between Jersey Avenue and Erie Street. This park's placement on this block is somewhat compensatory as *Alternative B* introduces high-rise and mid-rise apartment buildings on successive blocks on the eastern end. The massing of the two buildings on these blocks presents some risk of overwhelming the existing small-scale urban fabric. From a preservation and architecturally contextual perspective, *Alternative A* is preferable to *Alternative B*. With its complete removal of the embankment wall along Sixth Street, *Alternative C* is the least preferable build alternative.



4.5.2 Architectural Treatment of Embankment Wall

The following assumptions and observations guide an evaluation of how successful the various alternative architectural treatments are for preserving the embankment wall:

- Maximizing the preservation of the embankment wall elements is best achieved by preservation-in-place options. The *No-Action Alternative* does not satisfactorily address the need for the wall's maintenance and repair.
- The embankment walls may be incorporated in the design of townhouses (as shown on the attached sketches in Chapter 2), while addressing the requirement for raising the ground floor level above the flood plain. The walls will have to be lowered between 2'-6" to 7'-0", (depending on the variation of existing heights). Ends of the walls will have to be opened for driveways.
- Use of the block as a park will necessitate opening at least one end to allow entrance to the park. The height of the walls may remain unchanged.
- With appropriate soil capping, a terraced park provides an exceptional opportunity to retain the stone and fill materials on-site. The terracing approach would provide an opportunity to "deconstruct" the embankment in order to study, display and interpret its construction history and methods and prior transportation function.
- The mid-rise apartment block may also incorporate parts of the embankment wall, although the wall adjacent to the entranceway may have to be removed.
- The high-rise apartment block, Block 212, has the least extant embankment walls. Fragments could be incorporated as a screen for the two-story garage.

Alternative A is the most successful in maximizing the retention of embankment walls. A hybrid solution combining a park with *Alternative A* would also optimize the integration of the embankment wall in the streetlife of the neighborhood.

4.5.3 Summary Scoring of Evaluation Measures: Historic Design and Architectural Features

Table 4.5.1 summarizes the scores for the individual historic design and architectural features evaluation measures by alternative. The *Preservation Alternative* followed by *Build Alternative A* perform better on Historic Design and Architectural Factors than the other alternatives.



3. Unit rates for site clearing, excavation, utility improvements, pavement, landscaping, embankment improvements, demolition and fencing based on RS Means Environmental Cost Data 1998 and RS Means Heavy Construction Cost Data, 1999.

4. Unit rates for foundations are based on RS Means Assembly Construction Cost Data 1999.

- *Embankment Wall Maintenance and Costs.* Based on the structural engineering analysis performed, the following potential maintenance requirements should be considered as long term responsibilities and liabilities for the embankment structure:

- Monitoring of existing cracks is essential and simplest way for establishing if cracks in the embankment walls cracking are stabilized or still progressing;
- Survey points should be established on the embankment walls to periodically check for any lateral movement, rotation, settlement or crack development;
- Monitoring of leakage through construction joints;
- Periodic removal of vegetation from the top and exposed face of the embankment walls;
- Periodic resurfacing of the top of the embankment walls;
- Periodic grouting of loose stones and impaired joints; and
- Performing a hydraulic analysis of leakage is essential to establish if and where weepholes are required.

The need for annual inspections and reporting would be sufficient to monitor the physical condition of the embankment structure. If necessary, immediate corrective actions will need to be taken based upon recommendations included in these annual inspection reports. The need to address immediate corrective actions—but not the total cost—is reasonably foreseeable at this time. However, typical costs to perform the above referenced monitoring would be \$25,000 to establish survey points, \$10,000 annually to perform inspections, and 10 percent of the embankment structural improvement development costs every 5 years. These periodic maintenance costs have not been included as project costs for this financial returns analysis, although recognition of this long-term commitment of resources has been identified as a factor in the physical factors analysis (see Embankment Wall Stability and Maintenance).

- *Operating Costs.* A profile of operating costs for the multi-story apartments has been derived from operating profiles reported by the Institute for Real Estate Management (IREM).
- *Property Taxes.* Property taxes have been estimated based upon the City's 1998 tax rate \$44.64 and an assessment to true value ratio of 93.74 percent. The baseline scenario does not assume any city tax abatement. Property taxes are projected to rise by 5 percent every five years.
- *Inflation Rate.* Revenues and expenditures are projected to grow at an annual rate of 3 percent.
- *Debt Service.* The baseline assumption assumes the following:
 - an investor will contribute 40 percent in equity and acquire 60 percent in debt capital;
 - the interest rate on the debt is 7.25 percent over a 30 year term;



- **Net Operating Income Analysis.** The analysis is on a cash basis and does not consider the taxable income effects after depreciation and interest rate expense deductions.
- **Internal Rate of Return.** The significant indicator for the private financial returns analysis is the “internal rate of return”. This calculation considers the combined effect of an annual stream of cash flow and the net proceeds of sale of the property in the 20th year. The property is assumed to grow in value at the rate of 5 percent. The investor rate (i.e., the hurdle rate) for discounting future cash stream is 11.75 percent.

4.6.1.2 Summary of Financial Returns by Alternative

To analyze the financial returns, several different scenarios reflecting the uncertainty inherent in financial feasibility analysis at this stage were considered. The various scenarios are described below. Table 4.6.1 compares both the internal rate of return and off-project capital costs.

The off-project costs are a measure of the extent to which extraordinary site preparation costs (e.g., land acquisition, streetscape and open space improvements, embankment structural improvements, remedial investigations and permitting, remedial construction activities, etc.) cannot be absorbed by the project because of an insufficient revenue stream to pay for the capitalized costs of these improvements.

- **Scenario #1** -- This baseline scenario identifies the fact that the remedial site costs exceed the current asking price for the embankment. The scenario assumes that the developer is free and clear of the remediation and purchase of land costs.
- **Scenario #2** -- Compared to Scenario #1, this scenario further assumes that other major site preparation costs, open space and embankment structural improvements would not be absorbed by the project. The heavy off-project costs may, in part, be paid for through a tax incremental financing or brownfields financing approach; property tax payments are made, but they are put toward absorbing some of the extraordinary site preparation costs.
- **Scenario #3a** -- Compared to Scenario #2, this scenario further assumes that the City extends a tax abatement, thereby improving the financial return by reducing the annual operating costs for the high and mid-rise structures. The tax abatement assumes 2 percent of the project costs.
- **Scenario #3b** -- Compared to Scenario #3a, this scenario further assumes that the baseline estimate of construction costs are too high by 10 percent.
- **Scenario #3c** -- Compared to Scenario #3b, this scenario reflects lower permanent interest rates for the mid-rise and high rise buildings.
- **Scenario #4** -- Compared to Scenario #3a, this scenario relies upon the baseline estimates for permanent interest rates and the cost of construction, but market demand is sufficient for somewhat higher density building configuration, adding an additional studio, without adverse effects to rent levels.

Table 4.6.1 illustrates that without significant off-project sources of funding, neither the *Preservation Alternative* nor any of the *Build Alternatives* display promising financial returns. This initial conceptual analysis indicates that the net operating income is insufficient to absorb the significant site preparation costs. Several caveats and conclusions follow:

Table 4.6.3
Scoring of Evaluation Measures by Alternative
Development Economic Measures

	Alternatives:			
	No-Action	Preservation	Build A	Build B
Private Financial Returns	1	3	3	3
New Taxable Value	1	2	4	2
Development Economics Total	2	5	7	5
				8

Source: Louis Berger & Associates, 1999.



4.7 Summary of the Evaluation of Alternatives

This chapter has evaluated an array of historic resource, architectural and aesthetic, engineering, environmental, socioeconomic, and development economic factors. The scores for the major evaluation factor categories are summarized in Table 4.7.1 and compared by alternative.

The table illustrates that the *Build Alternatives A, B and C* are more worthy of further consideration than the *Preservation Alternative* or the *No-Action Alternative*. The difference between the Build Alternatives, in terms of their composite scores, is not great. However, the various Build Alternatives can be differentiated by their ability to satisfy certain objectives represented by the assessment categories.

For example, *Build Alternative C* promotes a redevelopment strategy that can more completely transform the local built environment, offering both direct and indirect means for inducing positive socioeconomic growth and change. From an engineering perspective, the alternative requires less commitment of resources for long-term maintenance of the wall and more potential to remediate stormwater and aesthetic issues surrounding utilities. The scale of development activity, however, will create disturbances during the construction phase and also remove significant elements of the embankment wall (as expressed by the design option) to the detriment of those favoring preservation options. Site preparation costs are substantial, requiring significant off-project capital funding in order to create positive financial returns. Once constructed, the incremental increase in taxable valuation is greater under this alternative, perhaps offering a potential means for repayment of some off-projects costs.

Build Alternative C also may provide a sub-optimal approach to park development compared to *Build Alternative B*. Park development within an interior block would offer a valuable community amenity and combined with creative urban park design (e.g., "deconstructing" the embankment wall through terracing) there is an opportunity to document the monumentality and importance of the embankment in the city's economic life and social history. Properly rendered, the park can be a further stabilizing feature within the neighborhood.

In the absence of off-project capital funding, one or more of the western interior blocks may be more suitable for embankment preservation-in-place uses as a means for mitigating adverse impacts and as an approach to controlling project costs. Under these conditions, elements of *Build Alternative A* and *Build Alternative B* may be preferable. These two alternatives reflect more preservation, but are probably less effective at creating the conditions for redevelopment investment such as improving the physical appearance of the neighborhood, removing barriers to safety and improving other elements of socioeconomic well-being.

As intended, the alternatives illustrate many of the trade-offs and choices inherent in each redevelopment strategy. Through the evaluation process, it has been concluded that there are features of each alternative (e.g., uses, design choices, etc.) that are more and less preferable in terms of satisfying various feasibility issues. Therefore, a "hybrid" alternative reflecting preferred features, *block-by-block*, is an important precursor to devising a recommended redevelopment plan as well as for communicating with prospective redevelopers and interested stakeholders about key issues, goals and major assets to be protected.

Table 4.7.1
Scoring of Evaluation Measures by Alternative
Composite Total -- Summary of Evaluation Measures

	Alternatives:				
	No-Action	Preservation	Build A	Build B	Build C
Historic Factors	5.00	8.00	8.00	9.50	4.00
Physical Factors	10.0	11.0	12.0	12.7	14.3
Environmental Factors	12.0	15.3	15.3	15.3	13.3
Socioeconomic Factors	10.0	17.0	23.0	25.0	28.0
Historic Design & Architectural Features	6.3	8.7	7.7	7.3	5.5
Development Economic Factors	2.0	5.0	7.0	5.0	8.0
Composite Total	40.3	65.0	73.0	74.8	73.2

Source: Louis Berger & Associates, 1999.



4.8 Conclusions and Recommendations: Block by Block

The establishment of study alternatives and concept-level designs provided an important set of definitions and assumptions for the feasibility evaluation conducted in Section 4.0. This chapter has evaluated an array of historic resource, architectural and aesthetic, engineering, environmental, socioeconomic, and development economic factors for the five alternatives. The alternatives and design options are a tool for exploring and identifying major opportunities and critical issues, and for establishing preferable design choices and guiding principles for redevelopment.

Based on the alternatives evaluation, this section concludes on a *block-by-block* basis what should be the major goals, preferred design choices and guiding principles for redevelopment. Critical areas and issues as well as less critical areas where more flexibility should be encouraged are identified.

These conclusions and recommendations provide a foundation for the recommended plan provisions and standards that should be included in the Sixth Street Railroad Embankment Redevelopment Plan District (see Section 5.1, Redevelopment Plan--Provisions and Standards). Section 5.0, Implementation Plan, also identifies other strategies and actions to move the redevelopment process forward. A project of this complexity will require significant flexibility and coordination with other parties (e.g., private developer, Historic Preservation Office, other stakeholders) in the design and treatment of building concepts, park and urban design, reuse of materials, and public-private partnerships (e.g., grants, tax abatements, write-downs, etc.).

Block 212 - Luis Munoz Marin Boulevard to Manila Avenue

- *Preferred Residential Use and Density.* The block enjoys exceptional pedestrian access to PATH at Newport. High rise land use on Block 212 will increase pedestrian activity and serve as a intermediate transition area between the predominantly high- and mid-rise scale of Newport/Pavonia Area and the lower-rise interior blocks surrounding the westerly end of the residential Sixth Street embankment study area. High-rise or Mid-Rise building placement on Block 212 will bring more streetlife to the gateway to Newport/Pavonia.

Based on a review of the site's building envelope (i.e., setbacks), parking requirements, and appropriate bedroom mixes, the block can reasonably accommodate:

- 135-dwelling units;
 - a ground floor lobby, 15 residential stories, a penthouse, and two levels of parking;
 - approximately 11,520 SF of buildable area per floor; and
 - 135 off-street parking spaces via a two-level structure and surface parking lot.
- *Design Features.* Pedestrian ingress/egress from Sixth Street should be encouraged. Vehicular access to the building and parking areas can be accommodated via Luis Munoz Marin Boulevard and placed along the southern side of structure. Landscaping and/or berming would shield the driveway to the adjacent residential development. Some form of landscaping, buffering or fenestration should be used to shield parking areas, parking garages and entrance ways from view.
- *Historic Preservation Issues.* Block 212 contains the smallest and only seriously deteriorated section of the six-block embankment. It was determined that reconstruction of the embankment on this block was neither feasible nor prudent from many perspectives, including historic preservation. The scale



- *Historic Preservation Issues.* Only one of the four developments--the Preservation Alternative--retains the historic embankment on this block. The remaining development alternatives include construction of townhouses or creation of a park on this block. Block 280 is adjacent to both the Hamilton Park and Harsimus Cove Historic Districts. Two design options for the townhouses have been presented, one that incorporates portions of the historic embankment wall along Sixth Street as terraces for the one-family and two-family units. The other plan requires total removal of the embankment along Sixth Street; however, the units which face directly on Sixth Street have features and design elements that are sensitive to the aesthetics of the proximate historic district resources. The park proposed for this block in Alternative B provides an opportunity to interpret the history and construction of the embankment as well as the adjacent historic districts. The park design that has been presented preserves most of the embankment walls, removing portions of the fill behind the walls to create a terraced park enclosure.
- *Parks and Open Space.* The park as described under Alternative B is preferred for this block. The park design preserves most of the historic railroad embankment walls, deconstructing it from the interior to create terraced spaces with differentiated functions. This design will facilitate appreciation for and interpretation of the history of the embankment and encourage the community to interact with it as an active recreational site, rather than a passive open space element of the streetscape. Streetscape improvements are also proposed for the exterior of the embankment wall facing Sixth Street to continue the passive recreational opportunities of a potential landscaped promenade.

This park concept is an essential community-building asset and a unique way of preserving the embankment stones and commemorating the engineering achievement, former rail use and history of Jersey City's industrial age. This park concept is equally suitable for alternate interior blocks (e.g., Blocks 317.5 and 354.1). This park concept should be a required use in association with residential development.

- *Physical Factors.* Maintaining the embankment structure, to the extent practicable, as a buffer to the properties fronting along Fifth Street would be an essential consideration for any residential use. Jersey City or a prospective developer would have to evaluate the market value of any residential use to determine the need to create frontage along Sixth Street versus maintaining elements of the embankment wall for its historic value, privacy and security.
- *Environmental Constraints.* Terracing a park for public recreation use would minimize carting costs for this block.

Block 317.5 - Jersey Avenue to Coles Street

- *Preferred Residential Use and Density.* One and Two Family Townhouses should be permitted on this block. By encouraging 20-foot width lots and an approximate mix of One and Two Family homes, this block would yield approximately 30 units.
- *Historic Preservation Issues.* Three of the four development alternatives retain the historic embankment on this block, as well as the two more blocks further west. This decision was made in part because of the costs of removing, carting, and disposing the stone and fill, as well as a respect for the wall's historic and aesthetic character. It may be questioned whether retaining the embankment on all three of these blocks is necessary to convey the integrity of and interpret this historic resource. Alternative C illustrated that townhouse development on this block can be designed for a context adjacent to both the Hamilton Park and Harsimus Cove Historic Districts.



- *Parks and Open Space.* The park designed for Block 280 under Alternative B could alternatively be built on Block 317.5, adjacent to or in place of townhouse developments proposed for interior blocks of the Sixth Street Embankment. All of the project alternatives include streetscape improvements along Sixth Street to develop this area as an attractive open space and landscaped promenade.
- *Physical Factors.* Maintaining the embankment structure, to the extent practicable, as a buffer to the properties fronting along Fifth Street would be an essential consideration for any residential use.
- *Environmental Constraints.* Terracing a park for public recreation use would minimize carting costs for this block.

Block 354.1 - Coles Street to Monmouth Street

- *Preferred Residential Use and Density.* One and Two Family Townhouses should be permitted on this block. By encouraging 20-foot width lots and an approximate mix of One and Two Family homes, this block would yield approximately 30 units.
- *Historic Preservation Issues.* As with Block 317.5, three of the four development alternatives retain the historic embankment on Block 354.1, as well as on the adjacent blocks. This decision was made in part because of the high costs of removing, carting, and disposing the embankment's stone and fill, which increase with each block from east to west due to the height of the embankment. However, Alternative C illustrated that townhouse development on this block can be designed appropriately for a context near both the Hamilton Park and Harsimus Cove Historic Districts and across from Holy Rosary Church.
- *Parks and Open Space.* The park designed for Block 280 under Alternative B could be built on another interior block, such as Block 354.1. As with the other blocks, all of the project alternatives that have been considered include streetscape improvements along Sixth Street to develop this area as an attractive open space and landscaped promenade.
- *Physical Factors.* Disturbances to the quality of life along this block would be difficult construction issue for Jersey City or a prospective developer. Additional site preparation costs (i.e. roadway and open space improvements) may be necessary to gain community approval of any redevelopment scenario.
- *Environmental Constraints.* Terracing a park for public recreation use would minimize carting costs for this block.



Block 389.1 - Monmouth Street to Brunswick Street

- *Preferred Residential Use and Density.* No residential use should be permitted for this block.
- *Historic Preservation Issues.* As with Blocks 317 and 354.1, three of the four development alternatives retain the historic embankment on Block 389.1. This appears to be the most appropriate use of this block, given both the high costs of removing, carting, and disposing the stone and fill, the dramatic appearance of this feature at the western end of the project area, and the use of the embankment as passive open space by Holy Rosary Church and the residents of a senior housing project across the street. Recognizing the need to maintain this block for some recreational use, Alternative C considered a park on this block.
- *Parks and Open Space.* Alternative C included a park design for Block 389.1 that removed the embankment with the exception of the southern wall facing the alley. However, preservation of the entire embankment on this block is considered a better choice, as the site is already used as passive open space by the nearby church and community. It is recommended that this portion of the embankment should be preserved and steps taken to interpret and memorialize the local railroad history at this location, partly because this block contains the most dramatic and one of the best preserved sections of the embankment. As with all of the other blocks, the project alternatives all include streetscape improvements along Sixth Street to develop this area as an attractive open space and landscaped promenade.
- *Physical Factors.* Design considerations would need to be implemented for residential redevelopment to minimize hazards from periodic flooding and settlement as a result of decomposing organic materials.
- *Environmental Constraints.* The magnitude of the embankment structure on this block will engender burdensome demolition and carting costs to support residential and park uses. One unique advantage for this block would be the access to an open staging area on the adjacent block west of the project corridor.



4.9 Site Photo Views

This section presents site photos and captions that highlight several of the local assets, key issues and challenges involved in redevelopment of the Sixth Street Railroad Embankment area.

TAB 12



510 Thornall St., Suite 390
Edison, NJ 08837
(732) 906-3015 - voice
(732) 549-7926 - fax

December 21, 2001

Jerome M. Killeen
Jersey City Redevelopment Agency
30 Montgomery Street
Jersey City, NJ 07302

Re: Case 72931, Jersey City, Hudson County, NJ – Proposed sale of former
Conrail Right of Way along 6th Street from just west of Newark Avenue
to Luis Munoz Marin Boulevard

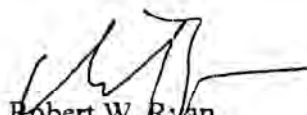
Dear Mr. Killeen:

Consolidated Rail Corporation is considering sale of 6.2 acres, more or less, of property described on the attached Exhibit A and shown on the accompanying Case Plan dated December 21, 2001. Our records indicate that you have previously expressed an interest in purchasing this property. It is the purpose of this letter to clarify whether you are still interested, and if so, whether you are willing to proceed under the terms and conditions to follow. If we have no affirmative response from you by January 31, 2002, we will assume you are no longer interested in the property.

We will recommend sale of the 6.2 acres, more or less, to the qualified buyer who is willing to submit its highest and best offer, at a minimum consideration of \$3,000,000., in a sealed bid which must be received by close of business on February 28, 2002. Conrail, in its sole judgment, reserves the right to reject any and all offers. Conrail will quitclaim whatever right, title and interest we have in this property, with all expenses of sale, including survey and title costs, being the responsibility of Purchaser. The property will be sold "as is" using our standard sale document package. A due diligence period of 60 days will be permitted for the successful bidder to perform any necessary due diligence activities it may deem necessary. The property sale will be subject to Conrail Board of Directors final approval and must close by June 30, 2002.

If you are interested in proceeding along the lines outlined above, please advise and we will arrange to produce the sale document package and send it to you for execution and submission of your bid. We expect the document packages to be mailed out during the week of January 7, 2002. If you have any questions, please do not hesitate to let us know.

Sincerely,


Robert W. Ryan
Director, Real Estate

UNITED STATES POSTAL SERVICE

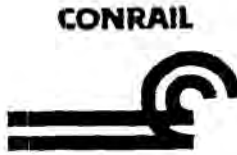


First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Bob Ryan
Lynch
510 Hickory St # 391
Edison NJ

7002 0320 0000 0548 6257



510 Thornall St., Suite 390
Edison, NJ 08837
(732) 906-3015 - voice
(732) 549-7926 - fax

October 24, 2002

Office of the Executive Director
Jersey City Redevelopment Agency
30 Montgomery Street
Jersey City, NJ 07302

Re: Case 72931, Jersey City, Hudson County, NJ - Proposed sale of former
Conrail Right of Way along 6th Street from just west of Newark Avenue
to Luis Munoz Marin Boulevard

Dear Executive Director:

Consolidated Rail Corporation is considering the sale of 6.2 acres, more or less, of land and any improvements thereon, as described on the attached Exhibit A and shown on the accompanying plan dated October 18, 2002 (the "Property"). Our records indicate you have previously expressed an interest in purchasing this Property.

We will recommend sale of the 6.2 acres, more or less, to the qualified buyer who is willing to submit its highest and best offer, at a minimum consideration of \$3,000,000, in a sealed bid which must be received by close of business on January 21, 2003. Conrail, in its sole judgment, reserves the right to reject any and all offers. The successful bid will be subject to final review and approval by Conrail's Board of Directors and, if approved, must close by June 30, 2003.

Conrail will quitclaim its right, title and interest in this Property, with all expenses of sale, including survey, title, and due diligence costs, being the responsibility of the successful bidder. The Property will be sold "as is" using Conrail's standard sale document package, which is enclosed. A reasonable due diligence period will be permitted for the successful bidder to perform any necessary and agreed upon due diligence activities following signature of an Agreement of Sale by Conrail. The successful bidder will be required to execute Conrail's standard temporary license prior to entering upon Conrail's Property for such purposes.

Attached you will find instructions for submitting a sealed bid for our review and consideration. Please follow the instructions carefully and return your sealed bid in the envelope provided therefor. If you have any questions, please do not hesitate to let us know. Thank you for your interest in Conrail's Property.

Sincerely,

Robert W. Ryan
Director, Real Estate

UPS 2nd Day Air
Shipping Document

See instructions on back. Call 1-800-PICK-UPS (800-742-5877) for additional information.

TRACKING NUMBER 1Z 083 34X 37 1000 145 9

SHIPMENT FROM

SHIPPER'S UPS ACCOUNT NO.

08334X

REFERENCE NUMBER

Case # 71351

#201

NAME

TELEPHONE 732-906-3010

COMPANY

CONRAIL/REAL ESTATE

STREET ADDRESS

510 THORNALL ST STE 390

CITY AND STATE

EDISON

NJ

ZIP CODE

08837

2 DELIVERY TO

NAME

TELEPHONE

Robert Ryan (732) 906-3015

COMPANY

Conrail

STREET ADDRESS

510 Thornall St #390

DEPT./FLR

CITY AND STATE

Edison N.J.

ZIP CODE

08837



3	WEIGHT	WEIGHT ENTER LTR	WEIGHT	WEIGHT	SHIPPER'S COPY 2
	LTR				

4	2ND DAY AIR CHARGE		\$
	OPTIONAL SERVICES	☐ SATURDAY PICKUP ☐ INSURED VALUE ☐ C.O.D. ☐ An Additional Handling Charge applies for certain items. See instructions.	\$ \$ \$ \$
	5	ADDITIONAL HANDLING CHARGE	\$
	6	TOTAL CHARGES	\$

7	METHOD OF PAYMENT	☐ BILL SHIPPER ☐ BILL RECEIVER ☐ BILL THIRD PARTY ☐ CREDIT CARD ☐ American Express ☐ Discover ☐ MasterCard ☐ Visa
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8	RECEIVERS / THIRD PARTYS UPS ACCT NO. OR MAJOR CREDIT CARD NO.	EXPIRATION DATE

THIRD PARTYS COMPANY NAME

STREET ADDRESS

CITY AND STATE	ZIP CODE

9	SHIPPER'S SIGNATURE	DATE OF SHIPMENT
	X	

0201911252609 11/00 W

UPS 2nd Day Air
Shipping Document

See instructions on back. Call 1-800-PICK-UPS (800-742-5877) for additional information.

TRACKING NUMBER 1Z 083 34X 37 1000 164 6

SHIPMENT FROM

SHIPPER'S UPS ACCOUNT NO.

08334X

REFERENCE NUMBER

Case # 71351

#201

NAME

TELEPHONE 732-906-3010

COMPANY

CONRAIL/REAL ESTATE

STREET ADDRESS

510 THORNALL ST STE 390

CITY AND STATE

EDISON

NJ

ZIP CODE

08837

2 DELIVERY TO

NAME

TELEPHONE

Executive Director (201) 547-4876

COMPANY

Jersey City Redevelopment

STREET ADDRESS

30 Montgomery St.

DEPT./FLR

CITY AND STATE

Jersey City N.J. 07302

ZIP CODE

07302



3	WEIGHT	WEIGHT ENTER LTR	WEIGHT	WEIGHT	SHIPPER'S COPY 2
	Pkg				

4	2ND DAY AIR CHARGE		\$
	OPTIONAL SERVICES	☐ SATURDAY PICKUP ☐ INSURED VALUE ☐ C.O.D. ☐ An Additional Handling Charge applies for certain items. See instructions.	\$ \$ \$ \$
	5	ADDITIONAL HANDLING CHARGE	\$
	6	TOTAL CHARGES	\$

7	METHOD OF PAYMENT	☐ BILL SHIPPER ☐ BILL RECEIVER ☐ BILL THIRD PARTY ☐ CREDIT CARD ☐ American Express ☐ Discover ☐ MasterCard ☐ Visa
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8	RECEIVERS / THIRD PARTYS UPS ACCT NO. OR MAJOR CREDIT CARD NO.	EXPIRATION DATE

THIRD PARTYS COMPANY NAME

STREET ADDRESS

CITY AND STATE	ZIP CODE

9	SHIPPER'S SIGNATURE	DATE OF SHIPMENT
	X	10/24/02

0201911252609 11/00 W

TAB 13



JERSEY CITY REDEVELOPMENT AGENCY

October 28, 2002

Inter-Office Memorandum

TO: Mark Munley, Director HEDC

FROM: Barbara A. Netchert, Acting Executive Director 

SUBJECT: 6th Street Embankment (Conrail ROW)

As mentioned in our Staff Meeting of this morning, attached for your information and perusal is the bid solicitation letter received from Conrail with regard to the above property. Minimum bid price is \$3,000,000. I know the JCRA is not interested in bidding on this property. I presume that the City has no interest either at this point but felt you should see the attached. Should you wish to see the balance of the package referred to in the letter, just let me know.

Thanks.

cc: Sandy Greenberg
Bob Cotter