

MA9 Sec 41

960129-DEP3



James E. McGreevey  
Governor

State of New Jersey  
Department of Environmental Protection  
Land Use Regulation Program  
Bureau of Tidelands Management  
P. O. Box 439  
Trenton, New Jersey 08625-0439  
Tel. # 609-292-2573  
Fax. # 609-633-6493

Bradley M. Campbell  
Commissioner

February 4, 2004

Mr. Robert Templeton  
Special Projects Section  
NJ DOT  
PO Box 600  
Trenton, NJ 08625-0600

RE: NJ DEPT. TRANSPORTATION, tidelands license, Elizabeth River, US Route 1 & 9; Parcels TE14A, TE14B & TE14C, Elizabeth, Union County

FILE: #01-0203-T

Dear Mr. Templeton:

The Tidelands Resource Council at its meeting on February 4, 2004 approved the issuance of a 7 year license (lease) at a consideration of \$200.00 per annum plus a charge of \$100.00 for the processing of this application.

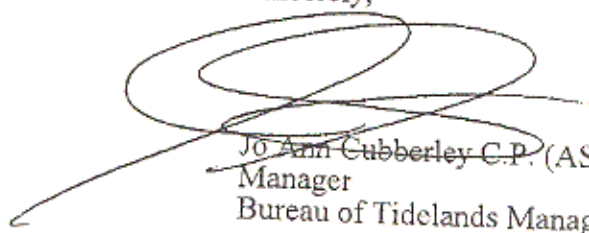
The action of the Council is not official until the minutes of the meeting are fully approved. However, we understand you wish to expedite this license. Therefore, in accordance with the action taken above, please forward to this office the following checks, made payable to the Treasurer - State of New Jersey:

- (1) \$200.00 representing payment of the license (lease) consideration for the first year.
- (2) \$100.00 representing the license (lease) instrument processing fee.

Separate checks are required for accounting purposes. Please send these checks to the attention of the Bureau of Tidelands Management at the above address.

Upon receiving the checks, the license (lease) will be processed for delivery.

Sincerely,



Jo Ann Cubberley C.P. (ASPRS)  
Manager  
Bureau of Tidelands Management

## Elizabeth River Viaduct - Rts 1&9 (4T)

### Following email text regarding NJ DEP Green Acres approval:

>>> "Daniel Bernier" <dbernier@ucnj.org> 9/25/2003 12:51:49 PM >>>

Please be advised that the New Jersey State House Commission met this morning and approved our Green Acres diversion request to exchange County park land in Elizabeth River Park with NJDOT to allow for the reconstruction of the Route 1&9 Elizabeth River Viaduct. We will be giving up 3 small parcels, totaling 0.17 acres in area, which are barely recognizable as parkland. In return, we will be receiving 1.26 acres along the Elizabeth River that is currently occupied by the City of Elizabeth's Public Works yard. NJDOT will clean up any contamination on the property, remove all existing structures, and landscape the property to our specifications. Though the property seems a little too tight to accommodate any type of playing field beyond a small soccer field, it can certainly be landscaped with native plants and allowed to function as an extension of the river corridor property that we already own immediately upstream, and thereby advancing the Olmsted linked greenways concept.

I expect that it will be a while before the actual release of Green Acres restrictions is processed and deeds are exchanged, and even longer (3-4 years) before the property is converted to recreation or open space use. But the net result is another 1.09 acre of open space added to the County's inventory, at absolutely no cost to the County taxpayer.



State of New Jersey  
STATE HOUSE COMMISSION  
STATE HOUSE  
TRENTON NJ 08625

MEMORANDUM

DATE: September 22, 2003

TO: Regena L. Thomas, Secretary of State

FROM: Edward R. McGlynn, Esq., Secretary  
State House Commission

SUBJECT: MEETING NOTICE

As stated to you previously, and pursuant to the Open Public Meetings' Act, there will be a State House Commission meeting on Thursday, September 25, 2003 at 9:00 a.m. in Committee Room 14, on the fourth floor of the State House Annex.

Attached is an agenda for this meeting. Please note, the Commission may also take action on any other matters that may come before it.

/j  
Attachment

c State House Press Row

Post-it® Fax Note 7671		Date	1/30/04	# of pages	9
To	Chris Montez or Nancy Adrian	From	Mike Heenehan		
Co./Dept.	NJDOT	Co.	NJDEP - Green Acres		
Phone #	5-3469	Phone #	4-0934		
Fax #	5-5787	Fax #	4-0608		

## STATE HOUSE COMMISSION MEETING AGENDA

September 25, 2003 - 9:00 A.M.

Committee Room 14, Fourth Floor, State House Annex, Trenton, NJ

### CALL TO ORDER:

- Chief Counsel to the Governor Michael R. DeCoris  
(on behalf of Governor James E. McGreevey)
- Deputy State Treasurer Robert L. Smartt  
(on behalf of State Treasurer John E. McCormac, CPA)
- Director of the Office of Management & Budget Charlene M. Holzbaur
- Senator Bernard F. Kenny, Jr.
- Senator Walter J. Kavanaugh
- Assemblyman Anthony Improveduto
- Assemblyman Michael J. Doherty

### OLD BUSINESS:

- OK 1. Approval of the June 23, 2003 State House Commission meeting minutes.
2. Park Name: Lighthouse Center for Natural Resource Education, Block 241.12, Lots 16.03, 17.02 & 18, Waretown, Ocean County

OK  
Requesting Party: The New Jersey Department of Environmental Protection, Division of Fish and Wildlife, requests approval to extend the lease term to 20-years with the Natural Resource Education Foundation of New Jersey, Inc. ("Foundation") for the development and administration of the Lighthouse Center for Natural Resource Education. A 5-year lease was approved by the State House Commission on December 13, 2001.

Terms: The property was a former residential camp for the visually impaired and consists of a dining hall, recreation hall, staff apartments, indoor pool, two suites that each sleep 24, classroom facility, 7 sleeping cabins, caretaker's cottage, director's cottage, boat house, garage, two storage buildings and an enclosed maintenance yard for large machinery, and a fishing pier with covered pavillon. Compensation will be \$1.00 per year plus substantial in-kind services to be provided by the Foundation and shall include the preservation, maintenance and restoration of the structures, equipment and machinery as well as the establishment and administration of educational programs designed to interpret the historical, cultural and environmental significance of the Barnegat Bay.

- OK 3. Park Name: Anderson Creek Marsh, Block 18, Part of Lot 2, Town of Secaucus, Hudson County

Requesting Party: The New Jersey Department of Environmental Protection, on behalf of the New Jersey Meadowlands Commission ("NJMC"), requests approval to increase the amount of parkland to be conveyed to New Jersey Transit for the

September 25, 2003 State House Commission Meeting Agenda  
 Page 9

Terms: Annual compensation will be \$48.95 and will be increased every five years according to the State Farmland Evaluation Advisory Committee. Provided that no event of default has occurred and is continuing, tenant may request the lease term be renewed for an additional five-year period by giving landlord written notice of tenant's request to renew together with a Conservation Management Plan.

27. Park Name: Ringwood State Park & Shephard Lake Recreation Area, Block 1000, Lot 2, Ringwood, Passaic County

OK

Requesting Party: The New Jersey Department of Environmental Protection, Division of Parks and Forestry requests approval to enter into a 20-year lease with Mansion Caterers, Inc. for use of the Skylands Manor House and Chapel. Mansion Caterers, Inc. will operate the Skylands Manor house as a bed and breakfast, conference center, full service restaurant and catering facility. The Chapel will be rented for weddings and other ceremonies.

Terms: Annual compensation is a minimum fixed amount of \$100,000, including 15% of the total gross revenue over \$2,300,001. Mansion Caterers, Inc. has made significant capital improvements of approximately \$880,000 to date (with an additional \$1.3 million investment to be made within the year to complete renovations) to upgrade this State and National Historic Registered Structure. These upgrades have improved the facilities and the annual income derived from this lease is directly returned to Ringwood State Park for operating and maintenance costs.

28. Park Name: Charles Street Park, Block 72, Part of Lot 9, City of Linden, Union County

OK

Requesting Party: The New Jersey Department of Environmental Protection, on behalf of the City of Linden, requests approval to allow the transfer of 0.17 acre of Charles Street Park to an adjacent church. The area proposed for disposal was inadvertently leased to the church 18 years ago and is used by the church as a parking lot.

Terms: As compensation, the City of Linden proposes to dedicate for conservation and recreation purposes a 2.69-acre municipally owned parcel. The new park will be known as Munsell Avenue Park. Recreational facilities are planned for the park to replace the half court basketball facility that existed on Charles Street Park at the time of the lease to the church. A public hearing was held on May 20, 2003 with one person asking logistical questions.

29. Park Name: Elizabeth River Parkway, Pruden Section, Block 6, Lots 1328A & 1310; Block 9, Lot 1169B, City of Elizabeth, Union County

OK

Requesting Party: The New Jersey Department of Environmental Protection, on behalf of the County of Union, requests approval to convey 0.172 acre in fee and 0.313 acre in easements from the Elizabeth River Parkway to the New Jersey Department of Transportation ("NJDOT") in connection with the replacement of the Routes 1 and 9 viaduct over the Elizabeth River.

Terms: A public hearing was conducted on July 24, 2003 with no one speaking in opposition. Two people commented that the cleanup of the proposed replacement land should be solely the responsibility of the City of Elizabeth.

As compensation, the NJDOT will acquire and convey to Union County as replacement land the 1.26-acre City of Elizabeth maintenance yard. The proposed replacement land is located along the Elizabeth River in the same area as the viaduct project. The City's maintenance yard will be relocated to the NJDOT maintenance facility located elsewhere in the City. The replacement land is currently undergoing remediation by the City for soil contamination due to leakage from removed underground storage tanks. The City will clean the site, including the continuation of the soil vapor extraction and air sparging treatment systems, until such time as the groundwater samples comply with NJDEP standards. The NJDOT will demolish the existing buildings and excavate, remove and replace the top two feet of the existing soil. The addition of this parcel to the Elizabeth River Parkway will provide new open space in an urban area and adjacent to existing parkland. The value of the parcels to be conveyed to the NJDOT was established at \$900; the proposed replacement land is valued at \$634,100. The final acreage involved in this project is subject to change due to site conditions, but such changes will not exceed twenty percent of the proposed acreage.

30. Park Name: Delaware & Raritan Canal State Park, Block 1, Lot 5, Borough of South Bound Brook, Somerset County

*JK*  
~~Requesting Party: The New Jersey Department of Environmental Protection, Division of Parks and Forestry, requests approval to grant a 0.373-acre subsurface easement to Elizabethtown Water Company for the construction of a 72-inch transmission main under the Delaware and Raritan Canal State Park.~~

Terms: As compensation, Elizabethtown Water Company proposes to construct the following improvements:  
Rehabilitation of the existing dilapidated railroad bridge over the canal to provide another access point to the Canal Park, including removal and replacement of rotted ties, installation of a wooden deck for bicycle and pedestrian traffic and construction of a handrail of appropriate historical character.  
Construction of 30 feet of 10-foot high chain link fence to isolate the dilapidated Raritan River Conrail Bridge from the Canal Park.  
Construction of a 12-car gravel parking lot at 5-Mile Lock.  
Installation at Rockingham State Park of a water meter and associated piping in lieu of a water meter chamber.  
The estimated value of these improvements, including the estimated \$20,000 savings to the State in connection with the installation of the water meter, is \$61,000.

31. Park Name: Delaware & Raritan Canal State Park, City of New Brunswick, Middlesex County

*OK*  
Requesting Party: The New Jersey Department of Environmental Protection requests approval to convey a 30-foot wide permanent raw water pipeline easement across the Delaware & Raritan Canal State Park to the Middlesex Water Company.

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
GREEN ACRES SHC APPROVAL SUMMARY SHEET

PARK NAME: Elizabeth River Parkway, Pruden Section

PARK OWNER: County of Union

COUNTY: Union

MUNICIPALITY: City of Elizabeth

REASON FOR

REQUEST: Disposal  Block 6, Lots 1328A and 1310; Block 9, Lot 1169B  
Acre(s): 0.172 +/- acre fee  
0.313 +/- acre easements  
Value: \$900

COMPENSATION:

Land  Block: 9 Lot: 543E3  
Acres: 1.26  
Value: \$634,100

PUBLIC HEARING:

Date: July 24, 2003

Comments: No public opposition.

APPLICABLE STATUTE: N.J.S.A. 13:8A-47(b)

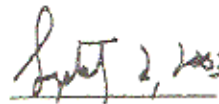
COMMENTS:

The New Jersey Department of Environmental Protection, on behalf of the County of Union, requests approval to allow the conveyance of 0.172 acre in fee and 0.313 acre in easements from the Elizabeth River Parkway to the New Jersey Department of Transportation in connection with the replacement of the Routes 1 and 9 viaduct over the Elizabeth River.

APPROVAL:

I, Bradley M. Campbell, Commissioner of the Department of Environmental Protection, approve this request in accordance with the provisions of N.J.S.A. 13:8A-47(b) and N.J.A.C. 7:36.

  
\_\_\_\_\_  
Bradley M. Campbell  
Commissioner

  
\_\_\_\_\_  
Date

JAN 30 2004 15:22 FR GREEN ACRES PROGRAM 629 984 0828 TO 30101 1100

## SHC FACT SHEET

The New Jersey Department of Environmental Protection, on behalf of the County of Union, requests approval to allow the conveyance of 0.172 acre in fee and 0.313 acre in easements from the Elizabeth River Parkway to the New Jersey Department of Transportation ("NJDOT") in connection with the replacement of the Routes 1 and 9 viaduct over the Elizabeth River.

### Property:

The Elizabeth River Parkway is a 320-acre linear park owned by the County of Union in the City of Elizabeth, the Township of Hillside and the Township of Union. The Pruden Section of the Elizabeth River Parkway is located along an approximately one-mile length of the Elizabeth River and extends from Broad Street on the north end to the County's Mattano Park on the south in the City of Elizabeth. This section of the park is largely undeveloped and consists of both natural and manmade features, with the dominant natural feature being the Elizabeth River.

The proposed NJDOT project involves the replacement of an existing four-lane viaduct structure located over this section of the park. Concrete flood control walls constructed by the Army Corps of Engineers flank both sides of the Elizabeth River within the park for the majority of the area affected by the viaduct project. The areas of the park that are needed for this project (0.172 acre in fee and 0.313 acre in temporary and permanent easements) are located behind the flood walls. The parcels to be conveyed to the NJDOT are grass covered and do not contain any recreational development. The proposed viaduct project will be constructed primarily in the air space over these parcels, and will not affect the remainder of the parkland within the Elizabeth River Parkway.

### Public Need:

Replacement of the Routes 1 and 9 viaduct is necessary because the existing four-lane viaduct structure is heavily used, structurally deficient and functionally obsolete. Utilizing the Federal Highway Administration (FHWA) criteria for evaluating a bridge's physical condition, the deck of the viaduct has been determined by NJDOT to be in serious condition and both the superstructure and substructure are in poor condition. Several substandard features exist on the viaduct and its at-grade approaches, including insufficient travel lane widths, absence of shoulders, insufficient sight lines and inadequate lighting. While the accident rate on the existing four-lane viaduct is relatively low, there is a high accident rate on the six-lane approaches. In addition, the existing viaduct has inadequate capacity to handle the current and projected travel volumes in this area.



The proposed new viaduct will be constructed in accordance with current design criteria to safely carry current and anticipated traffic characteristics and volumes. The new structure will consist of six travel lanes with full shoulders and will not require additional infrastructure for public sewerage and water construction. Existing utility lines will be generally relocated within the rights of way for the existing roadways.

#### **Public Benefit:**

The replacement of the existing Routes 1 and 9 viaduct will afford a substantial public benefit by providing a safe means of crossing the Elizabeth River on Routes 1 and 9.

#### **Alternatives:**

The area surrounding the existing viaduct is heavily urbanized, which limits the alternatives available to the NJDOT for replacement of the viaduct. Building a viaduct in a different alignment is not feasible or practical. Therefore, replacement of the viaduct in place is the preferred alternative.

#### **Public Hearing:**

A public hearing on the proposed diversion of parkland was conducted on July 24, 2003. No one spoke in opposition to the project. Two people commented that the cleanup of the proposed replacement land should be solely the responsibility of the City of Elizabeth.

#### **Compensation:**

As compensation for the proposed taking of 0.172 acre in fee and 0.313 in temporary and permanent easements, the NJDOT will acquire and convey to Union County as replacement land the 1.26-acre City of Elizabeth maintenance yard. The proposed replacement land is located along the Elizabeth River in the same area as the viaduct project. The City's maintenance yard will be relocated to the NJDOT maintenance facility located elsewhere in the City. The replacement land is currently undergoing remediation by the City for soil contamination due to leakage from removed underground storage tanks. The City will clean the site, including the continuation of the soil vapor extraction and air sparging treatment systems, until such time as the groundwater samples comply with NJDEP standards. The NJDOT will demolish the existing buildings and excavate, remove and replace the top two feet of the existing soil. The addition of this parcel to the Elizabeth River Parkway will provide new open space in an urban area and adjacent to existing parkland. The value of the parcels to be conveyed to the NJDOT was established at \$900; the proposed replacement land is valued at \$634,100.

The final acreage involved in this project is subject to change due to site conditions, but such changes will not exceed twenty percent of the proposed acreage.

MAPS

STATEMENT OF VALUE



**STATE HOUSE COMMISSION MEETING**  
**AGENDA**  
CORRECTED AGENDA

*December 15, 2003 - 9:00 A.M.*

*Committee Room 14, Fourth Floor, State House Annex, Trenton, NJ*

CALL TO ORDER:

- ✓ Chief Counsel to the Governor Michael R. DeConis Epley  
(on behalf of Governor James E. McGreevey)
- ✓ Deputy State Treasurer Robert L. Smart  
(on behalf of State Treasurer John E. McCormac, CPA)
- ✓ Director of the Office of Management & Budget Charlene M. Holzbaur
- ✗ Senator Bernard F. Kenny, Jr. Smith ✓
- ✓ Senator Walter J. Kavanaugh
- Assemblyman Anthony Improveduto
- Assemblyman Michael J. Doherty

OLD BUSINESS:

- OK 1. Approval of the September 25, 2003 State House Commission meeting minutes.
- OK 2. Park Name: Admiral Farragut Park, Block 36, Lot 1.02-2, Pine Beach Borough,  
Ocean County

Requesting Party: The New Jersey Department of Environmental Protection, on behalf of the Borough of Pine Beach, requests approval to amend the conditions of the State House Commission's September 23, 1999 approval of the disposal of 1.21 acres of Admiral Farragut Park to allow construction of approximately 19 single-family homes on the same property previously approved for an assisted living facility.

Terms: At the November 12, 2003 public hearing, no opposition was expressed. As compensation, Pine Beach Borough will dedicate Block 36, Lot 1.05, consisting of 1.14 acres, for public recreation and conservation purposes. This parcel will continue to serve as a connector between the recreational facilities at Admiral Farragut Park and the Borough's waterfront property. The Borough of Pine Beach has already submitted \$25,000 for deposit into the Green Acres Bond Fund. This amount represents the difference in value between the parcel to be disposed of and the replacement land, as originally estimated in 1999.

Bick-  
don't approve

- OK 3. Park Name: Veterans Park & Other Unnamed/Undeveloped Open Space,  
Block 2724, Lot 33, Block 2169, Lot 546, Block 2607, Lot 13, Block 2169, Lot 2,  
Block 2716, Lot 127, Block 2716.02, Lot 8, Hamilton Township, Mercer County

Requesting Party: The New Jersey Department of Environmental Protection requests approval to release Green Acres restrictions on 4.36 acres of underground easements on parkland and to allow the use of an additional 6.86 acres of parkland

**From:** Nancy Adrian  
**To:** Heenehan, Mike at Green Acres  
**Date:** 1/27/2004 2:39:53 PM  
**Subject:** Elizabeth Viaduct - Rts 1&9 4T - Green Acres Approval

Please let me know by reply or at state ext. 5-3469, if you will send Chris Manz or me, a record or copy of Statehouse approval for the Green Acres, as noted below. How long will it take for us to get a copy and don we need to contact anyone else?

Additional info on the Green Acres parcels from the WDP application to DEP, is as follows:

Public Open Space (3.40) - The proposed project will require the taking of approximately 0.2 acres (0.1 hectares) of Elizabeth River Park that is owned and maintained by the Union County Department of Parks and Recreation. The three small parcels that would be affected are located to the east of the existing viaduct. The acquisition of the parcels is necessary to extend the right-of-way of the existing viaduct eastward in order to accommodate the proposed expanded viaduct structure. The three parcels would be overhung by the structure or required as a construction and maintenance easement. The present function of these parcels is as marginal elements of the Elizabeth River Flood Control system.

The three parcels of parkland that would be impacted by the proposed replacement of the viaduct are protected under the Green Acres Program administered by the NJDEP. In letters from the Green Acres Program Office (dated December 11, 1998) and the Union County Department of Parks and Recreation (dated July 10, 1992), support for this proposed project is expressed and that the proposed mitigation measures, including the dedication of replacement land to park usage, would compensate for any adverse impacts to the Elizabeth River Park. To compensate for the diverted parkland, a parcel of land that is currently occupied by the City of Elizabeth Maintenance Yard would be vacated and acquired as part of the reconstruction of the Route 1&9 Viaduct. This parcel consist of the following:

Parcel X9D, is a 1.2 acre (0.49 hectare) parcel that is located on the west side of the existing viaduct and generally located between Elizabeth Avenue and the Elizabeth River. The property has a 9-m frontage on Elizabeth Avenue and is contiguous to other property fronting on Elizabeth River that is owned by the Union County Department of Parks and Recreation.

In addition, Parcel X9C is a 0.62 acre (0.25 hectare) piece of property that is generally located between the east side of the existing viaduct and South Spring Street. This parcel is being conveyed back to the City of Elizabeth with an area of approximately 0.3 acre (0.12 hectare) being available for recreational uses.

The project complies with the policy. In total, as a result of this project, there would be a net gain of about 1.62 acres (0.64 hectares) of open space in the City of Elizabeth.

**CC:** Cunningham - ROW, Robert M.; Manz, Chris; Mudge, David