

## 2. ALTERNATIVES ANALYSIS

As per N.J.A.C. 7:36-26.9(d)2, this Pre-application requires an Alternatives Analysis in which each alternative course of action is to be listed that could be taken “to fulfill the compelling public need for or yield the significant public benefit to be derived from the project for which the applicant proposes to dispose of or divert parkland including:”

- A. All alternatives presented at the scoping hearing by the applicant pursuant to N.J.A.C. 7:36-26.8(d) that have been pursued since 2008 to the present,
- B. A “no build” or “no action” alternative,
- C. Other alternatives suggested by the public at the scoping hearing during the public comment period,
- D. The alternative of locating the applicant’s project on the proposed replacement land, and
- E. Any alternative involving private lands or other public lands

Further it should include “A description of the methods used by the applicant to identify alternatives” as per N.J.A.C. 7:36-26.9 (d)2 iii and “an explanation of the applicant's reasons for rejecting each alternative identified.... and, if applicable, explain why the alternative cannot fulfill the compelling public need for, or yield the significant public benefit to be derived from, the project for which the applicant proposes to dispose of or divert parkland” as per N.J.A.C. 7:36-26.9(d)2iv.

### **Alternatives Summary**

#### **North Bergen Pre-K Program at Braddock Park**

The methods used to identify alternatives by the applicant have been extensive over the years since the Temporary Classroom Units (TCUs) were first placed in Braddock Park two decades ago. Those methods include enlisting Township of North Bergen (“Township” or “North Bergen”) personnel as well as outside consultants to assist in identifying sites in North Bergen that would be a feasible, reasonable, and available alternative to the use of Braddock Park for the North Bergen Pre-K program to no avail. The requirements by the New Jersey Department of Education (NJDOE), the increasing emphasis on Pre-K instruction in communities like North Bergen, and the skyrocketing increases in real estate values have added to the difficulty. It is understood as provided at N.J.A.C. 7:36-26.1(a) and 7:36-26.9(e), if the alternatives analysis submitted identifies a feasible, reasonable, and available alternative then such alternative must be selected by the applicant, even if it is not preferred by the applicant and does not possess all qualities sought by the applicant. We will demonstrate that the alternatives that follow are not feasible, reasonable, and available and that none can be found as per the standards set forth in N.J.A.C. 7:36-26.9 and that fulfill the compelling public need for or yield the significant public benefit to be derived for which this application is submitted.

#### **Compelling Public Need and Significant Public Benefit for the Diversion at Braddock Park**

The compelling public need for this application for Braddock Park is to find a permanent location for a Preschool facility to house a portion of the Pre-School population to implement a full day Pre-K program. The significant public benefit to be derived is to meet student classroom ratios throughout the district, to comply with both NJDOE standards and New Jersey Department of Environmental Protection (“NJDEP”) regulations for a diversion after the fact, and end the use of taxpayer dollars in search of an alternative that does not exist.

In 2018, North Bergen voters approved a bond referendum for the purchase of the former Hudson County High Tech High School and district-wide realignment improvements with a new full-day Pre-K program in accordance with the North Bergen Board of Education's (NBBOE) Long Range Facilities planning. Since the referendum was passed, plans to locate early childhood students in neighborhood schools can still be realized with the exception of the Robert Fulton and Horace Mann schools. After renovation is complete, Lincoln, Franklin, Kennedy, and McKinley School Pre-K children will go to their neighborhood schools. However, the Braddock Park site is still needed for the ACES Pre-K program for high needs children on the spectrum, Robert Fulton, and Horace Mann Pre-K children. With the Braddock Park Diversion, the NBBOE can construct a permanent Pre-K facility that will allow them to provide full day Pre-K and meet NJDOE classroom regulations throughout the district and meet NJDEP regulations as to the diverted property.

Most of the alternatives presented herein would not meet the requirements for a permanent Pre-K facility without acquisition of additional parcels, even with only the limited number of students mentioned. According to New Jersey's educational facility planning standards (N.J.A.C. 6A:26-1.2), the area allowance per full time equivalent student must be at least 125 square feet for preschool through grade five. It is anticipated that space for 270 students will be necessary with the implementation of full day Pre-K. This would require a facility totaling at least 33,750 square feet (0.77 acres) to house those students that would be remaining in a Pre-K facility placed in Braddock Park. Further, pursuant to New Jersey's educational facility planning standards for school facilities housing preschool students (N.J.A.C. 6A:26-6.4(b)2 and (d)), "preschool classrooms shall be no higher than the second floor of a school facility" and the facility is required to have "100 square feet of outdoor play space for each child using the space at one time." A two-story permanent preschool building as per N.J.A.C. 6A:26-6.4(b)2 would require at least approximately 1.6 to 2 acres, depending on site configuration. Moreover, with or without eminent domain action, the cost for acquisition would be prohibitive and, in most cases, would likely require a bond referendum to provide the necessary funding.

Those alternative properties that do not require additional acquisition to meet educational facility planning standards fall short as to availability, reasonableness, and feasibility. The location and cost factors, among other considerations, eliminate these properties from being a viable alternative.

### **Methods for Identifying Alternatives for the Pre-K Program at Braddock Park**

In 2001, a State mandate required North Bergen to provide full-day Kindergarten and a Pre-K program, funded in part and regulated by the NJDOE. Construction of an early childhood center was delayed when property purchased next to Lincoln School was found to be contaminated. TCUs were ordered for emergency placement at the old municipal pool site, but that was found to be contaminated as well. To ensure the new Pre-K program opened for the 2001-2002 school year, Hudson County agreed to allow the TCUs to be placed at Braddock Park in the area leased to North Bergen next to Bruin Stadium. Over the years, other efforts were made to find an alternate location without success. In 2011, Hudson County and North Bergen officials were notified that the TCUs at Braddock Park violated NJDEP Green Acres regulations. This Diversion is taking place to comply with Green Acres regulations.

As detailed in a previous Diversion Pre-Application originally submitted in November of 2014, the NBBOE, North Bergen, and Hudson County have been working steadily to relocate the preschool, even prior to initial contact from the Green Acres Program in 2011, to find a permanent home for the Pre-K program. A number of locations and methods of procurement have been pursued.

In 2008, NBBOE submitted schematics to the NJDOE for review and approval to construct a 32-classroom preschool facility on the Board-owned Block 205, Lot 30. The plans included community space in the new facility (for shared Township use) and improvements to the Rec Center gym space to be shared by the new school and the North Bergen's recreation programs under an inter-local agreement. Upon notice that the 64th Street site was encumbered by Green Acres funding; this property was removed from consideration as the site of a permanent preschool facility in North Bergen.

Subsequently, NBBOE completed site search and feasibility studies for construction of a new preschool, including feasibility studies, at other sites: one near Franklin School and 53rd Street and another at 16th Street in the southern end of North Bergen. The former Temple Beth El was previously considered and determined to not be a feasible or available location. Portions of the "Hudson Mews" properties were previously reviewed as potential sites for TCU placement; however, this was found to be not feasible as the usable flat area did not allow space for all TCUs and the site required environmental remediation. These sites did not prove feasible, reasonable, or available for a variety of reasons, and other options were pursued.

In May 2012, the Township and Board issued an RFQ/RFP for the proposed lease of a full Pre-K facility, with joint use by a branch library, so that the TCUs could be vacated from Braddock Park. The responses received proposed leases at excessive rates. After negotiations, the Board was forced to pursue other options. In the spring of 2013, notice was given that the 64th Street property was not encumbered by Green Acres funding and the Board again considered use of Block 205, Lot 30. However, acquisition of unavailable adjacent properties would have been necessary to provide proper access to the facility, parking, and all required programmatic requirements as per NJDOE rules and regulations.

Over the years, the ongoing search included all property noted above, as well as research to identify other parcels and determine if such sites were feasible, reasonable, and available. The Board conducted property searches, tax record review, aerial photography, and on-the-ground research to seek alternative sites for the relocation of preschool TCUs as well as for the permanent construction of a preschool facility.

The Township and NBBOE also considered sites recommended by the public during the scoping hearing held on November 5, 2014 and on August 11, 2020, and sites recommended by the Green Acres Program. The Township and Board thoroughly assessed whether proposed replacement parcels and existing Board-owned school properties could fulfill the compelling public need for providing a temporary or permanent facility for the North Bergen preschool program in a previous pre-application response submitted in 2016.

As previously stated, North Bergen voters approved a 2018 bond referendum for a new full-day Pre-K Program with a district-wide class realignment plan that would alleviate overcrowding. It was anticipated that space for the entirety of the new full day Pre-K program would be found in the neighborhood schools, once renovation of the newly purchased Hudson County High Tech High School was complete. Since the referendum was passed, plans to locate full day Pre-K children in their neighborhood schools can still be realized, with the exception of the Pre-K ACES program, Robert Fulton School, and Horace Mann School. After renovations are complete, Lincoln, Franklin, Kennedy, and McKinley School Pre-K children will go to their neighborhood schools. However, the Braddock Park site is still needed for the ACES program and Robert Fulton and Horace Mann Pre-K children to meet student classroom ratios set by the NJDOE. There are no other reasonable, feasible, or available alternatives.

### **North Bergen EMS South Building at 43<sup>rd</sup> Street Park**

The municipalities that established the North Hudson Regional Fire and Rescue Department in 1999 each provided a site for the construction of a firehouse. The site for the structure that is now the North Bergen EMS South Building, selected for its location and availability. Its construction was financed by the Hudson County Improvement Authority in 1999. In 2005, the building was repurposed for North Bergen to establish the EMS South Unit, expanding services, and providing greater response times in the southern part of highly congested and densely populated North Bergen. Since 2013, it has housed NB Cares as well, a social service organization.

### **Compelling Public Need and Significant Public Benefit for North Bergen EMS South Diversion**

In densely populated and highly congested North Bergen, the central location and purpose of this property meets the compelling public need of providing for the health, safety, and well-being of North Bergen's residents. If forced to move, there would be irreparable damage to public safety, significant harm to a highly successful public outreach program, and an outrageous waste of taxpayer dollars in demolition and relocation costs. The Diversion of the NB EMS South Building will allow emergency service and public outreach to continue uninterrupted and spare North Bergen and Hudson County taxpayers the expense of demolition and relocation, significant public benefits.

### **Methods for Identifying Alternatives for the EMS South Building**

Methods used to identify any alternative began and ended with the recognition that an alternative new facility would be at the expense of North Bergen taxpayers. Acquisition of any alternative sites in the area and construction of a new facility would not be feasible, reasonable, or available under N.J.A.C. 7:36-26.9 as it would cause extraordinary operational or safety problems, result in adverse impacts of extraordinary magnitude, including, but not limited to, serious community disruption, and would create unique problems, including, but not limited to, unusual negative outcomes, unfair distribution of burdens, and extraordinary costs estimated to exceed \$1 million.

- A. Alternatives presented at the scoping hearing for the Pre-K Program at Braddock Park by the applicant pursuant to N.J.A.C. 7:36-26.8(d) that have been pursued since 2008 to the present:

Address	Block	Lot	Estimated Assessed Value
1445 Kennedy Boulevard	4 0	1	\$4,544,000
1600 53rd Street	1 83	20.02	\$609,000

3801 Liberty Avenue	8	25	\$195,000
3901 Liberty Avenue	8	26	\$1,805,000
1703-1721 Kennedy Boulevard	4 0	3.02	\$8,276,100
1305, 1407 and 1717 Paterson Plank Road	2 7	1, 2, 16.01, 16.02, 21, 22, 23.01	\$1,774,300
9034 Baar Place	4 23	30	\$1,711,000
300 75th Street	287	1	\$1,750,000
2819 Kennedy Boulevard	6 0	1.01	\$4,635,700
5711 Kennedy Boulevard	1 95	68	\$2,200,000

- **1445 Kennedy Boulevard, Block 40, Lot 1 – “14th Street / Food Basics”**

When first considered more than a decade ago the site was a former Food Basics, a 4.5-acre lot zoned for commercial use in the southwest area of North Bergen. Lot 1 consists of the former Lot 1, Lot 126, Lot 125, and Lot 127, and is the site of two commercial buildings. The entire site is now occupied by the Kennedy Commons, a commercial tenant. Kennedy Commons has been described as “a grocery anchored shopping center, complete with parking in a space-constrained market. Food Bazaar purchased the center's supermarket out of the A&P bankruptcy and is successfully serving the growing community with a wide variety of quality fresh food items. Food Bazaar is one of three supermarkets in a span of 4 miles up and down the densely populated Jersey City to North Bergen corridor.” <http://urbanedge.propertycapsule.com/properties/kennedycommons> The site is not for sale and is occupied. The site was “not available” in the past and is not now as per N.J.A.C. 7:36-26.9(e)3ii. Condemnation of the land is “not reasonable” under N.J.A.C. 7:36-26.9(e)2iv as it would result in adverse social and economic impacts of an extraordinary magnitude. The site is developed for commercial use with a large retail building, loading docks, parking on lower levels, and large open parking area. Condemnation of the site would result in the loss of an essential commercial property as well as adverse social impacts due to the loss of an affordable grocery store in a neighborhood where 18% of residents live in poverty. It would represent the loss of a significant property tax generator as well. The owner is listed on tax records as NBVF LLC Vornado Re Trust (210 Route 4 East, Paramus, NJ 07652).

1. Environmental Impact: Occupancy for educational purposes would create no increased

detrimental impact to the environment. The site has been in commercial use for decades, with established parking for cars and trucks. There is no established vegetation on the property. There are no known fauna and no known endangered species found at the property.

2. All Department Permits Required to Construct or Utilize the Alternative: To the best of our knowledge, New Jersey Department of Environmental Protection (“NJDEP”) permits are not required to construct or utilize this alternative. Other permits required to construct or utilize the alternative would include local building permits, NJDOE and Hudson County Department of Education (“HCDOE”) review, North Bergen Zoning Board of Adjustment review for change of use from commercial to the permitted educational use in the R-3 zone.
3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species that will be affected by the alternative.
4. Overall Cost: It is difficult to calculate the overall costs of acquisition, design, and construction of a preschool at this location. The current statutory authority for condemnation proceedings in New Jersey is found in the Eminent Domain Act of 1971 (N.J.S.A. 20:3-29) which requires just compensation be provided to the property owner(s) for the taking of private property. The condemnation process is lengthy, complicated, and costly and would far exceed the \$4,554,000 assessed value of the property. The cost per square foot for school construction has been increasing and is even more expensive in our area of the country (<https://ccorpinsights.com/costs-per-square-foot/>) without the added extraordinary cost of an eminent domain action.
5. The Timetable or Schedule Necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years and include a bond referendum given the cost of acquisition, governed by NJDOE procedures and other applicable laws. Acquisition would likely require a lengthy and costly process as set forth in the Eminent Domain Act of 1971 that includes the appointment of Commissioners, a valuation process, good faith negotiations, and the potential for a jury trial and appeals before design and construction.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the property was assessed for \$4,554,000 and generated \$261,058.20 in property tax revenue.
7. Zoning, Land Use, Environmental, or Other Constraints: The property is located within an R-3 zone which allows for educational use. Use of the alternative site as a preschool would require local building permits, NJDOE and HCBOE review, and North Bergen Zoning Board of Adjustment review for change of use from commercial to the permitted educational use in the R-3 zone. As the site is not available as per N.J.A.C. 7:36-26.9(e)3ii or reasonable as per N.J.A.C. 7:36-26.9(e)2iv, the Township of North Bergen has not made any attempt to remove or adapt to such constraints.

- **1600 53rd Street (Block 183, Lot 20.02) – “54th Street and Tonnelle Avenue”**

The “Crib World” property, considered in the previous scoping hearing and referenced in the 2020 scoping hearing, is a 0.78-acre property located across the street from Franklin Elementary School. The property currently contains an open lot and a long warehouse building. The owner is listed on tax records as Crib Re Inc. (1600 53rd Street, North Bergen, NJ 07047). The site does not provide adequate space for the construction of a preschool. It was “not feasible” then nor is it now as per N.J.A.C. 7:36-26.9(e)1i as use of the property for a Pre-K Program it cannot be carried out using sound engineering principles and practices and current construction methods, technologies, and practices. This property is also “not reasonable” and “not available” as per N.J.A.C. 7:36-26.9(e)2iii and (e)2 iv and (e)3 II, respectively as it would cause extraordinary operational or safety problems, specifically with respect to providing sufficient space for required site setbacks, emergency access, parking, and outdoor play areas and come at an extraordinary cost.

According to the New Jersey’s educational facility planning standards (N.J.A.C. 6A:26-1.2), the area allowance per full time equivalent student must be at least 125 square feet for preschool through grade five. This would require a facility totaling at least 33,750 square feet (0.77 acres) to house the existing levels of Pre-K enrollment in North Bergen. Further pursuant to New Jersey’s educational facility planning standards for school facilities housing preschool students (N.J.A.C. 6A:26-6.4(b)2 and (d)), “preschool classrooms shall be no higher than the second floor of a school facility” and the facility is required to have “100 square feet of outdoor play space for each child using the space at one time.” A two-story permanent preschool building as per N.J.A.C. 6A:26-6.4(b)2 would require approximately 1.6 to 2 acres, depending on site configuration. The Crib World property is too small to construct a preschool facility that would comply with these requirements. Therefore, more property would have to be acquired to provide for required site setbacks, emergency access, parking, and play areas. Acquisition of the necessary properties would result in the loss of significant property tax revenue.

The other adjacent properties near Franklin School, which were an integral part of an earlier preliminary study and schematic layout completed for the site, remain privately owned, primarily residential properties, and are “not available” as per N.J.A.C. 7:36-26.9(e)3i as the owner is unwilling to sell or transfer the land or allow for the lease or use of the land. Further, condemnation of residential and commercial property would be required but is “not reasonable” because it would cause extraordinary operational or safety problems as per N.J.A.C. 7:36-26.9(e)2iii and would result in adverse economic impacts of an extraordinary magnitude as per N.J.A.C. 7:36-26.9(e)2iv. Additionally, Franklin Elementary School already has an annex which shares core facilities (administration, gym, auditorium, play space, and cafeteria) with Franklin School. Thus, consideration of the use of the “Crib World” property for another annex is not feasible pursuant to N.J.A.C. 7:36-26.9(e)1ii as it would bring about unresolvable logistical problems with respect to providing required core facilities as stated in N.J.A.C. 6A:26-6.4(h).

1. Environmental Impact: Occupancy for educational purposes would create no increased detrimental impact to the environment. The site has been in commercial use for decades, with established parking for cars and trucks. There is no established vegetation on the property. There are no known fauna and no known endangered species found at the property.
2. All Department Permits Required to Construct or Utilize the Alternative: To the best of our knowledge, no NJDEP permits would be required to construct or utilize the alternative. Other permits required to construct or utilize the alternative would include local building permits, NJDOE and HCDOE review, and North Bergen Zoning Board of Adjustment review for change of use from commercial to the permitted educational use in the R-2 zone.

3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species that will be affected by the alternative.
4. Overall Cost: It is difficult to calculate the overall costs of acquisition, design, and construction of a preschool at this location. The current statutory authority for condemnation proceedings in New Jersey is found in the Eminent Domain Act of 1971 (N.J.S.A. 20:3-29) which requires just compensation be provided to the property owner(s) for the taking of private property. The condemnation process is lengthy, complicated, and costly and would far exceed the \$609,000 assessed value of the property. The cost per square foot for school construction has been increasing and is even more expensive in our area of the country (<https://ccorpinsights.com/costs-per-square-foot/>) without the added extraordinary cost of an eminent domain action.
5. The Timetable or Schedule Necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years and include a bond referendum given the cost of acquisition, governed by NJDOE procedures and other applicable laws. Acquisition would require a lengthy and costly process as set forth in the Eminent Domain Act of 1971 that includes the appointment of Commissioners, a valuation process, good faith negotiations, and the potential for a jury trial and appeals before design and construction.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the property was assessed for \$609,000 and generated \$34,907.88 in property tax revenue.
7. Zoning, Land Use, Environmental or Other Constraints: The property is located within an R-2 zone which allows for educational use. Use of the alternative site as a preschool would require local building permits, NJDOE and HCDOE review, and North Bergen Zoning Board of Adjustment review for change of use from commercial to the permitted educational use in the R-2 zone. As the site is not feasible, reasonable, or available as per N.J.A.C. 7:36-26.9, the Township of North Bergen has not made any attempt to remove or adapt to such constraints.
  - **3801 and 3901 Liberty Avenue (Block 88, Lots 25 and 26) – “Liberty Avenue”**

The 2.83-acre site is located between Tonnelle Avenue and Liberty Avenue at 39th Street. The site is commonly referred to as “Westchester Lace” and was referred to as “Liberty Avenue” during the scoping hearing in both 2014 and 2020. The site remains unavailable as per N.J.A.C. 7:36-26.9(e)3i as the site is an occupied property with active commercial use in the R-2 and C-2 zones and the owners are unwilling to sell or transfer the land or allow for the lease or use of the land. Use of the site as an alternative remains “not reasonable” under N.J.A.C. 7:36-26.9(e)2iv as condemnation of a commercial property would be required, resulting in adverse economic impacts of an extraordinary magnitude including the loss of a significant property tax rate-able. The site is also “not feasible” pursuant to N.J.A.C. 7:36-26.9(e)1ii as it presents unresolvable logistical problems because the property is too small to accommodate play space, access, and parking requirements under N.J.A.C. 6A:26-6.4(d).

The lot measures approximately 2.83 acres, including a 1.3 acre actively used commercial building at the north end of Lot 26 and 1 acre open paved parking area on Lot 25 that is a partially sloping and flat lot. The owner of both Lot 25 and 26 is listed on tax records as Liberty Ave LLC (P.O. Box 180, Monsey, NY 10952). The State of New Jersey owns adjacent lots to the south of the site (Block 88, Lots

23 and 24 – 3726 Tonnelle Avenue and 3725 Liberty Avenue). The site is partially in an R-1 zone and partially in a C-2 commercial zone. One side of the site abuts the Union Turnpike/Tonnelle Avenue entry ramp and the other is on Liberty Avenue facing a small residential area. It is in active use by a commercial tenant.

Required play areas as per N.J.A.C. 6A:26-6.4(d), vehicular access including emergency access, car and bus drop off areas, and parking for staff and visitors would require an additional half acre at a minimum. A two-story permanent preschool building as per N.J.A.C. 6A:26-6.4(b)2 would require approximately 1.6 to 2 acres, depending on site configuration. The existing building would need to be demolished and rebuilt or heavily renovated, and safe play areas would have to be created which do not expose children to the noise and pollution from the heavily trafficked Tonnelle Avenue.

1. Environmental Impact: Occupancy for educational purposes would create no increased detrimental impact to the environment. The site has been in commercial use for decades, with established parking for cars and trucks. There is no established vegetation on the property. There are no known fauna and no known endangered species found at the property.
2. All Department Permits Required to Construct or Utilize the Alternative: To the best of our knowledge, no NJDEP permits would be required to construct or utilize the alternative. Other permits required to construct or utilize the alternative would include local building permits, NJDOE and HCDOE review, and North Bergen Zoning Board of Adjustment review for change of use from commercial to educational in the area of the property within the C zone.
3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species that will be affected by the alternative.
4. Overall Cost: It is difficult to calculate the overall costs of acquisition, design, and construction of a preschool at this location. The current statutory authority for condemnation proceedings in New Jersey is found in the Eminent Domain Act of 1971 (N.J.S.A. 20:3-29) which requires just compensation be provided to the property owner(s) for the taking of private property. The condemnation process is lengthy, complicated, and costly and would far exceed the combined \$2,000,000 assessed value of the property. The cost per square foot for school construction has been increasing and is even more expensive in our area of the country (<https://ccorpinsights.com/costs-per-square-foot/>) without the added extraordinary cost of an eminent domain action.
5. The Timetable or Schedule Necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years and include a bond referendum given the cost of acquisition, governed by NJDOE procedures and other applicable laws. Acquisition would require a lengthy and costly process as set forth in the Eminent Domain Act of 1971 that includes the appointment of Commissioners, a valuation process, good faith negotiations, and the potential for a jury trial and appeals before design and construction.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the property (inclusive of Lots 25 and 26) was assessed for a combined \$2,000,000. Lot 25 was assessed for \$195,000 and Lot 26 for \$1,805,000. Lot 25 generated \$11,177.20 and Lot 26 generated \$103,462.60 in property taxes in 2020 for a combined value of \$11,639.80.

7. Zoning, Land Use, Environmental or Other Constraints: The property is located within an R-2 zone which allows for educational use and a C-2 zone which would require a variance for educational use. The North Bergen Zoning Board of Adjustment adopted a resolution (Case #02-15 – heard June 10, 2015 and September 30, 2015) for improvement and expansion of the non-conforming use variance and various improvements to the site. Use of the alternative site as a preschool would require local building permits, NJDOE and HCBOE and North Bergen Zoning Board of Adjustment review for change of use from commercial to the permitted educational use in the R-2 zone. As the site is not feasible, reasonable, or available as per N.J.A.C. 7:36-26.9, North Bergen has not made any attempt to remove or adapt to such constraints.

- **1703-1721 Kennedy Boulevard (Block 40, lot 3.02) – “16th Street”**

A portion of this 3.65-acre private property at the west end of 16th Street was referenced during the North Bergen Board of Education RFP/RFQ process in 2013 and was included among the alternatives listed in the 2020 scoping hearing. This remains private land with a garage, parking, and storage in active use for the adjacent multi-family apartment complex. The owner is listed on tax records as 1631 Kennedy Assocs LLC (1807 Kennedy Bld #1F, North Bergen, NJ 07047). The site is not available as per N.J.A.C. 7:36-26.9(e)3i because the owner is unwilling to sell or transfer the land or allow for the lease or use of the land. Condemnation of residential and commercial property would be required, resulting in adverse social and economic impacts of extraordinary magnitude including serious community disruption rendering the property “not reasonable” under N.J.A.C. 7:36-26.9(e)2iv as well as safety implications per N.J.A.C. 7:36-26.9(e)2iii. The condemnation of this property would result in residents having no on-site parking or storage resulting in excessive on-street parking and resultant traffic congestion. In addition, condemnation would mean the loss of substantial property tax revenue.

1. Environmental Impact: Occupancy for educational purposes would create no increased detrimental impact to the environment.
2. All Department Permits Required to Construct or Utilize the Alternative: To the best of our knowledge, NJDEP permits would not be required to construct or utilize the alternative. Other permits required to construct or utilize the alternative include local building permits and NJDOE and HCDOE review.
3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species that will be affected by the alternative.
4. Overall Cost: It is difficult to calculate the overall costs of acquisition, design, and construction of a preschool at this location. The current statutory authority for condemnation proceedings in New Jersey is found in the Eminent Domain Act of 1971 (N.J.S.A. 20:3-29) which requires just compensation be provided to the property owner(s) for the taking of private property. The condemnation process is lengthy, complicated, and costly and would far exceed the \$8,276,110 assessed value of the property. The cost per square foot for school construction has been increasing and is even more expensive in our area of the country (<https://ccorpinsights.com/costs-per-square-foot/>) without the added extraordinary cost of an eminent domain action.
5. The Timetable or Schedule Necessary to Implement the Alternative: Should this unsupported

alternative be imposed, the timetable to implement would take several years and include a bond referendum given the cost of acquisition, governed by NJDOE procedures and other applicable laws. Acquisition would require a lengthy and costly process as set forth in the Eminent Domain Act of 1971 that includes the appointment of Commissioners, a valuation process, good faith negotiations, and the potential for a jury trial and appeals before design and construction.

6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the property was assessed for \$8,276,100 and generated \$474,386.06 in property tax revenue.
7. Zoning, Land Use, Environmental or Other Constraints: The property is located within an R-2 zone which allows for educational use. Use of the alternative site as a preschool would require local building permits, NJDOE and HCBOE review, and North Bergen Zoning Board of Adjustment review for change of use from commercial to the permitted educational use in the R-2 zone. As the site is not feasible, reasonable, or available as per N.J.A.C. 7:36-26.9, North Bergen has not made any attempt to remove or adapt to such constraints.

- **1305, 1407, and 1717 Paterson Plank Road (Block 27, Lots 1, 2, 16.01, 16.02, 21, 22, and 23.01) – “Hudson Mews”**

The “Hudson Mews” property was included in the 2014 and 2020 public scoping hearing. It was under development in 2014 and “not reasonable” as per N.J.A.C. 7:36-26.9(e)2v as it would have created unique problems, specifically the retroactive cancellation of an approved multifamily residential development. The approximately 11-acre property was part of the R-4 “Paterson Plank Road Residential” zone and was approved by the Township for multifamily residential development. It was “not reasonable” then for the Township to consider retroactively canceling the approved housing development in the specially designated zone. It is obviously “not reasonable” now. What was once several industrial, warehouse, and office structures now features 288 apartment units, a clubhouse, a fitness center, and other amenities. A tiered property tax payment plan for the property will significantly increase the value of the rateable during the first 15 years of the agreement, and further increase the rateable in the final 30 years of the PILOT agreement. According to tax records, the property is owned by Hudson Mews Urban Renewal, LLC. The site has tiered and level areas at Paterson Plank Road and slopes down steeply to the west to Tonnelle Avenue. The site remains unavailable as per N.J.A.C. 7:36-26.9(e)3i as the site is an occupied property with active residential use and the owners are unwilling to sell or transfer the land or allow for the lease or use of the land. Use of the site as an alternative remains “not reasonable” as per N.J.A.C. 7:36-26.9(e)2iv because condemnation of this property would be required, resulting in adverse economic impacts of an extraordinary magnitude including the loss of a significant property tax rateable.

1. Environmental Impact: Occupancy for educational purposes would create no increased detrimental impact to the environment. The site has been in commercial use for decades, with established parking for cars and trucks. There is a steep slope on the edge of the property with existing vegetation that is not suitable for construction and will not be disturbed by approved development. There is no established vegetation on the flat part of the lot that has been developed. There is no known fauna or endangered species found at the property.
2. All Department Permits Required to Construct or Utilize the Alternative: To the best of our knowledge, NJDEP permits would not be required to construct or utilize the alternative. Other permits required to construct or utilize the alternative include local building permits and NJDOE

and HCDOE review.

3. Threatened Species: New Jersey Division of Fish & Wildlife (NJ DFW) Landscape Project Mapping and related documents indicate no critical habitats, and no state or federal threatened or endangered species on the parcel site. There are no classified biological resources on the parcel.
4. Overall Cost: It is difficult to calculate the overall costs of acquisition, design, and construction of a preschool at this location. The current statutory authority for condemnation proceedings in New Jersey is found in the Eminent Domain Act of 1971 (N.J.S.A. 20:3-29) which requires just compensation be provided to the property owner(s) for the taking of private property. The condemnation process is lengthy, complicated, and costly and would far exceed the \$1,774,300 assessed value of the property. The cost per square foot for school construction has been increasing and is even more expensive in our area of the country ( <https://ccorpinsights.com/costs-per-square-foot/> )without the added extraordinary cost of an eminent domain action.
5. The Timetable or Schedule Necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years and include a bond referendum given the cost of acquisition, governed by NJDOE procedures and other applicable laws. Acquisition would require a lengthy and costly process as set forth in the Eminent Domain Act of 1971 that includes the appointment of Commissioners, a valuation process, good faith negotiations, and the potential for a jury trial and appeals before design and construction.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the property (inclusive of Lots 1, 2, 16.01, 16.02, 21, 22, and 23.01) was assessed for \$1,774,300 and generated under the PILOT agreement \$101,702.08 in property taxes.
7. Zoning, Land Use, Environmental or Other Constraints: The North Bergen Planning Board approved Hudson Mews, LLC on July 7, 2015 for a 288-unit residential development including 5 residential structures and a club house in the R-4 "Paterson Plank Road Residential" zone. Use of the alternative site as a preschool would require local building permits, NJDOE and HCDOE review, and North Bergen Zoning Board of Adjustment review for a change of use from residential to the permitted educational use in the R-4 zone. As the site is not reasonable as per N.J.A.C. 7:36-26.9, North Bergen has not made any attempt to remove or adapt to such constraints.

- **9034 Baar Place (Block 423, Lot 30) – “Sacred Heart Church”**

The 0.76-acre “Sacred Heart Church” site includes an existing church, parochial school building, and parking lot. It was first considered as an alternative in the 2014 public scoping hearing. The property is home to an established church which is continuing its ministry in this time of Covid-19. The owner of the property is listed in tax records as Sacred Heart Church (9034 Baar Place, North Bergen, NJ 07047). The site was “not reasonable” in the past and is not now per N.J.A.C. 7:36-26.9(e)2ii as it would result in acquisition and other costs of an extraordinary magnitude for a property that is also “not available” because the owner is unwilling to sell or transfer the land or allow for the lease of the property under N.J.A.C. 7:36-26.9(c)3i. Further, an eminent domain action against an existing vibrant religious community would result in “adverse social, economic or environmental impacts of extraordinary magnitude,

including, but not limited to, serious community disruption.” It would undoubtedly “create unique problems, including, but not limited to, unusual negative outcomes, unfair distribution of burdens, extraordinary costs or the loss of irreplaceable community resources “ a per N.J.A.C. 7:36-26.9 (e)3iv and v.

Educational use is permitted in this R-1 zone and the building is currently used for educational purposes by a parochial school. The main gathering spaces are on the double-height ground floor, and the 8 classrooms and office spaces are on the 3rd and 4th floors, with access by stair only. There is no elevator, and the building is not compliant with the Americans with Disabilities Act (ADA). The building would require remediation due to reported asbestos. Pursuant to N.J.A.C. 6A:26-6.4(h) and N.J.A.C. 6A:26-6.4(b)2, NJDOE early childhood standards require classrooms of 950 square feet with toilets, located on the first or second floor. To comply with the State’s educational standards for preschool facilities, extensive renovations and remediation would be required at this location.

Additionally, the site is not currently for sale and a lease of a portion of the building would not allow the NBBOE to seek state funding for renovations. This option is only available for Board- owned facilities. Extensive renovations and asbestos remediation would be required to bring the building up to State standards for preschool facilities and to meet ADA requirements.

Further, there is insufficient space to provide the required administration, nursing, and other support space as per N.J.A.C. 6A:26-6.4(h). Isolation of several classrooms from the Board administration, support, and nursing staff is not allowable under NJDOE regulations for educational facilities.

1. Environmental Impact: Occupancy for educational purposes would create no increased detrimental impact to the environment. The site has been in use for religious purposes for decades, with established parking. There is no established vegetation on the property. There is no known fauna or endangered species found at the property.
2. All Department Permits Required to Construct or Utilize the Alternative: To the best of our knowledge, NJDEP permits would not be required to construct or utilize the alternative. Other permits required to construct or utilize the alternative include local building permits and NJDOE and HCDOE review. State, County and/or local permits may be required to effectuate the asbestos remediation within the building to allow its use as a preschool facility.
3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species that will be affected by the alternative.
4. Overall Cost: It is difficult to calculate the overall costs of acquisition, design, and construction of a preschool at this location. The current statutory authority for condemnation proceedings in New Jersey is found in the Eminent Domain Act of 1971 (N.J.S.A. 20:3-29) which requires just compensation be provided to the property owner(s) for the taking of private property. The condemnation process is lengthy, complicated, and costly and would far exceed the \$ 1.711 million assessed value of the property. The cost per square foot for school construction has been increasing and is even more expensive in our area of the country (<https://ccorpinsights.com/costs-per-square-foot/> ) without the added extraordinary cost of an eminent domain action.
5. The Timetable or Schedule Necessary to Implement the Alternative: Should this unsupported

alternative be imposed, the timetable to implement would take several years and include a bond referendum given the cost of acquisition, governed by NJDOE procedures and other applicable laws. Acquisition would require a lengthy and costly process as set forth in the Eminent Domain Act of 1971 that includes the appointment of Commissioners, a valuation process, good faith negotiations, and the potential for a jury trial and appeals before design and construction.

6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the property is assessed for \$1.711 million and generated no property tax revenue as the owner is tax- exempt for religious purposes.
7. Zoning, Land Use, Environmental or Other Constraints: Educational use is permitted in the R zone. Use of the alternative site as a preschool would require local building permits and NJDOE and HCDOE review.

- **300 75th Street (Block 287, Lot 1) – formerly known as Temple Beth El**

This 0.1172-acre property, formerly known as Temple Beth El, is located across from Fulton School and was considered as an alternative in the 2014 public scoping hearing. It remains “not available” as per N.J.A.C. 7:36-26.9(e)3i as it is currently actively occupied by another religious organization and the owner is unwilling to allow the Board to lease or otherwise utilize or manage the land for the purposes of operating a preschool facility. The owner is listed in tax records as Iglesias Dios Cristo Senda at the same address, an established religious community continuing its ministry in this time of Covid-19.

Educational use is permitted in this R zone. The existing building occupies nearly the entire lot and the existing floor plan does not conform to N.J.A.C. 6A:26-6.4, which details guidelines for size and spatial allowances for preschool facilities. The site is not feasible as per N.J.A.C. 7:36-26.9(e)1i as the project cannot be carried out using sound engineering principles and practices and current construction methods, technologies, or practices. There is no exterior play space, and it is not possible to create play space in compliance with the 3,000 square foot minimum requirement as per N.J.A.C. 6A:26-6.4(d). Further, the existing building is not ADA compliant. Retrofitting this building with compliant preschool classrooms of 950 square feet with bathrooms would require near or complete demolition of the existing building in order to construct a preschool facility that complies with the State’s requirements. As such, this alternative is “not reasonable” in that an eminent domain action to acquire this alternative and construct a new facility would result in “adverse social, economic or environmental impacts of extraordinary magnitude, including, but not limited to, serious community disruption.” It would undoubtedly “create unique problems, including, but not limited to, unusual negative outcomes, unfair distribution of burdens, extraordinary costs or the loss of irreplaceable community resources “ a per N.J.A.C. 7:36-26.9 (e)3iv and v.

1. Environmental Impact: Occupancy for educational purposes would create no increased detrimental impact to the environment. The site has been in use for religious purposes for decades, with established parking. There is no established vegetation on the property. There is no known fauna or endangered species found at the property.
2. All Department Permits Required to Construct or Utilize the Alternative: To the best of our knowledge NJDEP permits would not be required to construct or utilize the alternative. Other permits required to construct or utilize the alternative include local building permits and NJDOE

and HCDOE review.

3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species that will be affected by the alternative.
4. Overall Cost: It is difficult to calculate the overall costs of acquisition, design, and construction of a preschool at this location. The current statutory authority for condemnation proceedings in New Jersey is found in the Eminent Domain Act of 1971 (N.J.S.A. 20:3-29) which requires just compensation be provided to the property owner(s) for the taking of private property. The condemnation process is lengthy, complicated, and costly and would far exceed the \$1,175,000 assessed value of the property. The cost per square foot for school construction has been increasing and is even more expensive in our area of the country (<https://ccorpinsights.com/costs-per-square-foot/>) without the added extraordinary cost of an eminent domain action.
5. The Timetable or Schedule necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years and include a bond referendum given the cost of acquisition, governed by NJDOE procedures and other applicable laws. Acquisition would require a lengthy and costly process as set forth in the Eminent Domain Act of 1971 that includes the appointment of Commissioners, a valuation process, good faith negotiations, and the potential for a jury trial and appeals before design and construction.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the property assessed for \$1.175 million and property taxes were collected as the owner is tax- exempt for religious purposes.
7. Zoning, Land Use, Environmental or Other Constraints: Use of the alternative site as a preschool would require local building permits and NJDOE and HCDOE review. As the site is neither feasible nor available as per N.J.A.C. 7:36-26.9, the Township of North Bergen has not made any attempt to remove or adapt to such constraints.

- **2819 Kennedy Boulevard (Block 60, Lot 1.01) – Former Toys R Us Site**

The 4.8-acre site was formerly a “Toys-R-Us” retail store and considered in the 2014 public scoping hearing. It is now a split lot where a Sonic fast-food restaurant and an Aldi grocery store are operating businesses. The gently sloping, fully paved lot contains the two active businesses and parking areas. The drive-in restaurant “Sonic” consists of a main building and is surrounded by a parking and service area. The “Aldi” retail store is a single “big box” store with parking. The owner of the site is listed on tax records as LJI Realty, LLC at 435 Hudson Street, Hackensack, NJ 07601. The property is not available as per N.J.A.C. 7:36-26.9(e)3i as the owner is unwilling to allow the Board to lease or utilize the land for the purposes of operating a preschool. This alternative would require a condemnation action with all the attendant costs so therefore, “not reasonable” as per N.J.A.C. 7:36-26.9(e)2ii as it would result in the incurring of additional acquisition and construction costs of an extraordinary magnitude and the loss of significant property tax revenue. Occupancy of the retail building currently used as a grocery store would require extensive interior and exterior renovations and creation of safe play space. Condemnation of the site

would not only result in the loss of a significant property tax generator, but also an essential commercial property that would cause adverse social impacts due to the loss of an affordable grocery store in a neighborhood where 18% of residents live in poverty.

1. Environmental Impact: Occupancy for educational purposes would create no increased detrimental impact to the environment. The site has been in use for commercial purposes for decades, with established parking. There is no established vegetation on the property. There are no known fauna and no known endangered species found at the property.
  2. All Department Permits Required to Construct or Utilize the Alternative: To the best of our knowledge, NJDEP permits would not be required to construct or utilize the alternative. Other permits would be required to construct or utilize the alternative include local building permits and NJDOE and HCDOE review.
  3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species that will be affected by the alternative.
  4. Overall Cost: It is difficult to calculate the overall costs of acquisition, design, and construction of a preschool at this location. The current statutory authority for condemnation proceedings in New Jersey is found in the Eminent Domain Act of 1971 (N.J.S.A. 20:3-29) which requires just compensation be provided to the property owner(s) for the taking of private property. The condemnation process is lengthy, complicated, and costly and would far exceed the \$4,266,000 assessed value of the property. The cost per square foot for school construction has been increasing and is even more expensive in our area of the country (<https://ccorpinsights.com/costs-per-square-foot/>) without the added extraordinary cost of an eminent domain action.
  5. The Timetable or Schedule Necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years and include a bond referendum given the cost of acquisition, governed by NJDOE procedures and other applicable laws. Acquisition would require a lengthy and costly process as set forth in the Eminent Domain Act of 1971 that includes the appointment of Commissioners, a valuation process, good faith negotiations, and the potential for a jury trial and appeals before design and construction.
  6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the property was assessed for \$4,266,000 and generated \$244,527.13 in property tax revenue.
  7. Zoning, Land Use, Environmental or Other Constraints: Educational use would require a variance in this Commercial Zone. Use of the alternative site as a preschool would require local building permits, NJDOE and HCDOE review, and North Bergen Zoning Board of Adjustment review for change of use from commercial to the permitted educational use in the R zone. As the site is not reasonable or available as per N.J.A.C. 7:36-26.9, the Township of North Bergen has not made any attempt to remove or adapt to such constraints.
- **5711 Kennedy Boulevard (Block 195, Lot 68, 68B) – “North of Avalon Cove”**

The “North of Avalon Cove” site was considered in the 2014 public scoping hearing and is 2.26

acres of cleared open land. While it remains vacant, in October of 2015 the North Bergen Board of Adjustment gave approval for the development of 128 residential units there. The northern boundary is 58th Street, the eastern boundary is Kennedy Boulevard, the southern boundary is "Avalon Cove" residential apartment complex, and the western boundary consists of a retaining wall that separates the lot from Hoboken Cemetery. According to tax records, the site is still owned by JFK Condo Developers LLC (PO Box 5200, Weehawken, NJ 07086) as it was in 2014. The property is "not reasonable" per N.J.A.C. 7:36-26.9(e)2v as it would create unique problems for the Township to retroactively cancel an approval for residential development and undertake an eminent domain action that would undoubtedly result in the incurring of additional acquisition and construction costs of an extraordinary magnitude as per N.J.A.C. 7:36-26.9(e)2ii and the loss of significant property tax revenue.

A two-story permanent preschool building as per N.J.A.C. 6A:26-6.4(b)2 would require approximately 1.6 to 2 acres, depending on site configuration. Substantial site improvement would be required to prepare for a new facility, including site circulation, required play areas, and other preparation work including grading, site landscaping, paving, entrance and exits to Kennedy and 58th via new curb cuts, water and sewer connections, site drainage and related connections, emergency vehicle paved access, new play area with surfacing and equipment/apparatus, electrical connections, and site lighting for safety and security.

1. Environmental Impact: Occupancy for educational purposes would create no increased detrimental impact to the environment. There is no established vegetation on the property. There is no known fauna or endangered species found at the property.
2. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species that will be affected by the alternative.
3. All Department Permits Required to Construct or Utilize the Alternative: To the best of our knowledge NJDEP permits would not be required to construct or utilize the alternative. Other permits would be required to construct or utilize the alternative include local building permits and NJDOE and HCDOE review.
4. Overall Cost: It is difficult to calculate the overall costs of acquisition, design, and construction of a preschool at this location. The current statutory authority for condemnation proceedings in New Jersey is found in the Eminent Domain Act of 1971 (N.J.S.A. 20:3-29) which requires just compensation be provided to the property owner(s) for the taking of private property. The condemnation process is lengthy, complicated, and costly and would far exceed the \$2.2 million assessed value of the property. The cost per square foot for school construction has been increasing and is even more expensive in our area of the country ( <https://ccorpinsights.com/costs-per-square-foot/> ) without the added extraordinary cost of an eminent domain action.
5. The Timetable or Schedule Necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years and include a bond referendum given the cost of acquisition, governed by NJDOE procedures and other applicable laws. Acquisition would require a lengthy and costly process as set forth in the Eminent Domain Act of 1971 that includes the appointment of Commissioners, a valuation process, good faith negotiations, and the potential for a jury trial and appeals before design and construction.

6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the property assessed for \$2.2 million and generated \$126,104.00 in property tax revenue.
7. Zoning, Land Use, Environmental or Other Constraints: The North Bergen Zoning Board of Adjustment adopted a resolution (Case #13-15 – heard September 30, 2015 and October 27, 2015) for approved development in the C-1C general business mixed use zone of a 128-unit residential building with 244 off-street parking spaces. According to current property tax records the site is now zoned R-1 which permits an educational use. As the site is not reasonable or available as per N.J.A.C. 7:36-26.9, the Township of North Bergen has not made any attempt to remove or adapt to such constraints.

## **A2. ALTERNATIVES PRESENTED AT THE SCOPING HEARING BY THE APPLICANT PURSUANT TO N.J.A.C. 7:36-26.8(D) NORTH BERGEN EMS SOUTH BUILDING**

No alternatives were presented at the Scoping Hearing held in August of 2020 nor were any suggested in the public comments for the North Bergen EMS South Building.

The location for the structure that is now the North Bergen EMS South Building was selected at the outset of the formation of the North Hudson Regional Fire and Rescue Department Firehouse. Its construction was financed by the Hudson County Improvement Authority in 1999. In 2005, the building was repurposed for North Bergen to establish the EMS South Unit, expanding service, and providing greater response times in the southern part of highly congested and densely populated North Bergen. Since 2013, the 1814 43<sup>rd</sup> Street Park location has housed NB Cares as well.

An alternative new facility would be at the expense of North Bergen taxpayers. Acquisition of any alternative sites in the area and construction of a new facility would not be feasible, reasonable, or available under N.J.A.C. 7:36-6.9 as it would cause extraordinary operational or safety problems; result in adverse impacts of extraordinary magnitude, including, but not limited to, serious community disruption, and would create unique problems, including, but not limited to, unusual negative outcomes, unfair distribution of burdens, and extraordinary costs estimated to exceed \$5 million.

### **B. Alternatives of “No Build” or “No Action”**

As is evident by this application, there is not a “no action” alternative available to the Board to provide the State-mandated full-day Pre-K to all students and meet the student teacher ratio classroom regulations throughout the District. Nor is there one for the Township as it relates to the North Bergen EMS South Building. As both are in place and have been since 1999 and 2001 respectively there is not a “no build” alternative.

### **C. Any Alternatives Suggested by the Public at the Scoping Hearing or in the Written Comments Submitted during the Public Comment Period:**

#### **1. Pre-K Program at Braddock Park – 2102 83<sup>rd</sup> Street, Block 458 Lot 8, 2.1 acres**

Only one alternative was suggested by the public in written comments after the scoping hearing. It was 2102 83<sup>rd</sup> Street proposed in an email from Mr. Robert Waldon. The owner is Aram, LLC at 2102

83<sup>rd</sup> Street, North Bergen. Representatives of the owners of the property were contacted. In an email received from them, the applicants were informed that the property is not available for sale. The property is zoned Industrial and is 2.1 acres.

For purposes of this analysis, N.J.A.C. 7:36 -26.9 (e)1-3 set forth when an alternative may be considered "not feasible", "not reasonable," and "not available." It will be considered "not feasible" if "it cannot be carried out using sound engineering principles and practices and current construction methods, technologies and practices; or would bring about unresolvable logistical problems." It will be considered "Not reasonable" if "would" result in the incurring of additional construction costs of an extraordinary magnitude. It will be considered "not available" to the applicant "if the alternative relies on use of land that is not owned by the applicant; and the owner is unwilling to sell or transfer the land to the applicant or to allow the applicant to lease or otherwise obtain, utilize, expand or manage the land for the purposes of the project; and condemnation of the land is not available to the applicant or is not reasonable under one or more of the factors at N.J.A.C. 7:36 -26.9 (e)2.

This alternative location is "not available" in that it is "not owned by the applicant; and the owner is unwilling to sell or transfer the land to the applicant or to allow the applicant to lease or otherwise obtain, utilize, expand or manage the land for the purposes of the project; and condemnation of the land is not available to the applicant or is not reasonable under one or more of the factors at (e)2.

Even if the property were available, it is "not reasonable" as it would result in the incurring of additional acquisition and construction costs of an extraordinary magnitude. Even if it were available and reasonable, it is "not feasible" in that it would bring about unresolvable logistical problems to make the property suitable and safe for school children along a major State highway.

1. Environmental Impact: Use of the site for educational purposes would create no further detrimental environmental impact to the site or the surrounding area. The NJDEP's Environmental Management System (NJ EMS) program lists the parcel within the Hackensack River watershed. There are no streams on the site. There are no extreme geological conditions on the site. The area is zoned industrial. No historic, archaeological, or cultural resources have been documented on this site. It is not listed on the State or National Register. There are no historic or cultural features that would meet eligibility requirements.
2. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species that will be affected by the alternative. New Jersey Division of Fish & Wildlife Landscape Project Mapping and related documents indicate no critical habitats, and no State or Federal threatened or endangered species on the parcel site. There are no classified biological resources on the parcel.
3. All Department Permits Required to Construct or Utilize the Alternative: To the best of our knowledge, NJDEP permits would not be required to construct or utilize the alternative. Other permits would be required to construct or utilize the alternative including local building permits and NJDOE and HCDOE review and approval for modification of the approved Long-Range Facilities Plan.
4. Overall Cost: It is difficult to calculate the overall costs of acquisition, design, and construction of a preschool at this location. The current statutory authority for condemnation proceedings in New Jersey is found in the Eminent Domain Act of 1971 (N.J.S.A. 20:3-29) which requires just

compensation be provided to the property owner(s) for the taking of private property. The condemnation process is lengthy, complicated, and costly and would far exceed the \$1,845,600 assessed value of the property. The cost per square foot for school construction has been increasing and is even more expensive in our area of the country (<https://ccorpinsights.com/costs-per-square-foot/> ) without the added extraordinary cost of an eminent domain action.

5. The Timetable or Schedule necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years and include a bond referendum given the cost of acquisition, governed by NJDOE procedures and other applicable laws. Acquisition would require a lengthy and costly process as set forth in the Eminent Domain Act of 1971 that includes the appointment of Commissioners, a valuation process, good faith negotiations, and the potential for a jury trial and appeals before design and construction.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate the property was assessed for \$1,845,600 and it generated \$105,679.06 in property tax revenue.
7. Zoning, Land Use, Environmental or Other Constraints: The site is zoned Industrial which does not allow for educational use. Use of the site as a preschool would require zoning board process and approval, local building permits, County of Hudson, NJDOT, NJDOE and HCDOE review and approval for modification of the approved Long-Range Facilities Plan. As the site is not feasible as per NJAC 7:36-26.9(e)1i, the Township of North Bergen has not made any attempt to remove or adapt to any constraints.

2. **North Bergen EMS South Building-** No alternatives were suggested by the public at the scoping hearing or in the written comments submitted during the public comment period.

**D. Alternative Analysis - Locating the Applicant’s Project on the Proposed Replacement Land**

Replacement Properties	Block	Lot	Estimated Assessed Value
<u>7903-7909 River Road</u>	437	2.01, 2.02	\$407,700
1401 64 <sup>th</sup> Street and 6300 Meadowview Avenue	205	22 and 30	\$4,613,000 and \$3,186,600
<u>1811 Paterson Plank Road</u>	27	27	\$282,600

● **7903-7909 River Road (Block 437, Lots 2.01 and 2.02)**

When combined, the lots at 7903-7909 River Road form a long, narrow strip. River Road forms the 750-foot eastern boundary and Braddock Park is the western boundary, with the full depth measured at 40 feet. Much of the site is tree and brush-filled and slopes upward steeply from the road to the park. It was purchased in 2015 by Hudson County for \$750,000. As replacement property, it will extend the footprint of Braddock Park and preserve an area below its Bird Sanctuary. Adjacent lots are developed as

high-rise housing in spite of similar steep inclines, but those properties are not subject to NJDOE school facility regulations.

The 0.7 acres property is “not feasible” as per N.J.A.C. 7:36-26.9(e)1i in that it would bring about unresolvable logistical problems to make the property suitable for a preschool due to the size and configuration of the property. A permanent preschool facility would require 1.6 to 2 acres to be compliant with N.J.A.C. 6A:26-6.4 and cannot be constructed at the site. Pursuant to N.J.A.C. 6A:26-6.4, the minimum size of a preschool classroom is 950 square feet (typically roughly square at 30 feet x 32 feet). Accounting for required setbacks and access roads, a preschool facility could not be properly situated on these lots, as there is no buildable area after required setbacks are taken. Paterson Plank Road is a busy four lane highway that would present safety concerns for a Pre-K location even if the site were suitable. However, the site is undersized for the construction of a permanent preschool pursuant to N.J.A.C. 6A:26-6.4. Locating the Pre-K school at this location would not be possible without the acquisition of additional parcels. Adjacent properties are developed as high rise residential and would require eminent domain action, its attendant costs, dislocation of residents, and loss of significant property tax revenues. Therefore, this alternative is “not reasonable” pursuant to N.J.A.C. 7:36-26.9 (e)2 as it would result in the essential project purpose not being met, would incur additional acquisition and construction costs of an extraordinary magnitude, would result in adverse economic impacts of extraordinary magnitude, and would lead to serious community disruption.

1. Environmental Impact: Development of the site would require clearing trees and brush from much of the site, which would displace wildlife. The site abuts the Braddock Park “bird sanctuary” and development may also impact wildlife at the edge of that area.
2. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species that will be affected by the alternative. New Jersey Division of Fish & Wildlife Landscape Project Mapping and related documents indicate no critical habitats, and no State or Federal threatened or endangered species on the parcel site. There are no classified biological resources on the parcel.
3. All Department Permits Required to Construct or Utilize the Alternative: To the best of our knowledge, NJDEP permits would not be required to construct or utilize the alternative. Other permits would be required to construct or utilize the alternative including local building permits and NJDOE and HCDOE review and approval for modification of the approved Long-Range Facilities Plan.
4. Overall Cost: The property was purchased by Hudson County in 2015 for \$730,000, however additional property acquisition would be required for a preschool to be constructed at this site. It is difficult to calculate the overall costs of acquisition, design, and construction of a preschool at this location. The current statutory authority for condemnation proceedings in New Jersey is found in the Eminent Domain Act of 1971 (N.J.S.A. 20:3-29) which requires just compensation be provided to the property owner(s) for the taking of private property. The condemnation process is lengthy, complicated, and costly and would far exceed the assessed value of the property and those adjacent to it. The cost per square foot for school construction has been increasing and is even more expensive in our area of the country (<https://ccorpinsights.com/costs-per-square-foot/>) without the added extraordinary cost of an eminent domain action
5. The Timetable or Schedule necessary to Implement the Alternative: Should this unsupported

alternative be imposed, the timetable to implement would take several years and include a bond referendum given the cost of acquisition of additional properties, governed by NJDOE procedures and other applicable laws. Acquisition would require a lengthy and costly process as set forth in the Eminent Domain Act of 1971 that includes the appointment of Commissioners, a valuation process, good faith negotiations, and the potential for a jury trial and appeals before design and construction.

6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the property was assessed for \$407,700. The site is owned by the North Bergen Board of Education and therefore is exempt from property taxes.
  7. Zoning, Land Use, Environmental or Other Constraints: The site is zoned Industrial which does not allow for educational use. Use of the site as a preschool would require zoning board process and approval, local building permits, County of Hudson, NJDOT, NJDOE and HCDOE review and approval for modification of the approved Long-Range Facilities Plan. As the site is not feasible as per N.J.A.C. 7:36-26.9(e)1i, the Township of North Bergen has not made any attempt to remove or adapt to any constraints.
- **64<sup>th</sup> Street Parcels - 1401 64th Street and 6300 Meadowview Avenue (Block 205, Lots 22 and 30) – 64th Street Recreation Center (Parking Area)**

The site was under consideration prior to the November 2014 Pre-Application Hearings and is now proposed as replacement property. It is owned by the North Bergen Board of Education and is not listed on the Recreational and Open Space Inventory for North Bergen. Since 2014, lots adjacent to Lot 30 have been developed. These lots were necessary to provide parking and access to the proposed preschool. Without these lots, Lot 30 is too small to accommodate the preschool as per N.J.A.C. 6A:26-6.4 including required parking, play areas, safe drop offs, emergency access and required site setbacks. The use of Block 205, Lots 22 and 30, as an alternative is “not feasible” per N.J.A.C. 7:36-26.9(e)1i as the project cannot be carried out using sound engineering principles and practices and current construction methods, technologies, and practices. Further they are “not available” pursuant to N.J.A.C. 7:36-26.9(e)3i as acquisition of adjacent properties is necessary and the owner is unwilling to sell or transfer the land or allow for the lease or utilization of the land for preschool purposes. Condemnation would be “not reasonable” and “not available” as the essential project purpose cannot be met per N.J.A.C. 7:36-26.9(e)2i because of the small lot size as indicated above.

The North Bergen Parks & Recreation Department currently utilizes part of the lot, with a small garage, sand storage, and several storage containers on the lot. The Board currently utilizes the lot for Lincoln School and Lincoln Annex parking during school days and the Rec Center utilizes this lot during games and Rec Center events during evenings, weekends, and summer. Access to the classrooms, including bus access, emergency access, and student drop off, would be difficult due to the narrow Meadowview Avenue to the south, and the lack of a vehicular or ADA compliant pathway from the 64th Street side. Parking for the Rec Center and Lincoln School would be eliminated.

The ballfield located at 64th Street (Block 205 Lot 22) is not a reasonable alternative under N.J.A.C. 7:36-26.9(e)2v as it would create unique problems, specifically the loss of irreplaceable community resources. The field at Block 205 Lot 22 is heavily utilized by the North Bergen Parks & Recreation

Department as the site of regularly scheduled practices and games necessary for organized youth athletic programming. Along with fields located across 64th Street at Block 221, Lot 10, the fields represent half (3 of 6) baseball/softball fields and half (1 of 2) soccer fields located within North Bergen. There are more than 8,000 children, ages 5 to 16, in North Bergen that are eligible to participate in Township recreation programs. They would be negatively impacted by the reduction in public health benefits due to removal of the athletic fields. Other park features located at Block 205, including a play area and dog run, are frequented by many of the more than 62,000 residents of North Bergen Township. Removal of this heavily utilized and fully developed community facility would result in an adverse impact of an extraordinary magnitude on public health, especially for the 24% of North Bergen youth who live at or below the federal poverty line. Construction of a preschool at this location would constitute an extraordinary burden to the community and loss of irreplaceable community resources.

1. Environmental Impact: The site is developed with parking and recreational use and further use of the site for the anticipated educational purpose would create limited adverse environmental impact. There are several large trees on the site which may require removal for proper roadways and access.
2. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species that will be affected by the alternative.
3. All Department Permits Required to Construct or Utilize the Alternative: To the best of our knowledge NJDEP permits would not be required to construct or utilize the alternative. Other permits would be required to construct or utilize the alternative including local building permits and NJDOE and HCDOE review and approval for modification of the approved Long-Range Facilities Plan.
4. Overall Cost: The property is owned by the North Bergen Board of Education, however additional property acquisition through condemnation would be required for a preschool to be constructed at this site. It is difficult to calculate the overall costs of acquisition, design, and construction of a preschool at this location. The current statutory authority for condemnation proceedings in New Jersey is found in the Eminent Domain Act of 1971 (N.J.S.A. 20:3-29) which requires just compensation be provided to the property owner(s) for the taking of private property. The condemnation process is lengthy, complicated, and costly and would far exceed the assessed value of the property and those adjacent to it. The cost per square foot for school construction has been increasing and is even more expensive in our area of the country (<https://ccorpinsights.com/costs-per-square-foot/>) without the added extraordinary cost of an eminent domain action.
5. The Timetable or Schedule Necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years and likely include a bond referendum given the cost of acquisition of additional properties, governed by NJDOE procedures and other applicable laws. Acquisition would require a lengthy and costly process as set forth in the Eminent Domain Act of 1971 that includes the appointment of Commissioners, a valuation process, good faith negotiations, and the potential for a jury trial and appeals before design and construction.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate the properties were

assessed for \$4,613,000 for 1401 64<sup>th</sup> Street and \$3,186,600 for 6300 Meadowview Avenue. The site is owned by the North Bergen Board of Education and therefore is exempt from property taxes.

7. Zoning, Land Use, Environmental or Other Constraints: Education use is permitted in the zone. Use of the alternative site as a preschool would require local building permits and NJDOE and HCDOE review. As the site is not feasible, reasonable, or available pursuant to N.J.A.C. 7:36-26.9, the Township of North Bergen has not made any attempt to remove or adapt to such constraint.

- **1811 Paterson Plank Road (Block 27, Lot 27)**

1811 Paterson Plank Road is approximately 1.57 acres. There was a non-operational car wash facility on the parcel when it was first suggested as replacement land. The property was purchased by the County of Hudson in September 2014 for the sum of \$1.675 million. The car wash structure on the site was demolished in July 2016. It is now a new playground facility in this underserved area of North Bergen and opened during 2020. The site ranges from a relatively flat area of approximately 0.76 acres to a steeply sloping 0.81 acres along the western boundary. This alternative is “not feasible,” and “not reasonable” under pursuant to N.J.A.C. 7:36-26.9(e)1-2 as the size and configuration of the property would not allow for the construction of a preschool compliant with N.J.A.C. 6A:26-6.4 and thus, could not be carried out using sound engineering principles and practices and current construction methods. Even if a new playground had not already been constructed at the site, it would not be reasonable to construct a Pre-K facility here.

A two-story permanent preschool footprint would require approximately 1.4 acres. Providing for vehicular/pedestrian circulation, play area, and required side yard and front yard site setbacks at this site would increase the required area to approximately 1.67 acres. As only 0.76 acres of this lot is suitable for improvement, the site is undersized for the construction of a temporary or permanent preschool pursuant to N.J.A.C. 6A:26-6.4. Therefore, this alternative is “not reasonable” as it would result in the essential project purpose not being met, would incur additional acquisition and construction costs of an extraordinary magnitude, would result in adverse social and economic impacts of extraordinary magnitude, and would lead to serious community disruption. Adjacent to this site is the Hudson Mews development. Construction of a pre-school would require an eminent domain action and its attendant costs plus the loss of significant property tax revenues and a community resource.

1. Environmental Impact: Use of the site for educational purposes would create no further detrimental environmental impact to the site or the surrounding area. The replacement parcel at Paterson Plank Road in North Bergen is on the western side of the Palisades ridge offering views of the Meadowlands. The NJDEP’s Environmental Management System (NJ EMS) program lists the parcel within the Hackensack River watershed. There are no streams on the site. There are no extreme geological conditions on the site. However, the western third of the parcel is a steep drop down to Tonnelle Avenue. The area is urban in a commercial zone, with industrial, commercial, and mid-density housing in close proximity. No historic, archaeological, or cultural resources have been documented on the replacement parcel. It is not listed on the State or National Register.
2. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species that will be affected by the alternative. New Jersey Division of Fish & Wildlife

Landscape Project Mapping and related documents indicate no critical habitats, and no State or Federal threatened or endangered species on the parcel site. There are no classified biological resources on the parcel.

3. All Department Permits Required to Construct or Utilize the Alternative: To the best of our knowledge, NJDEP permits would not be required to construct or utilize the alternative. Other permits would be required to construct or utilize the alternative including local building permits and NJDOE and HCDOE review and approval for modification of the approved Long-Range Facilities Plan.
4. Overall Cost: The property was purchased by Hudson County in 2015 for \$1.675 million , however additional property acquisition would be required for a preschool to be constructed at this site. It is difficult to calculate the overall costs of acquisition, design, and construction of a preschool at this location. The current statutory authority for condemnation proceedings in New Jersey is found in the Eminent Domain Act of 1971 (N.J.S.A. 20:3-29) which requires just compensation be provided to the property owner(s) for the taking of private property. The condemnation process is lengthy, complicated, and costly and would far exceed the \$282,600 assessed value of the property and the adjacent properties known as Hudson Mews. The cost per square foot for school construction has been increasing and is even more expensive in our area of the country (<https://ccorpinsights.com/costs-per-square-foot/> ) without the added extraordinary cost of an eminent domain action.
5. The Timetable or Schedule Necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years and include a bond referendum given the cost of acquisition of additional properties, governed by NJDOE procedures and other applicable laws. Acquisition would require a lengthy and costly process as set forth in the Eminent Domain Act of 1971 that includes the appointment of Commissioners, a valuation process, good faith negotiations, and the potential for a jury trial and appeals before design and construction.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the property was assessed for \$282,600. The site is owned by the County of Hudson and therefore is exempt from property taxes.
7. Zoning, Land Use, Environmental or Other Constraints: The parcel is in the special P-2 Edgecliff Zone, where parks are permitted. Educational use would require a variance. Use of the alternative site as a preschool would require local building permits, NJDOE and HCDOE review, and North Bergen Zoning Board of Adjustment review for change of use from commercial to the permitted educational use in the R-4 zone. As the site is not feasible as per N.J.A.C. 7:36-26.9(e)1i, the Township of North Bergen has not made any attempt to remove or adapt to such constraints.

**E. Alternatives Using Private Land or Other Public Lands for the North Bergen Pre-K Program at Braddock Park**

**1. Private Land Alternatives**

Private Land Alternative	Block	Lot	Estimated Assessed Value
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1 Daffy's Way/ 2701 Route 3 East	4 51.05	14.011	\$8,413,200
1706 Paterson Plank Road	4 0	3.03, 3.031	\$639,000

- **1 Daffy's Way/2701 Route 3 East (Block 451.05, Lot 14.011)**

This 20-acre parcel contains parking and a large “big box” type retail building that is currently vacant. It is located in the New Jersey Meadowlands District and the zoning is under the jurisdiction of the New Jersey Sports and Exposition Authority. It received approvals for warehouse development in 2020. It is best suited for this type of commercial development as the location is remote from residential neighborhoods, isolated from the rest of North Bergen by highway, Paterson Plank Road intersections, ramps, and bridges, and it has no viable pedestrian access. The site is “not feasible” under N.J.A.C. 7:36-26.9(e)1ii as it would bring about unresolvable logistical problems with transporting children to and from school. It is “not reasonable” as per N.J.A.C. 7:36-26.9(e)2iii as it would cause extraordinary operational or safety problems. The site is “not available” as per N.J.A.C. 7:36-26.9(e)3i as the site was recently acquired for commercial improvement/development for \$63 million in August of 2020. The acquisition costs would be significantly higher than any other alternate under consideration. According to tax records, the owner of the site is LIT Lincoln Gateway, LLC at 230 Park Avenue, 12<sup>th</sup> floor, New York, NY, 10169.

1. Environmental Impact: Occupancy for educational purposes would create no increased detrimental impact to the environment. The site has been in commercial use for decades, with established parking for cars and trucks. There is no established vegetation on the property. There are no known fauna and no known endangered species found at the property.
2. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species that will be affected by the alternative.
3. All Department Permits Required to Construct or Utilize the Alternative: To the best of our knowledge, NJDEP permits would not be required to construct or utilize the alternative. Other permits would be required to construct or utilize the alternative include local building permits and NJDOE and HCDOE review.
4. Overall Cost: It is difficult to calculate the overall costs of acquisition, design, and construction of a preschool at this location. The current statutory authority for condemnation proceedings in New Jersey is found in the Eminent Domain Act of 1971 (N.J.S.A. 20:3-29) which requires just compensation be provided to the property owner(s) for the taking of private property. The condemnation process is lengthy, complicated, and costly and would far exceed the \$8,413,200 assessed value of the property. The cost per square foot for school construction has been increasing and is even more expensive in our area of the country ( <https://ccorpinsights.com/costs-per-square-foot/> )without the added extraordinary cost of an eminent domain action.
5. The Timetable or Schedule necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years and include a bond referendum given the cost of acquisition, governed by NJDOE procedures and other applicable laws. Acquisition would require a lengthy and costly process as set forth in the Eminent Domain

Act of 1971 that includes the appointment of Commissioners, a valuation process, good faith negotiations, and the potential for a jury trial and appeals before design and construction.

6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the property was assessed for \$8,413,200 and generated \$482,244.13 in property tax revenue.
7. Zoning, Land Use, Environmental or Other Constraints: The property is located within the boundaries of the New Jersey Meadowlands District and is under the zoning jurisdiction of the New Jersey Sports and Exposition Authority. Use of the alternative site as a preschool would require local building permits, NJDOE and HCDOE review for approval of change to Long and NJSEA review for change of use from commercial to the permitted educational use. As the site is not feasible, reasonable, or available as per N.J.A.C. 7:36-26.9, the Township of North Bergen has not made any attempt to address any change.

- **1706 Paterson Plank Road (Block 40, Lot 3.03 and 3.031)**

The 1.54 acres property at 1706 Paterson Plank Road (Block 40, lot 3.03) was included in the 2014 scoping hearing and is not a viable location for the preschool. It has since been developed into a Wyndham Garden, a 12-story hotel with 198 rooms. The Hotel use was approved by the North Bergen Board of Adjustment in January of 2020. The owners are Spectrum Capital, 200 Roosevelt Place, #E, Palisades Park, NJ 07650. The site is “not available” as per N.J.A.C. 7:36- 26.9(e)3i as the owner is unwilling to sell or transfer the land or allow for the lease or utilization of the property. The site is also “not reasonable” as per N.J.A.C. 7:36-26.9(e)2v as it would create unique problems for the construction of a Pre-K facility. This alternative would require a condemnation action with all the attendant costs and loss of a significant property tax generator as well as hotel tax receipts.

1. Environmental Impact: Use of the site for educational purposes would create no further detrimental environmental impact to the site or the surrounding area. No historic, archaeological, or cultural resources have been documented on the parcel. It is not listed on the State or National Register. There are no historic or cultural features that would meet eligibility requirements.
2. Threatened Species: NJ DFW Landscape Project Mapping and related documents indicate no critical habitats, and no State or Federal threatened or endangered species on the site. There are no classified biological resources on the parcel. There will be no loss or gain of wild habitat.
3. All Department Permits Required to Construct or Utilize the Alternative: To the best of our knowledge, NJDEP permits would not be required to construct or utilize the alternative. Other permits would be required to construct or utilize the alternative including local building permits and NJDOE and HCDOE review.
4. Overall Cost: It is difficult to calculate the overall costs of acquisition, design, and construction of a preschool at this location. The current statutory authority for condemnation proceedings in New Jersey is found in the Eminent Domain Act of 1971 (N.J.S.A. 20:3-29) which requires just compensation be provided to the property owner(s) for the taking of private property. The condemnation process is lengthy, complicated, and costly and would far exceed the \$639,000 assessed value of the property. The cost per square foot for school construction has been increasing and is even more expensive in our area of the country

(<https://ccorpinsights.com/costs-per-square-foot/>) without the added extraordinary cost of an eminent domain action.

5. The Timetable or Schedule Necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years and include a bond referendum given the cost of acquisition, governed by NJDOE procedures and other applicable laws. Acquisition would require a lengthy and costly process as set forth in the Eminent Domain Act of 1971 that includes the appointment of Commissioners, a valuation process, good faith negotiations, and the potential for a jury trial and appeals before design and construction.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate the property was assessed at \$639,000 and the owners are currently in negotiations with the Township on the matter of property taxes that will be paid.
7. Zoning, Land Use, Environmental or Other Constraints: Use of the site as a preschool would require zoning board process and approval, local building permits, County of Hudson, NJDOT, NJDOE and HCDOE review and approval for modification of the approved Long-Range Facilities Plan.

#### **E. Other Public Lands for Use by the North Bergen Pre-K Program at Braddock Park and the North Bergen EMS South Building:**

Any alternative public lands owned by the North Bergen Board of Education or the Township for either the North Bergen EMS South Building or for the Pre-K Program at Braddock Park are not feasible, reasonable, or available under N.J.A.C. 7:36-26.9(e)1-3.

As previously noted, in 2018, the voters of North Bergen approved a bond referendum for full day Pre-K and a \$65 million realignment plan for the North Bergen Board of Education to purchase and renovate the former county-operated High Tech High School. When renovation is complete, it will house North Bergen's seventh, eighth, and ninth graders in what will be a new Junior High School. The current North Bergen High School building will be renovated to house tenth, eleventh, and twelfth graders. An additional \$5 million from the NJBOE capital reserves will go towards the renovations.

Since the referendum was passed, plans to locate full day Pre-K children in their neighborhood schools can still be realized, with the exception of the Pre-K ACES program for high needs children on the spectrum, Robert Fulton School, and Horace Mann School. Therefore, post-renovation, the alternative of housing Lincoln, Franklin, Kennedy, and McKinley School Pre-K children will go to their neighborhood schools. However, the Braddock Park site is still needed for the ACES program and Robert Fulton and Horace Mann Pre-K children to meet student classroom ratios and other requirements set by the NJDOE. If any of these alternative sites were imposed rather than this permanent diversion approved for Braddock Park, it would create extraordinary costs and unnecessary hardship for the Township, the Board of Education, the residents, the students of North Bergen, and, undoubtedly, further delay implementing a much-needed full day Pre-K program and the realignment plan approved.

In short, all of the alternative sites owned by the Board of Education are "not reasonable" under

N.J.A.C. 7:36-26.9(e)2iv as their use would result in adverse social and economic impacts of an extraordinary magnitude. The sites are “not feasible” as per N.J.A.C. 7:36-26.9(e)1i as their use cannot be carried out using sound engineering principles and practices and current construction methods, technologies, and practices. Further, the sites are both “not reasonable” and “not available” as per N.J.A.C. 7:36-26.9(e)2iii and (e)2 iv and (e)3 II, respectively as it would cause extraordinary operational or safety problems, specifically with respect to providing sufficient space for outdoor play areas and would come at an extraordinary cost. The same can be said for the alternative sites owned by the Township for use for the Pre-K Program or the North Bergen EMS South Building. Those sites are already listed on the Recreational and Open Space Inventory and if imposed, would take away much needed space in the most densely populated county in the state.

North Bergen High School 7417 Kennedy Boulevard	63	2	\$17,324,300
Robert Fulton School 7407 Hudson Avenue	88	1	\$5,875,000
Lincoln School 1206 63rd Street	15	1	\$3,964,300
JF Kennedy School 1210 11th Street	2	1	\$5,824,700
McKinley School 3110 Liberty Avenue	3	33	\$2,972,900
Franklin School 5211 Columbia Avenue	76	13	
Franklin Annex 5220 Columbia Avenue	79	19	\$1,364,900
6223 Durham Avenue	05	1	\$64,8000
Former Hudson County Schools of Technology Site 8301 Tonnelle Avenue 8511 Tonnelle Avenue 2100 85 <sup>th</sup> Street	58 58.1 58.1	1 1.01 6.01	\$1,127,400 \$17,688,700 \$1,032,800
North Bergen BOE Recreation Center 6300 Meadowview Avenue	05	22	\$3,188,600

**1. North Bergen Board of Education Owned Property**

- 7417 Kennedy Blvd (Block 263, Lot 2) – “North Bergen High School”

The property that is home to North Bergen High School measures 10.1 acres, with the school building occupying the eastern side of the property, from 74th Street to 76th Street, a parking lot at the northwest along 76th Street, a fenced in practice field (not regulation size) from north to south in the center of the property, and a steeply sloped area approximately 60 feet wide to the west of the fence, which is not suitable for building. This site is not feasible as an alternative pursuant to N.J.A.C. 7:36-26.9(e)1ii as it would bring about unresolvable logistical problems.

The High School will be renovated and house a new Junior High after renovation. It currently houses grades 9 to 12 with current enrollment at 2,396, which exceeds the student classroom ratio. The level open area behind the school measures approximately 1.4 acres and contains a practice field that is heavily utilized not only by physical education classes throughout the day, but also after school and weekends by teams and the marching band. The parking lot at 76th Street is a paved, gradually sloped area of approximately 0.4 acres, and is primarily used by teachers and staff. The lot, like the school itself, is at usage capacity.

Placement of a preschool facility would render the practice field unusable and leave the facility with minimal outdoor space for state-mandated physical education classes, as well as extracurricular activities such as team athletics, recreation, and other uses. This alternative would require additional parking spaces for the preschool staff and visitors which are not available nor at the adjacent parking area serving the Board of Education offices. Further, accommodating the drop off and pick up of 270 full day preschool students on the same property would present untenable logistical difficulties to not only the District, but also to the Township as the impact to vehicular traffic along 76th Street and Kennedy Boulevard would be significant.

The use of this site is “not reasonable” under N.J.A.C. 7:36-26.9(e)2iv as its use would result in adverse social and economic impacts of an extraordinary magnitude. It is “not feasible” as per N.J.A.C. 7:36-26.9(e)1i because its use cannot be carried out using sound engineering principles and practices and current construction methods, technologies, and practices. Further, the sites are both “not reasonable” and “not available” as per N.J.A.C. 7:36-26.9(e)2iii and (e)2 iv and (e)3 II, respectively because it would cause extraordinary operational or safety problems, specifically with respect to providing sufficient space for outdoor play areas specifically and come at an extraordinary cost.

1. Environmental Impact: The High School site was developed in 1960. Use of the site for the anticipated educational purpose would not create adverse environmental impact.
2. All Department Permits Required to Construct or Utilize the Alternative: To the best of our knowledge, NJDEP permits are not required to construct or utilize this alternative. Other permits required to construct or utilize the alternative would include local building permits, NJDOE and HCDOE review, North Bergen Zoning Board of Adjustment review for change of use from commercial to the permitted educational use in the R-3 zone.
3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species that will be affected by the alternative.
4. Overall Cost: It is difficult to calculate the overall costs of a preschool at this location should this unsupported alternative be imposed. The cost per square foot for school construction is even more expensive in our area of the country ( <https://ccorpinsights.com/costs-per-square-foot/>). In

addition, there would be the extraordinary costs of the impact outlined above on the BOE, the Township, and the taxpayers of North Bergen and further delay in implementing a full day Pre-K program.

5. The Timetable or Schedule Necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years. It would require further delay in implementing a full day Pre-K and the realignment plan approved by North Bergen voters. It would require the time necessary for the NJDOE approval process of a complicated amendment to the Long-Range Facilities Plan.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the entire property was assessed for \$17,325,300.
7. Zoning, Land Use, Environmental, or Other Constraints: Education use is permitted in the zone. Use of the alternative site as a preschool would require local building permits and NJDOE and HCBOE review. As the site is not feasible as per N.J.A.C. 7:36-26.9(e)1ii, the Township of North Bergen has not made any attempt to remove or adapt to such constraints.

• **7407 Hudson Avenue (Block 288, Lot 1) “Fulton Elementary School Play Area”**

This 1.26-acre site has no level area large enough to house a new preschool facility, space for an addition, or space to house the full day Pre-K children from this neighborhood school. The paved lots on the west side of the school are level and surrounded on all sides by walls but are used as the play space for all grades at Fulton. Imposing this site would make the North Bergen School District noncompliant with state educational standards. As per N.J.A.C. 6A:26-6.2(e)4, “all construction or alteration of playgrounds, playground equipment, and surfacing, including materials provided at the base of playground equipment, shall comply with the playground-safety subcode of the UCC at N.J.A.C. 5:23-11, and with N.J.A.C. 5:23-7, the Barrier Free Subcode of the UCC.” Also, pursuant to N.J.A.C. 6A:26-6.4(d), there shall be 100 square feet of outdoor play space for each child using that space at one time.

The use of this site is “not reasonable” as per N.J.A.C. 7:36-26.9(e)2iv because its use would result in adverse social and economic impacts of an extraordinary magnitude. It is “not feasible” as per N.J.A.C. 7:36-26.9(e)1i as its use cannot be carried out using sound engineering principles and practices and current construction methods, technologies, and practices. Further, the sites are both “not reasonable” and “not available” pursuant to N.J.A.C. 7:36-26.9(e)2iii and (e)2 iv and (e)3 II, respectively as it would cause extraordinary operational or safety problems, specifically with respect to providing sufficient space for outdoor play areas specifically and come at an extraordinary cost.

1. Environmental Impact: The Fulton School site was developed in 1926. Further use of the site for the anticipated educational purpose would not create adverse environmental impact.
2. All Department Permits required to construct or utilize the Alternative: To the best of our knowledge, NJDEP permits are not required to construct or utilize this alternative. Other permits required to construct or utilize the alternative would include local building permits, NJDOE and HCDOE review, North Bergen Zoning Board of Adjustment review for change of use from commercial to the permitted educational use in the R-3 zone.

3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species that will be affected by the alternative.
  4. Overall Cost: It is difficult to calculate the overall costs of a preschool at this location should this unsupported alternative be imposed. The cost per square foot for school construction is even more expensive in our area of the country ( <https://ccorpinsights.com/costs-per-square-foot/>). In addition, there would be the extraordinary costs of the impact outlined above on the BOE, the Township, and the taxpayers of North Bergen and further delay in implementing a full day Pre-K program.
  5. The Timetable or Schedule Necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years. It would require further delay in implementing a full day Pre-K and the realignment plan approved by North Bergen voters. It would require the time necessary for the NJDOE approval process of a complicated amendment to the Long-Range Facilities Plan.
  6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the entire property was assessed for \$5,875,000.
  7. Zoning, Land Use, Environmental, or Other Constraints: Education use is permitted in the zone. Use of the alternative site as a preschool would require local building permits and New Jersey Department of Education and Hudson County Board of Education review. As the site is not feasible as per N.J.A.C. 7:36-26.9(e)1ii, the Township of North Bergen has not made any attempt to remove or adapt to such constraints.
- **1206 63rd Street and 6319 Smith Street (Block 215, Lot 1) – “Lincoln Elementary School Play Area”**

The play areas at Lincoln Elementary School are not a feasible alternative for an addition or for a Pre-K facility as per N.J.A.C. 7:36- 26.9(e)1ii as it would bring about unresolvable logistical problems, specifically with providing for required outdoor play spaces mandated by the NJDOE. As previously noted, after renovation is completed under the 2018 bond referendum, the current facility will house its neighborhood’s full day Pre-K students.

Use of the play areas would make the North Bergen School District noncompliant with state educational standards. As per N.J.A.C. 6A:26-6.2(e)4, “all construction or alteration of playgrounds, playground equipment, and surfacing, including materials provided at the base of playground equipment, shall comply with the playground-safety subcode of the UCC at N.J.A.C. 5:23-11, and with N.J.A.C. 5:23-7, the Barrier Free Subcode of the UCC.” Also, pursuant to N.J.A.C. 6A:26-6.4(d), there shall be 100 square feet of outdoor play space for each child using that space at one time.

Therefore, the use of this site is “not reasonable” as per N.J.A.C. 7:36-26.9(e)2iv as its use would result in adverse social and economic impacts of an extraordinary magnitude. It is “not feasible” as per N.J.A.C. 7:36-26.9(e)1i as its use cannot be carried out using sound engineering principles and practices and current construction methods, technologies, and practices. Further, the sites are both “not reasonable” and “not available” as per N.J.A.C. 7:36-26.9(e)2iii and (e)2 iv and (e)3 II, respectively as it

would cause extraordinary operational or safety problems, specifically with respect to providing sufficient space for outdoor play areas specifically and come at an extraordinary cost.

1. Environmental Impact: The Lincoln School was constructed in 1915, and the Annex was occupied in 2004. Further use of the site for the anticipated educational purpose would not create adverse environmental impact.
  2. All Department Permits Required to Construct or Utilize the Alternative: To the best of our knowledge, NJDEP permits are not required to construct or utilize this alternative. Other permits required to construct or utilize the alternative would include local building permits, NJDOE and HCDOE review, North Bergen Zoning Board of Adjustment review for change of use from commercial to the permitted educational use in the R-3 zone.
  3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species that will be affected by the alternative.
  4. Overall Cost: It is difficult to calculate the overall costs of a preschool at this location should this unsupported alternative be imposed. The cost per square foot for school construction is even more expensive in our area of the country (<https://ccorpinsights.com/costs-per-square-foot/>). In addition, there would be the extraordinary costs of the impact outlined above on the BOE, the Township, and the taxpayers of North Bergen and further delay in implementing a full day Pre-K program.
  5. The Timetable or Schedule Necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years. It would require further delay in implementing a full day Pre-K and the realignment plan approved by North Bergen voters. It would require the time necessary for the NJDOE approval process of a complicated amendment to the Long-Range Facilities Plan.
  6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the entire property was assessed for \$3,964,300.
  7. Zoning, Land Use, Environmental or Other Constraints: Education use is permitted in the zone. Use of the alternative site as a preschool would require local building permits and NJDOE and HCBOE review. As the site is not feasible as per N.J.A.C. 7:36-26.9(e)1i, the Township of North Bergen has not made any attempt to remove or adapt to such constraints.
- **1210 11th Street (Block 22, Lot 1) “Kennedy Elementary School Play Area”**

The play areas at Kennedy Elementary School are not a feasible alternative for an addition nor for a Pre-K facility as per N.J.A.C. 7:36- 26.9(e)1iii as it would bring about unresolvable logistical problems, specifically with providing for required outdoor play spaces mandated by the NJDOE. As previously noted, after renovation is completed under the 2018 bond referendum, the current facility will house its neighborhood’s full day Pre-K students.

Placing these restrictions on play areas would make the North Bergen School District noncompliant with state educational standards. As per N.J.A.C. 6A:26-6.2(e)4, “all construction or alteration of playgrounds, playground equipment, and surfacing, including materials provided at the base

of playground equipment, shall comply with the playground-safety subcode of the UCC at N.J.A.C. 5:23-11, and with N.J.A.C. 5:23-7, the Barrier Free Subcode of the UCC.” Also, pursuant to N.J.A.C. 6A:26-6.4(d), there shall be 100 square feet of outdoor play space for each child using that space at one time.

Therefore, the use of this site is “not reasonable” as per N.J.A.C. 7:36-26.9(e)2iv because its use would result in adverse social and economic impacts of an extraordinary magnitude. It is “not feasible” as per N.J.A.C. 7:36-26.9(e)1i as its use cannot be carried out using sound engineering principles and practices and current construction methods, technologies, and practices. Further, the sites are both “not reasonable” and “not available” under N.J.A.C. 7:36-26.9(e)2iii and (e)2 iv and (e)3 II, respectively as it would cause extraordinary operational or safety problems, specifically with respect to providing sufficient space for outdoor play areas specifically and come at an extraordinary cost.

1. Environmental Impact: The Kennedy School was constructed in 1965 and an addition was completed in 2002. Further use of the site for the anticipated educational purpose would not create adverse environmental impact.
2. All Department Permits Required to Construct or Utilize the Alternative: To the best of our knowledge, NJDEP permits are not required to construct or utilize this alternative. Other permits required to construct or utilize the alternative would include local building permits, NJDOE and HCDOE review, North Bergen Zoning Board of Adjustment review for change of use from commercial to the permitted educational use in the R-3 zone.
3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species that will be affected by the alternative.
4. Overall Cost: It is difficult to calculate the overall costs of a preschool at this location should this unsupported alternative be imposed. The cost per square foot for school construction is even more expensive in our area of the country (<https://ccorpinsights.com/costs-per-square-foot/>). In addition, there would be the extraordinary costs of the impact outlined above on the BOE, the Township, and the taxpayers of North Bergen and further delay in implementing a full day Pre-K program.
5. The Timetable or Schedule necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years. It would require further delay in implementing a full day Pre-K and the realignment plan approved by North Bergen voters. It would require the time necessary for the NJDOE approval process of a complicated amendment to the Long-Range Facilities Plan.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the entire property was assessed for \$5,824,700.
7. Zoning, Land Use, Environmental or Other Constraints: Education use is permitted in the zone. Use of the alternative site as a preschool would require local building permits and New Jersey Department of Education and Hudson County Board of Education review. As the site is not feasible as per N.J.A.C. 7:36-26.9(e)1i, the Township of North Bergen has not made any attempt to remove or adapt to such constraints.

- **3110 Liberty Avenue (Block 63, Lot 33) – “McKinley Elementary School Play Area”**

The play areas at McKinley Elementary School are not a feasible alternative for an addition nor for a Pre-K facility as per N.J.A.C. 7:36- 26.9(e)1ii as it would bring about unresolvable logistical problems, specifically with providing for required outdoor play spaces mandated by the NJDOE. As previously noted, after renovation is completed under the 2018 bond referendum, the current facility will house its neighborhood’s full day Pre-K students.

Placing these restrictions on play areas would make the North Bergen School District noncompliant with state educational standards. As per N.J.A.C. 6A:26-6.2(e)4, “all construction or alteration of playgrounds, playground equipment, and surfacing, including materials provided at the base of playground equipment, shall comply with the playground-safety subcode of the UCC at N.J.A.C. 5:23-11, and with N.J.A.C. 5:23-7, the Barrier Free Subcode of the UCC.” Also, pursuant to N.J.A.C. 6A:26-6.4(d), there shall be 100 square feet of outdoor play space for each child using that space at one time.

The use of this site is “not reasonable” under N.J.A.C. 7:36-26.9(e)2iv as its use would result in adverse social and economic impacts of an extraordinary magnitude. It is “not feasible” as per N.J.A.C. 7:36-26.9(e)1i because its use cannot be carried out using sound engineering principles and practices and current construction methods, technologies, and practices. Further, the sites are both “not reasonable” and “not available” as per N.J.A.C. 7:36-26.9(e)2iii and (e)2 iv and (e)3 II, respectively as it would cause extraordinary operational or safety problems, specifically with respect to providing sufficient space for outdoor play areas specifically and come at an extraordinary cost.

1. Environmental Impact: The McKinley School was constructed in 1919, and further use of the site for the anticipated educational purpose would not create adverse environmental impact.
2. All Department Permits Required to Construct or Utilize the Alternative: To the best of our knowledge, NJDEP permits are not required to construct or utilize this alternative. Other permits required to construct or utilize the alternative would include local building permits, NJDOE and HCDOE review, North Bergen Zoning Board of Adjustment review for change of use from commercial to the permitted educational use in the R-3 zone.
3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species that will be affected by the alternative.
4. Overall Cost: It is difficult to calculate the overall costs of a preschool at this location should this unsupported alternative be imposed. The cost per square foot for school construction is even more expensive in our area of the country ( <https://ccorpinsights.com/costs-per-square-foot/>). In addition, there would be the extraordinary costs of the impact outlined above on the BOE, the Township, and the taxpayers of North Bergen and further delay in implementing a full day Pre-K program.
5. The Timetable or Schedule Necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years. It would require further delay in implementing a full day Pre-K and the realignment plan approved by North Bergen voters. It would require the time necessary for the NJDOE approval process of a complicated amendment to the Long-Range Facilities Plan.

6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the entire property was assessed for \$2,972,900.
7. Zoning, Land Use, Environmental or Other Constraints: Education use is permitted in the zone. Use of the alternative site as a preschool would require local building permits and NJDOE and HCBOE review. As the site is not feasible as per N.J.A.C. 7:36-26.9(e)1i, the Township of North Bergen has not made any attempt to remove or adapt to such constraints.

- **5211 Columbia Avenue (Block 176, Lot 13) – “Franklin Elementary School Play Area”**

This 0.63-acre site cannot accommodate the construction of an addition nor a Pre-K facility. The Franklin School play area is not a feasible alternative as per N.J.A.C. 7:36-26.9(e)1ii as it would bring about unresolvable logistical problems, specifically with providing for required outdoor play spaces mandated by the NJDOE. Franklin School and Franklin Annex share this single play area. In addition, a one block section of Columbia Avenue is closed during recess, and students play in this street due to the number of students and limited outdoor play area at this school. As previously noted, after renovation this site will house the full day Pre-K students from the neighborhood.

Placing these restrictions on play areas would make the North Bergen School District noncompliant with state educational standards. As per N.J.A.C. 6A:26-6.2(e)4, “all construction or alteration of playgrounds, playground equipment, and surfacing, including materials provided at the base of playground equipment, shall comply with the playground-safety subcode of the UCC at N.J.A.C. 5:23-11, and with N.J.A.C. 5:23-7, the Barrier Free Subcode of the UCC.” Also, pursuant to N.J.A.C. 6A:26-6.4(d), there shall be 100 square feet of outdoor play space for each child using that space at one time.

The use of this site is “not reasonable” as per N.J.A.C. 7:36-26.9(e)2iv as its use would result in adverse social and economic impacts of an extraordinary magnitude. It is “not feasible” as per N.J.A.C. 7:36-26.9(e)1i as its use cannot be carried out using sound engineering principles and practices and current construction methods, technologies, and practices. Further, the sites are both “not reasonable” and “not available” as per N.J.A.C. 7:36-26.9(e)2iii and (e)2 iv and (e)3 II, respectively as it would cause extraordinary operational or safety problems, specifically with respect to providing sufficient space for outdoor play areas specifically and come at an extraordinary cost.

1. Environmental Impact: The Franklin School was constructed in 1919, and the Annex (across Columbia Avenue) was constructed in 1919. Further use of the site for the anticipated educational purpose would not create adverse environmental impact. There is no vegetation on the site.
2. All Department Permits Required to Construct or Utilize the Alternative: To the best of our knowledge, NJDEP permits are not required to construct or utilize this alternative. Other permits required to construct or utilize the alternative would include local building permits, NJDOE and HCDOE review, North Bergen Zoning Board of Adjustment review for change of use from commercial to the permitted educational use in the R-3 zone.
3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species that will be affected by the alternative.

4. Overall Cost: It is difficult to calculate the overall costs of a preschool at this location should this unsupported alternative be imposed. The cost per square foot for school construction is even more expensive in our area of the country ( <https://ccorpinsights.com/costs-per-square-foot/>). In addition, there would be the extraordinary costs of the impact outlined above on the BOE, the Township, and the taxpayers of North Bergen and further delay in implementing a full day Pre-K program.
5. The Timetable or Schedule necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years. It would require further delay in implementing a full day Pre-K and the realignment plan approved by North Bergen voters. It would require the time necessary for the NJDOE approval process of a complicated amendment to the Long-Range Facilities Plan.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the entire property's assessed value exceeds \$1,364,900
7. Zoning, Land Use, Environmental or Other Constraints: Education use is permitted in the zone. Use of the alternative site as a preschool would require local building permits and NJDOE and HCBOE review. As the site is not feasible as per N.J.A.C. 7:36-26.9(e)1i, the Township of North Bergen has not made any attempt to remove or adapt to such constraints.

- **2000 85th Street (Block 458, Lot 1) – Former Hudson County Schools of Technology Site**

As previously noted, in 2018, the voters of North Bergen approved a bond referendum for full day Pre-K and a \$65 million realignment plan for the NBBOE to purchase and renovate the former county-operated Hudson County Schools of Technology (“HCST”). When renovation is complete, it will house North Bergen’s seventh, eighth, and ninth graders in what will be a new Junior High School. The current North Bergen High School building will be renovated to house tenth, eleventh, and twelfth graders. An additional \$5 million from the NJBOE capital reserves will go towards the renovations.

The realignment plan allows for the placement of the majority of new full day Pre-K students in their neighborhood schools with the exception of Fulton, Horace Mann, and the ACES program. It does not allow for the placement of a Pre-K facility nor is there sufficient space to meet student classroom ratios at the newly acquired HCST with the addition of Fulton, Horace Mann, and ACES full day Pre-K students. It is not logistically nor developmentally advisable to put Pre-K students in a junior high facility. To impose this alternative would upend the realignment plan approved as part of the NJBOE’s Long Range Facility plan.

The use of this site is “not reasonable” per N.J.A.C. 7:36-26.9(e)2iv as its use would result in adverse social and economic impacts of an extraordinary magnitude. It is “not feasible” pursuant to N.J.A.C. 7:36-26.9(e)1i as its use cannot be carried out using sound engineering principles and practices and current construction methods, technologies, and practices. Further, the site is both “not reasonable” and “not available” under N.J.A.C. 7:36-26.9(e)2iii and (e)2 iv and (e)3 II, respectively because it would cause extraordinary operational or safety problems, specifically with respect to providing sufficient space for outdoor play areas specifically and come at an extraordinary cost.

1. Environmental Impact: To convert the existing HCST facility to public High School use would not change the environmental impact of the site.
2. All Department Permits required to construct or utilize the Alternative: To the best of our knowledge, NJDEP permits are not required to construct or utilize this alternative. Other permits required to construct or utilize the alternative would include local building permits, NJDOE and HCDOE review, North Bergen Zoning Board of Adjustment review for change of use from commercial to the permitted educational use in the R-3 zone.
3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species that will be affected by the alternative.
4. Overall Cost: It is difficult to calculate the overall costs of a preschool at this location should this unsupported alternative be imposed. The cost per square foot for school construction is even more expensive in our area of the country ( <https://ccorpinsights.com/costs-per-square-foot/>). In addition, there would be the extraordinary costs of the impact outlined above on the BOE, the Township, and the taxpayers of North Bergen and further delay in implementing a full day Pre-K program.
5. The Timetable or Schedule necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years. It would require further delay in implementing a full day Pre-K and the realignment plan approved by North Bergen voters. It would require the time necessary for the NJDOE approval process of a complicated amendment to the Long-Range Facilities Plan.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the entire property's assessed value is \$19,848,900.
7. Zoning, Land Use, Environmental or Other Constraints: Education use is permitted in the zone. Use of the alternative site as a preschool would require local building permits and NJDOE and HCBOE review. As the site is not feasible as per N.J.A.C. 7:36-26.9(e)1i, the Township of North Bergen has not made any attempt to remove or adapt to such constraints.

**2. North Bergen Township Owned Properties**

Address	Block	Lot	Estimated Assessed Value
43rd Street Park	103	107, 127	\$179,200
46th Street Park	150	54-55	\$188,700 \$1,302,000
50th Street Park	161	17	\$138,000
Kilkenny Field	221	10	\$1,221,100
67th Street Park	225	57	\$62,200
71st Street Park	241.01	77	\$16,800
10th Street Park	27	9	\$453,200
74th Street Park	311	17.02	\$108,600
Fredman Park	316	6	\$97,500

River View Park	316	7.02	\$1185,000
Robert Allen Field	324	13	\$4,658,600
82nd Street Park	351	24	\$677,700
88th Street Park	368	1.01	\$501,000
North Bergen Municipal Pool	460	A	\$4,651,100
	468	1	

- **1821 44th Street (Block 103, Lots 107 and 127) – “43rd Street Park”**

The property is a 0.7-acre municipal park consisting of basketball courts, playground, and other passive recreational features. It is the location of the North Bergen EMS South Building for which a permanent diversion is sought. The site is listed on the Township of North Bergen’s Recreational and Open Space Inventory and therefore not an available alternative as per N.J.A.C. 7:36-26.9(e)3ii.

1. Environmental Impact: Occupancy for educational purposes would impact Green Acres encumbered property and reduce the acreage of preserved open space land in North Bergen.
2. All Department Permits Required to Construct or Utilize the Alternative: There is a significant permitting and diversion process that would be necessary to utilize this site.
3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species at the site.
4. Overall Cost: As noted the property is owned by the Township, but its use would not create a viable alternative.
5. The Timetable or Schedule Necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years. It would require further delay in implementing a full day Pre-K and the realignment plan approved by North Bergen voters. It would require the time necessary for the NJDOE approval process of a complicated amendment to the Long-Range Facilities Plan including the significant NJDEP permitting and diversion process that would be necessary to utilize this site.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the entire property’s assessed value is \$179,200.
7. Zoning, Land Use, Environmental or Other Constraints: As the site is listed on the Township’s Recreational and Open Space Inventory, the Township of North Bergen has not made any attempt to remove or adapt to any zoning, land use, environmental, or other constraints.

- **1223 46th Street (Block 150, Lots 54-55) – “46th Street Park”**

The property is a 4.77-acre municipal park consisting of a ballfield. The site is listed on the Township of North Bergen's Recreational and Open Space Inventory and is, therefore, not an available alternative as per N.J.A.C. 7:36-26.9(e)3ii.

1. Environmental Impact: Occupancy for educational purposes would impact Green Acres encumbered property and reduce the acreage of preserved open space land in North Bergen.
2. All Department Permits Required to Construct or Utilize the Alternative: There is a significant permitting and diversion process that would be necessary to utilize this site.
3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species at the site.
4. Overall Cost: As noted the property is owned by the Township, but its use would not create a viable alternative.
5. The Timetable or Schedule necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years. It would require further delay in implementing a full day Pre-K and the realignment plan approved by North Bergen voters. It would require the time necessary for the NJDOE approval process of a complicated amendment to the Long-Range Facilities Plan including the significant NJDEP permitting and diversion process that would be necessary to utilize this site.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the entire property's assessed value is \$1,490,700.
7. Zoning, Land Use, Environmental or Other Constraints: As the site is listed on the Township's Recreational and Open Space Inventory, the Township of North Bergen has not made any attempt to remove or adapt to any zoning, land use, environmental, or other constraints.

• **1207 50th Street (Block 161, Lots 17) – “50th Street Park”**

The property is a 0.58-acre municipal park consisting of basketball courts, playground, and other passive recreational features. The site is listed on the Township of North Bergen's Recreational and Open Space Inventory and therefore not an available alternative as per N.J.A.C. 7:36-26.9(e)3ii.

1. Environmental Impact: Occupancy for educational purposes would impact Green Acres encumbered property and reduce the acreage of preserved open space land in North Bergen.
2. All Department Permits required to construct or utilize the Alternative: There is a significant permitting and diversion process that would be necessary to utilize this site.
3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species at the site.
4. Overall Cost: As noted the property is owned by the Township, but its use would not create a viable alternative.

5. The Timetable or Schedule Necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years. It would require further delay in implementing a full day Pre-K and the realignment plan approved by North Bergen voters. It would require the time necessary for the NJDOE approval process of a complicated amendment to the Long-Range Facilities Plan including the significant NJDEP permitting and diversion process that would be necessary to utilize this site.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the entire property's assessed value is \$138,000.
7. Zoning, Land Use, Environmental or Other Constraints: As the site is listed on the Township's Recreational and Open Space Inventory, the Township of North Bergen has not made any attempt to remove or adapt to any zoning, land use, environmental, or other constraints.

- **1308 64th Street (Block 221, Lots 10) – “Kilkenny Field”**

The property is a 4.73-acre municipal park consisting of a ballfield. The site is listed on the Township of North Bergen's Recreational and Open Space Inventory and therefore not an available alternative as per N.J.A.C. 7:36-26.9(e)3ii.

1. Environmental Impact: Occupancy for educational purposes would impact Green Acres encumbered property and reduce the acreage of preserved open space land in North Bergen.
2. All Department Permits Required to Construct or Utilize the Alternative: There is a significant permitting and diversion process that would be necessary to utilize this site.
3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species at the site.
4. Overall Cost: As noted, the property is owned by the Township, but its use would not create a viable alternative.
5. The Timetable or Schedule Necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years. It would require further delay in implementing a full day Pre-K and the realignment plan approved by North Bergen voters. It would require the time necessary for the NJDOE approval process of a complicated amendment to the Long-Range Facilities Plan including the significant NJDEP permitting and diversion process that would be necessary to utilize this site.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the entire property's assessed value is \$1,221,100.
7. Zoning, Land Use, Environmental or Other Constraints: As the site is listed on the Township's Recreational and Open Space Inventory, the Township of North Bergen has not made any attempt to remove or adapt to any zoning, land use, environmental, or other constraints.

- **1164 67th Street (Block 225, Lots 57) – “67th Street Park”**

The property is a 0.12-acre municipal park consisting of a basketball court and other passive recreational features. The site is listed on the Township of North Bergen’s Recreational and Open Space Inventory and therefore not an available alternative as per N.J.A.C. 7:36-26.9(e)3ii.

1. Environmental Impact: Occupancy for educational purposes would impact Green Acres encumbered property and reduce the acreage of preserved open space land in North Bergen.
2. All Department Permits Required to Construct or Utilize the Alternative: There is a significant permitting and diversion process that would be necessary to utilize this site.
3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species at the site.
4. Overall Cost: As noted the property is owned by the Township, but its use would not create a viable alternative.
5. The Timetable or Schedule Necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years. It would require further delay in implementing a full day Pre-K and the realignment plan approved by North Bergen voters. It would require the time necessary for the NJDOE approval process of a complicated amendment to the Long-Range Facilities Plan including the significant NJDEP permitting and diversion process that would be necessary to utilize this site.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the entire property’s assessed value is \$62,000.
7. Zoning, Land Use, Environmental or Other Constraints: As the site is listed on the Township’s Recreational and Open Space Inventory, the Township of North Bergen has not made any attempt to remove or adapt to any zoning, land use, environmental, or other constraints.

- **1509 71st Street (Block 241.01, Lots 77) – “71st Street Park”**

The property is a 0.05-acre municipal park consisting of green space. The site is listed on the Township of North Bergen’s Recreational and Open Space Inventory and therefore not an available alternative as per N.J.A.C. 7:36-26.9(e)3ii.

1. Environmental Impact: Occupancy for educational purposes would impact Green Acres encumbered property and reduce the acreage of preserved open space land in North Bergen.
2. All Department Permits Required to Construct or Utilize the Alternative: There is a significant permitting and diversion process that would be necessary to utilize this site.
3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species at the site.

4. Overall Cost: As noted the property is owned by the Township, but its use would not create a viable alternative.
5. The Timetable or Schedule Necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years. It would require further delay in implementing a full day Pre-K and the realignment plan approved by North Bergen voters. It would require the time necessary for the NJDOE approval process of a complicated amendment to the Long-Range Facilities Plan including the significant NJDEP permitting and diversion process that would be necessary to utilize this site.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the entire property's assessed value is \$16,800.
7. Zoning, Land Use, Environmental or Other Constraints: As the site is listed on the Township's Recreational and Open Space Inventory, the Township of North Bergen has not made any attempt to remove or adapt to any zoning, land use, environmental, or other constraints.

- **1024 Columbia Avenue (Block 27, Lot 9) – “10th Street Park”**

The property is a 1.15-acre municipal park consisting of basketball courts, playground, and other passive recreational features. The site is listed on the Township of North Bergen's Recreational and Open Space Inventory and therefore not an available alternative as per N.J.A.C. 7:36-26.9(e)3ii.

1. Environmental Impact: Occupancy for educational purposes would impact Green Acres encumbered property and reduce the acreage of preserved open space land in North Bergen.
2. All Department Permits required to construct or utilize the Alternative: There is a significant permitting and diversion process that would be necessary to utilize this site.
3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species at the site.
4. Overall Cost: As noted the property is owned by the Township, but its use would not create a viable alternative.
5. The Timetable or Schedule necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years. It would require further delay in implementing a full day Pre-K and the realignment plan approved by North Bergen voters. It would require the time necessary for the NJDOE approval process of a complicated amendment to the Long-Range Facilities Plan including the significant NJDEP permitting and diversion process that would be necessary to utilize this site.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the entire property's assessed value is \$453,200.
7. Zoning, Land Use, Environmental or Other Constraints: As the site is listed on the Township's Recreational and Open Space Inventory, the Township of North Bergen has not made any attempt to remove or adapt to any zoning, land use, environmental, or other constraints.

- **7405 Boulevard East (Block 311, Lot 17.02) – “74th Street Park”**

The property is a 0.15-acre municipal park consisting of a playground and other passive recreational features. The site is listed on the Township of North Bergen’s Recreational and Open Space Inventory and therefore not an available alternative as per N.J.A.C. 7:36-26.9(e)3ii.

1. Environmental Impact: Occupancy for educational purposes would impact Green Acres encumbered property and reduce the acreage of preserved open space land in North Bergen.
2. All Department Permits Required to Construct or Utilize the Alternative: There is a significant permitting and diversion process that would be necessary to utilize this site.
3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species at the site.
4. Overall Cost: As noted the property is owned by the Township, but its use would not create a viable alternative.
5. The Timetable or Schedule Necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years. It would require further delay in implementing a full day Pre-K and the realignment plan approved by North Bergen voters. It would require the time necessary for the NJDOE approval process of a complicated amendment to the Long-Range Facilities Plan including the significant NJDEP permitting and diversion process that would be necessary to utilize this site.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the entire property’s assessed value is \$108,600.
7. Zoning, Land Use, Environmental or Other Constraints: As the site is listed on the Township’s Recreational and Open Space Inventory, the Township of North Bergen has not made any attempt to remove or adapt to any zoning, land use, environmental, or other constraints.

- **7500 Boulevard East (Block 316, Lot 6) – “Fredman Park”**

The property is a 0.3-acre municipal park consisting of a plaza, benches, and other passive recreational features. The site is listed on the Township of North Bergen’s Recreational and Open Space Inventory and therefore not an available alternative as per N.J.A.C. 7:36-26.9(e)3ii.

1. Environmental Impact: Occupancy for educational purposes would impact Green Acres encumbered property and reduce the acreage of preserved open space land in North Bergen.
2. All Department Permits Required to Construct or Utilize the Alternative: There is a significant permitting and diversion process that would be necessary to utilize this site.
3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species at the site.

4. Overall Cost: As noted the property is owned by the Township, but its use would not create a viable alternative.
5. The Timetable or Schedule Necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years. It would require further delay in implementing a full day Pre-K and the realignment plan approved by North Bergen voters. It would require the time necessary for the NJDOE approval process of a complicated amendment to the Long-Range Facilities Plan including the significant NJDEP permitting and diversion process that would be necessary to utilize this site.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the entire property's assessed value is \$97,500.
7. Zoning, Land Use, Environmental or Other Constraints: As the site is listed on the Township's Recreational and Open Space Inventory, the Township of North Bergen has not made any attempt to remove or adapt to any zoning, land use, environmental, or other constraints.

- **7800 Boulevard East (Block 316, Lot 7.02) – “River View Park”**

The property is a 2.37-acre municipal park consisting of a plaza, benches, and other passive recreational features. The site is listed on the Township of North Bergen's Recreational and Open Space Inventory and therefore not an available alternative as per N.J.A.C. 7:36-26.9(e)3ii.

1. Environmental Impact: Occupancy for educational purposes would impact Green Acres encumbered property and reduce the acreage of preserved open space land in North Bergen.
2. All Department Permits Required to Construct or Utilize the Alternative: There is a significant permitting and diversion process that would be necessary to utilize this site.
3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species at the site.
4. Overall Cost: As noted the property is owned by the Township, but its use would not create a viable alternative.
5. The Timetable or Schedule Necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years. It would require further delay in implementing a full day Pre-K and the realignment plan approved by North Bergen voters. It would require the time necessary for the NJDOE approval process of a complicated amendment to the Long-Range Facilities Plan including the significant NJDEP permitting and diversion process that would be necessary to utilize this site.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the entire property's assessed value is \$1,185,000.
7. Zoning, Land Use, Environmental or Other Constraints: As the site is listed on the Township's Recreational and Open Space Inventory, the Township of North Bergen has not made any attempt to remove or adapt to any zoning, land use, environmental, or other constraints.

- **1212 76th Street (Block 324, Lots 13) – “Robert Allen Field”**

The property is a 1.38-acre municipal park consisting of a little league field that is home to the North Bergen Little League. The site is listed on the Township of North Bergen’s Recreational and Open Space Inventory and therefore not an available alternative as per N.J.A.C. 7:36-26.9(e)3ii.

1. Environmental Impact: Occupancy for educational purposes would impact Green Acres encumbered property and reduce the acreage of preserved open space land in North Bergen.
2. All Department Permits required to construct or utilize the Alternative: There is a significant permitting and diversion process that would be necessary to utilize this site.
3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species at the site.
4. Overall Cost: As noted the property is owned by the Township, but its use would not create a viable alternative.
5. The Timetable or Schedule necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years. It would require further delay in implementing a full day Pre-K and the realignment plan approved by North Bergen voters. It would require the time necessary for the NJDOE approval process of a complicated amendment to the Long-Range Facilities Plan including the significant NJDEP permitting and diversion process that would be necessary to utilize this site.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the entire property’s assessed value is \$4,658.600.
7. Zoning, Land Use, Environmental or Other Constraints: As the site is listed on the Township’s Recreational and Open Space Inventory, the Township of North Bergen has not made any attempt to remove or adapt to any zoning, land use, environmental, or other constraints.

- **1311 82nd Street (Block 351, Lot 24) – “82nd Street Park”**

The property is a 0.95-acre municipal park consisting of basketball courts. The site is listed on the Township of North Bergen’s Recreational and Open Space Inventory and therefore not an available alternative as per N.J.A.C. 7:36-26.9(e)3ii.

1. Environmental Impact: Occupancy for educational purposes would impact Green Acres encumbered property and reduce the acreage of preserved open space land in North Bergen.
2. All Department Permits Required to Construct or Utilize the Alternative: There is a significant permitting and diversion process that would be necessary to utilize this site.
3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species at the site.

4. Overall Cost: As noted the property is owned by the Township, but its use would not create a viable alternative.
5. The Timetable or Schedule necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years. It would require further delay in implementing a full day Pre-K and the realignment plan approved by North Bergen voters. It would require the time necessary for the NJDOE approval process of a complicated amendment to the Long-Range Facilities Plan including the significant NJDEP permitting and diversion process that would be necessary to utilize this site.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the entire property's assessed value is \$677,700.
7. Zoning, Land Use, Environmental or Other Constraints: As the site is listed on the Township's Recreational and Open Space Inventory, the Township of North Bergen has not made any attempt to remove or adapt to any zoning, land use, environmental, or other constraints.

- **1300 88th Street (Block 368, Lot 1.01) – “88th Street Park”**

The property is a 1.67-acre municipal park consisting of basketball courts, playground, an amphitheater, and other passive recreational features. The site is listed on the Township of North Bergen's Recreational and Open Space Inventory and therefore not an available alternative as per N.J.A.C. 7:36-26.9(e)3ii.

1. Environmental Impact: Occupancy for educational purposes would impact Green Acres encumbered property and reduce the acreage of preserved open space land in North Bergen.
2. All Department Permits required to construct or utilize the Alternative: There is a significant permitting and diversion process that would be necessary to utilize this site.
3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species at the site.
4. Overall Cost: As noted the property is owned by the Township, but its use would not create a viable alternative.
5. The Timetable or Schedule necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years. It would require further delay in implementing a full day Pre-K and the realignment plan approved by North Bergen voters. It would require the time necessary for the NJDOE approval process of a complicated amendment to the Long-Range Facilities Plan including the significant NJDEP permitting and diversion process that would be necessary to utilize this site.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the entire property's assessed value is \$501,000.

7. Zoning, Land Use, Environmental or Other Constraints: As the site is listed on the Township's Recreational and Open Space Inventory, the Township of North Bergen has not made any attempt to remove or adapt to any zoning, land use, environmental, or other constraints.

- **2111 91st Street (Block 460, Lot A and Block 468, Lot 1) – “North Bergen Municipal Pool”**

The property is a municipal swimming pool. The site is listed on the Township of North Bergen's Recreational and Open Space Inventory and therefore not an available alternative as per N.J.A.C. 7:36-26.9(e)3ii.

1. Environmental Impact: Occupancy for educational purposes would impact Green Acres encumbered property and reduce the acreage of preserved open space land in North Bergen.
2. All Department Permits required to construct or utilize the Alternative: There is a significant permitting and diversion process that would be necessary to utilize this site.
3. Threatened Species: There are no known threatened, endangered, or rare species or the habitat of such species at the site.
4. Overall Cost: As noted the property is owned by the Township, but its use would not create a viable alternative.
5. The Timetable or Schedule necessary to Implement the Alternative: Should this unsupported alternative be imposed, the timetable to implement would take several years. It would require further delay in implementing a full day Pre-K and the realignment plan approved by North Bergen voters. It would require the time necessary for the NJDOE approval process of a complicated amendment to the Long-Range Facilities Plan including the significant NJDEP permitting and diversion process that would be necessary to utilize this site.
6. Estimated Land Value or Lease Cost: Public records for tax year 2020 indicate that the entire property's assessed value is \$4,651,000.
7. Zoning, Land Use, Environmental or Other Constraints: As the site is listed on the Township's Recreational and Open Space Inventory, the Township of North Bergen has not made any attempt to remove or adapt to any zoning, land use, environmental, or other constraints.