



STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION

(See Issuing Division below).



PERMIT *

The New Jersey Department of Environmental Protection grants this permit in accordance with your application, attachments accompanying same application, and applicable laws and regulations. This permit is also subject to the further conditions and stipulations enumerated in the supporting documents which are agreed to by the permittee upon acceptance of the permit.

Permit No. 0905-93-0001.6/.7/.8		Application No.	
Issuance Date AUG - 5 1997		Effective Date AUG - 5 1997	
		Expiration Date AUG - 5 2002	
Name and Address of Applicant Shipyard Associates, L.P. 5 Marine View Plaza Hoboken, NJ 07030		Name and Address of Owner Same as applicant	
		Name and Address of Operator Same as applicant	
Location of Activity/Facility (Street Address) Hoboken, Hudson County Lot 1, Block 262, 263		Issuing Division Land Use Regulation Program	
		Statute(s) NJSA 12:5-3 NJSA 58:10A-1	
Type of Permit Waterfront Development Water Quality Certificate		Maximum Approved Capacity, if applicable	

This permit grants permission to:

construct a mixed-use development consisting of: 1,160 apartment units located in six 13-story, three 11-story, and two 2-story buildings; 63,200 sq. ft. of retail space, including the adaptive reuse of the existing historic machine shop; a portion of the Hudson Waterfront Walkway over 4 blocks in length, public access on the full length of the existing pier at 14th St., a landscaped park, tennis courts and tennis pavilion, and 1,466 parking spaces primarily integrated into the lower levels of the new buildings, as well as new support piles under existing platform areas north of 14th street, and repair or replacement in kind of portions of existing pier, platform, and bulkhead structures. This approval includes modifications to Waterfront Development / Water Quality Certificate # 0905-93-0001.4/.5

The approved project is shown on plans in 10 sheets entitled "The Shipyard, Hoboken, New Jersey", Sheets SP02 and SP03 dated September 27, 1996, Sheets SP01 and SP04 - SP09 dated October 10, 1996, and Sheet L01 dated July 1, 1997, all revised to January 22, 1997 (except Sheets SP04, SP05 revised to July 1, 1997, and Sheet L01 unrevised) all prepared by Beyer, Blinder, Belle Architects & Planners, LLP.

Prepared by

Sue Lawson
Sue Lawson

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Revised Date	Approved by the Department of Environmental Protection	
	Name (Print or Type) _____	Title _____
	See Page 5 for Signature	
	Signature _____	Date _____

* The word permit means "approval, certification, registration, etc."

(General Conditions are on the Reverse Side)

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The approved project is located within two Tidelands grants: to Hoboken Land and Improvement Co., dated May 23, 1885, Liber F, pg. 710; and to Mary P. Lewis, dated July 10, 1886, Liber G, pg. 33.

The permittee shall allow an authorized Department representative the right to inspect construction pursuant to N.J.A.C. 7:7-1.5(b)4.

This permit is authorized under and in compliance with all applicable Rules on Coastal Zone Management (N.J.A.C. 7:7E-1.1 et seq.) as discussed in the Staff Summary Report for this project.

This permit is issued subject to, and provided the following conditions can be met to the satisfaction of the Program. All conditions are subject to on-site compliance inspection by the Bureau of Coastal and Land Use Enforcement. As per N.J.A.C. 7:7-1.4, you must notify the Bureau of Coastal and Land Use Enforcement, CN 422, Trenton, NJ 08625, in writing at least 5 days prior to commencement of construction or site preparation.

This permit shall be RECORDED in the office of the County Clerk (the REGISTRAR OF DEEDS AND MORTGAGES in the applicable counties) in the county wherein the lands included in the permit are located within ten (10) days after receipt of the permit by the applicant and verified notice shall be forwarded to the Program immediately thereafter.

This permit is not valid until the permit acceptance form has been signed by the applicant, accepting and agreeing to adhere to all permit conditions, and returned to the Program at CN 401, Trenton, NJ 08625.

CONDITIONS:

This permit is issued subject to and provided the following conditions can be met to the satisfaction of the Land Use Regulation Program. All conditions must be met prior to commencement of construction unless otherwise specified.

- 1.a Prior to commencement of construction, the permittee must submit final detailed architectural plans of the exterior treatment of Machine Shop Building to the Land Use Regulation Program for review and approval. Such plans shall incorporate the repair and reuse of the existing windows, with interior storm windows, on the east and west sides of the Machine Shop building above the ground floor where practicable. (In the event that the permittee concludes that reuse of these windows is not practicable, the permittee would need to document that finding through a window survey. The window survey would

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include close-up photographs of the existing condition of the windows, an estimate of the amount of repair needed and the cost necessary to repair the windows, and a comparison of the cost of repair with the cost of a new window. The new windows chosen for cost comparison must match the design, profiles, sight lines and, if possible, materials of the original windows. Based on photos of the existing windows, the first floor windows are paired double hung 9/9 windows separated by a vertical mullion with an arch-top window above. The second floor windows are 12/12 paired double hung arch-top windows divided by a center mullion.)

- b. All construction activities at the Machine Shop Building shall be in conducted in conformance with planned construction techniques for archways, doorways, and retail display windows, as detailed in the October 28, 1996 letter from project architect Tom McGinty to Dan Saunders of the State Historic Preservation Office.
2. Prior to commencement of construction, the permittee is required to execute and deliver a deed of conservation easement in favor of the Department. The conservation easement shall, to the satisfaction of the Department, define the physical parameters of the walkway and the allowable uses, address the maintenance and management duties and identify the responsible party in conformance with 7:7E-3.48(e).
3. Prior to commencement of construction of the waterfront walkway the permittee is required to submit a management/maintenance plan for the Waterfront Walkway and related public access areas to the Land Use Regulation Program for review and approval.
4. Public access areas shall be completed and opened to the public according to the following phasing plan:
- a. the waterfront walkway section between the northern side of 14th Street and the southern side of 13th Street, is to be completed and open to the public prior to occupancy of any portion of Phase I (consisting of Development Block A, the Machine Shop renovation, and the buildings at the corners of: 12th St. and Hudson St., 12th St. and the waterfront street, and 14th St. and Hudson St.), while perpendicular access through the Machine Shop Building and along 13th Street is to be completed and open to the public prior to occupancy of Development Block A;
 - b. the waterfront walkway section between 12th and 13th Streets and the 14th Street Pier improvements are to

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be completed and open to the public prior to occupancy of Phase II (consisting of Development Block C);

c. the waterfront walkway section between 14th Street and the tennis pavilion is to be completed and open to the public prior to occupancy of Phase III (consisting of Development Block F); and

d. public access improvements on the tennis pier are to be completed and open to the public within two years following initial occupancy of Development Block F.

5. Public access on and to the walkway, including perpendicular access routes, shall be open on a 24 hour basis, except where, in special circumstances, the permittee has received prior written approval from the Land Use Regulation Program:

6. The permittee, and all subsequent purchasers of the property, shall both maintain and keep the walkway and area beneath the walkway in good repair, and make such repairs and inspections as are necessary.

7. The permittee must obtain appropriate U.S. Army Corps of Engineers approval prior to commencement of any activities within their jurisdiction.

8. Prior to commencement of any waterfront walkway construction, the permittee is required to show on the project plans the location of the 36 parking spaces which can be used for public access (including 6 additional spaces to be located at the northern end of the tennis pier parking area, along with proposed designating signage for these 6 spaces) to the Land Use Regulation Program for review and approval.

9. Prior to commencement of construction of each project phase, the permittee must obtain appropriate approval of the Hudson-Essex-Passaic Soil Conservation District for all activities within its jurisdiction.

10. Prior to commencement of any waterfront walkway construction, the permittee must submit plans showing the signage program and appropriate crosswalk treatments for public access areas, to the Land Use Regulation Program for review and approval.

11. Fishing may not be prohibited in public access areas adjacent to the waterfront.


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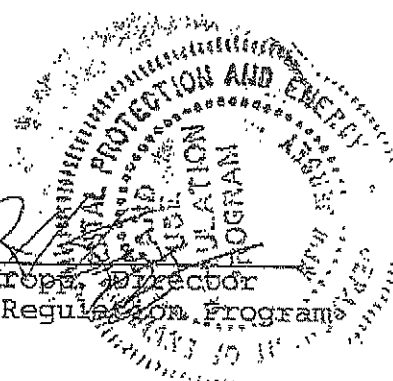
12. The permittee shall assure handicapped access throughout all site public accessways.
13. The permittee shall submit a proposed traffic monitoring plan within 90 days following permit issuance to the Land Use Regulation Program for review and approval. Program approval must be obtained prior to initial occupancy of the project. Implementation of the approved monitoring plan shall commence with the initial occupancy of the development. The monitoring plan should be designed to assess generation rates, traffic distribution, and levels of service at key intersections, and should include a proposed schedule for monitoring, reporting results, and implementing any resultant remedial measures.

~~14. Prior to initial occupancy of this development, full~~
implementation of the permittee's proposed traffic mitigation measures, shown on plan SP-10 Paving and Traffic Plan, dated September 25, 1996, revised to February 13, 1997, and described in the applicant's Traffic Impact Analysis, prepared by Atlantic Traffic and Design Engineers, Inc., dated September 25, 1996, is required. This consists primarily of full signalization of the 12th and 14th St. intersections with Hudson Street.

Date:

8/5/97


Richard Kropp, Director
Land Use Regulation Program



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