

H-5 WET WEATHER PUMP STATION FREQUENTLY ASKED QUESTIONS (FAQs)

These questions were presented by the Maxwell Place Home Owners' Association (HOA) to North Hudson and the City of Hoboken.

1. Location: NHSA has public docs that give multiple proposals contradicting the statement "there is no other option."

- a. It is our understanding Green Acres rules only apply to land that actually received Green Acres funding which Maxwell Park did not; can you please provide the legal documentation explaining the conflict rationale?

Based on New Jersey Department of Environmental Protection (NJDEP) Green Acres rules, all lands held for conservation/recreation purposes at the time of receipt of Green Acres funding become encumbered by Green Acres. Maxwell Park was designated parkland in December 2010, and the City received subsequent Green Acres funding for other projects. This places Maxwell Park under Green Acres restrictions. NJDEP established this protocol to prevent municipalities from acquiring open space with Green Acres funding and then potentially selling off the same property or other open space properties for financial gain.

- b. Please provide detailed explanation as to why the park proposal was rejected and 11th St. east of Hudson St. was chosen as the location.

The park was ultimately rejected as a location because of constructability and regulatory issues. The park location would require the construction of a second outfall which is problematic with the NJDEP whose policy is to discourage the proliferation of outfalls. Given discussions with both NJDEP and the U.S. Environmental Protection Agency (EPA), the NHSA engineer did not believe that NHSA could justify construction of a second outfall when an alternative location (current site) does not require an additional outfall. Second, building in the park requires Green Acres approval which would present difficulties with the aforementioned regulatory agencies, given the fact that the current site does not disturb Green Acres land.

- c. Please include all other areas of the city taken into consideration/evaluated and give detailed explanation on why they were not chosen.

As background, the flood management approach to solving Hoboken's wet weather flooding is to address the worst affected areas as priorities. This was done with the building of the H-1 pump station which has alleviated the City's worst flooding in its southwestern sections. The second worst flooding area is in the H-5 drainage area which covers a portion of the northwest area of the City. In order to address this problem, the pump station must be built in the H-5 drainage

area. Since the pump station must be in the H-5 drainage area, then it must be built along the Eleventh Street H-5 outfall, downstream (east) of the solids/floatable facility under the intersection of Eleventh and Hudson Street. Only a pump sited in the H-5 drainage area, along the Eleventh Street outfall can alleviate the flooding in this section of the northwest, which is now the worst area of flooding in the City.

2. Timeline: The request for a fast response on a project this complex is unacceptable. It undermines the credibility of the NHSA and the resident's trust in the accuracy of the information received to date by the Maxwell Place community.

- a. Please explain why funding was secured via the city council in August of 2014 before an easement was secured?

NHSA does not seek easements unless it is assured of funding for its projects. In this case, the funding was not ensured until the City Council vote.

- b. Why did NHSA not follow up with Toll between 2008 and October 2014 with regards to the original request for the easement in 2008?

NHSA contacted Toll Brothers in late August 2014. Between 2008 and August 2014, NHSA did not follow up because there was no available funding for the project. Accordingly, the project remained on hold during this period.

- c. Why did NHSA wait until early October 2014 to reach out to Toll/The Residential Board to ask for an easement if they knew they were on a tight timeline?

NHSA reached out to Toll Brothers in late August 2014. Initially, NHSA was under the impression that the road was, or was soon to be, a City street. As soon as NHSA realized that the transfer of the ownership of the street to the City had not occurred, it reached out to Toll Brothers to request an easement.

3. Environmental Concerns:

- a. Given that Maxwell Place was built on a brown field site, what environmental studies have been done during project evaluation with respect to the impact on the site for both 1) the proposed park site and 2) proposed 11th St location? If studies exist are they publicly available?

To give a bit of history on this, prior to the construction of Maxwell Place, the existing site was remediated to meet the approved New Jersey Department of Environmental Protection (NJDEP) Remedial Action Plan requirements. A Licensed Site Remediation Professional (LSRP) prepared and filed a Site Remediation Plan with NJDEP. NJDEP then issued a Vapor Intrusion Guidance Document for the site to determine whether vapor intrusion of site-related contaminants was occurring and to determine what actions would be appropriate

prior to construction of the condominiums. The study was not limited to air contaminants and also included ground water sampling. Based on the NJDEP vapor intrusion guidance, it was concluded that vapor intrusion was mitigated by the actions taken during construction. The Remedial Investigation, Remedial Action Selection Report, Remedial Action Work Plan and Remedial Design and Health and Safety Plans are on file with the NJDEP and NHSA is working on having these documents posted on their web site.

As explained earlier, all subsequent construction work will be subject to the inspection of the LSRP for this site, who remains obligated for the remediation in perpetuity, based on the latest NJDEP rules. NHSA will coordinate with the LSRP during construction for the proposed improvements to ensure the health and safety of all residents throughout the construction process.

- b. What assessments have been done to date on the anticipation of air quality concerns, pollutants/contaminants as a result of the construction process?

Based on the existing environmental studies and data at the NJDEP and USEPA concerning the capped site, the regulators do not require air quality testing for this project. These studies were done at the time the site was approved by the NJDEP for capping. Although air quality testing is not required, NHSA will conduct air monitoring during the project at the request of Maxwell Place residents in order to help ease any community concerns.

- c. Please clearly outline the EPA and LSRP process to ensure protecting human health and the environment is of utmost importance.

NJDEP criteria and recorded deed restrictions outline the requirements for any modifications to the site. NHSA will comply with all requirements and coordinate with the site's LSRP as needed during construction.

4. Noise and Odor Concerns: Please provide more detailed explanation on the amount of decibels emitted from the system, if the noise will be contained to underground and how often the noise will be heard. Provide explanation of steps taken to minimize and or eliminate odor.

Regarding noise during construction, there will be no piling driving east of Hudson Street. Piles will be driven west of Hudson Street for a maximum of two days to secure the emergency generator. The work is anticipated to be done during hours established by the City and the Construction Code Official.

Regarding on-going noise, the emergency generator will be run only once a month for one hour for testing/maintenance. The testing will be done during business hours. The generator will be in a sound attenuated enclosure that is rated 85 decibels at a distance of 23 feet. At 45 feet, which represents the nearest buildings on Eleventh Street, the decibel rate will be about 79 decibels when the

emergency generator is in operation. At the nearest Maxwell Place residence at the intersection of Hudson and Eleventh Street, the decibel rate will be about 73 decibels. This compares to 65 decibels which is considered normal busy downtown daytime sound levels. The control system's two condensing (cooling) units cannot have sound attenuation enclosures due to the nature of the units. Shrubbery and landscaping will be used to mitigate noise. However, keep in mind that these units do not operate continuously, and will primarily only be necessary in the warmer summer months. When in use, the condenser units will operate at a 65 decibel level. The pumps themselves will make no perceived noise, as they will operate at a depth of more than 10 feet underground.

The City of Hoboken also requested that NHSA work closely with the HOA to develop a landscaping plan that addresses residents concerns. Landscaping can be used to shade the equipment so that it is not visible. The City and the NHSA are also amending their shared service agreement to make it clear that NHSA will work with the Maxwell board and the City to finalize a landscaping plan that everyone agrees on.

Regarding odors, exhaust from the below grade will be discharged back into the combined sewer outfall pipe when the pump starts up and stops. Since there are no open exits for air from the combined sewer to escape, NHSA does not anticipate any odor issues.