

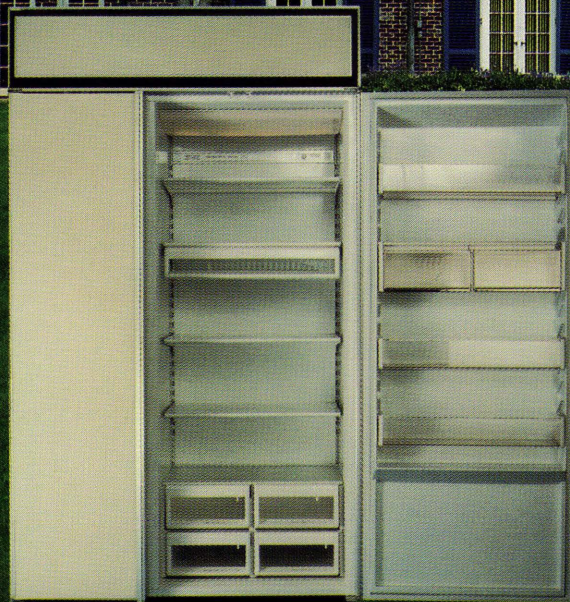


Architecture

Vol. 24 No. 2

New Jersey

On The Waterfront



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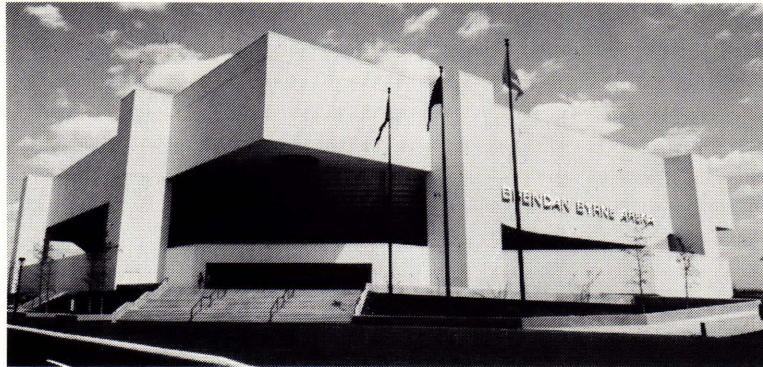
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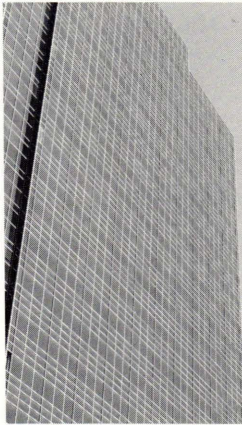
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Architecture

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New Jersey



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Architecture New Jersey (USPS 305-670) is a publication of New Jersey Society of Architects, a Region of the American Institute of Architects. It covers projects of current interest, news of architects, and issues in architecture. The purpose of the publication is to increase public awareness of the built environment. The publication is distributed to all members of the New Jersey Society of Architects, to consulting engineers, to people in fields related to architecture, and to those leaders in business, commerce, industry, banking, education, religion, and government who are concerned with architecture. Views and opinions expressed in **Architecture New Jersey** are those of the writers and not necessarily those of the New Jersey Society of Architects.

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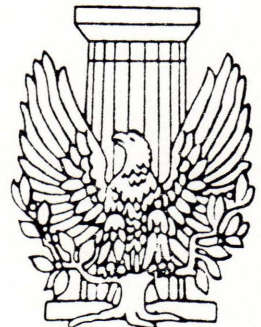
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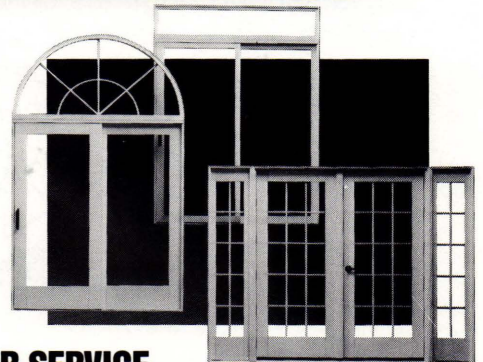
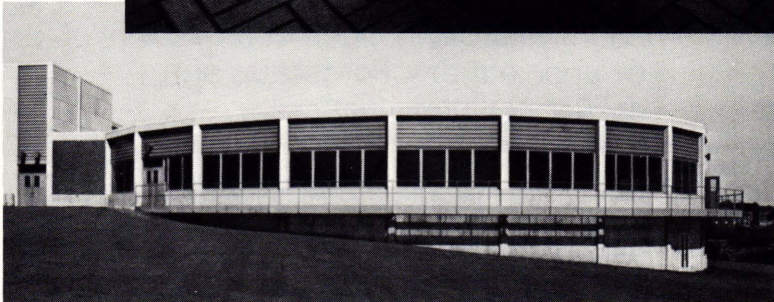
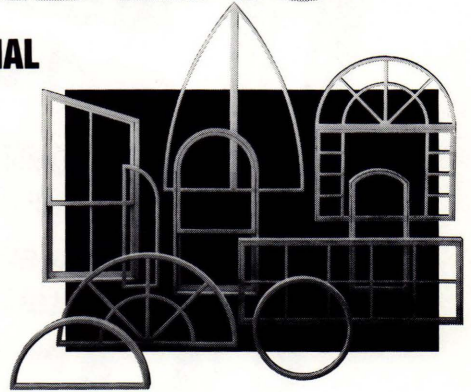
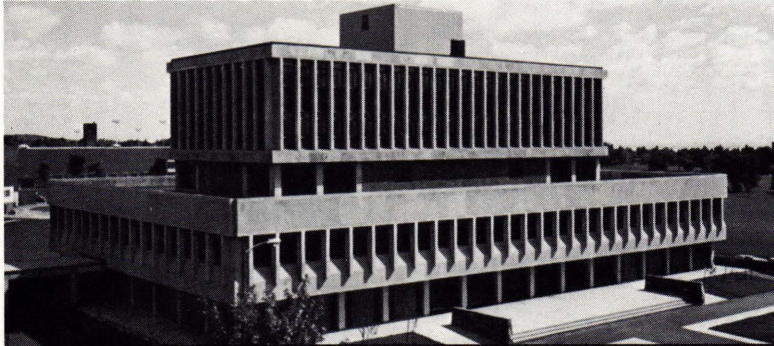


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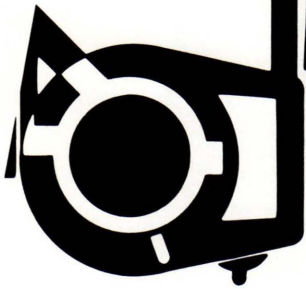
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Editorial

In an issue devoted to the waterfront, it is appropriate to consider how we have been treating our water. The headlines all summer long telling us of the hospital waste and sludge being washed up on our beaches have caused great alarm. Some waste has been traced to its source and prosecutors say that fines will be levied. Asbury Park is upset about the mess of its own making. All along the shore business people and members of Chambers of Commerce are decrying the poor financial summer they have had. But the problem goes beyond the dumping of hospital waste and untreated sewerage.

We say we know water is essential to survival but our actions contradict that knowledge. Every aspect of our society ignores the psychological and biological benefits of water. Bridges that are hailed as engineering marvels of both structural and aesthetic beauty carry people across our rivers at great speed and offer only the briefest glimpse of the water below. Concrete and macadam superhighways have been erected more as barriers to the riverbank than as effective means of transportation. At least one municipal building in the state has had unpotable water for many years. The town's solution to this health hazard has been simple: they have provided bottled water. These instances exemplify our pervading lack of concern about water.

We really have no right to express surprise, dismay, or outrage when we find that our beaches or our rivers are unswimmable. We all are guilty. We all contribute. And we must all change if we want this situation to improve.

Realizing that change, however, is an extremely difficult proposition. We must recognize that it is our responsibility, collective as well as individual, to safeguard and protect our resources. We must demand that our elected and appointed officials recognize their responsibility to safeguard our resources, and we must hold these officials accountable for their actions.

Philip S. Kennedy-Grant, A.I.A.

August 2, 1988

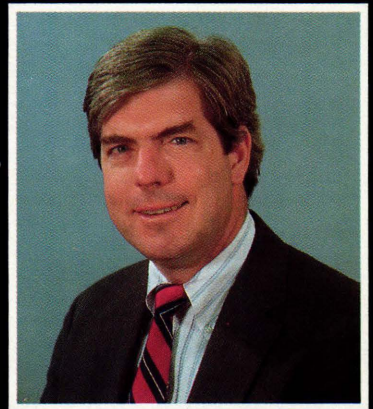


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Introduction

The places where the seas and rivers meet the land have always held great meaning, both practical and emotional, for man. Mankind has, in turn, left its mark on these places. The cradles of civilization were located at the water's edge, and in earliest times, trading spurred waterfront development. Later, so too did the needs of manufacturing, housing, and recreation.

The history of New Jersey, a state with an extensive coastline, has been in the state's waterfronts, from trade at the pre-Colonial harbors of New York and Philadelphia to the transportation and manufacturing that took place at the water's edge in the nineteenth and early twentieth centuries, and that led to unprecedented economic growth. Now, though, in an age of increasing concern for the quality of the natural environment, New Jersey is confronted with the problem of what to do with the ruins of past industry at the water's edge. Waterfront development is strictly regulated by government agencies at all levels and is closely monitored by citizen groups, thereby presenting a formidable challenge to planners, developers, and architects.

This issue of *Architecture New Jersey* focuses on current waterfront development. We take a look at Liberty State Park, located in the highly urbanized area of Hudson County and facing New York Harbor. Projects by New Jersey architects, from city skyscrapers to single-family homes, show the diversity of development along the shoreline. We offer an interview with the director of the Governor's Waterfront Development Office, and two articles on the growing regulation of waterfront development.

Development at the water's edge raises hard questions for architects. An architect must deal with the paradox that such development can destroy the same natural resources the architect seeks to take advantage of. And, less tangibly, the architect has the task of responding aesthetically to the profound cultural significance of the waterfront, from its history of bustling activity to its timeless promise of tranquility and spiritual renewal.

Exchange Place Centre

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Measuring 516 feet in height, Exchange Place Centre will be New Jersey's tallest office building. It is part of a mixed-use project that also includes restaurant and retail space and the refurbishment of an existing PATH subway entrance. The one-acre site is directly across the Hudson River from the World Trade Center; above the Exchange Place PATH station; and adjacent to the new J. Owen Grundy Green Acres Waterfront Park, which is located on a pier and forms part of the Hudson River Walkway.

An exterior arcade will link pedestrian movement from areas west of the site to the park and a new PATH station adjoining the site. The entrance to the building is through a rotunda into a lobby with coffered ceilings and floors of polished granite with inlaid marble accents. The lobby will house a bank, restaurant, and shops.

A precast concrete base, classic in style, anchors the office building. The articulated masonry base, housing a parking garage, is seven stories high; its materials and height are in keeping with those of neighboring buildings.

Above the garage, the lowest office floor has unrestricted views above all neighboring buildings. The twenty-five office floors above the base are clad in reflective green glass, and culminate in a 60-foot triangular spire. The east facade, facing New York City, is curved to give a panoramic view of Manhattan.



Bayfront Residence

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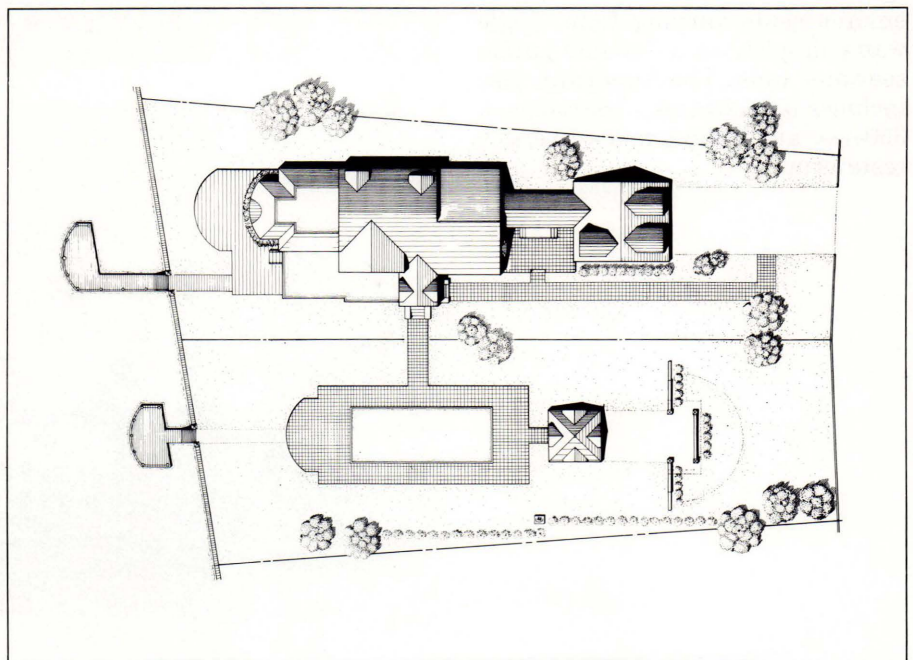
Roth Associates

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Given a bayfront site that consisted of two adjacent building lots, the design uses one lot for the house, and the other for a formal terrace, pool, and pool house. Thus, a linear floor plan accommodates the narrowness of the lot and addresses both bay and street.

Victorian homes in the neighborhood inspired this grey cedar, three-story house, which has a varied roofline, a series of decks and porches, several windows of etched glass, and a latticework breezeway that emphasizes the street entrance and that opens onto a semi-enclosed, brick-paved courtyard. The main living space faces the bay with a two-story glazed wall, whose shape is echoed in the deck, dock, and terrace. The multipurpose playroom on the top floor has an observation deck, and the stairwell looks out toward the pool. The two stories of decking, which wrap around the south and west faces of the building, culminate in a two-story portico that is visible from both the bay and street, and that provides a formal approach to the pool and the similarly detailed pool house.

The linear placement of the pool, pool house, dock, and terrace echoes the organization of the house and its orientation to the waterfront. Latticework fences screen the pool house from the street.



New Jersey State Aquarium

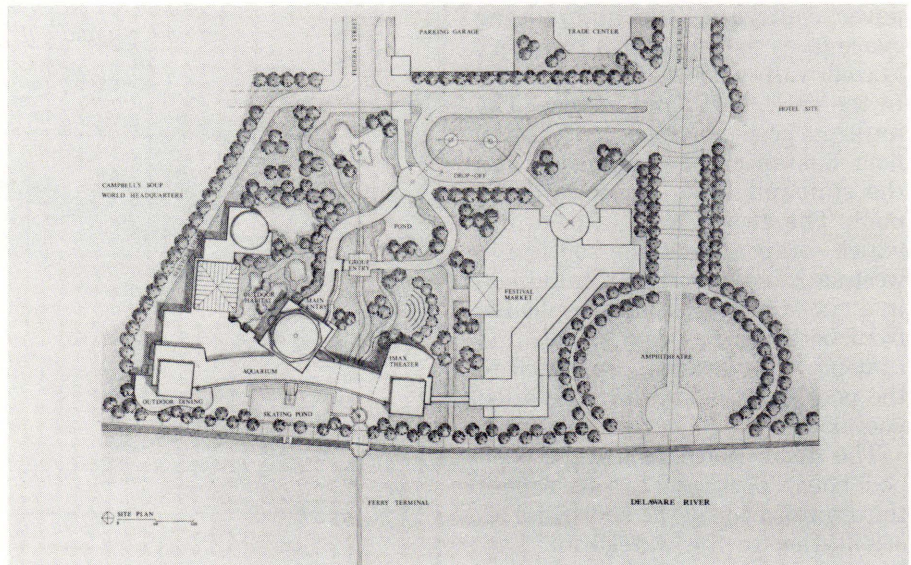
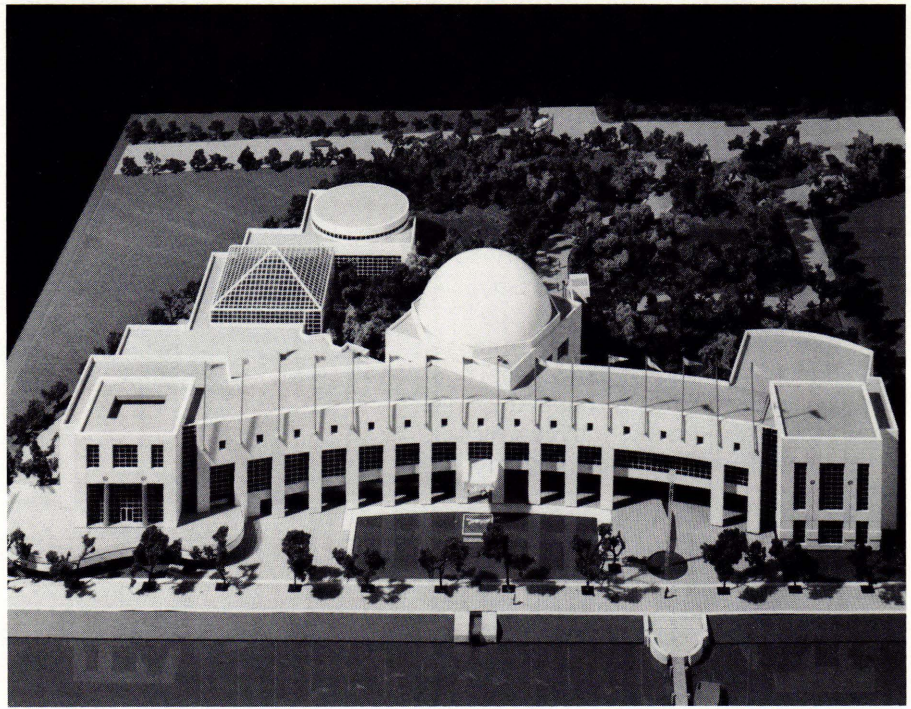
Camden, New Jersey

*The Hillier Group
Princeton, New Jersey*

The Hillier Group is designing the new State Aquarium in cooperation with the Philadelphia Zoological Society, who will participate also in the operation of the Aquarium. Planned as the main public attraction in a park, the Aquarium will be on a Delaware River site just south of the Benjamin Franklin Bridge. Part of the goal of the design is to conserve open space and to provide a setting for public events along the riverfront.

Both the facade visible from Philadelphia and the entrance facade facing Camden are considered equally important in this building, which is to be made of light-colored materials. The former is designed to make a strong visual impression from afar, and the latter to suggest a festive welcome to the park.

Aquarium visitors will experience an outdoor walk through New Jersey mountain streams, a frozen pond, water flowing through the landscape into the building, moving water in channels along walkways, and an indoor tropical waterfall. Visitors will also find large-scale sculptures, interactive video displays, visitor-activated models, and touch tanks. Wildlife in the exhibits will live in environments varying from single water droplets to a 750,000 gallon seawater tank. The Aquarium also includes laboratories, classrooms, a 300-seat auditorium, and a riverside restaurant.

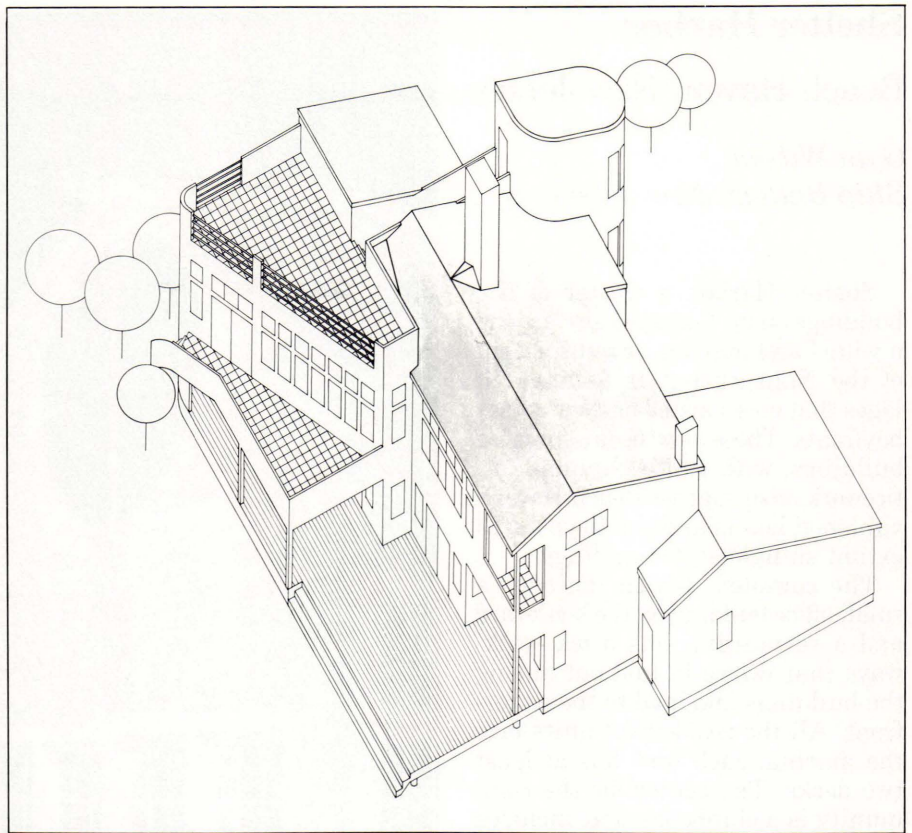


Failla Residence

Forked River, New Jersey

*Lepley and McCorry
Forked River, New Jersey*

Set on a riverfront site with a view of Jersey shore wetlands, this home has an "upside down" arrangement in order to give the master bedroom and living spaces the best views. The design also organizes utility spaces in a service layer on the street side of the house. This organization creates a progression expanding toward the view, from the smaller and darker spaces toward the larger and better-lit spaces. To emphasize this progression, the ceiling height increases by two feet as one approaches the window wall of the living/dining space. The angled configuration of the bedrooms echoes the angle of the river bank, and provides each of the lower bedrooms with two exposures.



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*James R. Guerra
Elizabeth, New Jersey*

The new marina, for which future expansion is planned, takes its style from the adjacent naval armory, an old, brick building converted into a restaurant. The marina is paved with concrete and brick, and its turn-of-the-century lightpoles are also in keeping with the many historic buildings in Perth Amboy. Part of the ongoing development of the whole waterfront, the marina contains the first section of the Hudson River Walkway. The firm also has added gazebos and landscaping to an adjacent, existing park (Sadowski Park), and will repair the park's failed bulkhead, redesign the park, and add play areas.



Shelter Harbor

Beach Haven, New Jersey

Gym Wilson

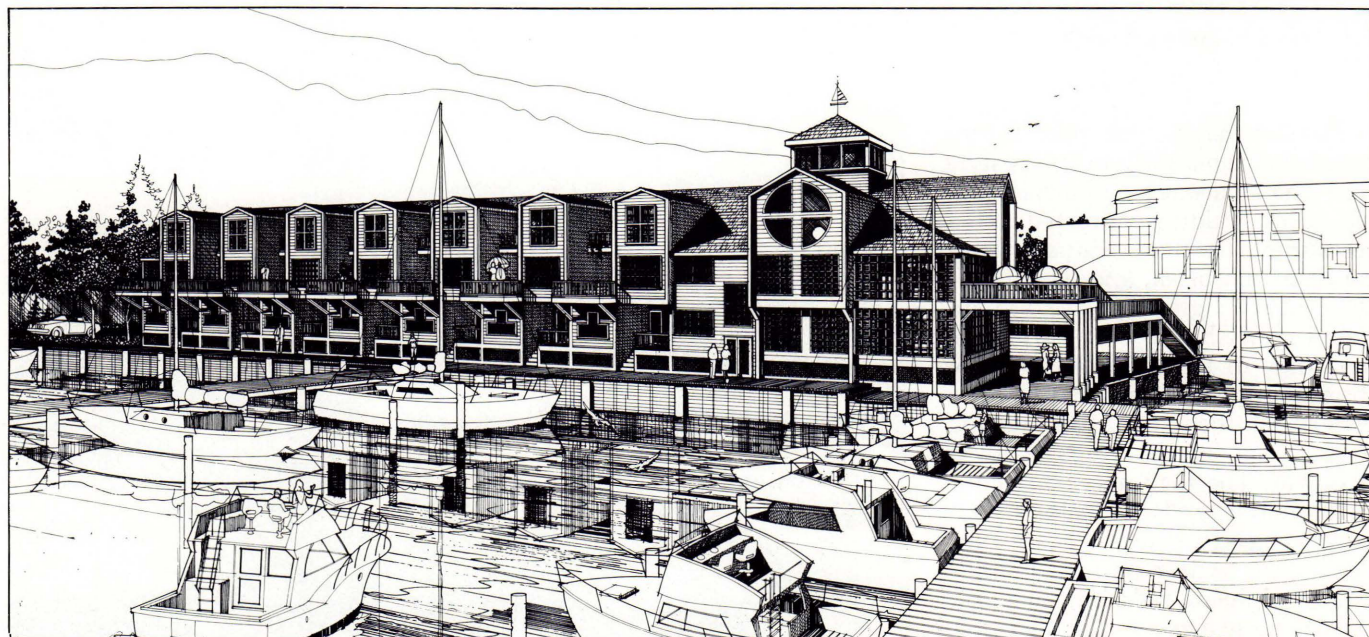
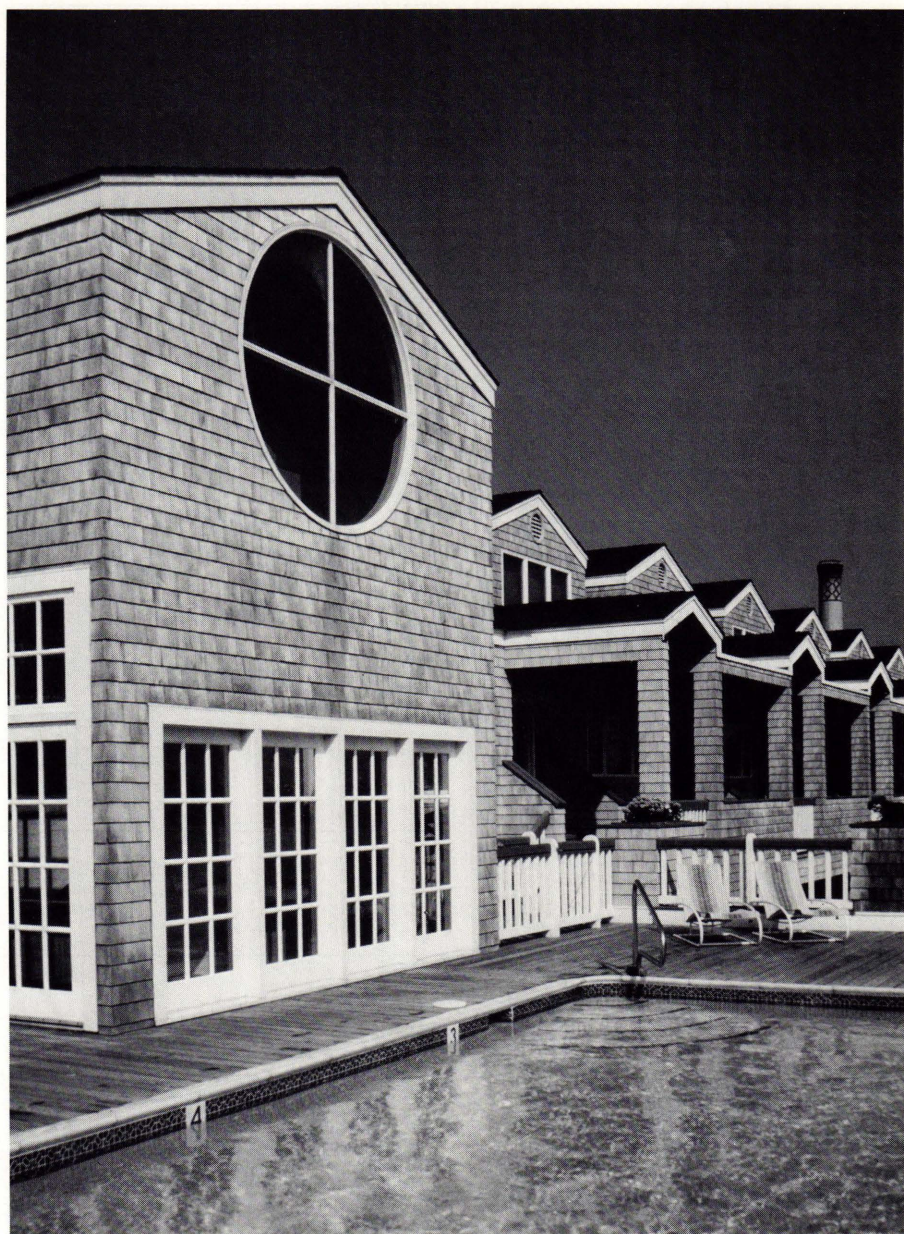
Ship Bottom, New Jersey

Shelter Harbor, a cluster of five buildings on an L-shaped site around a wharf and marina, is reminiscent of the Nantucket-style fishing villages that once existed on New Jersey bayfronts. These new cedar-shingled buildings, with white trim and latticework, also suggest Beach Haven's vanished hotels and the town's still extant shingle-style buildings.

The complex, which includes a small office building on the boulevard and a restaurant, has brick walkways that weave in and out among the buildings and lead to the waterfront. All the residential units face the marina; each unit has at least two decks. The center for the community is a clubhouse that includes a pool and sundecks.

The residences, which are flats, multi-levels, and townhouses, present a facade of regimented windows toward the street side. The low profile of the office building on the boulevard is in keeping with surrounding buildings.

Dormers on the roofs contribute to the residential look, as do the turrets and cupolas. A "lighthouse" tower on one end of the row of townhouses serves as a beacon for Shelter Harbor as seen from the bay.



Portside Condominiums

Philadelphia,
Pennsylvania

*The Hillier Group
Princeton, New Jersey*

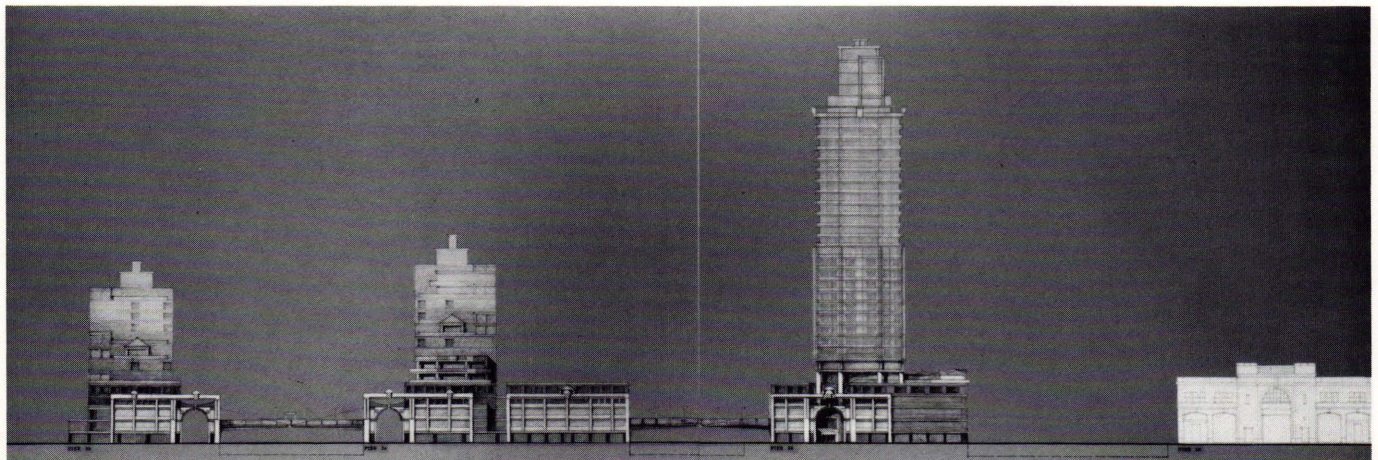
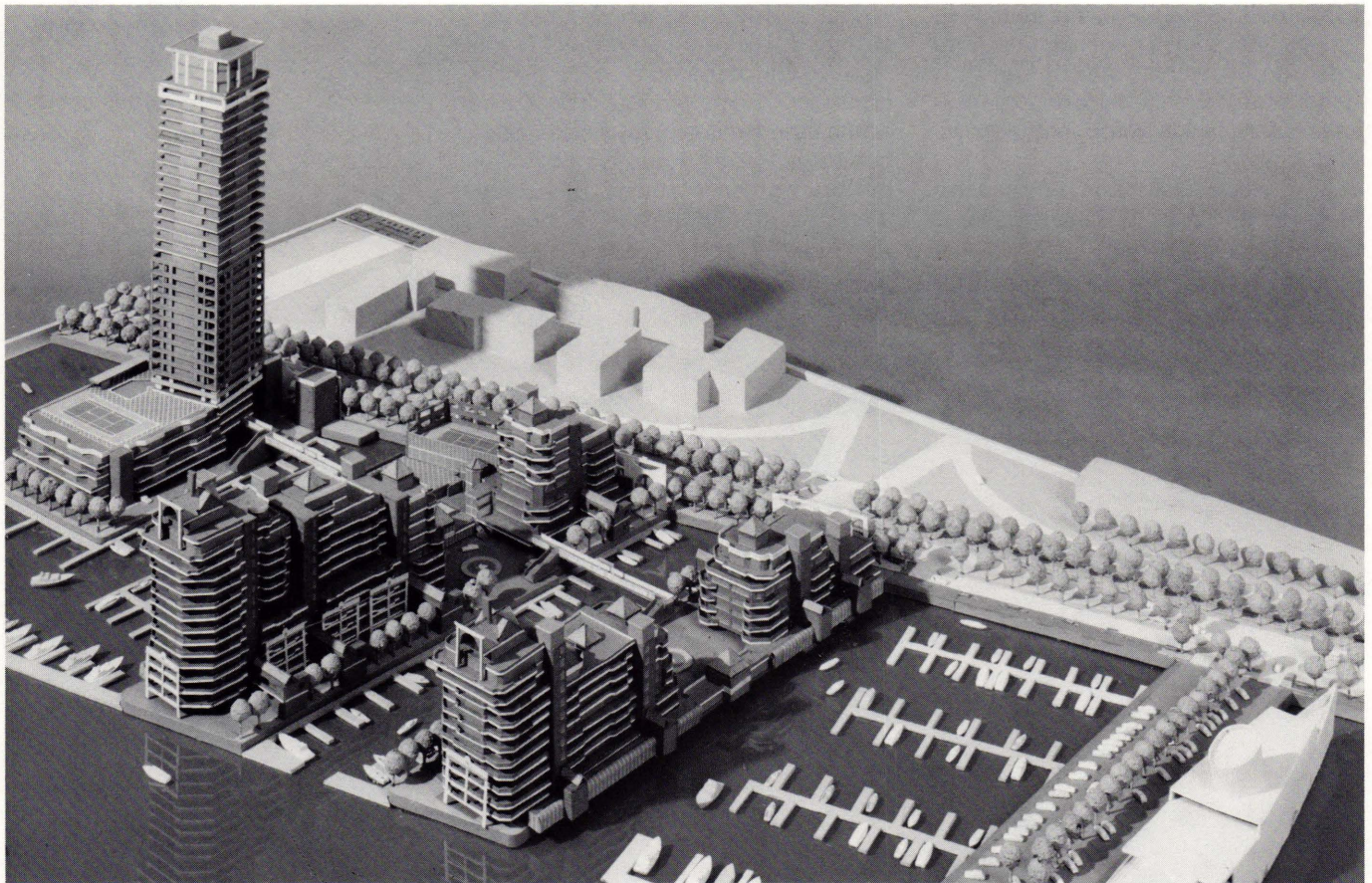
Located next to Penn's Landing, these waterfront luxury condominiums will be set on three existing piers, which will be reinforced with new pilings. The buildings step down

as a group toward Penn's Landing, and individually toward the city; an open area through the complex allows units on the lower floors of the high-rise tower to have a view of Penn's Landing. The complex includes a clubhouse and recreational facilities, and is surrounded by boatslips for docking condominium owners' boats, from small motorboats to yachts. The parking garages are at pier level.

The buildings will be of three different materials: pinkish granite at the lower levels, precast concrete for light buff "limestone" accents, and a warm brick that is in keeping with Philadelphia architectural tradition.

The sloped roofs will be of copper, and decks of brick or tile.

An individual core system eliminates long corridors in the building; front doors to the units are clustered around the elevators, with entrance lobbies on each floor featuring stone flooring and copper fittings. To take advantage of views, eighty percent of the units are through-units with both south and north exposures. Upon entering a unit, through a gallery, one can immediately glimpse the view outside. The living rooms, with colonnades, are in the Italian style.



Ross Dock Recreational Area

Englewood Cliffs,
New Jersey

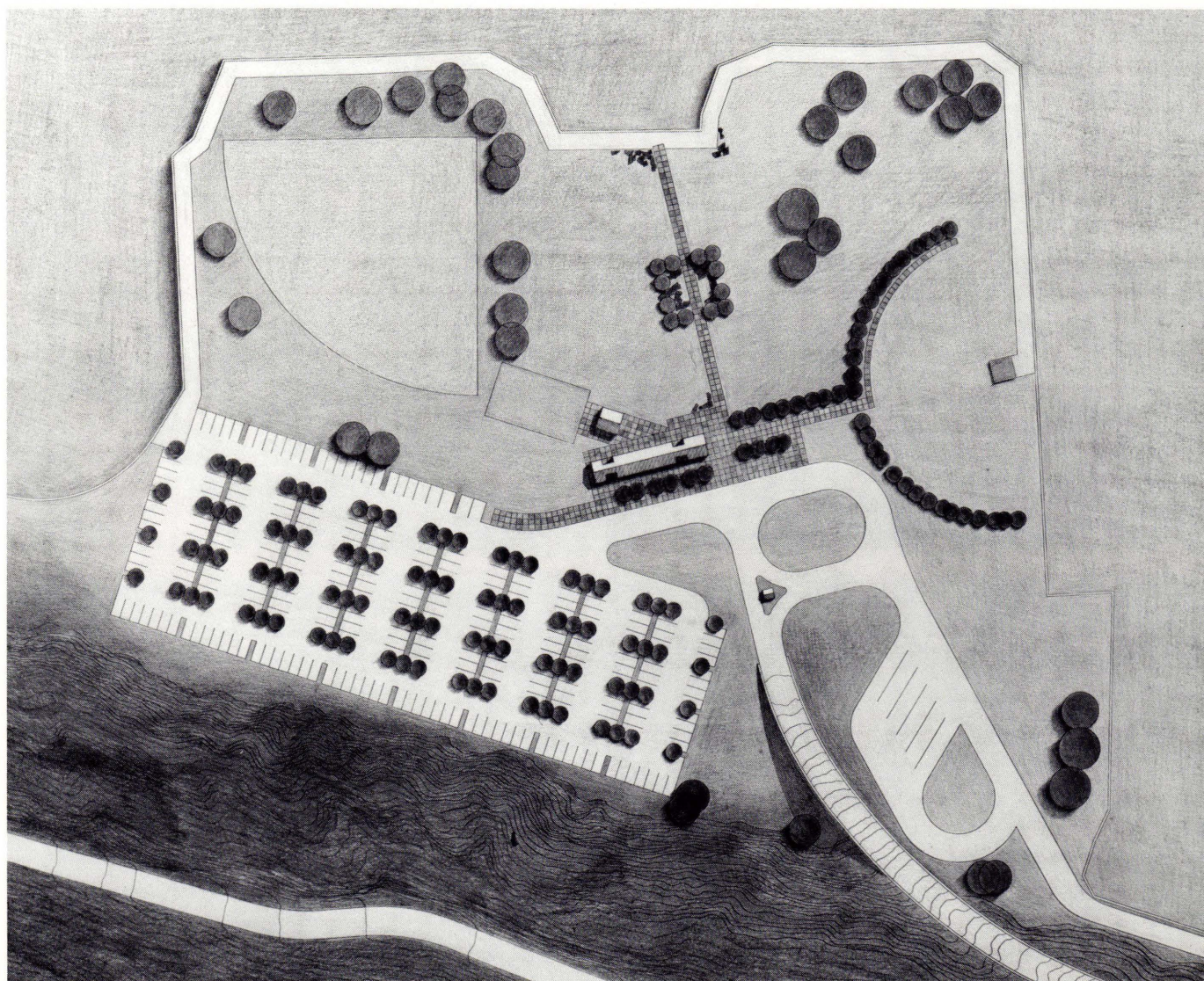
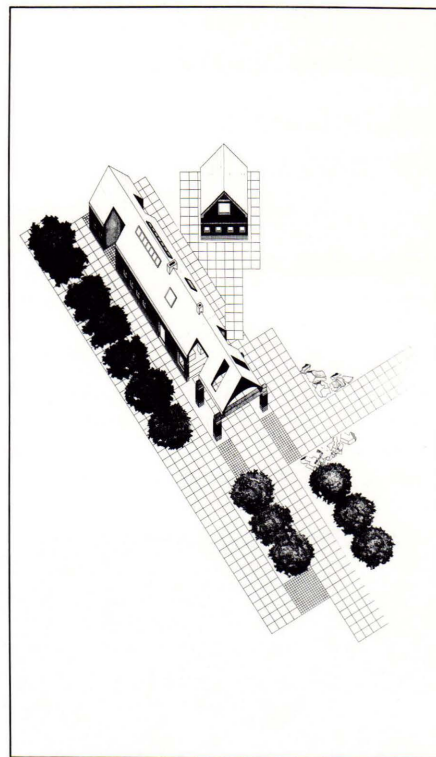
*Mosteller and Travisano
Princeton, New Jersey*

This recreational area, located in Palisades International Park, is on a 14-acre peninsula that lies at the base of 350-foot tall bluffs, north of the George Washington Bridge. The area is intended for sports such as basketball, horseshoes, and open field games, as well as for picnics and concerts. It includes a building that has an outdoor eating area, concession stand, locker room, game room, and storage.

The views from and of the site largely determine the arrangement

of the various elements of the recreational area. The two dominant long vistas of Manhattan, from the Cloisters at the north to the World Trade Center at the south, inspired a cross axis north-south and east-west. The configuration provides a simple, recognizable form on the landscape, as seen from the bridge, and suggests the larger context of the park. It also organizes the major views from the outdoor eating area, uses the Manhattan skyline as a backdrop for concerts, and divides up the site into quadrants for entry, parking, active sports, and other activities.

The building, which has a slate-shingled roof and cinderblock walls with stone veneer, reinforces the cross-axis site organization and echoes the linear form of other park buildings, dating from the 1930s. This building differs, though, in its segmentation to emphasize entries.



North Pointe Condominiums

Long Branch, New Jersey

Kaplan Gaunt

DeSantis Raciti

Red Bank, New Jersey

The X-shape of this building and its placement at an angle to the beach give the occupants of the fifty units as much view of the ocean as possible. In addition, the building allows a view through its first two levels: on the ground level is parking, and on the second level, common space with a large amount of glass and an outdoor deck. The overall style of the building was generated by the columns, of steel encased in concrete and painted a pastel peach. The building has bands of light grey and white. The peaked roof allows for lofts in the penthouses and further serves to distinguish this building from other high-rises in nearby beach towns.



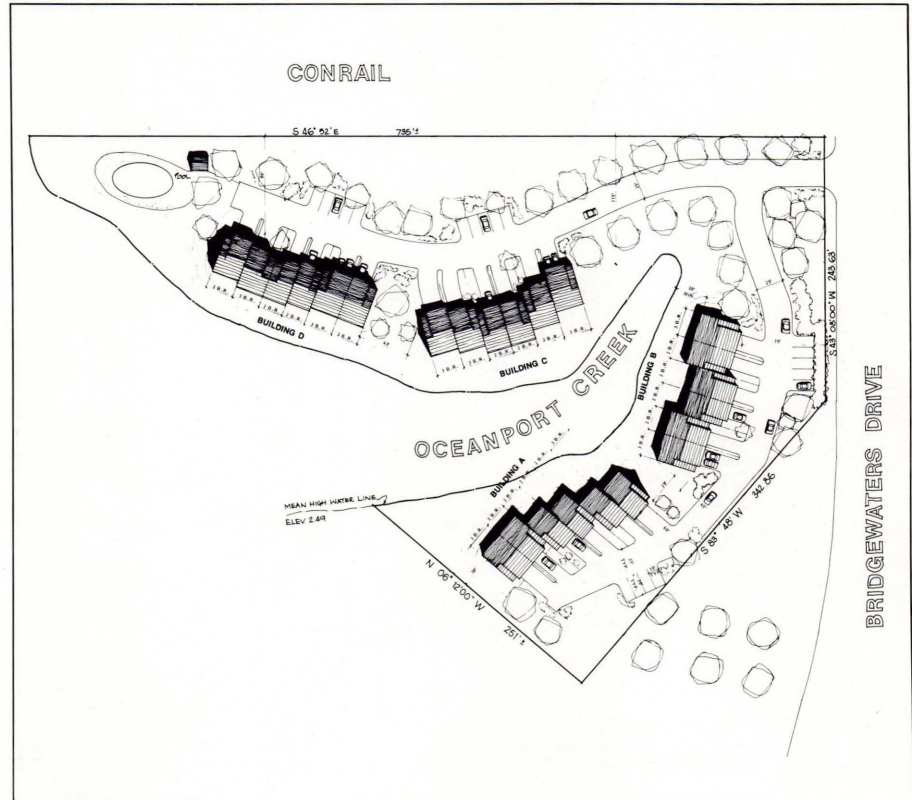
Bridgewaters Cove Townhouses

Oceanport, New Jersey

Ecoplan

Englewood Cliffs, New Jersey

The developer of these townhouses wanted the new buildings to be more “homey” than those in an adjacent (and earlier) development, where the houses are contemporary in style, with height accentuated by vertical siding. Thus these twenty-four townhouses, whose clustering was dictated by the V-shaped site, are suggestive of traditional New England residences, and have horizontal cedar siding and red brick bases to deemphasize verticality. Gables extending in different directions vary the roofline, and the split entries, half a story up, lead to a one-and-one-half story entrance space.

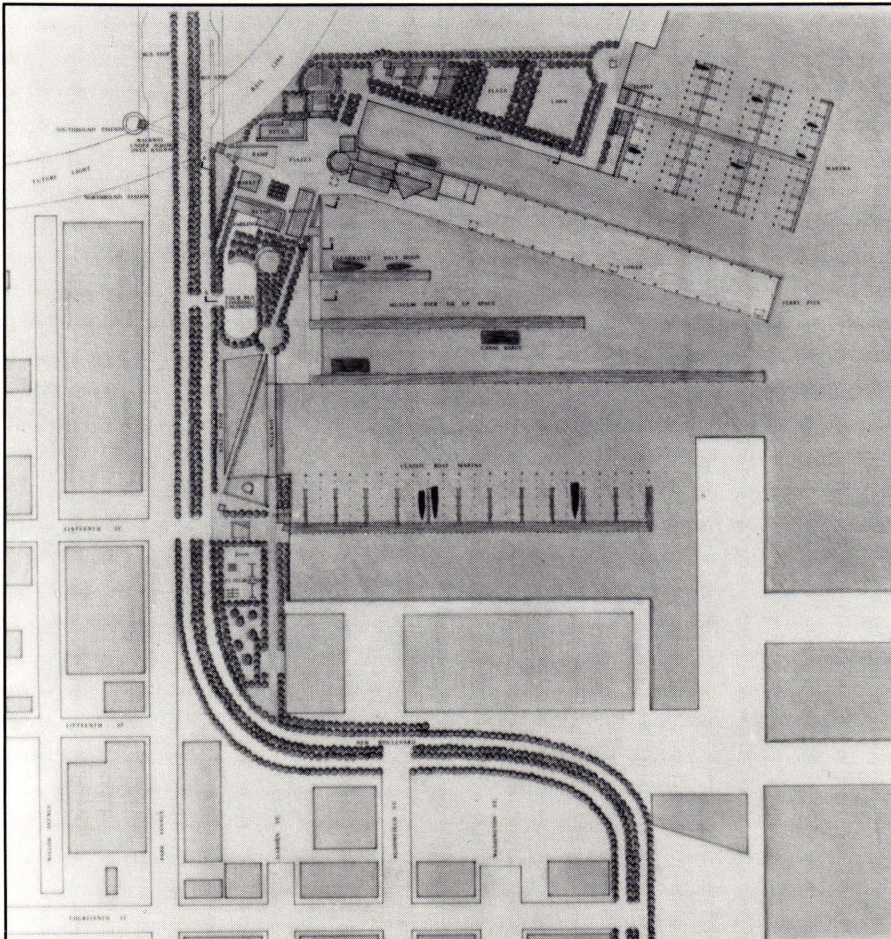
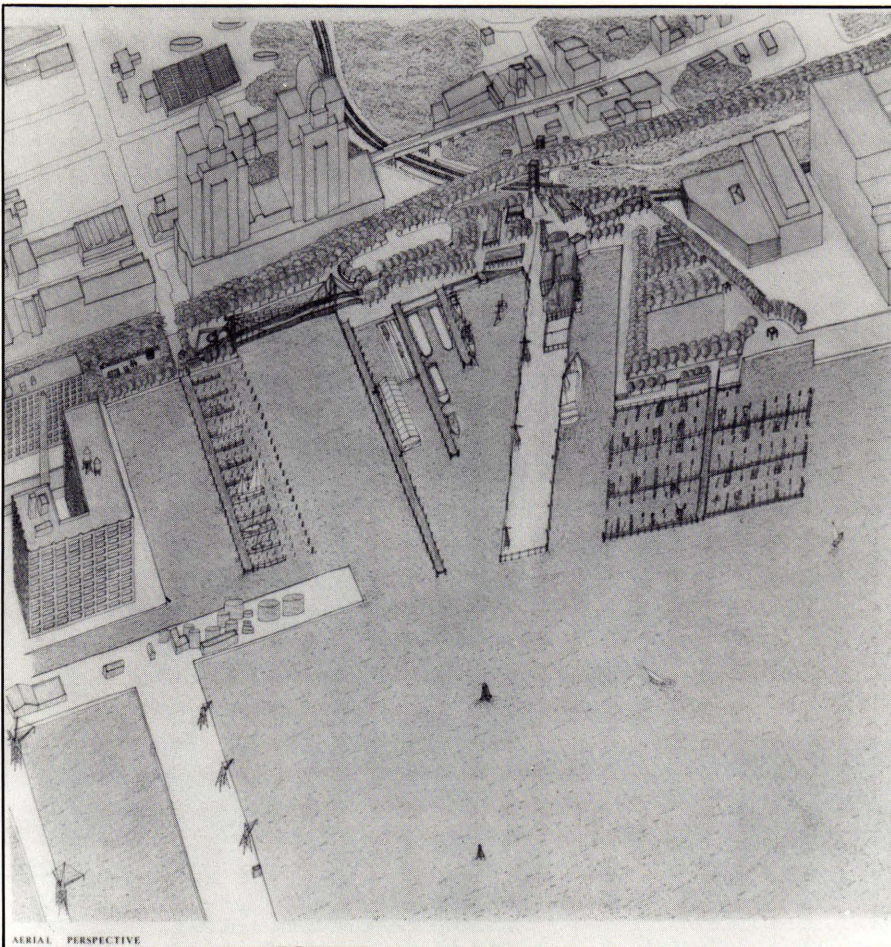


The Seaport Design Competition

Co-sponsored by the Hudson Waterfront Museum and the AIA Newark Suburban Chapter, the Seaport Design Competition was open to students at eleven New Jersey and New York schools of architecture. The program for the competition, held in the fall of 1987, required entrants to design plans for a "restoration shipyard" located at Weehawken Cove in Hoboken.

The sponsoring museum is one whose mission is to evoke the Hudson River waterfront at the peak of its commercial activity, which occurred around the turn of the century. According to the competition program, Weehawken Cove in the late 1880s was the site of three ship repair establishments, and its ship repair yard soon grew to be the second largest in the New York harbor. Yet despite war-related work undertaken during both World Wars, a gradual decline of business led to the 1965 closing of the shipyards.

The Museum conducted the competition in the hope that its results might help convince the site's present owner, the City of Hoboken, to devote the site to museum use. Designs for the restoration shipyard had to maintain the line of the existing bulkhead, and the area of new piers could not exceed the area of former piers. The program suggested various types of vessels—covered barges, hold barges, scows, stick lighters, and car floats—that were once used to transport immigrants, cargo, and railroad cars, and that the designs could incorporate as exhibits or as space for museum functions. In addition to museum offices and galleries, the design had to include a ship repair shop, an indoor meeting space, an outdoor performance space, retail space, a ferry stop, and a section of

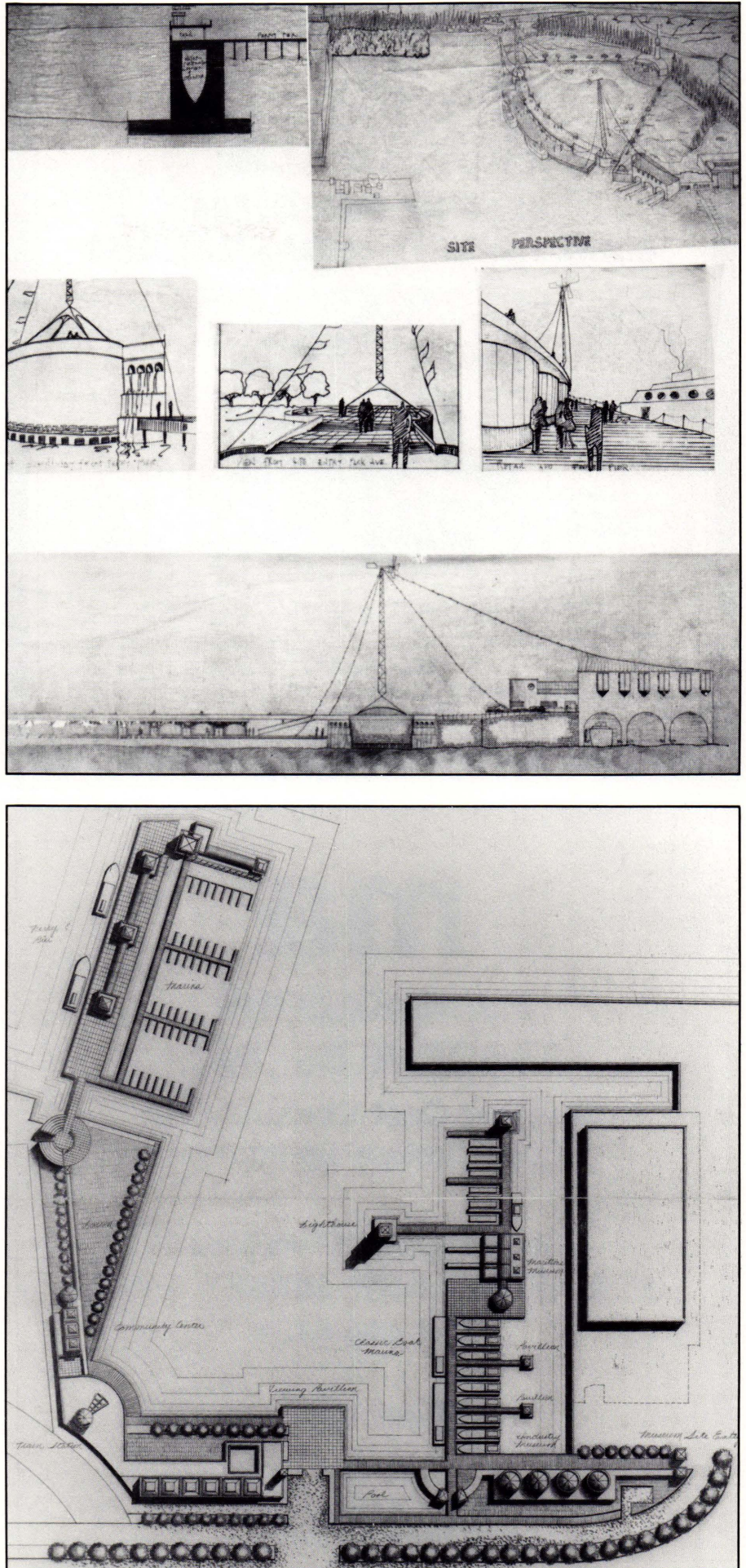


the Hudson River Walkway. Other possible elements were replica ships, antique railroad cars, a lighthouse, a rope walk, and a classic boat marina.

The competition jury chose a design by Douglas Gruninger of Hawthorne, NJ, for the first-place award, and designs by Clement Ushie Ogar and Anthony L. Juliano for second and third places. The jury praised the winning design's rendering, presentation, placement of retail space, and way in which the "site plan highlighted identifying symbols for the Waterfront Museum from the public right-of-way."

"I looked to broaden the program and include a variety of modes of transport related to the waterfront, and have them intersect at that point," says Gruninger, a fourth-year student at NJIT. In his scheme, passengers from the bus and train are funneled to a paved piazza in front of the museum, which lies on the central pier where the ferry docks. The overall plan, he says, also attempts to relate to the region by aligning the northern piers with the axis of 23rd Street in New York City, and the southern piers with the grid of Hoboken's streets. A series of park-like "rooms," walled by trees, define open spaces for community functions.

In designing the main museum building, says Gruninger, "I tried to borrow from the existing industrial imagery—for example, the lobby of the museum is shaped like an oil tank." He describes the museum as a "simple frame structure" with four main volumes; the museum steps down with each successive volume, and the walls extend as a steel framework with a moving crane to encompass the ship repair yard. □





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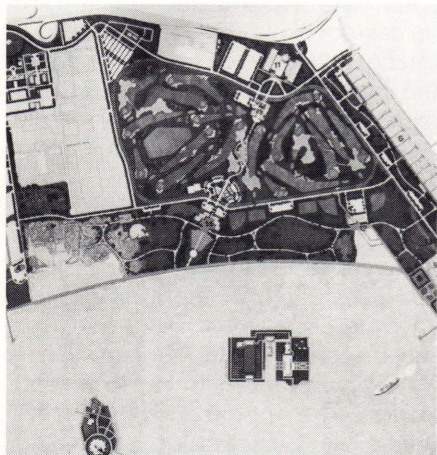
By Barbara E. Kauffman

New Jersey's first urban state park, Liberty State Park, opened in 1976 on a waterfront site that had been wasteland rather than parkland. The Jersey City area had once been a center for industry and railroad transport, but by the early 1970s had become a 750-acre stretch of rotting piers, debris, and decayed freight warehouses.

At this time, the City of Jersey City donated 156 acres of the land to the State of New Jersey, and the State used money provided by the State Green Acres fund and federal Land and Water Conservation funds to purchase the rest of the waterfront property, which lies 1750 feet from the Statue of Liberty and less than a quarter mile from Ellis Island. A 35-acre area at the south end of the property was turned into grass-covered parkland in time to celebrate the country's Bicentennial.

In 1977, Governor Brendan T. Byrne appointed the Liberty Park Planning and Study Commission, and asked its members to propose park functions. The commission composed a list of recommended uses that included a golf course and large amounts of "green" space. The study commission also urged the creation of the Liberty State Park Public Advisory Commission, to review the Department of Environmental Protection's plans for the park. In addition, the State hired the firm of Geddes Brecher Qualls Cunningham to do a master plan, which featured a waterfront promenade.

These combined proposals were the basis for the "Action Program" drawn up by Wallace, Roberts and Todd. The Department of Environmental Protection accepted and approved it in 1983. The Action Program called for two marinas, a public golf course, an environmental center, a Science-Technology museum, an amphitheater, open green spaces, and a 1.5 mile walk along the park at the water's edge. It also advocated reuse of the Central Railroad of New Jersey Terminal, which had once been the transfer point for immigrants coming through Ellis Island.



By 1986, the park had gained a 32-acre overlook opposite the Statue of Liberty; a visitor's center at the end of a mile-long row of state flags; a swimming pool complex; parking areas; a public boat launch; an interpretive center for environmental education; and a south lawn, from which 400,000 people watched the relighting of the Statue of Liberty on July 4 of that year.

However, public funds to implement plans for the park were nearly exhausted when these elements of the Action Program were completed.

Despite an investment of \$100 million in public funds to develop Liberty State Park, almost eighty percent of the property remains unfit for use by the general public. Estimates of the cost for fully developing the park range from \$300 million on up.

To address this lack of funding, the State recommended formation of the Liberty State Development Corporation, which was initiated in 1984. Its purpose is to persuade private developers to build the public facilities envisioned in the Action Program, and to accomplish the transformation of the entire area into

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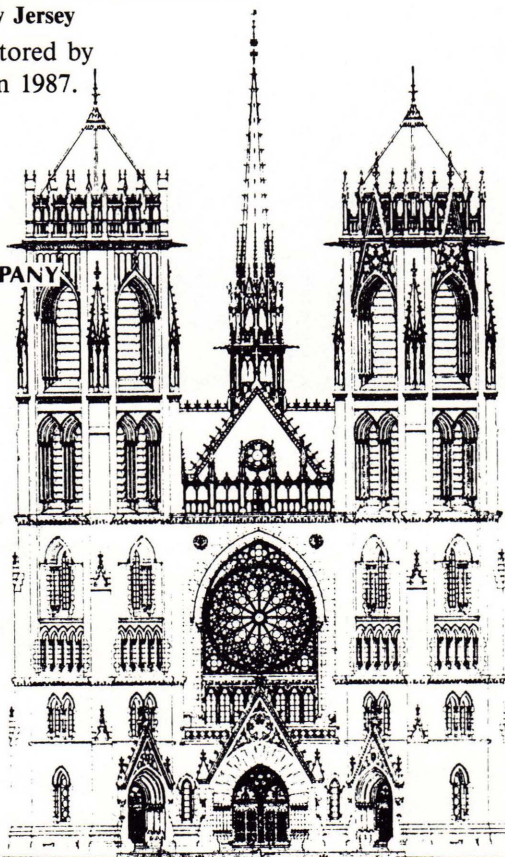
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parkland. The Corporation is able to establish public-private partnerships by subleasing parkland to private developers for construction that remains consistent with the Action Program goal of maintaining open green spaces.

Recently, the Corporation has launched its first project, a marina to be built and operated by Water-front Developers' Corporation of Philadelphia. The developers will also create and maintain seventeen acres of open public space, which represents fifty-seven percent of the marina project's total area. The project will include two "great lawns" totalling ten acres, a 16-foot-wide walkway, and a marina headquarters building, all of which will be open to the public.

Another Action Program venture is construction of the public golf course, to be designed in a style reminiscent of Scotland's St. Andrew's course. Creation of the golf course will contribute to the "greening" of the park; the park will require substantial landfill to cover the cinders and rubble-strewn land that was once the railroad terminus.

A proposed Science-Technology Center is also part of the Action Program. The \$46 million museum, to be designed by the Hillier Group, will be funded by private corporations and foundations, and by a \$10 million grant from the State of New Jersey.

One of the most important additions to the park, Liberty Walk, is scheduled for completion by 1990. The seawall base has already been constructed, and the walkway is now being designed. When finished, this 1.5 mile walkway will be the first major section of the Hudson River Walkway, intended to run from the George Washington Bridge to Bayonne. The Corporation has asked companies to make contributions of \$50,000 per company toward construction of the walkway, and to date four companies have made contributions or pledges.

In 1992, the U.S. will observe the 500th anniversary of Columbus's landing, and the New York harbor will once again be the focal point of a major event. The ongoing development of Liberty State Park will help the area become a worthy setting for this celebration. □

Barbara E. Kauffman is Vice-President of the Liberty State Park Development Corporation.

Residential Development on the Hackensack River

By Steven M. Coppa

In large part, the Hackensack River and its tributaries define the 21,000-acre area known as the Hackensack Meadowlands, which lies just a few miles west of New York City. The area remained little touched until recent times, when technology made development feasible in these low-lying wetlands.

By the 1960s, the New Jersey state government recognized that the salt-water swampland would undergo drastic change as development occurred. Therefore, the state set up the Hackensack Meadowlands Development Commission, which regulates zoning and planning along the Hackensack River and in the surrounding Meadowlands. In 1972, the commission released a master plan that recognized the area's enormous potential for industrial and commercial growth, and that at the same time foresaw the need for housing—specifically, about 100,000 units—to accommodate the people who would find employment in the Meadowlands.

In the last ten years, about 5 million sq. ft. of office space, 800,000 sq. ft. of retail space, and 50 million sq. ft. of industrial space have been built in the Meadowlands, in addition to the Meadowlands Race Track, Giants Stadium, and the Brendan Byrne Arena. The number of people who work in the Meadowlands has doubled, and has reached about 90,000. Yet only 1,500 units of high-rise and low-rise housing have been built, so that workers in the Meadowlands must often commute an hour or more on highly congested roadways. Housing development is now at a standstill, especially along the Hackensack River, where the greatest opportunity lies.

The problems that hinder housing development in the Meadowlands are numerous and complex. Land that in 1972 was planned for housing is being reduced each year by the claims of the Turnpike Authority, of the state, and in the future, of a pro-

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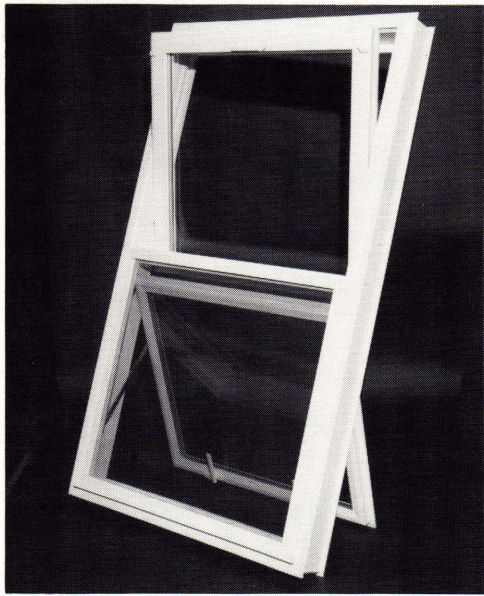
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posed new baseball stadium, with acres of parking area. Furthermore, legislation concerning wetlands protection and enforcement of that legislation are in a period of transition. No new decisions about designating land for housing, or approving housing projects, are soon forthcoming.

At present, about 6,000 acres of the Meadowlands remain undeveloped. Any new development must be approved by a host of government agencies: the Department of Environmental Protection; the Army Corps of Engineers; the Division of Fish, Game, and Wildlife; the Environmental Protection Agency; the committee of mayors of towns in the Meadowlands district; the Hackensack Meadowlands Development Commission; and so on. Each year the list expands, and each year the application process requires longer periods of time for review.

The architect finds that his or her role is that of outsider preparing proposal after proposal for review by the various boards.

Bringing to fruition a project that involves a water course, wetland, or other environmentally sensitive area strains the resources of both the developer and other professionals involved. Not only does the lengthy application process (often lasting three years or longer) for a proposed project discourage development, but so too does the struggle between the various agencies involved. Federal, state, and local agencies may all be at odds with one another. For example, the Meadowlands zoning regulations promote the idea of development for waterfront recreation, but the Army Corps of Engineers and the DEP oppose any disturbance of the "natural" shore line, even if that shore area presently consists of malodorous mud and rotting piles.

Compounding the frustration is the likelihood that during the typical three-year review process some or all of the zoning requirements or

federal guidelines on wetlands will change. Changes in local politics may also complicate matters, especially when a project is up for approval around election time. An army of professional consultants, from attorneys to environmental engineers, is needed to respond to the conflicting and shifting requirements set by the agencies involved.

Over the three years of the approval process, then, a project that was once workable may come to be far less so. Building configurations may have to change drastically; for example, a project that started with a dozen acres of undeveloped land may yield less than 25 percent buildable area.

The architect finds that his or her role is that of outsider preparing proposal after proposal for review by the various boards. Even the architect's own intention to cooperate with preservation measures may run into difficulties, as, for example, with zoning that calls for small low-rise buildings and therefore extensive vehicular circulation and "hard area" to service these scattered buildings. Since the preservation of open space is in inverse proportion to a building's footprint, the option of building up would reduce the impact at ground level.

In an attempt to deal with the problems of development in environmentally sensitive areas such as the Meadowlands, government agencies are turning to the concept of mitigation. Anyone who wishes to build in such an area must provide land—sometimes as much as one and one-half to two times as large as the land used for development—that will be left untouched or will be enhanced to restore a natural habitat destroyed by activities such as chemical contamination, or dumping. Mitigation, like smaller footprints for buildings, helps to consolidate the disturbance of the wetlands.

In this writer's opinion, two further efforts are needed in order to allow housing development in the Meadowlands to progress. Regulatory agencies will need to clarify the definition of "environmentally sensitive areas," and to exclude areas that need to be enhanced, rather than to be left in their natural state. In addition, the Meadowlands will need a master plan that can reconcile the need for preservation and for development, particularly for residential development. □

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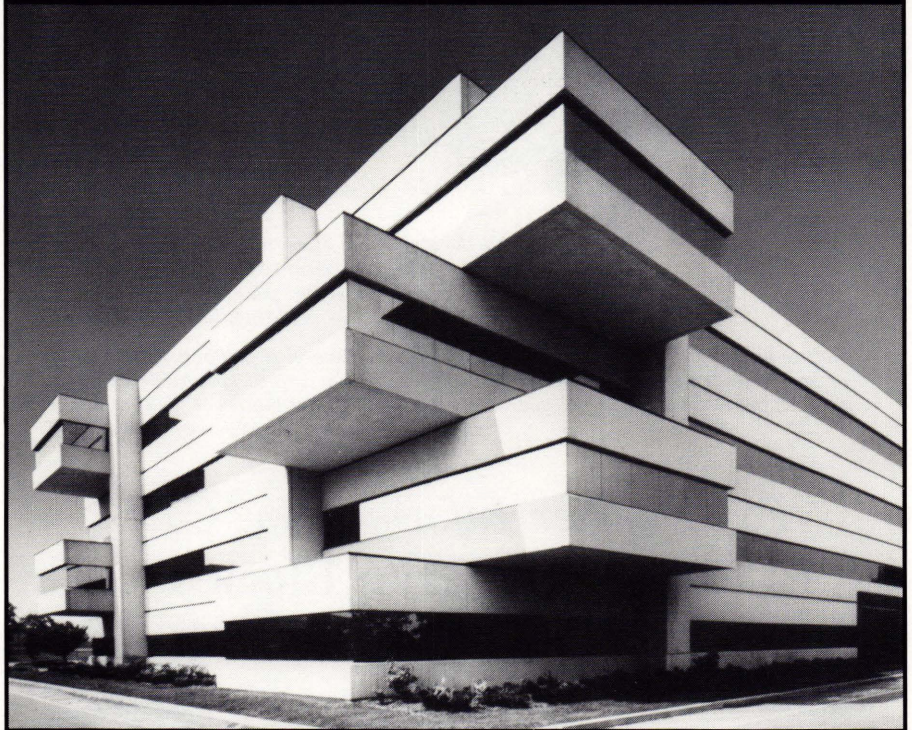
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New Jersey Wetlands Regulation

By Lloyd H. Tubman

New Jersey's Freshwater Wetlands Protection Act became effective on July 1, 1988. The new statute requires a permit issued by New Jersey's Department of Environmental Protection (NJDEP) for virtually any

activity within a freshwater wetlands. The law also imposes, effective July 1, 1989, permit requirements for development within regulated "transition areas" of up to 150 feet adjacent to freshwater wetlands.

The statute has two major objectives. The first is more stringent control of wetlands development than is possible under present federal regulations. The second is delegation to NJDEP of the wetlands jurisdiction presently exercised by the U.S. Army Corps of Engineers (USCOE). Until delegation occurs, development

in wetlands will require permits from both federal and state agencies. New Jersey's more rigorous permit criteria, however, will ultimately limit wetlands development.

The statute adopts the three-parameter wetlands identification method of the U.S. Environmental Protection Agency. Regulated wetlands are defined by the concurrence of periodic high water table, hydric soils, and types of vegetation. However, the absence of one or more of those characteristics, particularly if artificially induced, will not preclude wetlands designation and NJDEP regulation.

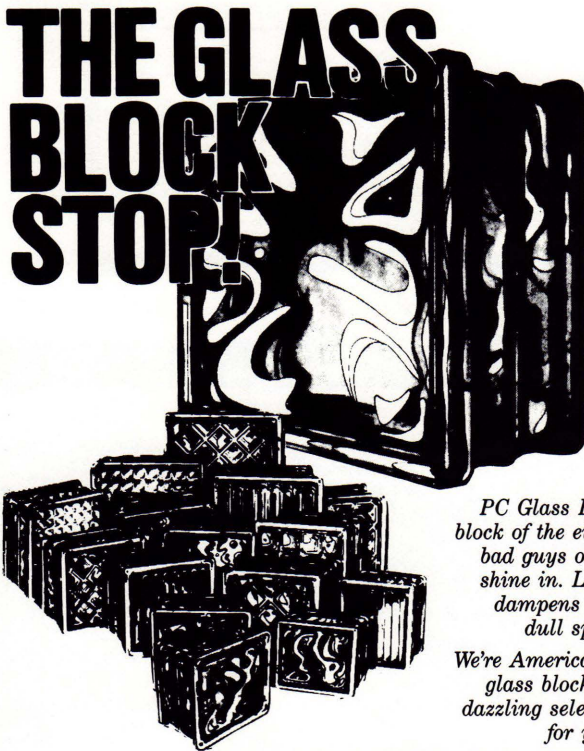
A significant difference between present federal regulation and New Jersey's wetlands law is the state's classification of wetlands by value. The Freshwater Wetlands Protection Act divides wetlands into those of exceptional, intermediate, and ordinary resource value. This classification by value has permit criteria implications and, after July 1, 1989, will determine the depth of transition area buffers surrounding wetlands.

The statute defines exceptional resource value wetlands as those associated with FW-1 waters and FW-2 trout production waters, present habitats of threatened or endangered species, or documented past habitats of threatened and endangered species that remain suitable for such habitation. Ordinary wetlands are certain man-made drainage ditches, swales, and detention facilities without a sufficient ecological value to warrant higher classification. Intermediate wetlands are those not included in the two defined categories.

The law will require an NJDEP permit for any disturbance or development activity within a freshwater wetlands, including placement of fill, destruction of vegetation, and alteration of drainage patterns. Regardless of wetlands classification, a freshwater wetlands permit may be approved by NJDEP only if there is no "practicable alternative" to the proposed project. A practicable alternative is presumed for non-water dependent developments.

In order to satisfy the practicable alternative test, the permit applicant must demonstrate that wetlands encroachment could not be avoided or reduced by redesign or reduction in the scope of the project. An applicant must also establish that the project could not be accomplished on other

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property reasonably obtainable by the applicant and, if infrastructure or appropriate zoning for an alternative site is unavailable, that the applicant has made reasonable efforts to provide infrastructure and obtain rezoning of that property. If the wetlands to be affected is classified as exceptional, the applicant must show a compelling public health or safety need for the development.

NJDEP may condition a freshwater wetlands permit upon mitigation—the creation of new wetlands, restoration of existing wetlands, or donations to a Wetlands Mitigation Bank created by the statute. However, proposed mitigation measures will not influence NJDEP's practicable alternative evaluation or its decision to issue or deny a wetlands permit. The statute establishes a preference for on-site creation or restoration of wetlands. If on-site mitigation is not feasible, off-site mitigation and deed restriction of private property may be considered. Equivalent monetary donations or donations of land to the Wetlands Mitigation Bank are allowed only as a last alternative.

Effective July 1, 1989, the new law creates regulated transition area buffers surrounding exceptional and intermediate wetlands. Development activities, including soil disturbance, fill, pavement, structures and disturbance of vegetation patterns within 150 feet of an exceptional wetlands and within 50 feet adjacent to an intermediate wetland will require a transition area waiver issued by NJDEP. The presumed buffer distances may be reduced by one-half if the waiver applicant would otherwise suffer substantial hardship or can demonstrate that the reduction would have no substantial adverse affect on the adjacent wetlands.

The transition area, whether or not reduced by NJDEP waiver, may also be adjusted or partially eliminated pursuant to a transition area averaging plan proposed by the developer and approved by NJDEP. An averaging plan compensates for reduction of a portion of a buffer area by increasing the buffer distance adjacent to another portion of the wetlands. The averaged buffer, though, must maintain the habitat, flood protection, and water purification functions of an unaveraged transition area. In addition, the transition area adjacent to an exceptional wetlands must maintain minimum distances of 75 feet and an average distance

of 100 feet.

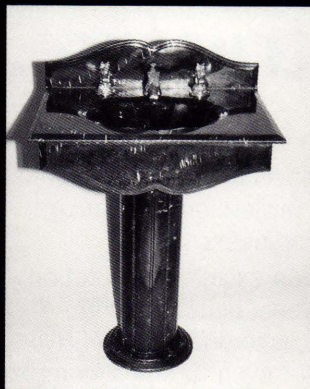
The new law is compromise legislation and provides certain exemptions and grandfather protections for projects in the design or approval process prior to the law's effective date. The statute specifically exempts projects submitted for municipal site plan or subdivision approval before June 18, 1987, the date of Governor Kean's wetlands moratorium, and projects that received municipal site plan or subdivision approval or a USCOE permit prior to July 1, 1988. By regulation, NJDEP has limited

the exemption for projects authorized by USCOE nationwide permit to those for which requests for certification of nationwide status were submitted to USCOE prior to June 10, 1988, and for which certification is ultimately received. However, these grandfather provisions apply only to specific "projects" and grandfather protection may be lost if the development plan is significantly altered. In addition, NJDEP's implementing regulations terminate grandfather protection for projects whose con-

Continued on page 47

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Interview with Herman Volk

By Nora Odendahl

"I've described it in a number of ways—a broker, coordinator, ombudsman, facilitator," said Herman Volk, explaining his job as director of the Governor's Waterfront Development Office. Volk, interviewed recently in Trenton, prefers the term ombudsman to define a position that

involves not making decisions, but getting other people to do so.

Established by executive order of Governor Kean in November 1983, the purpose of the Waterfront Development Office is to promote redevelopment of the Hudson River waterfront, an area stretching eighteen miles from Bayonne to the George Washington Bridge. At the time, much of the waterfront property was owned by the bankrupt Penn Central Railroad; the early 1980s purchase of 400 acres in Weehawken and West New York by developer Ar-

thur Imperatore seemed to signal a trend in which, said Volk, the state wanted to be a "player" with local government.

"The executive order is fairly specific with respect to what we can do," Volk said. "We can identify legislation that might be needed; we can undertake any studies that may be necessary; we could very specifically develop the infrastructure financing plan released this June [a plan to finance public works by imposing impact fees on industries]. And to do all that involves coordination with local officials, citizens, and developers. Our purpose is to play an active role with local officials in doing whatever is necessary to redevelop the waterfront."

The director of the Waterfront Development Office, who once worked for the Middlesex County planning board as a manager of transportation, is actually on loan to the governor's administration from the New Jersey Transit Corporation, where he was assistant director of corporate planning. He was already familiar with the waterfront area, as he was born in Jersey City, grew up in Union City, worked in Hoboken, and fished in Edgewater.

Volk noted that his office works in conjunction with the Governor's Waterfront Development Committee, an organization of government officials and citizen representatives that meets every two or three months. Both committee and office have the same function, but the latter has the day-to-day operating responsibility. Commented Volk, "Our job is not to review plans and issue permits; our job is essentially an oversight one. When there are major issues, we convene a meeting and get the right people around the table. If there's a major issue that can't be resolved, we could bring in, for example, the commissioner of transportation, or the commissioner of environmental protection. We start those meetings off by saying, redevelopment of the waterfront is a high priority for the governor. What's the issue, and how can we assist in getting it resolved as quickly as possible?"

"A number of state agencies have the line responsibility—the DEP, for example, is the state agency that must review and approve development within 500 feet of the water's edge, actually 500 feet of the mean

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high water line. The DOT reviews any development that affects a state highway or other state transit route. Our job is to work with the departments, the developers, and local officials to ensure that the processing of permits occurs rapidly, to try to smooth the way for developers as well as for local officials and citizens in seeking a review or comment from the DEP."

Volk explained that the process of getting waterfront construction approved is subject to a "double veto power," first from the municipality and then from the DEP, which requires developers to submit an analysis of the construction's effect on the environment. If the DEP finds an adverse impact, it requires mitigating measures. In some cases, said Volk, the DEP permits the first phase of development, but before allowing the second phase to proceed, reviews the first to see if the mitigation measures have been applied successfully. Volk said that at other times, when the developer claims that meeting DEP standards will make the project less salable, the DEP may discourage the project altogether: "I've been at one of those meetings where DEP said very politely, 'Marketability is not one of the considerations we take into account.'"

If land use decisions are up to local authorities, and regulatory powers are in the hands of state agencies, the development office has a less tangible type of control, what Volk refers to as the power of persuasion. "I've had people tell us any number of times that getting a call from someone in the governor's office makes things happen much more quickly... If I'm unsuccessful in getting a decision made, I'll call up my direct line of command—Brenda Davis, the chief of the Governor's Office of Policy and Planning—and she then calls the person in question."

IN VOLK'S VIEW, "People are enamored with waterfront development.... Renewal of the waterfront brings attention to the entire area of Hudson County." He recalled that "in the early 1960s, if you said you lived in Hoboken people probably had two reactions: 'Where is Hoboken and why would you want to live there?' Whereas today people definitely know where it is and usually say, 'When were you lucky enough to buy a condominium in Hoboken?'" He

sees Jersey City, the largest municipality in Hudson County, as beginning to improve in the same way. "Some of Jersey City reminds me of San Francisco in that when I lived out there, if you saw a townhouse boarded up, you didn't say, 'This place is running downhill'; you would say, 'Oh, someone's renovating it.'"

Volk noted that most development on waterfront is taking place in Jersey City, partly because public transport between New York and New Jersey is concentrated there. One of the development office's projects has

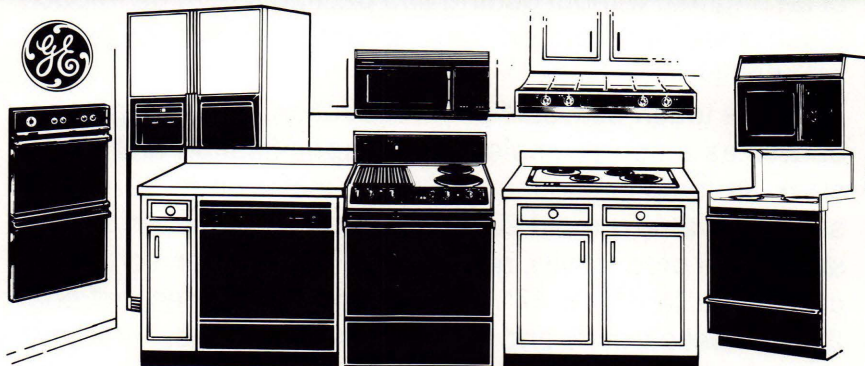
been to oversee a comprehensive waterfront transportation plan, drawn up by DOT. The plan, which has reached the stage of an engineering design, calls for a light rail system (the contemporary equivalent of a trolley) that can operate on a street or on a separate right-of-way; a four-lane waterfront boulevard connecting the cities; and a dedicated bus lane. In addition, the Port Authority of NY-NJ is working on reinstatement of ferry service, especially between Hoboken Terminal and North Cove in Battery Park.

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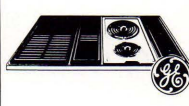
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of the redevelopment of the area is the Hudson River Walkway, mandated by the DEP. Reaching from Bayonne to Edgewater, the walkway is supposed to be as close to the water's edge as possible. "We don't permit development at the water's edge to occur unless the developer has a piece of that walkway that's accessible to a public road or sidewalk," Volk remarked. He explained that construction of the walkway is subject to DEP review, and that the walkway need not be a boardwalk, but must have a thirty-foot right-of-way minimum width, with the walkway itself a minimum of fifteen or sixteen feet wide, thereby permitting room for plantings and seating areas.

When the walkway, ideally linking a number of plazas and small parks, is completed, people strolling on it will look out at the water and pleasureboat slips on one side, and at buildings on the other. The goal is to give a continuous and unobstructed view of Manhattan, interrupted only by piers that should be accessible to the public if possible. As Volk noted, the DEP does not want new pier construction, but under a "credit program," if a developer takes down an old pier, he can build platforming at the water's edge with the same amount of area. Volk also called attention to the state's "no-fill policy. If you fill an acre in, you have to make accessible two other acres of waterfront property. It's virtually impossible to do."

AS OF SPRING this year, the development office had a list of thirty-seven major waterfront projects either proposed, under construction, or completed. A sampling of these projects includes Harborside Terminal, which is being transformed into office, residential, and hotel space; Arcorp, to contain not only housing and office space, but also 1600 marina slips; and Newport, which will have a shopping mall in addition to apartments, offices, and marina.

Volk acknowledged that waterfront residential development "has turned out to be market-rate housing, which is an euphemism for luxury housing." The problem of waterfront redevelopment pushing out low-income area residents is an ongoing concern. Eighteen percent of the 1500 units at Newport are designated for low-

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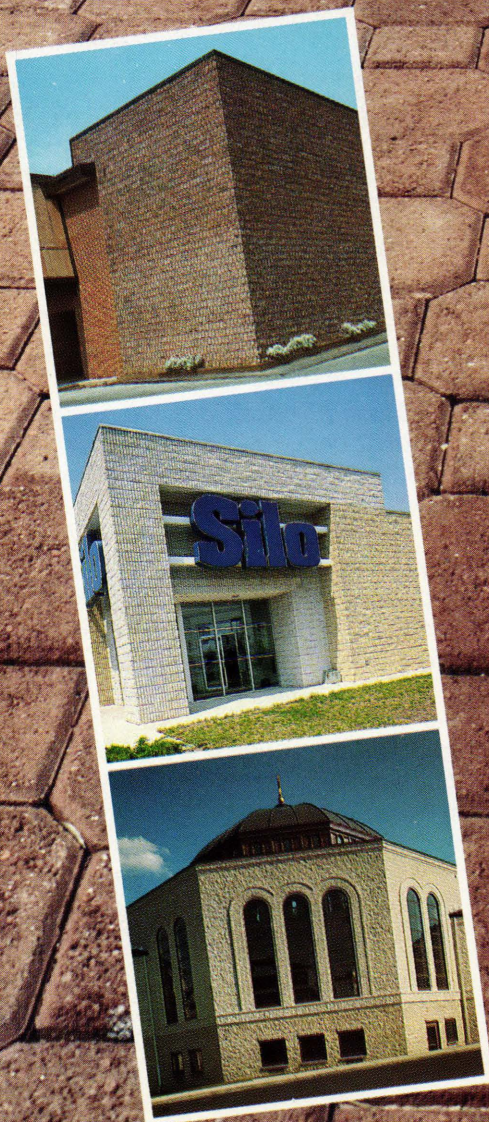
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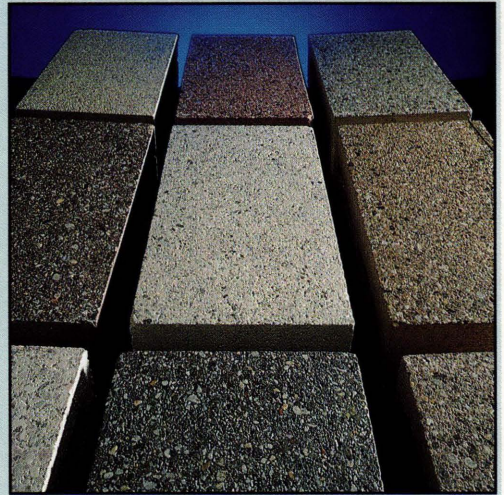
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and moderate-income residents, and at present, requirements for building affordable housing are on a negotiated basis (at Newport, for example, negotiated among the City of Jersey City, the State, and the developer). Volk said that no specific requirements exist for affordable housing in connection with waterfront development, but added, "One town, Hoboken, is attempting to pass an affordable housing ordinance, which would require a ten to fifteen percent set-aside for development at the water's edge." Since a local ordinance might not withstand a court challenge, said Volk, the state is investigating legal changes that would enable municipalities to require certain percentages of set-asides on the waterfront.

Asked about the governor's vision for Hudson River waterfront renewal, Volk emphasized again that the governor's office does not have the power to create any master plan for development. "It's the municipalities, each of which has come up with their own vision of what kind of activity they see taking place at the water's edge. There's a consistency among the municipalities to the extent that all municipalities view development at the water's edge favorably. Also, they see mixed-use development—a combination of office development, residential, commercial, with boat slips, access to the water's edge."

So far, said Volk, the municipalities' and governor's ideas have coincided. Newport, for example, was part of the Jersey City master plan, and Arcorp was codified in zoning ordinances passed by Weehawken and West New York. Volk observed that the state-municipal consensus is becoming institutionalized, as in the transportation plan, and would probably continue under a new state administration.

According to Volk, Governor Kean's vision—and by extension the development office's vision—is that the waterfront be transformed into the hub of activity it was in early 1900s, when the loading and unloading of goods from freight trains to barges and ferries brought economic vitality to all of Hudson County. The goal, said Volk, is to bring back that vitality in a new form, to make the waterfront a place to work, shop, and live—"to have all the ingredients of a waterfront city."

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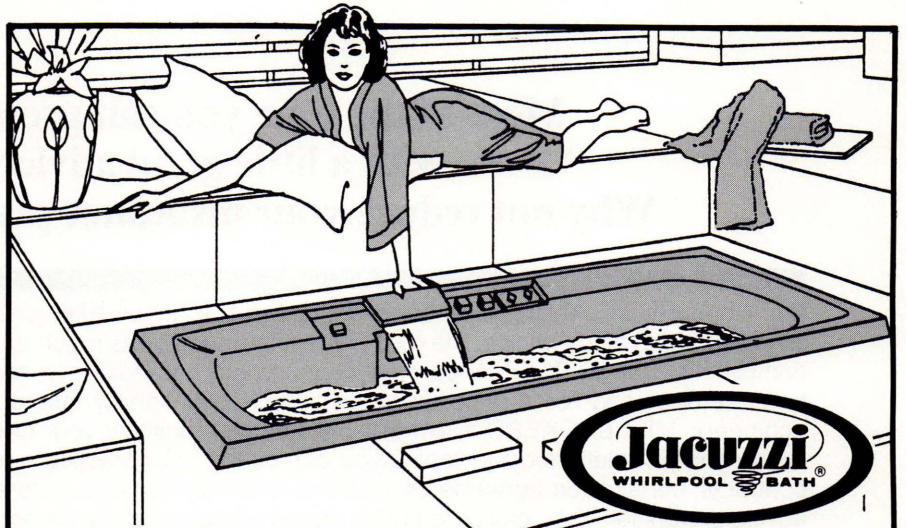
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Remaking Cities Conference

The First International Regional/Urban Design Assistance Team

By Norma Harrison

As a prelude to the opening of the by now historic "Remaking Cities" conference in Pittsburgh this past March, the *Pittsburgh Post-Gazette* asked two searching questions. Does architecture have the power to change the economics of the world on which it attempts to put a more inviting face? And can a week-long conference, even one chaired by the Prince of Wales and convened by the American Institute of Architects and the Royal Institute of British Architects, hold out hope for an area whose profound economic depression has left its people in despair?

The answer to both questions was yes, according to the press, the public, and more than 1,000 conference participants, including Prince Charles. His ringing assertion that cities can be successfully recreated by architects and the individuals who will live in them was heard around the world.

This affirmation was based mainly on the positive response by several hundred hard-pressed residents of seven dying steel towns to some daring proposals contained in "Remaking the Monongahela Valley," a 120-page report by the first international AIA Regional/Urban Design Assistance Team (R/UDAT). Led by architect John P. Clarke, AIA, partner of the Trenton firm of Clarke & Catton, the 18-member Anglo-American R/UDAT was the largest team in the AIA program's 21-year-history of helping communities to identify issues and to develop plans for action.

"It also had the most awesome task," says Clarke, who found this the most challenging and stimulating of the five R/UDATs on which he has served. The multi-disciplinary team had just four days of interaction with regional participants and of in-

vestigation to come up with realistic visions for the physical redevelopment of seven towns and the remaking of four major steel mill sites.

These towns and mills, all located along the Monongahela River southeast of Pittsburgh, were abandoned by United States Steel and have suffered a crushing loss of 30,000 jobs since 1979. The towns, once the steel-making center of the world, are West Homestead, Homestead, Munhall, Duquesne, Swissvale, Rankin, and McKeesport. The mill sites, whose names resonate with American history, are the Homestead, Carrie Furnace, Duquesne, and National works.

"At first the problems seemed unsolvable," Clarke comments. "Physically, it's difficult to explain the size. The mill buildings cover a thousand acres; they're several miles long. The scale is overwhelming. I wasn't sure when we started that we could cope technically or generate enough involvement among the citizens to arrive at real solutions.

"The people themselves were demoralized. They were not in a development mode because there had been, in a sense, a plantation psychology. What United States Steel—USX—

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wanted, it just went ahead and did. People accepted whatever it was. There used to be a fine red dust circulating in the air. They thought the dust was okay. It didn't mean an environmental problem; it meant the plant was running. Then the dust settled; the effect is heart-wrenching."

In the past, many groups have studied the area's problems. Could any new group arrive at workable answers that were acceptable to the people most involved? Clarke thought his group could. The R/UDAT, with its many disciplines—community workers from London's Docklands, American and British planners, economists, and academics—organized by architects, did describe a future that could happen and envision a way out of the dilemma.

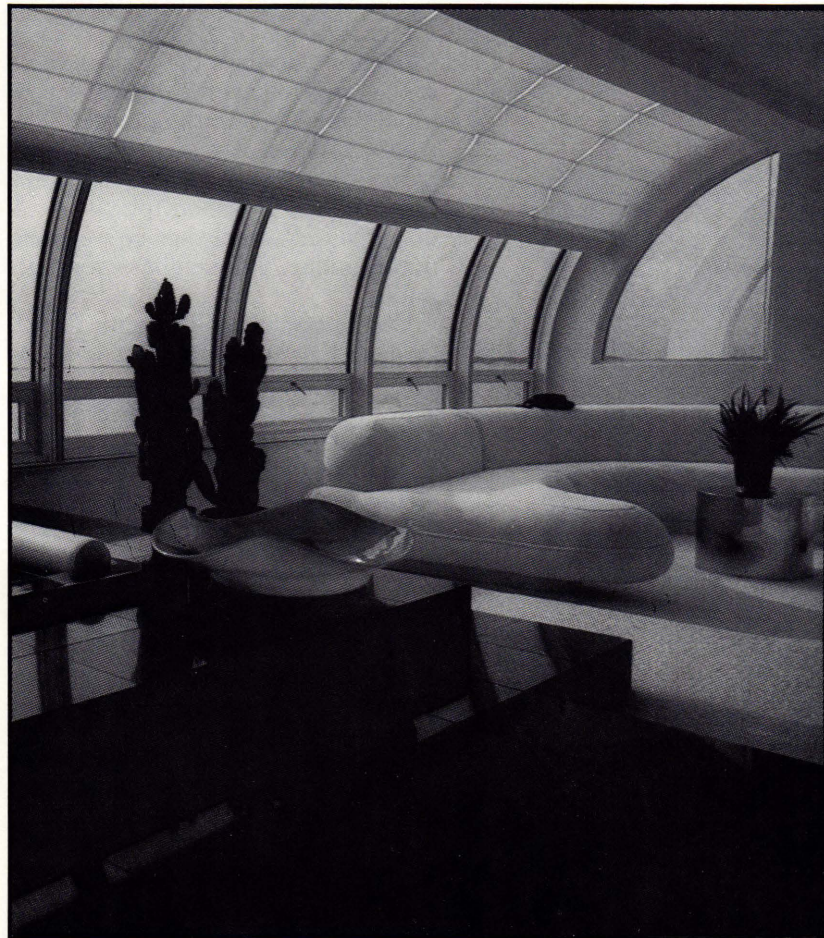
"In a decade, if you return to these sites they will be developed and you will only be aware of a past history in a museum," says Clarke. "That's a decade of hard work. There's also the question of how good the development will be and how much the towns will get out of it. That depends on the architects they hire and how well the communities rise to the occasion."

"At first the problems seemed unsolvable," Clarke comments. "Physically, it's difficult to explain the size. The mill buildings cover a thousand acres; they're several miles long. The scale is overwhelming. I wasn't sure when we started that we could cope technically or generate enough involvement among the citizens to arrive at real solutions."

The R/UDAT proposed eight plans for immediate action, including establishment of new regional zoning, tax-sharing, and legislative mechanisms to enable the leveling and alteration of mill sites for new purposes. Site-specific proposals included an international garden center and garden festival at the Homestead mill site by 1992, a giant flea market at McKeesport, and a waste-recycling plant at Duquesne.

The recommendations require new roles for citizens and officials as well as the overturning of local myths that cause residents to resist change. Such myths hold out desperate hope for a savior who will resurrect the steel industry exactly as it was, or for a white knight, such as another major industry, which will reuse the worn-out mill sites.

"The proposals are meant to show the communities that they can take each site and remake it to suit their own objectives," Clarke explains. The report, prepared overnight with assistance from Carnegie-Mellon students, followed hectic round-the-clock meetings with community members, government at all levels, institutions of all kinds, developers, churches,



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non-profit groups, and radical organizations. "And unemployed steel workers can be a very feisty group," says Clarke of the radical voices.

The recommendations are realizable, he contends, due to the process that led to their proposal. "Because everyone participates directly you set up a dynamic of open confrontation and eventual consensus. The dynamic can't be duplicated in the normal business world. Here everyone is enfranchised.

"You also have a situation in which the architect helps others to achieve their vision. I brought a pencil to draw what it was we were trying to achieve. That's not typical of the way things are usually done. The people at the table are usually the banker, the engineer, and the developer. Rarely is there an architect present to say, 'What you're saying will look like this. Do you like it? Can it be done better?'"

The process was further enhanced by the heady publicity generated by the visit of the Prince of Wales and his interest in the R/UDAT. He visited the team, read the report, and commented on it in his speech, calling it "a new and exciting vision for the economic, environmental, and social regeneration of the valley."

According to Clarke, Prince Charles's visit gave the team "access to the press so that the media became an active player in the process. The media followed all our activities. Reporters became involved. We were news, in the press, on television. A dialogue was established between the public and us. The feedback was valuable."

Clarke was impressed with Prince Charles's genuine interest in community building on a small scale. The Prince was well briefed on his visit to the team at its Homestead headquarters, and he chatted and asked questions—he even asked Clarke about Trenton. Later, in his speech, Prince Charles said that he was astonished at the selflessness of the team members, unpaid volunteers who worked day and night to produce their report.

The British team members were equally impressed, inviting Clarke and the others to participate in a similar effort in Newcastle-upon-Tyne.

For Clarke the question of the future of the Mon Valley depends not so much on money—Pennsylvania has \$20 million for site clearance—

but on whether or not the plan is a good one. "There's enough work here to employ twenty architects for twenty years," says Clarke.

Clarke's own experience includes work in both the public and private sectors, including seven years as director of Trenton's planning and development department. His firm has won several NJSA Design Awards. A graduate of the Cooper Union with a Bachelor of Architecture degree, Clarke also holds an M.S. in Urban Planning from Columbia University, where he has taught.

The Prince of Wales called the report "a new and exciting vision for the economic, environmental, and social regeneration of the valley."

Part of his involvement in R/UDAT programs over the past years was in response to the energetic and inspiring presence of Princeton architect Jules Gregory, who died in 1985. The "Remaking Cities" conference was dedicated to Jules Gregory, whom Clarke describes as not the founder of R/UDAT but its midwife. "Jules gave it form," Clarke says of the team process that began in 1967. "To a great extent its methods today are the result of Jules' devotion of a tremendous amount of his professional life to it. He had a way of collecting people into this process," recalls Clarke, who was one of the people collected.

It took Clarke time to decompress from the intensity of the R/UDAT experience, which he calls one of the AIA's best public relations efforts. "It's a week out of your life as part of a process orchestrated by architects, one that enables people of all kinds to come together, to dream, and to share their vision. I'm ready to do it again." □

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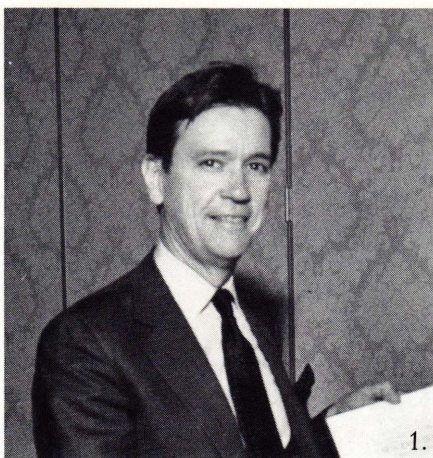
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NJSA Honor Awards

In recognition of outstanding contributions to the quality of life in New Jersey, especially in affecting the built environment, the New Jersey Society of Architects honored eight people in government, allied design fields, and within the profession of architecture itself at the annual December dinner held at the Sheraton Tara in Parsippany.

"The profession of architecture does not exist in a vacuum," said Awards Committee Chairman James J. Ramentol, AIA, during presentation ceremonies. "Its goals and accomplishments are achieved through a partnership with others in related disciplines."

Honor Awards in the public interest were presented to three recipients. *James G. Gilbert* of Englewood, chairman of the State Planning Commission, was honored for his leadership efforts in bringing sound regional planning to the state.



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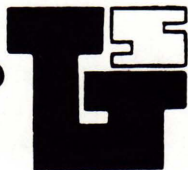
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1. James G. Gilbert, chairman, NJ State Planning Commission
2. Carla Lerman, assistant director, Division of Housing and Development, NJ Department of Community Affairs
3. Wilbur H. Lind and James Ramentol, AIA; J. Robert Gilchrist, AIA, presenter of the award
4. Luciano Miceli, AIA and Bruce Kulik, AIA
5. Louis Heyer Goettelmann II, AIA
6. Charles A. Spitz, AIA



Carla L. Lerman of Teaneck was honored for developing and constructing affordable housing and housing for the handicapped and elderly in Bergen County during the decade when she served as executive director of the Housing Authority of Bergen County and the Housing Development Corporation of Bergen County. She was specifically cited for developing a land bank for the purchase of scattered sites used for construction of condominiums for moderate-income families. Ms. Lerman is assistant director of the Di-

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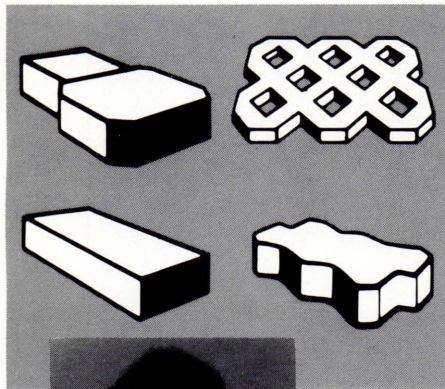
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vision of Housing and Development, New Jersey Department of Community Affairs.

Wilbur H. Lind of Hackensack, former president of the New Jersey Building Officials Association, past president of BOCA International, Inc., and chairman of its far-reaching code changes committee, was also honored for his work in the public interest. Mr. Lind, who retired as city manager of the City of Hackensack last year, was also recognized for his cooperation with architects during nearly 40 years as Hacken-



sack's chief building inspector.

Landscape architects *Luciano Miceli* and *Bruce Kulik*, principals of Miceli Kulik & Associates of Rutherford, were recognized for two decades of sensitive, ingenious, and outstanding design in the allied fields of landscape architecture, site planning, and urban design.

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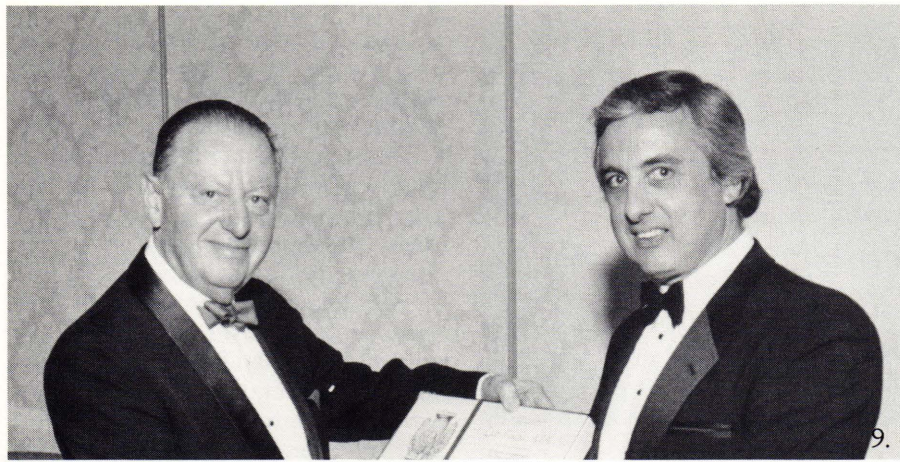
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Three architects received honor awards and three were recognized for 50 years in practice. *Louis Heyer Goettelmann II*, AIA, of Haddonfield, was honored for advancing building technology. A teacher, writer, and practicing architect, Mr. Goettelmann founded an associate degree program in building construction technology at Spring Garden College in Philadelphia, and a similar program at Rutgers University. He was also honored for the unique building techniques he employed in the design of the Camden County Library, an earth-sheltered building with a rooftop garden.

Charles A. Spitz, AIA, of West Long Branch, chairman of the society's codes and regulations committee, was honored for years of



7. Harold D. Glucksman, FAIA (center), with James Ramentol, AIA (left), and Herman C. Litwack, AIA (right), presenter of the award
8. James Balsamel, AIA
9. Leo Fischer, AIA, and Robert L. Hessberger, AIA, President
10. Martin L. Beck, FAIA

conscientious review and interpretation of the myriad codes, rules, and regulations that determine the way architecture is practiced in this state. Mr. Spitz has also assisted in developing some of the codes that protect the health and safety of the public.

Harold D. Glucksman, FAIA, of Irvington, who is also celebrating his fiftieth year in practice, was honored by his colleagues for his service to the profession as a past president of the local and state chapters of the NJSA and as a regional director of the American Institute of Architects.

Mr. Glucksman is currently chairman of the society's committee on professional practice, and acts as advisor, counselor, mediator, and consultant to fellow architects,



clients, and other professionals. He is also a member of the Citizens' Committee on Permit Coordination, to which he was appointed by Governor Thomas Kean.

James Balsamel, AIA, of Basking Ridge, *Martin L. Beck, FAIA*, of Princeton, and *Leo Fischer, AIA*, of South Orange, were each recognized for having been practicing architects in New Jersey for fifty years.

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NJSA News

Nicholas Zizelis, ASID, IBD, has been named an associate partner of Rothe-Johnson Associates of Edison. Zizelis is director of interior design.

Arthur Peckerar, AIA, has joined Roe/Eliseo Inc. of New York as principal project architect in the position of director of health facilities.



Nicholas Zizelis, ASID, IBD

The Tarquini Organization received a Citation for Outstanding Education in Practice from the American Institute of Architects (AIA) at the National Convention in New York City during the month of May. Given by the AIA for the first time in 1988, the award is intended to recognize firms "whose offices are learning environments," and that have created professional development programs transferable to firms nationwide. The citation was given for the firm's three-part educational program aimed at enhancing professional, personal, and interpersonal skills among the firm's 40 professional and support staff members.

Charles M. Decker Jr., AIA, is the secretary of the Building Officials and Code Administrators (BOCA) International, Inc., a non-profit service organization dedicated to professional code administration and enforcement for the protection of public health, safety, and welfare. Decker is chief of the Bureau of Construction Code Enforcement of the NJ Department of Community Affairs, Trenton.



Charles M. Decker, Jr. AIA

Richard M. Horowitz, AIA, of Horowitz & Edwards, Trenton, has been elected treasurer of the Roof Consultants Institute at their annual convention in San Francisco, in March. He was also re-nominated chairman of RCI's credentials committee and will co-write the Roof Consultants Institute Certification Examination for the third successive year.

To The Trade...Late Breaking News

A Message From Michael D. Lewis, Director of Operations

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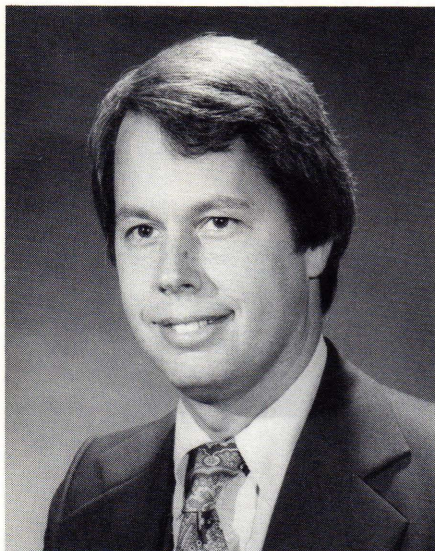
Seated left to right: Vladimir Arsene, Stanley Magierowski

Sitting on table: Robert Gilbert, Steve Carlidge, Dan Marx (seated on right)

Standing left to right: Phil Kowalski, Bill Jones, Tim Klesse, Bob Gray, and Harriet Evans

The Grad Partnership announces the promotion of senior professionals: *Robert A. Gilbert, AIA*, to associate partner; *Robert L. Gray, AIA*, *William R. Jones, AIA*, *Christine Debrowski*, and *Daniel H. Marx* to senior associates; *Stephen J. Carlidge, AIA*, and *Timothy Klesse, AIA/SID*, to associates; and *Harriet E. Evans* to marketing director.

Edmund H. Gaunt Jr., AIA, of Kaplan Gaunt DeSantis Raciti of Red Bank, has been elected president (a two-year term) of the Monmouth-Ocean Counties Development Council. □



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continued from page 29

struction does not commence prior to July 1, 1992, or upon the earlier delegation of USCOE jurisdiction to the state.

NJDEP is also directed to consolidate the wetlands-related aspects of its other regulatory programs, including sewer extension and stream encroachment permit programs, although exempt "grandfathered" projects will continue to be regulated as "projects of special concern." To further eliminate duplication, the statute preempts direct municipal and county regulation of wetlands but provides notice requirements and opportunity for municipal and county agency comment on wetlands applications to NJDEP.

The penalties for violation of the new statute are substantial and dictated by federal regulations governing delegation of wetlands jurisdiction to the state. For example, the law provides for civil and criminal penalties and for fines of up to \$50,000 per day. In addition, NJDEP may record a deed restriction prohibiting transfer of property until a violation has been corrected.

The stringency of NJDEP's implementation of the new wetlands statute is unknown at this time. However, the implementing regulations published on June 6, 1988, and the absence of state equivalents of USCOE nationwide permits have already provoked considerable concern in the development community. This concern is justified. NJDEP spokesmen have publicly stated that the department expects to issue few wetlands development permits. The department anticipates that its staff's effort will mainly be devoted to confirming wetlands delineations and to writing letters of interpretation that establish wetlands classifications and the depth of surrounding transition areas.

The effect of New Jersey's new statute is already evident. Land purchase contracts today are more frequently contingent upon a satisfactory wetlands evaluation by an environmental consultant; design professionals are instructed to avoid wetlands encroachment to the extent possible.

Lloyd H. Tubman, an associate with the law firm of Pitney, Hardin, Kipp & Szuch, participated in formulation of New Jersey's Freshwater Wetlands Protection Act.

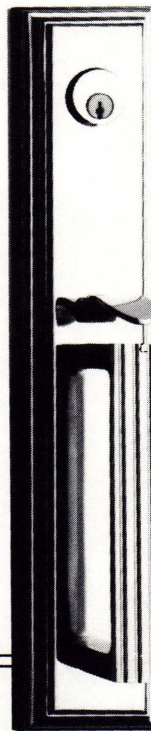
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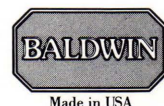
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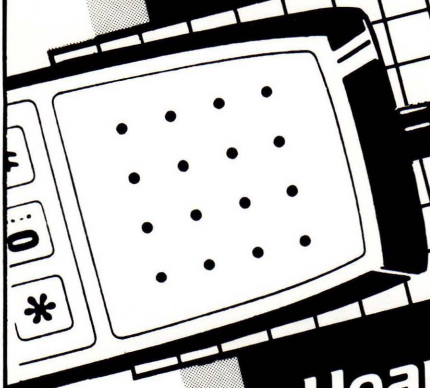
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