25. Section 4(f) Evaluation

25.1. Introduction

This evaluation considers the potential for Section 4(f) uses resulting from the development of the Preferred Alternative as presented in the Northern Branch SDEIS. It should be noted that prior iterations of the Preferred Alternative avoided the use of publicly-funded recreational resources; consequently, a Section 4(f) evaluation was not required previously. The parklands to be acquired are not in active use for recreational purposes and do not constitute character-defining features of the park resources. As such, the Section 4(f) uses described below are proposed to be de minimis.

This Section 4(f) evaluation has been conducted pursuant to Federal regulations codified in 23 USC § 138 and 49 USC § 303 and implemented through 23 CFR 774 as of April 2008, which were originally enacted as Section 4(f) of the US Department of Transportation Act of 1966 and still commonly referred to as “Section 4(f)”.

The analysis will be circulated for public review and comment, fulfilling the public outreach requirements of 23 CFR 774.

25.2. Methodology

Section 4(f) of the United States Department of Transportation Act of 1966 as amended (49 USC 303(c)), stipulates that federally-funded or approved transportation projects may not use land from a publicly-owned park, recreation area, wildlife or waterfowl refuge, or from a historic site of national, state, or local significance, unless a determination is made that: (1) there is no feasible or prudent alternative to the use of the land from the property; and (2) the project or action includes all possible planning to minimize harm to the land resulting from its use. Historic sites refer to publicly- or privately-owned properties that are listed or eligible for listing on the National Register of Historic Places as defined in 36 CFR Part 800 and through consultation with the State Historic Preservation Office (SHPO) and appropriate local officials. Significant historic sites encompass both archaeological and historic resources. An archaeological resource is considered a historic site and therefore a Section 4(f) resource only if it warrants preservation in place. A Section 4(f) evaluation is not required when parks, recreational areas, and waterfowl or wildlife refuges are privately-owned, even if such areas are open to the public.

According to Section 4(f), as defined in 23 CFR § 774.17, a “use” would occur to the resources described above when: land from a 4(f) site is permanently incorporated into a transportation project; there is temporary occupancy of land that is adverse; or proximity impacts to a 4(f) site are so severe that there is a “constructive use.” “Constructive use” occurs when a project does not physically incorporate the resource, but is close enough to result in impacts so severe that the protected activities, features, or attributes that qualify a resource for protection under Section 4(f) are substantially impaired. General indirect impacts that may result in constructive use include noise, visual intrusion, and restricted access.

De minimis Use

The Section 4(f) rules define a category of use that recognizes that the characteristics of a property qualifying it for Section 4(f) protection may not apply to the entire lot identified as the resource. This use, known as de minimis, is defined by 23 CFR § 774.17(5), and requires that the land incorporated into the transportation use not include features that are either used by the public or considered a feature of the resource that contributes to its value to the community.

De minimis uses are determined once all measures to minimize harm have been taken into account and the final result is action that does not adversely affect the characteristics or recreational value of the resource.
If the use is considered to be *de minimis*, the typical Section 4(f) alternatives analysis of prudent and feasible options is not required.

Section 4(f) *de minimis* uses are determined differently depending on whether the resource is historic or recreational/refuge. To make a *de minimis* use finding for parks and recreational resources, the following thresholds must be met and steps taken:

- The transportation use cannot adversely affect the features of the property that qualify it as a Section 4(f) resource.
- The agencies with jurisdiction over the resource agree that the use meets *de minimis* criteria, and formalize this agreement in writing.
- FTA notifies the jurisdictional agencies that a *de minimis* finding would be made.
- The potential use of the resource has been made available for public review and comment.

A *de minimis* use finding for a historic resource requires the following:

- A cultural resources assessment is prepared according to Section 106 of the Historic Preservation Act of 1966.
- NJ SHPO concurs that the project would have either no effect or no adverse effect on historic resources. If the Advisory Council on Historic Preservation (ACHP) chooses to participate in the review, their concurrence is required, as well.
- FTA notifies the participating jurisdictional agencies (NJ SHPO and ACHP, if necessary) of their intent to make a *de minimis* determination.
- Consulting party contributions, comments, and concerns have been taken into consideration.

### 25.3. Purpose and Need

The Northern Branch Corridor study area is characterized as a mature, densely-settled suburban environment. The study area has a growing population and a high proportion of residents that work in business districts outside of the area. Between 2010 and 2030 the Bergen County communities within the Northern Branch Corridor service market area are anticipated to experience population increases of approximately eight percent overall. According to US Census 2010 data, a large commuter population resides within the service market area communities, with approximately 32,700 Northern Branch Corridor residents commuting to Manhattan and the Hudson County Waterfront.

The current transportation system within the densely-settled Northern Branch Corridor is characterized as a substantial roadway-based transportation system. This system includes limited-access highways as well as a variety of local and commuter bus routes, all of which contribute to the recurring traffic congestion prevalent within the corridor and on the region’s roadways and crossings.

In general, the frequency of peak-hour public transit services is dictated by system constraints and not by need. Heavy peak-hour roadway congestion limits the throughput of local and commuter buses, notably at the Lincoln Tunnel and Manhattan’s Port Authority Bus Terminal (PABT). The PABT was constructed in the 1950s and has reached the limits of its design. Service during the morning and evening peak hours is often delayed by the volume of riders or number of vehicles in the queue. In addition, current bus service to Manhattan is at capacity and putting more vehicles into service is not an option, as the Express Bus Lane at the Lincoln Tunnel is at capacity.

If not significantly hampered by capacity limitations, the corridor’s roadway-based transportation system would provide an acceptable level of mobility for area residents and workers. However, growing congestion would make the transportation system increasingly unable to meet existing and future mobility
demands. The population and economic shifts discussed in the SDEIS Chapter 1: Background and Setting, have led to increased mobility needs, placing strains on the existing transportation system. An increasing population and an improvement in employment opportunities deliver increasingly more work and non-work trips to county roads and transit lines, during both peak and non-peak hours. Travel times to work continue to increase, as does the length of the peak period, as travelers seek to avoid mounting congestion. These conditions are further exacerbated by the continued dominant use of the single occupant vehicle in the study area. Without other choices, these conditions are expected to continue without improvement into the future.

Furthermore, growing congestion would likely impact Bergen County’s ability to attract and retain commercial development. In recognition of the latter possibility, the Bergen County Economic Development Corporation and the master plans of all municipalities in the study area (refer to SDEIS Chapter 6: Local Plans) identify transportation infrastructure improvements as key to the economic health of the study area.

Growing congestion would also be expected to negatively impact the roadway-based transit system. Bus transit is impacted by congestion through reduced reliability and a limited ability to serve potential new markets, close existing gaps in service areas, and improve regional links. Without the ability to provide reliable and comprehensive service, or to serve new markets, the roadway-based transit system would remain at a competitive disadvantage with automobile commuting in the study area and would be ineffectual in efforts to reduce congestion.

The purpose and need of the proposed project is to examine solutions to improve mobility within Hudson and Bergen Counties, alleviate some traffic congestion, and support continued economic growth. Provisions of new transportation service in the Northern Branch Corridor would address the following goals:

- Meet the needs of travelers in the project area;
- Advance cost-effective transit solutions;
- Attract growth and support development in Bergen and Hudson Counties, including the Hudson River Waterfront;
- Improve regional mobility and access;
- Reduce roadway congestion; and,
- Enhance the transit network.

25.4. Description of the Preferred Alternative

The proposed project involves the establishment of Northern Branch Corridor passenger rail service from North Bergen in Hudson County into Bergen County. The proposed rail service would operate along the existing Northern Branch rail right-of-way between North Bergen and the Englewood-Tenafly border. The service would be a continuation of the existing Hudson-Bergen Light Rail (HBLR), beginning at a connection to the existing HBLR at the Tonnelle Avenue Station in North Bergen, and continuing to a terminal station at Englewood Hospital and Medical Center in Englewood.

The Preferred Alternative presented in this SDEIS is the result of an extensive planning and public outreach effort. Previously, the DEIS proposed light rail service from North Bergen to either Route 4 in Englewood (Light Rail to Englewood Route 4) or to the Tenafly-Cresskill border (Light Rail to Tenafly). The DEIS was circulated for public comment in 2012. While many comments expressed support for the Northern Branch project, residents and community leaders in Tenafly were strongly opposed to the extension of service into their community, leading the Borough Council to pass a resolution against the project. In addition, both the City of Englewood and Englewood Hospital and Medical Center, which were strongly supportive of the project, recommended that rather than ending the line at the Route 4
station, the line be extended further north to terminate at Englewood Hospital and Medical Center. The Preferred Alternative has thus been revised to terminate service at Englewood Hospital and Medical Center.

This service would be time-separated from the freight operations. For this SDEIS, the span of service was analyzed with hours beginning at 5:00 a.m. and ending at 1:00 a.m. Freight providers would be assumed to use the alignment from 1:30 a.m. to 4:30 a.m. This would be a best case scenario for passenger service and it has not yet been determined whether freight customers along the alignment would be able to accommodate a 3-hour window for loading and unloading product. The exact schedule would be developed during negotiations with the freight railroads during Final Engineering and Design.

The Preferred Alternative would run on headways of approximately 6.5 minutes during the peak hours and 15 minutes during the off-peak period between North Bergen and the Englewood Hospital and Medical Center Station. The proposed service offers a one-seat ride from Englewood directly onto the HBLR service. One-seat ride service is considered more desirable than service that requires transfers, as transfers create delay and enter an element of uncertainty into a passenger’s commute.

Between Tonnelle Avenue and 85th Street the tracks would be new alignment, crossing on viaduct over the CSX North Bergen Yard, then traveling along West Side Avenue until 85th Street. While on West Side Avenue, in the vicinity of 79th Street, the proposed alignment would begin to grade separate on a second viaduct over the NYS&W tracks and the CSX River Line elevated alignment and return to grade in North Bergen near 90th Street. New roadway would also be constructed, extending 85th Street to West Side Avenue via an underpass (small tunnel) in the CSX River Line embankment.

North of 90th Street to Englewood Hospital and Medical Center, the Northern Branch right-of-way would be restored to a two-track alignment, including double-tracks through the town center of Englewood.

Along the length of the project, existing ties and rail would be removed, and new ballast, ties, and rails would be installed. Tail tracks would be installed between the end of the service route by Englewood Hospital and Medical Center and the Englewood-Tenafly border to enable the light rail vehicles to pull through the station and await the return trip south.

The Preferred Alternative would include the following seven stations. The proposed VBF would be co-located with the Englewood Route 4 Station parking deck.

91st Street Station
A new station would be constructed at 91st Street comprised of side platforms and an at-grade pedestrian track crossing. A portion of a property located on the south side of 91st Street and just east of the Northern Branch right-of-way would be utilized for a surface parking lot accommodating 123 vehicles. Use of the portion of the property would be negotiated through a shared use agreement between the property owner and NJ TRANSIT. The portion of the property that would be sought for shared parking is already developed as surface parking and is vacant of structures.

Ridgefield Station
A new station consisting of side platforms would be constructed immediately south of Hendricks Causeway, west of Broad Street. A parking facility with capacity for approximately 269 vehicles and a passenger drop-off area would be constructed on the east side of the right-of-way. Vehicle access would be provided from Remsen Place and bus pullouts would be provided on Broad Avenue. The surface parking area site is currently occupied by a commercial/retail development catering to the Korean community and would require the acquisition of four properties (one privately-owned, three publicly-owned) of approximately 3.09 acres.
Palisades Park Station
The proposed station site is located north of Ruby Avenue, south of Fairview Avenue and west of Grand Avenue. The station would consist of side platforms, a surface parking facility with capacity for approximately 219 vehicles, and a passenger drop-off area. Vehicular access would be provided via West Ruby Avenue. Industrial and commercial buildings currently occupy the 2.64-acre site, requiring the acquisition of eight privately-owned properties.

Leonia Station
The Leonia Station, composed of side platforms, would be located south of Fort Lee Road. Station parking for approximately 583 vehicles would be accommodated in a four-story parking deck located in Overpeck County Park. The parking deck would be large enough to accommodate the project’s need, as well as parking for shared use by park users during non-commuter hours. Vehicular and pedestrian access would be provided via the park access road and Fort Lee Road. Bus pullouts would be provided on Fort Lee Road to accommodate transfers between buses and the station. It is anticipated that NJ TRANSIT and Bergen County would establish a shared use agreement instead of land acquisition. NJ TRANSIT would develop agreements with Bergen County with compensation of open space through the New Jersey Department of Environmental Protection (NJDEP) Green Acres Program.

Englewood Route 4 Station
The Englewood Route 4 Station, located under Route 4 at West Nordhoff Place, would consist of a center-island platform. A three-story parking deck above the proposed VBF with capacity for approximately 945 vehicles would be located south of Route 4 to the east of the right-of-way. A passenger drop-off area and pedestrian improvements would be provided. This station site would require the acquisition of six privately-owned properties of approximately 5.50 acres and one publicly-owned property of approximately 0.08 acres.

Englewood Town Center Station
This station would be located between Palisade Avenue and Depot Square, east of North Van Brunt Street and west of South Dean Street. The widening of the rail right-of-way to accommodate the platforms and a second track in Englewood Town Center, the reconfiguration of the adjacent parking area, and the development of the new park would require the partial acquisition of three publicly-owned properties, the full acquisition of one publicly-owned property, and the full acquisition of three private properties, totaling 1.84 acres.

Englewood Hospital and Medical Center Station
The Englewood Hospital and Medical Center Station would have side platforms located across from the hospital along North Dean Street between Durie Avenue and Cambridge Avenue. Commuter parking would be provided by an existing parking deck on North Dean Street across from the station platforms. The parking deck is owned by the hospital and would be leased to NJ TRANSIT for use by light rail passengers. Proposed pedestrian improvements at this station include pathways from Durie Avenue and Cambridge Avenue to North Dean Street and a pedestrian overpass over North Dean Street connecting the station and the hospital shared parking facility. No acquisition is anticipated at this location.

Although not included in this analysis, the project has been designed so as not to preclude the construction of a station in Fairview, should anticipated development in the area warrant its construction.

25.5. Section 4(f) Properties

There are 32 recreational resources and 10 historic resources within the Northern Branch study area that qualify as Section 4(f) resources. These resources are shown on Figures 25-1 through 25-5 and identified in Table 25-1.
Northern Branch 4F Review: North Bergen Township

Figure 25-1

Half-Mile Study Area
Proposed Alignment
HBLR Stations
Hudson Bergen Light Rail
Historic Resource

A: Dutch Reformed Church in the English Neighborhood

Parks and Open Space
1: Policeman Memorial Park
2: 46th Street Park/Ballfield
3: 50th Street Park
4: 43rd St/Fireman Park
5: North Bergen Recreation Center & Fields
6: North Bergen High School Fields
7: North Bergen Little League Fields
8: 82nd Street Park
9: 88th Street Park
10: North Bergen Municipal Pool

Source: Municipal Parks Departments and Jacobs
Northern Branch
4F Review:
Ridgefield & Fairview

Figure 25-2

Half-Mile Study Area
Proposed Alignment

Historic Resource
A: Dutch Reformed Church in the English Neighborhood
B: U.S. Route 46 Corridor Between George Washington Bridge and Grand Avenue Interchange

Parks and Open Space
11: English Neighborhood Park
12: Meadowlands Park
13: Marine Park
14: Willis Field

Source: Municipal Parks Departments and Jacobs
Figure 25-3

Northern Branch
4F Review:
Palisades Park Borough

Half-Mile Study Area
Proposed Alignment

Historic Resource
8: U.S. Route 46 Corridor Between George Washington Bridge and Grand Avenue Interchange

Parks and Open Space
15: Palisades Park Municipal Pool
16: Overpeck Park

Source: Municipal Parks Departments and Jacobs
Northern Branch
4F Review:
Leonia Borough

Figure 25-4

Half-Mile Study Area
Proposed Alignment

Historic Resource
B: U.S. Route 46 Corridor Between George Washington Bridge and Grand Avenue Interchange
C: Barrett’s, Palmer & Heal Dyeing & Cleansing Establishment
D: DeMott House

Parks and Open Space
16: Overpeck Park
17: Leonia Swim Club
18: Sylvan Park
19: Station Park
20: Leonia Recreation/Wood Park
21: Leonia Middle School Fields
22: Leonia High School Fields
23: Overpeck County Golf Course

Source: Municipal Parks Departments and Jacobs
Northern Branch
4F Review:
Englewood

Figure 25-5

Half-Mile Study Area
Proposed Stations
Proposed Alignment

Historic Resource
C: Barrett’s, Palmer & Heal Dyeing & Cleansing Establishment
D: DeMott House
E: Englewood Municipal Bldg.
F: Professional Bldg.
G: Palisades Trust and Guaranty Company Building
H: Adriance Van Brunt & Moses E. Springer Office and First Englewood Women’s Exchange Building
I: The Depot Square Bldg.
J: Brookside Cemetery

Parks and Open Space
23: Overpeck County Golf
24: Crystal Lake Park
25: Madison Park
26: Artus Park
27: MacKay Park
28: Depot Square Park (west)
29: Depot Square Park (east)
30: Dunning Park
31: Durie Park /Winton White Stadium
32: Triangle Park

Source: Municipal Parks Departments and Jacobs
### Table 25-1: Section 4(f) Resources Parkland and Historic Resources by Municipality

<table>
<thead>
<tr>
<th>Facility</th>
<th>Location</th>
<th>Jurisdiction</th>
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</thead>
<tbody>
<tr>
<td><strong>North Bergen</strong></td>
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<tr>
<td>Policeman Memorial Park</td>
<td>Union Turnpike, east of right-of-way</td>
<td>North Bergen</td>
</tr>
<tr>
<td>46th Street Park/Ballfield</td>
<td>1223 46th Street, east of right-of-way</td>
<td>North Bergen</td>
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<tr>
<td>50th Street Park</td>
<td>1207 50th Street, east of right-of-way</td>
<td>North Bergen</td>
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<td>43rd Street/Fireman Park</td>
<td>1821 44th Street, east of right-of-way</td>
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<td>North Bergen Recreation Center &amp; Fields</td>
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<td>North Bergen High School Fields</td>
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<td>North Bergen Little League Fields</td>
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<td>82nd Street Park</td>
<td>Corner of Grand Avenue and 82nd Street, east of right-of-way</td>
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<td>88th Street Park</td>
<td>Durham Avenue and 88th Street, east of right-of-way</td>
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<tr>
<td>North Bergen Municipal Pool</td>
<td>91st Street, west of right-of-way</td>
<td>North Bergen</td>
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<tr>
<td><strong>Fairview</strong></td>
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<td>English Neighborhood Park</td>
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<td>Fairview</td>
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<td><strong>Ridgefield</strong></td>
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<tr>
<td>Meadowlands Park</td>
<td>Pleasant View Terrace, west of right-of-way</td>
<td>Ridgefield</td>
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<td>Marine Park</td>
<td>Adjacent to Overpeck Creek, west of right-of-way</td>
<td>Ridgefield</td>
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<tr>
<td>Willis Field</td>
<td>Linden Avenue, east of right-of-way</td>
<td>Ridgefield</td>
</tr>
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<td>Dutch Reformed Church in the English Neighborhood</td>
<td>1040 Edgewater Avenue, west of right-of-way</td>
<td>NJ SHPO</td>
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<td><strong>Palisades Park</strong></td>
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<tr>
<td>Palisades Park Municipal Pool</td>
<td>Roosevelt Place, west of right-of-way</td>
<td>Palisades Park</td>
</tr>
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<td>Overpeck County Park</td>
<td>Palisades Park Area - Roosevelt Place, between Hackensack River and right-of-way</td>
<td>Bergen County</td>
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<td>U.S. Route 46 Corridor Between George Washington Bridge and Grand Avenue Interchange</td>
<td>U.S. Route 46 and Grand Avenue, Ridgefield/Palisades Park</td>
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<td><strong>Ridgefield Park/Teaneck</strong></td>
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<td>Overpeck County Park</td>
<td>Ridgefield Park Area - Adjacent to Overpeck Creek, west of right-of-way</td>
<td>Bergen County</td>
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<td>Overpeck County Golf Course</td>
<td>East Cedar Lane, Teaneck, west of right-of-way</td>
<td>Bergen County</td>
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<td><strong>Leonia</strong></td>
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<td>Overpeck County Park</td>
<td>Leonia South Area - South of Fort Lee Road; Henry Hoebel Area – North of Fort Lee Road, west of right-of-way</td>
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<td>Leonia Swim Club</td>
<td>Grand Avenue, east of right-of-way</td>
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<td>Sylvan Park</td>
<td>Grand Avenue, east of right-of-way</td>
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<td>Station Park</td>
<td>Fort Lee Road, east of right-of-way</td>
<td>Leonia</td>
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<td>Leonia Recreation/Wood Park</td>
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<td>Leonia Middle School Fields</td>
<td>Broad Avenue and Christie Heights Street, east of right-of-way</td>
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<td>Leonia High School Fields</td>
<td>Christie Heights Street, east of right-of-way</td>
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<td><strong>Englewood</strong></td>
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<td>Crystal Lake Park</td>
<td>North of I-80/I-95 on Sheffield Avenue, east of right-of-way</td>
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<td>Madison Park</td>
<td>Madison Avenue, east of right-of-way</td>
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<td>Artus Park</td>
<td>Between S. Dean Street and Linden Avenue, east of right-of-way</td>
<td>Englewood</td>
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<tr>
<td>MacKay Park</td>
<td>Englewood Avenue, west of right-of-way</td>
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### Table 25-1: Section 4(f) Resources Parkland and Historic Resources by Municipality (continued)

<table>
<thead>
<tr>
<th>Facility</th>
<th>Location</th>
<th>Jurisdiction</th>
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<tbody>
<tr>
<td>Depot Square Park (west) (Veterans Memorial Park)</td>
<td>Between Van Brunt, West, and North Dean Streets, bisected by right-of-way</td>
<td>Englewood</td>
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<tr>
<td>Depot Square Park (east) (Veterans Memorial Park)</td>
<td>Between Van Brunt, West, and North Dean Streets, bisected by right-of-way</td>
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<td>Dunning Park</td>
<td>Between Hillside Avenue and Spring Lane, east of right-of-way</td>
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<td>Durie Park (Winton White Stadium)</td>
<td>Tenafly Road, west of right-of-way</td>
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<td>Triangle Park</td>
<td>Between East Ivy Lane, East Hudson Avenue, and North Dean Street, east of right-of-way</td>
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<td>Barretts, Palmer &amp; Heal Dyeing &amp; Cleansing Establishment</td>
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<td>DeMott House</td>
<td>488 Grand Avenue, east of right-of-way</td>
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<td>Englewood Municipal Building (Potentially Eligible)</td>
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<td>Professional Building (Potentially Eligible)</td>
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<td>Adriance Van Brunt &amp; Moses E. Springer Office and First Englewood Women's Exchange Building (Potentially Eligible)</td>
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<td>The Depot Square Building (Potentially Eligible)</td>
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<td>Brookside Cemetery (Potentially Eligible)</td>
<td>East of Engle Street, east of right-of-way</td>
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### 25.6. Use of Section 4(f) Resources

Three properties protected by Section 4(f) would be used by the Preferred Alternative. All three properties are park resources. The Preferred Alternative will not result in a constructive use and all uses are de minimis. FTA is proposing de minimis use determinations for all three properties. Following is a description of each property.

**North Bergen Municipal Pool Complex - Block 468, Lot 1, North Bergen**

**Section 4(f) Property Description**

This facility contains a variety of amenities including an Olympic-size and children’s pools, picnic area, and spark park, as well as basketball and volleyball courts. The complex is accessed from 91st Street and occupies a parcel extending from 85th Street to 91st Street on the west side of the Northern Branch right-of-way, north of the existing CSX freight rail tracks. The Northern Branch and the CSX tracks therefore form two of the three boundaries of the roughly triangular parcel. The pool facilities, which are clustered in the northeast corner of the property near the access road, occupy approximately 6 acres of the 14.5 acre total lot area. The land not developed with the pool facilities is undeveloped and vegetated, with varying topography becoming steeper in the vicinity of the CSX tracks. The surrounding uses are industrial or big box commercial. This park is under the jurisdiction of the Township of North Bergen.
Use of Section 4(f) Property – De minimis Use
As a result, discussions with CSX in the interim between the DEIS and the SDEIS, NJ TRANSIT and CSX jointly determined that the Northern Branch light rail service must remain physically separate from freight yard activity to the greatest extent possible. As a consequence of this need to separate freight rail and light rail, the Northern Branch service would now cross over the existing CSX North Bergen Yard on viaduct and run in the right-of-way of West Side Avenue until 79th Street, where it would begin to climb on a second viaduct (85th Street Viaduct), pass over the freight facilities, including the NYS&W alignment and the elevated CSX River Line alignment, and then return to grade on the east side of the CSX River Line in the vicinity of 90th Street. In addition, 85th Street will be extended under the CSX embankment to connect to West Side Avenue, and 83rd Street, which presently connects through to West Side Avenue, will be closed. The extension of 85th Street is an improvement identified by North Bergen to alleviate an existing dangerous curve on the present 83rd Street underpass, where several fatalities have occurred.

To accomplish both the viaduct and the roadway extension, approximately 0.91 acres of Block 468, Lot 1 would be acquired and developed with roadway and structural elements supporting the 85th Street viaduct. The land required is located in the southeast quadrant of the municipal pool lot, away from and not affecting the pool facilities, parking lot, or sidewalks. The identified acreage is not optimal for additional recreational development since it is located between the existing CSX freight rail right-of-way and the Northern Branch, is overgrown with vegetation, and experiences significant change in elevation and uneven topography climbing toward the CSX tracks (refer to Figure 25-6).

FTA is proposing a de minimis use determination for the Preferred Alternative at the North Bergen Pool Complex. The proposed permanent use by the proposed project would not adversely affect the features, attributes, or activities that qualify the North Bergen Pool Complex for Section 4(f) protection.

Overpeck County Park, Leonia South Area - Block 703, Lot 1, Leonia

Section 4(f) Property Description
The Leonia South Area of Overpeck County Park is composed of approximately 140 acres located south of the park’s Henry Hoebel section, south of Fort Lee Road in Leonia. The Leonia South Area is comprised of four passive picnic areas with a total capacity of 590 park users, the Bergen Equestrian Center, a wildlife refuge, and active recreational amenities including a playground, bike path, running track, baseball field, and sports courts. This section of the park, which begins just north of the Shop Rite supermarket on West Central Avenue, is immediately adjacent to the rail right-of-way, and is accessible by car, bicycle, and foot from Fort Lee Road. Bergen County recently reconfigured access to the Leonia South Area of Overpeck County Park to provide access to the new Ridgefield Park area. The new access provides a vehicular/pedestrian bridge adjacent to Fort Lee Road and maintains access to the Bergen Equestrian Center. The Henry Hoebel Area of Overpeck County Park is composed of approximately 51 acres located north of Fort Lee Road in the Borough of Leonia and is adjacent to the alignment along its entire length. Active recreational amenities include four lighted tennis courts with a practice backstop, a playground, a 1.25-mile bicycle-pedestrian path, a running track, and athletic fields. A 9/11 World Trade Center Memorial is located within this section of the park, approximately 0.08 miles west of the rail alignment. Park users are able to park along the access road as well as walk and bicycle to the site. This park is under the jurisdiction of Bergen County.

The park contains an abandoned basketball court and an abandoned comfort facility. The abandoned basketball court consists of a paved rectilinear area in the northeast quadrant of an intersection of internal park roads, across from the Bergen Equestrian Center. The surface of the basketball court has not been maintained and shows substantial cracking and weed growth in the damaged areas. Backboards and other supporting athletic equipment are absent.
Northern Branch
Parks and Open Space:
North Bergen Municipal Pool Facility

Figure 25-6

Total Acquisition: 0.91 acres

Source: Municipal Parks Departments and Jacobs
No officially organized or informal organized activities are conducted on the surface. Modern and well-maintained ball courts, including basketball, volleyball, and tennis, are located in the Henry Hoebel Area, north of the Leonia South Area, north of Fort Lee Road, on the east side of Overpeck Creek. Immediately west of the basketball court is the abandoned comfort facility. The building is typical of park restroom facilities, with one half of the building dedicated as a men’s room and the other half a women’s room with toilets and sinks. The building is maintained for safety and liability reasons, but the facility is locked and inaccessible to the public. Restroom facilities are available at the Bergen Equestrian Center.

Use of Section 4(f) Property – De minimis Use
To accommodate the anticipated ridership demand generated by Leonia Station and provide multi-modal access to the Northern Branch service, a parking deck is proposed to be developed within Overpeck County Park and four bus pull-outs are proposed along parkland fronting on Fort Lee Road. Leonia Station would be located south of Fort Lee Road and supported by a 4-story parking deck located within the Leonia South Area of Overpeck County Park on the site of an abandoned basketball court and abandoned comfort facility, within Block 703, Lot 1. Two pull-outs would be located on the eastbound side of Fort Lee Road, within Block 703, Lot 1, and two would be located opposite on the westbound side in Block 102, Lot 1 (Henry Hoebel Area) (refer to Figure 25-7).

The proposed Leonia Station would be located within the existing Northern Branch right-of-way, south of Fort Lee Road. The parking deck, sized to accommodate the anticipated ridership demand for Leonia Station under the SDEIS proposed operating plan, would occupy existing areas of concrete slabs that formerly were topped with a basketball court and a comfort facility. The parking deck will not impact the attributes that make the park a 4(f) resource and may actually serve to increase park use by improving accessibility to park users who drive or take the light rail to the park. The parking deck would be accessible to both passengers of the Northern Branch light rail and users of Overpeck County Park, whose primary hours of use tend to be opposite, with commuters utilizing the parking deck during the day Monday through Friday and the majority of park users utilizing its amenities in the mornings, evenings, and on weekends. Commuters may even choose to use park resources before or after work for recreation. Rail commuters would access the parking deck via the existing internal park roadway network. The internal roads have been determined to provide sufficient capacity to serve the parking deck. No additional parkland would be taken for access to the parking deck. The total acreage required to develop the parking deck and bus pull-outs is approximately 1.23 acres.

FTA is proposing a de minimis use determination for the Preferred Alternative at the North Bergen Pool Complex. The proposed permanent use by the proposed project would not adversely affect the features, attributes, or activities that qualify the North Bergen Pool Complex for Section 4(f) protection.

Depot Square Park (east and west), Englewood - Block 1201, Lot 1.01 and Block 1201, Lot 1.01

Section 4(f) Property Description
This park, owned by the City of Englewood, is located in Englewood’s town center. The facility occupies 5.7 acres consisting of a grassy area and playground between North Van Brunt and West Streets, as well as a wide strip of green space along North Dean Street. This site is accessible from the aforementioned local streets and by walking and bicycling. The east and west sections of the park are separated by the former Englewood Rail Station, currently a music studio, the existing alignment, North Van Brunt Street, and Veterans Memorial Place. This park is under the jurisdiction of the City of Englewood.

Use of Section 4(f) Property – De minimis Use
The Preferred Alternative requires that the Northern Branch be double-tracked through Englewood Town Center to provide the level of service required to meet the projected passenger demand. The second track eliminates end-of-the-line reversal time required by single-track service. The adjustment required to the operating plan in order to accommodate single track configuration would result in a decline in service that
would have an adverse effect on the benefits of the Northern Branch as a transportation alternative. To provide the second track and station platforms, approximately 0.15 acres of Block 1202, Lot 1.01 (Depot Square Park east) and about 3,500 square feet or approximately 0.08 acres from Block 1201, Lot 1.01 (Depot Square Park west) would be required (refer to Figure 25-8). The acquisition from Depot Square Park east would consist of parking lot area; the acquisition from Depot Square Park west would consist of sidewalk. Proposed site plans for Depot Square reconfigure the parking area on the east side of the Northern Branch, between North Dean Street and the railroad.

The reconfiguration would better utilize the existing space and improve traffic flow through the parking lot. Additionally, an existing driveway bisecting Depot Square Park east would be closed and restored to lawn, and the previous intersection of the driveway with the parking lot and North Dean Street would be striped for parking. As a result, no parking loss would occur in the final condition once construction of the Northern Branch is complete. No recreational uses would be affected by the acquisition. The sidewalk area to be acquired from Depot Square Park west is part of the flag portion of the lot. Pedestrian circulation would be maintained as part of the station development. No recreational facilities would be permanently lost through the acquisition and development of this portion of the parkland.

FTA is proposing a de minimis use determination for the Preferred Alternative at the North Bergen Pool Complex. The proposed permanent use by the proposed project would not adversely affect the features, attributes, or activities that qualify the North Bergen Pool Complex for Section 4(f) protection.
Overpeck Park - Henry Hoeble Area
Block 102, Lot 1

Overpeck Park - Leonia South Area
Block 703, Lot 1

4 Bus Pull-Outs (easement)
0.02 acres each

Parking Deck (easement)
1.15 acres

Proposed Stations
Proposed Alignment
At Grade
Station Area Features
- Pedestrian Walkway
- Platform
- Parkland
- Parkland Acquisition
- Pull-Out (not parkland)

Northern Branch
Section 4(f):
Overpeck County Park

Figure 25-7

Source: Municipal Parks Departments and Jacobs
Englewood Town Center Station

Depot Square Park (west)
Block 1201, Lot 1.01

Depot Square Park (east)
Block 1202, Lot 1.01

Fee Acquisition:
0.15 acres

Fee Acquisition:
0.08 acres

Northern Branch
Section 4(f):
Depot Square

Figure 25-8

Proposed Stations
Proposed Alignment

At Grade
Parkland
Restored Lawn
Parkland Acquisition

Source: Municipal Parks Departments and Jacobs

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25.7. Next Steps and Coordination

The Section 4(f) review process requires ongoing dialogue with several stakeholder agencies to achieve concurrence on the characterization of impacts to 4(f) resources. Coordination with the following regulatory and resource agencies is necessary: United States Department of the Interior, FTA, Bergen County Department of Parks and Recreation, NJ SHPO, Bergen County Executive’s Office, NJ Department of Transportation and NJ Department of Environmental Protection, the Township of North Bergen, Borough of Leonia, and City of Englewood. Discussions have taken place between NJ TRANSIT and Bergen County pertaining to the location of the Leonia Station area parking facility. Bergen County participated in the site selection process and fully supports the proposed location, as it would provide benefits for park users, transit passengers, and drivers on area roadways.

As discussed in the introductory section of this analysis, this Section 4(f) evaluation is included as a chapter of the Northern Branch Corridor SDEIS, and would be subject to public review and comment as part of the NEPA public review process. Several meetings were convened with members of the general public, as well as elected and appointed officials and agency staff members throughout the Northern Branch study process to solicit their concerns, obtain input to the planning process, and disseminate project information. Coordination with the public and local, county, state, and federal agency representatives would continue through to the Final Environmental Impact Statement (FEIS).