

**The Friends of Liberty State Park
P.O. Box 3407 Jersey City, NJ 07302
201-792-1993 pesinliberty@earthlink.net**

NJDEP

May 15, 2006

Regarding the Public Hearing at Noon on May 17, 2006 at Liberty State Park on the Proposed Release of Easement and Right of Way also urging NJDEP to obtain more funds for the mitigation from golf course to fully fund the planned athletic field

Dear Mr. Karl Braun,

I learned about this May 17, Noon Public Hearing in the Terminal Conference Room, on the Proposed Release of Easement and Right of Way regarding Caven Point Road. (The Public Notice had the wrong address, as it stated that the Terminal Conference Room was on Morris Pesin Drive, the street named for my father which is on the South End of LSP. The Terminal is on Audrey Zapp Drive). I ask that all future meetings pertaining to Liberty State Park be held in the evening or on a Saturday, **to maximize the public's ability to attend. Especially for the park behind Lady Liberty, the DEP should do all it can to include the public in decision-making for park issues and projects.**

Though it appears that the main subject of this Hearing is the easement issue, the upcoming Public Hearing on the Golf Course and Port Liberte effects the park in several ways, and I'll take this opportunity to give the NJDEP, the Friends of LSP comments on various related park issues that are under your jurisdiction. I ask that this email be included in the public record of this Hearing, which I'm unable to attend.

1. The design and construction of the recreational field within the Maintenance parking lot complex of the park is excellent and overdue. However, since there are not adequate funds to build the associated rest room facilities, it will put added pressure on the existing park infrastructure and lead to the use of portajohns for all the youth and parents who will be present for the use of this needed recreational field. Hence, the developers should be responsible for the entire cost of the project. Your Department, or whomever was responsible for this ferry mitigation deal, gave approval for the golf course and commuter ferry dock ,truly sold the public short, by failing to get fair compensation from the developers. It is shameful that this deal only got \$500,000 from the developers for the athletic field, as the whole project costs \$800,000.

The developers should not only pay for the whole cost of the recreational field, but should also pay to help build the missing sidewalk connection from the Turnpike Ramp (accessed from Jersey City's Garfield Ave.) to the Rotary Area, the beginning of Pesin Drive. It took many years, but at least there is a sidewalk connecting Johnston Ave. to the beginning of Zapp Drive at the park's Northern End. Also needed are, improvements to the Southern entrance to LSP, with the rotary area being way overdue for an upgrade.

I ask that you personally take charge of the process that will rectify a "sweetheart" mitigation deal, and see that the developers of this elite golf course and super premium luxury condos, pay a lot more money toward the athletic fields, and improvements for pedestrian/motorists.

If the developers, some of whom wanted a golf course in LSP's Interior, had a community minded and good park neighbor spirit, they would gladly pay money to complete the recreational field, and to beautify and improve the park's southern entrance. The Friends hopes that the future residents of "Residences at Liberty" become users of LSP and that they and the golf course will be good neighbors. But at the onset of those Towers construction and the opening of their golf course, the Public looks to you to forge a truly beneficial deal for the park and to fix the poor financial deal worked out previously by your office, which didn't get near enough money to really benefit LSP and all its users.

2. The Friends asks for your careful review of the **proposed extension of the Hudson River Walkway** to make sure that it connects appropriately to Liberty State Park, and includes adequate aesthetic upgrades in the area of the boat launch. The proposed parking within the retail area of the tower development should be applauded, however the responsibility to ensure that the parking remains open to the walkway user must be strictly enforced.

3. The Hudson River Walkway is critical to the quality of life for all Jersey City residents. Adequate and safe access from the Linden Ave area of the city must be ensured.

4. The vacating of the existing easement for Caven Point road appears logical, as the developers have already built a superior road that accesses the Caven Point area. However vacating the easement should be done with the stipulation that the current easement on the new Caven Point Road will remain effective until the road is dedicated to and maintained by the city of Jersey City.

5. Last year, the Friends wrote a letter to NJDEP Commissioner Brad Campbell stating **strong opposition to the Barrys and partners' proposal in their lawyers' letter to the DEP for leasing 42 acres of water and two finger jetties, from the DEP, for them to have a private marina at the South End of the park.** Below is our July 4, 2005 letter to the Commissioner, who stated in a news story that he'd probably reject such a plan if he received a formal application for it, and **"Our stand against efforts to privatize the park whether through additional leases or applications remains the same: unless an applicant can show an overwhelming benefit to the public from conveying a lease hold, I am not going to support it," Campbell said.** Park advocates feel strongly that it is impossible for any privatization plan to show any overwhelming benefit, and for 30 years have overwhelmingly opposed all privatization plans. I want to convey to you that if any plan ever came across your desk, that you immediately and fully reject it, as the DEP knows what the broad public consensus is for LSP. You should know that well over

a thousand people would come to any public meeting on a "millionaires' marina" at the park's south end, and that it would be such a waste to cause another negative war at LSP, after 30 years of clear public expression of support for a free and green urban state park. I heard that South End of LSP marina plan is currently dead, so please make sure it stays dead forever. Please notify us if you hear that the developers are planning to revive it. I ask that you take a strong stand for Liberty State Park, one of America's and the world's greatest parks.

I look forward to hearing from you.

Sincerely,

Sam Pesin, president of Friends of Liberty State Park