

Bergen-Lafayette high-rise to move forward after plaintiff drops lawsuit



Aerial view of 417 Communipaw Ave. in Jersey City, on Wednesday, Dec. 8, 2021. Reena Rose Sibayan | The Jersey Journal

A controversial 17-story building next to Berry Lane Park is expected to move forward after a local group voluntarily dismissed its lawsuit against the project.

The project is planned for 417 Communipaw Ave. and will have 420 residential units, 21 of which will be designated affordable housing. Skyline Development Group, the project's developer, will also build the city a recreation center with a basketball court and other space, 20,000 square feet of public outdoor space and a 14,000 square feet of retail space.

The Morris Canal Community Development Corp. (MCCDC) had sued the city over its approval of the project but now says its concerns were assuaged and requested the lawsuit's dismissal on Oct. 24.

Developer Lou Mont, owner of Skyline Development Group, says he hopes to quickly proceed to site plan application review to break ground in the first quarter of next year.

"I had worked with the community group to try to redesign some of the elements of the project to allay some of their concerns and ultimately I think they were happy with the design," Mont said.

The city celebrated the lawsuit's dismissal Thursday.

"This redevelopment project is a win for the community as we incorporate numerous benefits that were put forth by the city as well as residents," said Diana Jeffrey, director of the Jersey City Redevelopment Agency.

Mont said changes that he helped seal the deal were adjustments to setbacks, building shadows and the addition of a 30-foot-wide walkway from Communipaw Avenue to Berry Lane Park.

The MCCDC did not immediately confirm whether those were the changes that assuaged its concerns.

"The lawsuit was not anti-government, but pro-community; and from the perspective of the community, very successful... our voices (do) matter," the MCCDC said in an email Thursday.

In touting the lawsuit's dismissal in a press release, the city called the lawsuit meritless and "a poor attempt to cast the city in a negative light."

It claimed that the MCCDC withdrew its lawsuit because it didn't have evidence to support its argument.

The organization fired back that it had withdrawn the lawsuit because it was happy with the adjustments to the project's designs after Mont heard from the community.

The MCCDC and vocal residents of the Bergen-Lafayette neighborhood originally [took issue with the project](#) because they thought it didn't include enough affordable housing, would only escalate gentrification in the neighborhood and should instead be a park, for which the city had previously received state Green Acres funding.

A [first MCCDC lawsuit in 2021](#) effectively delayed the project as a [judge ruled](#) for the city to provide more evidence about why the project deserved to have local zoning amendments in its favor.

The city then went through the extra steps and the project got planning board approval before this second lawsuit was filed in May.

The city is requiring that at least 40% of the retail space at the site be dedicated to small, women-, minority-, or veteran-owned businesses or businesses that qualify as Disadvantaged Business Enterprises.

The developer must also build 40 off-street public parking spaces for the recreation center and park.