

BELOW IS A SUMMARY OF THE CASE YOU ARE FILING WITH THE **APPELLATE DIVISION**.  
 REVIEW ALL INFORMATION AND DOCUMENTS FOR ACCURACY PRIOR TO HITTING THE **SUBMIT** BUTTON  
 ON THE NEXT PAGE.

**FILING ID #** 1753006 **TRIAL COURT DOCKET #** SHC FILE #LE11-018(AMENDED)  
**APPELLATE #** A-002063-25 **TRIAL COURT COUNTY**  
**CASE TITLE** IN RE STATE HOUSE COMMISSION APPROVAL OF LIBERTY STATE PARK,  
 LIBERTY LANDING MARINA LEASE BETWEEN NJ DEPT. OF ENVIRONMENTAL  
 PROTECTION AND SMI LL, LLC  
**CASE TYPE** STATE AGENCY **DISPOSITION DATE** 01/15/2026  
**CATEGORY**  
**TRIAL COURT JUDGE**

**PARTY/ATTORNEY**

<b>PARTY NAME</b>	<b>PARTY ROLE</b>	<b>PARTY DESIGNATION</b>	<b>FIRM NAME - ATTORNEY NAME / ATTORNEY ROLE</b>	<b>ADDRESS</b>
FRIENDS OF LIBERTY STATE PARK, NEW JERSEY CONSERVATION FOUNDATION, NEW JERSEY LEAGUE OF CONSERVATION VOTERS, NY/NJ BAYKEEPER, NEW JERSEY ENVIRONMENTAL LOBBY, PINELANDS ALLIANCE, NEW JERSEY HIGHLANDS COALITION, AND RAMAPOUGH CULTURE AND LAND FOUNDATION	OTHER	APPELLANT	NJ APPLESEED PUBLIC INTEREST LAW CENTER - RENEE W STEINHAGEN (ATTORNEY OF RECORD)	23 JAMES STREET NEWARK, NJ 07102 973-735-0523 renee@njappleseed.org
NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION	OTHER	RESPONDENT	ATTORNEY GENERAL LAW - JILL S DENYES (ATTORNEY OF RECORD)	25 MARKET STREET, PO BOX 93 TRENTON, NJ 08625-0093 609-376-2965 jill.denyas@law.njoag.gov
SMI LL, LLC	OTHER	RESPONDENT	GIORDANO HALLERAN & CIESLA, PC - DAVID J MILLER (ATTORNEY OF RECORD)	125 HALF MILE ROAD SUITE 300 RED BANK, NJ 07701 732-741-3900 dmiller@ghclaw.com
STATE HOUSE COMMISSION	OTHER	RESPONDENT	NJ DEPT OF ENVIRONMENTAL PROTECTION - JUDETH PICCININI YEANY (ATTORNEY OF RECORD)	401 E STATE STREET, P.O. BOX 420, MAIL CODE 401-07B TRENTON, NJ 08625-0420 609-984-0500 judeth.yeany@dep.nj.gov

**DOCUMENTS**

<b>DOCUMENT / FILE NAME</b>	<b>FILING PARTY</b>	<b>FIRM NAME / ATTORNEY</b>	<b>CATEGORY / DOCUMENT TYPE</b>	<b>SOURCE</b>	<b>DATE DOCUMENT</b>	<b>STATUS</b>
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		<b>ATTENTION</b>			<b>CREATED</b>	
NOTICE OF APPEAL	FRIENDS OF LIBERTY STATE PARK,NEW JERSEY CONSERVATION FOUNDATION, NEW JERSEY LEAGUE OF CONSERVATION VOTERS, NY/NJ BAYKEEPER, NEW JERSEY ENVIRONMENTAL LOBBY, PINELANDS ALLIANCE, NEW JERSEY HIGHLANDS COALITION, AND RAMAPOUGH CULTURE AND LAND FOUNDATION	NJ APPLESEED PUBLIC INTEREST LAW CENTER - RENEE W STEINHAGEN	APPELLATE DOCUMENTS - NOTICE OF APPEAL	SYSTEM GENERATED	02/26/2026	SUBMITTED
CASE INFORMATION STATEMENT	FRIENDS OF LIBERTY STATE PARK,NEW JERSEY CONSERVATION FOUNDATION, NEW JERSEY LEAGUE OF CONSERVATION VOTERS, NY/NJ BAYKEEPER, NEW JERSEY ENVIRONMENTAL LOBBY, PINELANDS ALLIANCE, NEW JERSEY HIGHLANDS COALITION, AND RAMAPOUGH CULTURE AND LAND FOUNDATION	NJ APPLESEED PUBLIC INTEREST LAW CENTER - RENEE W STEINHAGEN	APPELLATE DOCUMENTS - CASE INFO STATEMENT	SYSTEM GENERATED	02/26/2026	SUBMITTED
TRIAL COURT ORDER/JUDGMENT/DECISION (01/15/2026)	FRIENDS OF LIBERTY STATE PARK,NEW JERSEY CONSERVATION FOUNDATION, NEW JERSEY LEAGUE OF CONSERVATION VOTERS, NY/NJ BAYKEEPER, NEW JERSEY ENVIRONMENTAL LOBBY, PINELANDS ALLIANCE, NEW JERSEY HIGHLANDS COALITION, AND RAMAPOUGH CULTURE AND LAND FOUNDATION	NJ APPLESEED PUBLIC INTEREST LAW CENTER - RENEE W STEINHAGEN	APPELLATE DOCUMENTS - TRIAL COURT ORDER/JUDGMENT/DECISION	UPLOAD	02/26/2026	SUBMITTED
CERTIFICATION OF CONFIDENTIAL IDENTIFIERS	FRIENDS OF LIBERTY STATE PARK,NEW JERSEY CONSERVATION FOUNDATION, NEW JERSEY LEAGUE OF CONSERVATION VOTERS, NY/NJ BAYKEEPER,	NJ APPLESEED PUBLIC INTEREST LAW CENTER - RENEE W STEINHAGEN	APPELLATE DOCUMENTS - CERTIFICATION OF CONFIDENTIAL IDENTIFIERS	SYSTEM GENERATED	02/26/2026	SUBMITTED

NEW JERSEY  
 ENVIRONMENTAL  
 LOBBY, PINELANDS  
 ALLIANCE,  
 NEW JERSEY  
 HIGHLANDS  
 COALITION, AND  
 RAMAPOUGH  
 CULTURE AND LAND  
 FOUNDATION

PROOF OF SERVICE

FRIENDS OF LIBERTY NJ APPLESEED PUBLIC APPELLATE DOCUMENTS - PROOF SYSTEM  
 STATE PARK,NEW INTEREST LAW OF SERVICE GENERATED  
 JERSEY CENTER - RENEE W  
 CONSERVATION STEINHAGEN  
 FOUNDATION,  
 NEW JERSEY LEAGUE  
 OF CONSERVATION  
 VOTERS, NY/NJ  
 BAYKEEPER,  
 NEW JERSEY  
 ENVIRONMENTAL  
 LOBBY, PINELANDS  
 ALLIANCE,  
 NEW JERSEY  
 HIGHLANDS  
 COALITION, AND  
 RAMAPOUGH  
 CULTURE AND LAND  
 FOUNDATION

02/27/2026

SUBMITTED

**FEES AND PAYMENTS**

Fee Type	Fee Amount	Fee Status	Fee Paid	Payment Date	Payment Type	Amount Due
FILING FEE	\$250.00	FEE PENDING	\$0.00		JACS	\$250.00
	<b>\$250.00</b>		<b>\$0.00</b>			<b>\$250.00</b>

**RELATED APPEALS**

CASE TYPE	APPELLATE #	TRIAL COURT/ AGENCY DOCKET #	CASE TITLE	DISPOSITION DATE	STATUS
No record found.					

## **Certification that Submission Contains No Confidential Information or Confidential Personal Identifiers**

This form shall be completed by any party who files a document in a public court matter in the Supreme Court or in the Appellate Division of the Superior Court.

**1. Confidential information / confidential personal identifiers (must select one):**

I certify that I have reviewed Rules 1:38-3, 1:38-5, and 1:38-7 and:

- This document does not contain any confidential information or any confidential personal identifiers; **OR**
- This document; previously contained confidential information or confidential personal identifiers, which have been redacted (meaning removed or made anonymous by using fictitious first names or initials, where applicable). The cover of the redacted version of the document contains the word "REDACTED." I acknowledge that a non-redacted version must be filed simultaneously with the redacted version in matters where the confidential information is necessary to the disposition of the matter: **OR**
- This document contains confidential information, but redaction is not required because the document is excluded from public access pursuant to court order, Rule, statute, or other authority. If applicable, skip paragraphs 2 and 3.

**2. Return and resubmission:**

I certify that if any confidential information is discovered in this submission and brought to the court's attention, the court will return the document to me, and I will be responsible to redact or remove the confidential information before resubmission. I understand the court could impose sanctions, including suppression of the brief, dismissal in extraordinary cases, and other measures for a failure to accurately make this certification or for the discovery of confidential information in a document that has been filed.

**3. Briefs posted online:**

I understand that the presence of confidential information or confidential personal identifiers in a document that has been posted on the Judiciary's public website will be grounds for the removal of such online posting, pending correction by the filing party, on an expedited timeline. The court in its discretion could postpone further proceedings pending the resubmission of the document.

**This certification pertains to the following documents included in this filing:**

**NOTICE OF APPEAL, CASE INFORMATION STATEMENT, TRIAL COURT  
ORDER/JUDGMENT/DECISION (01/15/2026)**

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

**02/27/2026**

Date

**S/ RENEE W STEINHAGEN, Esq.**

Signature of Attorney or Pro Se Litigant



New Jersey Judiciary  
Superior Court - Appellate Division  
**Notice of Appeal**

TITLE IN FULL (AS CAPTIONED BELOW) <b>IN RE STATE HOUSE COMMISSION APPROVAL OF LIBERTY STATE PARK, LIBERTY LANDING MARINA LEASE BETWEEN NJ DEPT. OF ENVIRONMENTAL PROTECTION AND SMI LL, LLC</b>	ATTORNEY / LAW FIRM / PRO SE LITIGANT			
	NAME <b>RENEE W STEINHAGEN, Esq.</b>			
	STREET ADDRESS <b>23 JAMES STREET</b>			
	CITY <b>NEWARK</b>	STATE <b>NJ</b>	ZIP <b>07102</b>	PHONE NUMBER <b>973-735-0523</b>
	EMAIL ADDRESS <b>renee@njappleseed.org</b>			

ON APPEAL FROM		
TRIAL COURT JUDGE	TRIAL COURT OR STATE AGENCY <b>OTHER</b>	TRIAL COURT OR AGENCY NUMBER <b>SHC FILE #LE11-018(AMENDED)</b>

**FRIENDS OF LIBERTY STATE PARK, NEW JERSEY CONSERVATION FOUNDATION,  
NEW JERSEY LEAGUE OF CONSERVATION VOTERS, NY/NJ BAYKEEPER,  
NEW JERSEY ENVIRONMENTAL LOBBY, PINELANDS ALLIANCE,  
NEW JERSEY HIGHLANDS COALITION, AND RAMAPOUGH CULTURE AND LAND**

Notice is hereby given that **FOUNDATION** appeals to the Appellate Division from a  Judgment or  Order entered on \_\_\_\_\_ in the  Civil  Criminal or  Family Part of the Superior Court  Tax Court or from a  State Agency decision entered on **01/15/2026**

If not appealing the entire judgment, order or agency decision, specify what parts or paragraphs are being appealed.

For criminal, quasi-criminal and juvenile actions only:

Give a concise statement of the offense and the judgment including date entered and any sentence or disposition imposed:

This appeal is from a  conviction  post judgment motion  post-conviction relief  pre-trial detention  
If post-conviction relief, is it the  1st  2nd  other \_\_\_\_\_  
specify

Is defendant incarcerated?  Yes  No

Was bail granted or the sentence or disposition stayed?  Yes  No

If in custody, name the place of confinement:

Defendant was represented below by:

(\* ) truncated due to space limit. Please find full information in the additional pages of the form.  
Revised effective: 09/01/2008, CN 10502 (Notice of Appeal)

Public Defender     self     private counsel

\_\_\_\_\_ specify

Notice of appeal and attached case information statement have been served where applicable on the following:

	Name	Date of Service
Trial Court Judge		
Trial Court Division Manager		
Tax Court Administrator		
State Agency	<b>OTHER</b>	<b>02/27/2026</b>
Attorney General or Attorney for other Governmental body pursuant to R. 2:5-1(b)(4)		<b>02/27/2026</b>

Other parties in this action:

Name and Designation	Attorney Name, Address and Telephone No.	Date of Service
<b>SMI LL, LLC</b>	<b>DAVID J MILLER, Esq. GIORDANO HALLERAN &amp; CIESLA, PC 125 HALF MILE ROAD SUITE 300 RED BANK NJ 07701 732-741-3900 dmiller@ghclaw.com</b>	<b>02/27/2026</b>
<b>NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION</b>	<b>JILL S DENYES, Esq. ATTORNEY GENERAL LAW 25 MARKET STREET PO BOX 93 TRENTON NJ 08625-0093 609-376-2965 jill.denyesh@law.njoag.gov</b>	<b>02/27/2026</b>
<b>STATE HOUSE COMMISSION</b>	<b>JUDETH PICCININI YEANY, Esq. NJ DEPT OF ENVIRONMENTAL PROTECTION 401 E STATE STREET P.O. BOX 420, MAIL CODE 401-07B TRENTON NJ 08625-0420 609-984-0500 judeth.yeany@dep.nj.gov</b>	<b>02/27/2026</b>

Attached transcript request form has been served where applicable on the following:

	Name	Date of Service
Transcript Office		
Clerk of the Tax Court		
State Agency	<b>OTHER</b>	<b>02/27/2026</b>

Exempt from submitting the transcript request form due to the following:

■ Transcript in possession of attorney or pro se litigant (four copies of the transcript must be submitted along with an electronic copy).

List the date(s) of the trial or hearing:

**01/15/2026**

**ADMINISTRATIVE AGENCY**

**OTHER**

Motion for abbreviation of transcript filed with the court or agency below. Attach copy.

Motion for transcripts at public expense filed with the court below. Attach copy.

I certify that the foregoing statements are true to the best of my knowledge, information and belief. I also certify that, unless exempt, the filing fee required by *N.J.S.A. 22A:2* has been paid.

**02/27/2026**

Date

s/ **RENEE W STEINHAGEN, Esq.**

Signature of Attorney or Pro Se Litigant

BAR ID #

**038691989**

EMAIL ADDRESS

**renee@njappleseed.org**



New Jersey Judiciary  
 Superior Court - Appellate Division  
 Notice of Appeal

Additional appellants continued below

Additional respondents continued below

**Respondent's Attorney** Email Address: **jill.denyes@law.njoag.gov**

Plaintiff  Defendant  Other (Specify) **STATE AGENCY**

Name		Client		
<b>JILL S DENYES, Esq.</b>		<b>NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION</b>		
Street Address	City	State	Zip	Telephone Number
<b>25 MARKET STREET PO BOX 93</b>	<b>TRENTON</b>	<b>NJ</b>	<b>08625-0093</b>	<b>609-376-2965</b>

**Respondent's Attorney** Email Address: **judeth.yeany@dep.nj.gov**

Plaintiff  Defendant  Other (Specify) **STATE AGENCY**

Name		Client		
<b>JUDETH PICCININI YEANY, Esq.</b>		<b>STATE HOUSE COMMISSION</b>		
Street Address	City	State	Zip	Telephone Number
<b>401 E STATE STREET P.O. BOX 420, MAIL CODE 401-07B</b>	<b>TRENTON</b>	<b>NJ</b>	<b>08625-0420</b>	<b>609-984-0500</b>

Additional parties continued below

Appellant's attorney email address continued below

Respondent's attorney email address continued below

**PARTY NAME: NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION ATTORNEY NAME: JILL S DENYES, Esq.**

**jill.denyes@law.njoag.gov**

**PARTY NAME: STATE HOUSE COMMISSION ATTORNEY NAME: JUDETH PICCININI YEANY, Esq.**

**judeth.yeany@dep.nj.gov**

Additional Party's attorney email address continued below



New Jersey Judiciary  
Superior Court - Appellate Division  
**Civil Case Information Statement**

Please type or clearly print all information.

Title in Full  
**IN RE STATE HOUSE COMMISSION APPROVAL OF LIBERTY STATE PARK, LIBERTY LANDING MARINA LEASE BETWEEN NJ DEPT. OF ENVIRONMENTAL PROTECTION AND SMI LL, LLC**

Trial Court or Agency Docket Number  
**SHC FILE #LE11-018(AMENDED)**

**Appellant's Attorney** Email Address: **renee@njappleseed.org**

Plaintiff  Defendant  Other (Specify) **INTERVENOR**

Name

**RENEE W STEINHAGEN, Esq.**

Client

**FRIENDS OF LIBERTY STATE PARK, NEW JERSEY CONSERVATION FOUNDATION, NEW JERSEY LEAGUE OF CONSERVATION VOTERS, NY/NJ BAYKEEPER, NEW JERSEY ENVIRONMENTAL LOBBY, PINELANDS ALLIANCE, NEW JERSEY HIGHLANDS COALITION, AND RAMAPOUGH CULTURE AND LAND FOUNDATION**

Street Address

**23 JAMES STREET**

City

**NEWARK**

State

**NJ**

Zip

**07102**

Telephone Number

**973-735-0523**

**Respondent's Attorney \*** Email Address: **dmiller@ghclaw.com**

Plaintiff  Defendant  Other (Specify) **PETITIONER**

Name

**DAVID J MILLER, Esq.**

Client

**SMI LL, LLC**

Street Address

**125 HALF MILE ROAD SUITE 300**

City

**RED BANK**

State

**NJ**

Zip

**07701**

Telephone Number

**732-741-3900**

Give Date and Summary of Judgment, Order, or Decision Being Appealed and Attach a Copy:

**Appellants are appealing the January 15, 2026 decision by the State House Commission approving the proposed Liberty State Park, Liberty Landing Marina Lease between the NJ Department of Environmental Protection and SMI LL, LLC.**

Have all the issues as to all the parties in this action, before the trial court or agency, been disposed? (These claims may include counterclaims, cross-claims, third-party claims, and applications for counsel fees.)  Yes  No

If outstanding claims remain open, has the order been properly certified as final pursuant to R. 4:42-2?  Yes  No  N/A

A) If the order has been properly certified, attach copies of the order and the complaint and any other relevant pleadings to the order being appealed. Attach a brief explanation as to why the order qualified for certification pursuant to R. 4:42-2.

B) If the order has not been certified or has been improperly certified, leave to appeal must be sought. (See R. 2:2-4; 2:5-6.) Please note that an improperly certified order is not binding on the

(\* ) truncated due to space limit. Please find full information in the additional pages of the form.

Appellate Division.

If claims remain open and/or the order has not been properly certified, you may want to consider filing a motion for leave to appeal or submitting an explanation as to why you believe the matter is final and appealable as of right.

Were any claims dismissed without prejudice?

Yes  No

If so, explain and indicate any agreement between the parties concerning future disposition of those claims.

Is the validity of a statute, regulation, executive order, franchise or constitutional provision of this State being questioned? (R. 2:5-1(b)(4))  Yes  No

Give a Brief Statement of the Facts and Procedural History:

**This appeal arises from action taken on January 15, 2026 by the New Jersey State House Commission (“SHC”) approving a proposed 60-year lease between the New Jersey Department of Environmental Protection (“DEP”) and SMI LL, LLC, an affiliate of Suntex Marina Investors, LLC, (“Suntex”), for the continued operation and expansion of the Liberty Landing Marina (“LLM”) located within Liberty State Park (“LSP”).**

**The marina area is located on parkland acquired and developed using Green Acres bond funds and federal Land and Water Conservation Fund (“LWCF”) assistance. In April 1990, the National Park Service (“NPS”) issued a Record of Decision (“ROD”) pursuant to Section 6(f) of the LWCF Act approving marina development subject to specific conditions, including a limitation that any indoor boat storage building be no more than one-half acre in size. This aspect of the ROD was reaffirmed in a letter to DEP dated June 8, 2008 in response to DEP’s December 3, 2007 request for guidance regarding a proposed expansion of the facilities at the LLM.**

**The current marina lease traces to a 1996 lease under which the private marina operator was responsible for all infrastructure obligations, including maintenance, repair, and replacement of the waterfront bulkhead. In December 2010, following assumption of the lease by Suntex, DEP executed a lease amendment or assumption agreement under which DEP assumed responsibility for bulkhead replacement, work on which was designated to commence no later than June 30, 2012 and was subject to “adequate appropriation.” The bulkhead replacement cost is currently estimated by the McLaren Engineering Group hired by Suntex to be approximately \$60 million. The 2010 lease assumption was not presented to the SHC for approval. There were no appropriations made, the bulkhead was not rebuilt, and Suntex did not take any action to enforce the State’s conditional commitment to rebuild the bulkhead during the time period set forth in the lease amendment.**

**The existing lease, including five available renewal options, extends through April 30, 2046. DEP now proposes to terminate the existing lease early and replace it with a new 60-year lease. The proposed lease contemplates, among other things, bulkhead reconstruction cost-sharing arrangements and authorization of an indoor dry-rack storage facility within the marina leasehold and a two-story facility that would house administrative support services for Suntex on the second floor.**

**In July 2025, DEP issued a report on the proposed lease. In August and September 2025, DEP conducted public hearings pursuant to N.J.S.A. 13:1D-52 for leases exceeding 25 years. Friends of Liberty State Park and other Appellants, including many of their individual members, submitted written objections or spoke at the DEP hearings raising concerns regarding statutory valuation requirements, bulkhead liability assumptions, and the proposed indoor boat storage facility. The administrative record reflects overwhelming public opposition to the proposed lease. DEP received approximately 740 comments in opposition to the lease prior to and at its two hearings and during the post-hearing comment period, while fewer than 10 people spoke in support. Over 200 additional comments in opposition to the lease were submitted to the SHC prior to its hearing, and, at the hearing, 45 people spoke in opposition to the lease and another 44 people put their opposition in the chat, with not a single person speaking in support.**

**On August 7, 2025, two weeks before the DEP’s hearing on August 21, the DEP unveiled at a well-**

(\*) truncated due to space limit. Please find full information in the additional pages of the form.

Revised: 04/02/2016, CN 10501 (Appellate Civil CIS)

page 2 of 6

attended Open House, the new LSP Master Plan that had been in the making for approximately 5 years, with significant public participation. That Plan touches every aspect of the park, from restoring natural habitats that enhance resilience to flooding and climate change, to developing regulation athletic fields, to rehabilitating historic sites like the iconic Central Railroad of New Jersey Train Shed. But it does not mention construction of any indoor boat storage structure or built facility that would accommodate administrative support for the Marine operator.

On November 17, 2025, the DEP Commissioner approved the Lease Term Sheet, and four days later, on November 21, 2025 signed the SHC Summary Approval Sheet, whereby DEP submitted the proposed lease to the SHC. On January 15, 2026, the SHC voted 5–2 to approve the proposed lease. No separate written findings or decision have been issued by the SHC following the vote; and no minutes of the meeting have been made available to the public. The transcript was placed on OLS’s website approximately on February 12, 2026.

**Appellants, Friends of Liberty State Park, New Jersey Conservation Foundation, NJ League of Conservation Voters, NY/NJ Baykeeper, Pinelands Alliance, NJ Environmental Lobby, N.J. Highlands Coalition and the Ramapough Culture and Land Foundation are nonprofit organizations whose members use and enjoy Liberty State Park and advocate for its preservation, protection and improvements, as a state park behind Lady Liberty with maximum public access to all its recreational, natural, cultural and historical resources, including the LLM.**

To the extent possible, list the proposed issues to be raised on the appeal as they will be described in appropriate point headings pursuant to R. 2:6-2(a)(6). (Appellant or cross-appellant only.):

**Is the SHC’s approval of the Suntex lease arbitrary, capricious, and unreasonable and/or does it violate the applicable law and state policy concerning the development and operation of LSP for the following reasons, including but not limited to:**

- 1. The DEP did not undertake and/or disclose to the public a professional valuation of the land conveyed to Suntex pursuant to the 60-year lease in violation of N.J.S.A. 13:1D-56(a) and/or DEP practice regarding the valuation of Green Acre funded property;**
- 2. The SHC seemingly based its decision in part on DEP’s erroneous representation that the State has the sole obligation to rebuild the bulkhead under the current lease;**
- 3. The provision of the lease permitting Suntex to build an indoor boat storage facility on 2.3 acres of land is inconsistent with the 1990 NPS Record of Decision (ROD) and the NPS 2008 confirmation of that Decision to DEP noting that such facility can be built on no more than .5 acres;**
- 4. The terms of the lease are inconsistent with the 2025 LSP Master Plan insofar as the Plan does not contemplate an indoor boat storage facility nor a built structure as immense and massive as that proposed;**
- 5. The second building, which is not to exceed 10,000 sq. ft. – or .3 acres-- within the Marina and is permitted to be as high as 55 ft., for first floor use as a visitor center (that perhaps will also house a State Park Police substation, public restrooms and some retail space) and for second floor use as an administrative support office for the for-profit operator of the LLM, is inconsistent with the 2025 Master Plan and may constitute a conversion under federal law;**
- 6. The terms of the lease fail to impose sufficient requirements on the lessee in order to protect and promote the public’s use of the Marina, as required by the NPS, including measures to enforce previously unfulfilled commitments for public access to the parking lot, bathrooms and, for those boaters without a Marina slip, the Marina’s leased waters from LSP;**
- 7. The SHC’s approval was made in the face of overwhelming opposition to the lease (i.e., over 1,000 emails and in-person comments in opposition with fewer than 10 submissions in support). LSP is a public park and decisions about the development of LSP must take into consideration the views and desires of the public who pay taxes for and use it; and**
- 8. The SHC has not memorialized its decision in writing nor stated its reasons for approving the Suntex lease as proposed by DEP. Each member simply voted, with no explanation as to why they voted yes or no.**

(\*) truncated due to space limit. Please find full information in the additional pages of the form.

If you are appealing from a judgment entered by a trial judge sitting without a jury or from an order of the trial court, complete the following:

1. Did the trial judge issue oral findings or an opinion? If so, on what date? \_\_\_\_\_  Yes  No
2. Did the trial judge issue written findings or an opinion? If so, on what date? \_\_\_\_\_  Yes  No
3. Will the trial judge be filing a statement or an opinion pursuant to R. 2:5-1(d)?  Yes  No  Unknown

**Caution:** Before you indicate that there was neither findings nor an opinion, you should inquire of the trial judge to determine whether findings or an opinion was placed on the record out of counsel's presence or whether the judge will be filing a statement or opinion pursuant to R. 2:5-1(d).

Date of Your Inquiry:

1. Is there any appeal now pending or about to be brought before this court which:
  - (A) Arises from substantially the same case or controversy as this appeal?  Yes  No
  - (B) Involves an issue that is substantially the same, similar or related to an issue in this appeal?  Yes  No

If the answer to the question above is Yes, state:

Case Title	Trial Court Docket#	Party Name
------------	---------------------	------------

2. Was there any prior appeal involving this case or controversy?  Yes  No

If the answer to question above is Yes, state:

Case Name and Type (direct, 1st PCR, other, etc.)	Appellate Division Docket Number
---------------------------------------------------	----------------------------------

Civil appeals are screened for submission to the Civil Appeals Settlement Program (CASP) to determine their potential for settlement or, in the alternative, a simplification of the issues and any other matters that may aid in the disposition or handling of the appeal. Please consider these when responding to the following question. A negative response will not necessarily rule out the scheduling of a preargument conference.

State whether you think this case may benefit from a CASP conference.  Yes  No

Explain your answer:

**This is an appeal from a decision by the State House Commission approval of a proposed lease between DEP and SMI LL, LLC that was negotiated by the previous DEP Commissioner. The Governor has not signed the lease and the Appellants and other entities, including several Jersey City/Hudson County legislators and elected officials are requesting the Governor to reconsider the SHC's decision. Appellants have raised substantive issues with the terms of the lease and a procedural defect in the SHC's decision--it lacks reasons, findings of fact and conclusions of law, and was not memorialized. There may be space here to settle this matter.**

Whether or not an opinion is approved for publication in the official court report books, the Judiciary posts all Appellate Division opinions on the Internet.

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).

**FRIENDS OF LIBERTY STATE PARK, NEW  
JERSEY CONSERVATION FOUNDATION,**

**NEW JERSEY LEAGUE OF CONSERVATION  
VOTERS, NY/NJ BAYKEEPER,**

**NEW JERSEY ENVIRONMENTAL LOBBY,  
PINELANDS ALLIANCE,**

**RENEE W STEINHAGEN, Esq.**

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**NEW JERSEY HIGHLANDS COALITION, AND  
RAMAPOUGH CULTURE AND LAND  
FOUNDATION**

\_\_\_\_\_  
Name of Appellant or Respondent

**02/27/2026**

\_\_\_\_\_  
Date

**038691989**

Bar #

Name of Counsel of Record  
(or your name if not represented by counsel)

**s/ RENEE W STEINHAGEN, Esq.**

\_\_\_\_\_  
Signature of Counsel of Record  
(or your signature if not represented by counsel)

**renee@njappleseed.org**

Email Address



New Jersey Judiciary  
 Superior Court - Appellate Division  
 CIVIL Case Information Statement

Additional appellants continued below

Additional respondents continued below

**Respondent's Attorney** Email Address: **jill.denyas@law.njoag.gov**

Plaintiff  Defendant  Other (Specify) **STATE AGENCY**

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# Commission Meeting

of

## STATE HOUSE COMMISSION

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**LOCATION:** Meeting via Teams

**DATE:** January 15, 2026  
10:00 a.m.

**MEMBERS OF COMMISSION PRESENT:**

Assad Akhter, Chair  
Senator Vin Gopal  
Senator Anthony M. Bucco  
Assemblywoman Eliana Pintor Marin  
Assemblyman John DiMaio  
Aaron Binder  
Tariq Shabazz



**ALSO PRESENT:**

Robert Matos-Moran  
*Commission Secretary*

Cynthia Bussell  
*Government Rep 3*  
*N.J. Department of Treasury*

Tamara Loatman-Clark, Esq.  
*Deputy Attorney General for the State House Commission*

*Meeting Recorded and Transcribed by*  
The Office of Legislative Services, Public Information Office,  
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey

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leave their vote now or at any point during the meeting if they choose to do so.

SENATOR GOPAL: Thank you.

MR. AKHTER: Sure.

SENATOR GOPAL: Can I do that?

This is Vin Gopal.

MR. AKHTER: Senator Gopal, you are recognized.

SENATOR GOPAL: Thank you, I could not hear on the prior.

The prior votes I'm a yes; on the Liberty State vote I'm a no, and I'm leaving those votes. Thank you very much.

MR. AKHTER: Sir, Senator, to clarify -- can you just reclarify your votes, it's a little confusing there.

SENATOR GOPAL: Every vote except the one we're about to do, I'm a yes, the Liberty State one I'm a no.

MR. AKHTER: No.

So, Senator Gopal has voiced a no vote, he reported as yes on one and two, and he is leaving a vote of "no" on item Number 3 regarding Liberty State Park. Thank you, Senator.

SENATOR GOPAL: Thanks so much.

MR. AKHTER: Are there any other members of the Commission who want to recognize in clarifying or leaving their vote? (no response)

OK. We will move onto item Number 3.

MR. MATOS-MORAN: Project: Liberty State Park, Block 15801, Lots 35-39, and 41-46, Block 15904, Lots 1-3, and 23-30 -- some of the lots may be partial -- City of Jersey City, Hudson County. Requesting Party: The NJDEP requests approval to enter into--

MR. AKHTER: Please mute yourself, please.

MR. MATOS-MORAN: Requesting party: The NJDEP requests approval to enter into a 60-year lease with SMI LL, LLC, an affiliate of Suntex Marina Investors, LLC, called Suntex, for the continued operation and the improvement of the Liberty Landing Arena at Liberty State Park, in the City of Jersey City, Hudson County. Suntex is the current marina lessee under an agreement which is set to expire in April of 2046. In proposing a new lease term, the NJDEP's primary objective are to 1. Enter into an agreement with Suntex for replacement of the severely deteriorated bulkhead at the northern end of the park, along with the Morris Canal basin. And, 2. Remove approximately 8 undeveloped acres from the leased area to allow the NJDEP to develop as part of the Liberty State Park Revitalization Program, the Marina Green, a new public outdoor recreation, athletic, and play space along the Audrey Zapp Drive within the park. The new lease will include provisions contemplating the development of a new dry boat storage facility and rehabilitation of existing in-water slips. Any such improvements will take place within the existing leasehold area, and the new lease will not include any in-water expansions or extension of boat slip or dock space east of the existing slip and dock area.

Terms: Under the current lease, the State receives guaranteed annual rental income in the amount of \$300,000, split between a base rent and a percentage rent. Under the new lease, the rent obligation will increase meaningfully, and the NJDEP will receive a minimum of \$800,000 in annual rent payments, subject to a 10% escalation every five years. In addition, the new lease will include percentage rent requirements tied to various revenue streams associated with the marina. The new lease is anticipated to result in

a minimum of \$122 million in guaranteed rent payments to the NJDEP over the life of the lease, a substantial increase over the \$300,000 annual guaranteed minimum rent under the current lease, which would equate to \$6.3 million over the remaining 21 years of the lease. The proposed new lease will allow Suntex to offset the cost of replacing the bulkhead, which is estimated to cost more than \$60 million. The NJDEP will receive the benefit of sharing the cost associated with replacing the bulkhead, and Suntex will commit to capital expenditures and funding to maintain and improve the marina. The new terms of the lease will allow Suntex to continue investing in the marina, and marina improvement projects. Under the lease, Suntex would undertake the bulkhead replacement work with the State oversight and a financial arrangement for the State to contribute its share of the project costs. Additional details about the proposed lease compensation and future marina improvements are outlined in the term sheet appended to the NJDEP's request for the approval of this lease.

I will now ask for a motion.

MR. AKHTER: Just to be clear, the motion is simply to recognize the matter, a vote will not be taken at this time.

Please, public comments will be allowed, and I just want to remind members of the public, if you would like to leave your public comment in the chat, you can do so, but you must identify yourself by your full name and any affiliation you choose to, that's your choice. But, you must leave your full name in order for it to be included in the public record, in the chat. And, we will do public comments. So, you asked for a motion, I make the motion. Second? (no response)

Mr. Binder, do you second?

MR. BINDER: Second.

MR. AKHTER: Second, thank you.

MR. MATOS-MORAN: Do any members of the Commission have any questions? (no response)

Hearing none, I will now open for public--

MR. AKHTER: OK, so for public comments -- for public -- Hold on, everybody please hold.

We will do this as best we can. I do want to ask the members, if there are any members who are not able to stay or need to leave temporarily who want to leave their vote. Assemblywoman Pintor Marin, do you want to be recognized?

ASSEMBLYWOMAN PINTOR MARIN: I'm sorry, this is just to vote on what?

MR. AKHTER: So, we have vote-- We are about to take public comments on the Liberty State Park item.

Senator Gopal has already left his vote on this item, he is -- if there are any members of the State House Commission who are not able to stay 'til the end of the meeting, or may be detained and would like to leave their vote, they can do so at this time or any point, but I'm just taking a pause here if you want to leave your vote.

ASSEMBLYWOMAN PINTOR MARIN: I just got a message that Assembly -- Senator Raj Mukherji is on the -- waiting to speak.

This is why I cannot vote on this because this is just not proper. You have a Senator who wants to speak on this agenda item and he can't get on.

MR. AKHTER: We will recognize-- We are going to recognize all public comments, Assemblywoman, so I will get him in the meeting and make sure he is able to speak on the item.

So, we are--

ASSEMBLYWOMAN PINTOR MARIN: I know, but I am not voting on this.

So, it would be a no.

MR. AKHTER: OK, thank you.

Someone-- We will proceed with public comments at this time.

And, so, the way we will recognize this is we will alternate-- Are there any-- Is Senator Mukherji in the meeting?

SENATOR RAJ MUKHERJI: I'm on by audio, yes, thank you, sir.

MR. AKHTER: Oh, there you are.

Go ahead, Senator.

SENATOR MUKHERJI: Thank you, Mr. Chairman.

I know I got a face for radio, but I'd like to see you guys virtually, but the link and everything else wasn't working--

MR. AKHTER: Yes, apologies.

SENATOR MUKHERJI: -- and, it's not your fault, Chairman, it's just, there's football out there less jacked up than like the technical aspects.

And, I appreciate-- I won't belay; I know there are a lot of folks who want to be heard and deserve to be heard, so, I'll get right to it, and thank you for the opportunity to speak. To the members of the Commission, you all -- and I -- are stewards, temporarily entrusted with this piece of New

MS. BUSSELL: (indiscernible)

UNIDENTIFIED SPEAKER: I think Greg Remot (phonetic spelling) wants to speak, according to Sam Pesin.

MS. BUSSELL: I see that too, but, and I told him to announce himself, I don't see him on the list, I'm sorry.

MR. AKHTER: OK.

All right. I have no further public comments; we are now closing public comments. I ask everyone to remain muted and respectful of the process here--

UNIDENTIFIED SPEAKER: Point of order, can I--

MR. AKHTER: No, there is no point of order; there is no point of order from the public. I ask the public to please-- The public commentary is over. Anyone speaking out of order will be removed from the meeting.

We've had over two and half hours of public comments: the public is not part of the meeting in terms of point orders or comments outside of public comments. I appreciate your understanding, and the rules of the meeting, and I will ask for the roll call to be called.

MR. MATOS-MORAN: Mr. Shabazz.

MR. AKHTER: (indiscernible)

Votes yes, thank you.

MR. MATOS-MORAN: Mr. Gopal left a vote in the no.  
Senator Bucco.

MR. AKHTER: Senator Bucco.

MS. BUSSELL: I can see he's still on.

MR. AKHTER: Senator Bucco.

MS. BUSSELL: (indiscernible)

MR. AKHTER: Senator Bucco.

SENATOR BUCCO: Yes.

MR. MATOS-MORAN: Mr. Bucco votes yes.

MR. AKHTER: Yes, thank you, Senator.

MR. MATOS-MORAN: Mr. DiMaio, Assemblyman DiMaio.

ASSEMBLYMAN DiMAIO: Yes.

MR. MATOS-MORAN: Assemblyman DiMaio votes yes.

Assemblywoman Pintor Marin left a vote in the negative.

MR. AKHTER: What is the vote count?

MR. MATOS-MORAN: Vote is four "yesses" and two "noes."

MR. AKHTER: Sir, can you please clarify--

MR. MATOS-MORAN: Five yesses, two noes.

MR. AKHTER: Two noes, the motion passes.

I now move to adjourn the meeting, is there a second?

UNIDENTIFIED SPEAKER: Hours of comments, hours.

MR. AKHTER: Is there a second?

UNIDENTIFIED SPEAKER: (Indiscernible)

MR. AKHTER: Second; meeting is adjourned. Thank you very  
much.

(MEETING CONCLUDED)

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Before Appellate Division,  
Superior Court of New Jersey  
DOCKET NO.

STATE AGENCY

**IN RE STATE HOUSE COMMISSION APPROVAL OF LIBERTY STATE PARK, LIBERTY  
LANDING MARINA LEASE BETWEEN NJ DEPT. OF ENVIRONMENTAL PROTECTION  
AND SMI LL, LLC**

PROOF OF SERVICE

I hereby certify that an original of the following documents, **CERTIFICATION OF  
CONFIDENTIAL IDENTIFIERS, NOTICE OF APPEAL, CASE INFORMATION  
STATEMENT, TRIAL COURT ORDER/JUDGMENT/DECISION (01/15/2026), PROOF OF  
SERVICE** were submitted and transmitted to the parties listed below in the following format:

ELECTRONICALLY TO:

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**ATTORNEY NAME: JUDETH PICCININI YEANY, Esq.**

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**STATE AGENCY: OTHER**

BY MAIL:

I certify that the forgoing statements made by me are true. I am aware that if any of  
the foregoing statements made by me are willfully false, I am subject to punishment.

**Attorney for APPELLANT  
FRIENDS OF LIBERTY STATE PARK,NEW  
JERSEY CONSERVATION FOUNDATION,  
NEW JERSEY LEAGUE OF  
CONSERVATION VOTERS, NY/NJ  
BAYKEEPER,  
NEW JERSEY ENVIRONMENTAL LOBBY,  
PINELANDS ALLIANCE,  
NEW JERSEY HIGHLANDS COALITION,  
AND RAMAPOUGH CULTURE AND LAND  
FOUNDATION**

Dated: **02/27/2026**

By: **S/ RENEE W STEINHAGEN, Esq.**