

**RESOLUTION  
PLANNING BOARD  
CITY OF BAYONNE**

---

**APPLICANT:** PENINSULA VIEW URBAN RENEWAL, LLC

**APPLICATION NO.:** P-18-012

**PREMISES:** 77 & 79-87 East 31<sup>st</sup> Street  
Block 411, Lots 2-5, 7, 8 & 11

**WHEREAS, PENINSULA VIEW URBAN RENEWAL, LLC** (applicant), has applied to the Planning Board of the City of Bayonne seeking General Development Plan (GDP) approval pursuant to N.J.S.A. 44:55D-45 and 45.1 with a vesting of no less than 15 years for a proposed project consisting of multifamily development consisting of a single seven (7) story building with two (2) levels of parking and five (5) levels of apartments on property located at 77 & 79-87 East 31<sup>st</sup> Street in City Block 411, Lots 2-5, 7, 8 & 11; and

**WHEREAS,** Peninsula View Urban Renewal, LLC submitted an application together with plans, reports and other supporting documents, more specifically described in the findings of fact below for General Development (“GDP”) approval for property located on seven (7) vacant parcels totaling 44,906 square feet; and

**WHEREAS,** the site is regulated by the City’s redevelopment plan identified as Peninsula View Redevelopment Plan and the City of Bayonne Ordinance §33-11.12; and

**WHEREAS,** the Peninsula View Redevelopment Plan, as noted above, the property is governed by planning zoning and design standards and requirements of the Redevelopment Plan; and

**WHEREAS**, the General Development plan application was certified complete on April 10, 2018 and the Planning Board conducted a public hearing on August 14, 2018 at which time Peninsula View Urban Renewal, LLC and interested members of the public were given a full opportunity to be heard; and

**WHEREAS**, the applicant previously submitted proof of notification by mail and personal services, at least ten (10) days prior to the date set forth for public hearing to property owners within 200 feet of the extreme limits of the property, in accordance with the Zoning Ordinance of the City of Bayonne as amended and supplemented in accordance with N.J.S.A. 40:55D-1 et. seq. has been completed and the application has been deemed complete for review; and

**WHEREAS**, the applicant submitted evidence that it has made application in conformity with the City of Bayonne Ordinance and that it has complied with all the procedural requirements of the City of Bayonne Ordinance, including the payment of fees; and

**WHEREAS**, the following reports prepared by the City's professionals were entered into the record: Report of the Consulting City Engineer, Robert J. Russo, P.E., P.P., CME dated August 1, 2018 (Exhibit A-21) and reports of Consulting City Planners, Malvika Apte, P.P. A.I.C.P. and Robert J. Russo, P.E, P.P., CME Engineering dated May 9, 2018 and May 30, 2018 (Exhibits A-18 & A-19) and report of Malvika Apte, P.P., A.I.C.P., CME Engineering dated July 17, 2018 (Exhibit A-20); and

**WHEREAS**, the applicant through its attorney, Patrick J. McNamara Esq., appeared before the Planning Board at a regular meeting held on August 14, 2018; and

**WHEREAS**, Stuart Johnson, A.I.A., Jonathan Istranyi, P.E. and John McDonough, P.P., provided testimony in support of the application; and

**WHEREAS**, after carefully considering the evidence, proofs and testimony of the applicant and the argument of counsel presented at the hearings in this matter, the Board made the following findings of fact and conclusions of law:

1. The Planning Board has the jurisdiction to act upon this application with a majority vote required for the approval of all matters; and
2. The application is for a site located at 77 & 79-87 East 31<sup>st</sup> Street and consists of seven (7) parcels with a total area of 1.03 acres. The site has frontage on four (4) streets: Route 440, East 31<sup>st</sup> Street, Prospect Avenue and East 32<sup>nd</sup> Street. Vehicular access to the site is proposed to be provided via an ingress/egress driveway along NJ State highway 440 and another driveway along East 31<sup>st</sup> Street; and
3. The proposed General Development Plan (GDP) is for a portion of the redevelopment area, specifically Block 411, Lots 2, 3, 4, 5, 7, 8 and 11 and currently vacant. The site is located on the eastern portion of the City, west of the south Cove Commercial area. The development will consist of a single seven (7) story building with five (5) living levels over two (2) levels of enclosed parking. In total, the development will consist of one hundred fifty (150) dwelling units with a bedroom mix of twenty-eight (28) studio units, seventy (70) one-bedroom units and fifty-two (52) two-bedroom units; and
4. Peninsula View Urban Renewal, LLC submitted the following plans and documents in support of its application, all marked as Exhibits with other documents as per the Exhibit List annexed hereto:
  - a. An application for General Development Plan Approval (Exhibits A-1 through A-9, A-11, A-16 & A-17); and
  - b. Fiscal Report prepared by John McDonough Associates, LLC dated April 10, 2018 (Exhibit A-12); and
  - c. Concept Building Plan prepared by Minno Wasko Architects and Planners dated April 10, 2018 (Exhibit A-13); and
  - d. Land Title Survey prepared by Faraldi Group, Inc. dated April 22, 2015 (Exhibit A-14); and

- e. Environmental Impact and Stormwater Management Statement prepared by Stonefield Engineering dated April 10, 2018 (Exhibit A-10).
5. Stuart Johnson, the applicant's first witness, who qualified as a N.J. licensed architect, described the site and area and the parcels for the proposed development. He described the single seven- (7) story building with five (5) living levels over two (2) levels of enclosed parking. The living area will consist of one hundred fifty (5) dwelling units with a bedroom mix of twenty-eight (28) studio units, seventy (70) one-bedroom units and fifty-two (52) two-bedroom units with sizes ranging from approximately 550 square feet to approximately 1,200 square feet. Site amenities to include an entry motor court on 31<sup>st</sup> Street, one hundred thirty-nine (139) weather protected off-street parking spaces, a lounge and package center, office/conference rooms, fitness center, club room, gaming room, screening room, golf sim room, a large open-air terrace and a rooftop deck with bar, fire pit, pergola shade structure complete with chaise lounge chairs; and
6. Jonathan Istranyi, P.E. testified as to what was required for a GDP in terms of the Municipal Land Use Law (MLUL). He reviewed the Stormwater Management Plan and the Community Development Plan. He outlined the parking and garage and the proposed access to the lower parking garage level from Route 440 via a proposed 11' acceleration and deceleration lane which is subject to the provisions and conditions of a New Jersey Department of Transportation (NJDOT) Highway major access permit. The applicant believes that the development is appropriate and consistent with the site location and nearby public transit options. Mr. Istranyi reviewed Robert J. Russo, P.E., CME Consulting City Engineer's report dated August 1, 2018; and
7. John McDonough, P.P., reviewed the redevelopment plan for compliance. He testified that the application is for the approval of a general development plan and that the development fits all the criteria, is in 100% compliance and is consistent with the Redevelopment Plan and the City Master Plan. Mr. McDonough, in describing the site improvements, testified to the positive benefits to the area citing a positive fiscal and aesthetic affect on the environment with no detriments to the general public; he advised he will address the consulting City Planner's comments. He further testified that the project would not have a substantial detriment to the public good nor impair the Zone Plan and Zoning Ordinance; and
8. Lisa Constantine, Melanie Flora and Roger Hollavade of the general public asked questions and Jeffrey Kapec made closing remarks; and

9. The Board makes the following findings and conclusions with respect to this application:
  - a. The Plans submitted by the applicant, together with the other documents submitted, establish a comprehensive General Development Plan for the site; and
  - b. The GDP provides a mix of residential units and is within the density permitted and based on the plans submitted, the reports and testimony introduced at the hearing, the applicant complies with the requirement for General Development approval as set forth in the Ordinances of the City of Bayonne; and
  - c. The GDP complies with all the regulatory requirements of the Peninsula View Redevelopment Plan; and
  - d. The development complies with the objectives set forth in the Redevelopment Plan and the City Ordinances, particularly Redevelopment Plan Section 1.3, for reasons including, but not limited to the following: the development enables economic development in a vibrant, well-developed community, creates the infrastructure necessary for the redevelopment, programs and develops open space for a variety of uses and otherwise advances the Redevelopment Plan objectives; strengthens the economic base of the City; promotes the City's sound growth, general welfare and development and redevelopment in an orderly way; and, encourages development of infrastructure related to the City's existing and proposed infrastructure; and
  - e. In addition to satisfying the purposes and objectives of the Redevelopment Plan, the applicant has satisfied the general conditions for a Plan Development as set forth in City Ordinance sections 33-11.12 and 3302 (definitions), in that, among other things, the development will exceed 100 units, is in a Redevelopment; and
  - f. Further, access will be adequate and complete for the development and each stage thereof and will be an integral part of the City's plans for access and will permit integration of the Planned Development with the City's existing traffic systems; and
  - g. The development and each stage thereof will not cause any substantially adverse environmental impacts; and
  - h. The development will meet all requirements for this approval proposed by the Board and its consultants or as required by Ordinance; and

- i. There are no departures from zoning requirements and there is compliance with the Redevelopment Plan; and
- j. All public services are adequate including all infrastructures and open space proposed; and
- k. There will be no unreasonable adverse impact upon the area in which the development is located. The testimony and record established the fiscal and community benefits from every aspect of the development and there will be a positive impact to the community; and

**NOW THEREFORE BE IT RESOLVED** that the Planning Board of the City of Bayonne, hereby **GRANTS PENINSULA VIEW URBAN RENEWAL, LLC** approval for a General Development Plan (GDP) with a vesting of no less than 15 years for a proposed project consisting of a multifamily development consisting of a single seven- (7) story building with two (2) levels of parking and five (5) levels of apartments on property located at 77 & 79-87 East 31<sup>st</sup> Street in City Block 411 Lots 1-5, 7, 8 & 11, subject to the approval of all Federal, State, County and Municipal rules, regulations, statutes, codes, ordinances.

**BE IT FURTHER RESOLVED**, that the Chairman of the Planning Board has hereby authorized his signature to this Resolution granting preliminary and final major site plan approval and the Land Use Administrator is authorized to advertise the action taken by way of Resolution in a local newspaper; and

**BE IT FURTHER RESOLVED**, that the Land Use Administrator is authorized to send copies of this Resolution to the following City Officials: City Clerk, Construction Official, Zoning Officer, Fire Sub-Code Official, City Planner and City Consulting Engineer.

**RECORDED VOTE:**

<u>Commissioners</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Not Voting</u>	<u>Not Present</u>
Karen Fiermonte	[ ]	[ ]	[ ]	[ ]	[X]
Maria I Valado	[X]	[ ]	[ ]	[ ]	[ ]
Juan Perez	[X]	[ ]	[ ]	[ ]	[ ]
Terrence Malloy	[X]	[ ]	[ ]	[ ]	[ ]
Michael Quintela	[ ]	[ ]	[ ]	[ ]	[X]
Ramy Lawandy	[X]	[ ]	[ ]	[ ]	[ ]
George Becker	[X]	[ ]	[ ]	[ ]	[ ]
Issa Musharbash	[ ]	[ ]	[ ]	[ ]	[X]
James Davis, Mayor	[ ]	[ ]	[ ]	[ ]	[X]
John Sebik (Mayoral Designee)	[X]	[ ]	[ ]	[ ]	[ ]

**WHEREAS**, the application having received six aye votes is hereby **APPROVED**.

The above Resolution was adopted by the Planning Board of the City of Bayonne at a regular meeting held on September 11, 2018.

---

KAREN FIERMONTE  
Chairperson

RNC/lg