
August 17, 2021

City of Bayonne Planning Board
630 Avenue C
Bayonne, NJ 07002

Attn: Alicia K. Losonczy
Land Use Administrator

**RE: Bayonne Equities BII Urban Renewal, LLC
9-11 West 12th Street &
281, 283-287 & 289 Broadway
Block 264, Lots 15-18
City of Bayonne
Hudson County, NJ
DEC #2838-99-001**

Dear Ms. Losonczy,

To assist in the City's review of the Amended Site Plan, below are sequential responses to the conditions of the previous approval (Application No. P-20-020) and comment letters received from the Township Professionals from the December 1, 2020 Planning Board Hearing:

Resolution, Planning Board City of Bayonne dated December 8, 2020:

1. The applicant shall comply with the report and recommendations of Malvika Apte, P.P., A.I.C.P., the consulting City Planner, dated November 2, 2020 and the report of Robert J. Russo, P.E., P.P., Consulting City Engineer, dated November 3, 2020, except as those recommendations have been specifically modified during the proceedings before the Board on this application
Acknowledged. Please refer to the respective comments in the below memorandums.
2. The applicant shall maintain the property, including all landscaping and parking, in accordance with the approved plan
Acknowledged.
3. The applicant shall submit revised plans for final approval by the City Planner and Consulting City Engineer satisfying all conditions
Acknowledged.
4. The applicant shall establish and maintain an escrow account with the City of Bayonne to pay for the professional review and inspection fees related to this application and construction required in conjunction therewith
Acknowledged.
5. The applicant shall submit cost estimates to the Consulting City Engineer to determine the cost of the Performance Bond and Inspection Escrow fees
To be provided once the City confirms the enclosed plans satisfactorily address the Board Professionals' comments.

6. Approval of this application is further conditioned on full compliance with all applicable Federal, State and Local Ordinances, rules and regulations as well as any and all requirements of the New Jersey Department of Environmental Protection with specific emphasis on any requirements of a storm water management plan for same and all required permits and approvals and certificates. Copies of all other permits
Acknowledged.
7. The applicant shall be bound to comply with the representations made before this Board by the applicant, its Counsel and experts at the public hearing; and, the same are incorporated herein and are representations upon which this Board has relied in granting the approval set forth herein and shall be enforceable as if those representations were made conditions of approval
Plans have been revised to address same.
8. Approval of this application if further conditioned on the payment of all taxes, fees and required escrow deposits to the City of Bayonne. The applicant shall pay any additional fees or escrow deposits which may be due and owing within thirty (30) days from the date of the adoption of this resolution; and
Acknowledged.
9. All documents required to be prepared by the applicant by virtue of the terms or provisions of any condition set forth in this resolution shall, before execution, be submitted to and approved by the Board Attorney and Engineer; and
Acknowledged.
10. If any other governmental agency grants a waiver or variance of a regulation, then this Board shall have the right to review that issue as it relates to this approval granted by this Board and modify to amend same; and
Acknowledged.
11. The applicant shall start the construction in accordance with the plans as approved and herewith submitted, within twelve (12) months from the date of publication of the legal notice of the Board's decision in this application.
Acknowledged.
12. Applicant has agreed to the following additional conditions:
 - a. A minimum of 106 on-site parking spaces will be provided and the applicant will work with consulting City Engineer to explore and provide additional parking opportunities within the building.
The Site Plan (Sheet 4) has been revised to indicate 140 parking spaces are now proposed via a revised parking layout and the use of a mechanical (stacked) parking system.
 - b. The applicant will work with the City Fire Official or City Fire Department to preserve the emergency access for the adjacent building located at Block 264, Lot 22.
Acknowledged.
 - c. The applicant shall reduce the size of the office space within the ten (10) one-bedroom-with-office-units provided in the project, to make the office space less likely to be converted from an office into a bedroom.
Acknowledged; Addressed during testimony at the December 1, 2020 Planning Board Hearing.
 - d. The applicant will provide additional street trees along the streetscape or, alternatively, if the planting of additional trees is not feasible within the streetscape, the applicant will provide other greenery for the streetscape. The applicant will work with the consulting City Engineer on this aspect.

The Streetscape, Landscape and Lighting Plan (Sheet 7) has been revised to incorporate additional street trees and benches.

- e. The applicant will work with City professionals with respect to the green wall at the rear of the building (west property line) to determine if the green wall is appropriate as to location and size.

Acknowledged; Addressed during testimony at the December 1, 2020 Planning Board Hearing.

Memorandum from CME Associates prepared by Malvika Apte, PP/AICP, Consulting City Planner dated November 2, 2020:

1. Summary of Application: **No action required**

2. Zoning and Bulk Variances: *Several of these comments are reiterated from our previous memorandum since they still need to be addressed. The new comments are noted in italics.*

(a) Use: **No action required**

(b) Bulk Standards:

1. Rear Yard Setback: Per Section d.5.ii, corner lots shall be two front yards and two sideyards. Frontages along Broadway and W 12th Street is the front yard, while the other property line are side lot lines. In order to provide a rear yard the building above groundfloor shall be setback 25 feet. The proposed building is setback 25 feet from 2nd floor.

Acknowledged.

2. Building Height:

- (i) Per section d.7.ii, a structure may be constructed above the 10th floor to accommodate enclosed amenity space, storage and other facilities for the residents of the building. This structure may cover up to 50% of the roof area. The proposal includes amenity level, above the 10th floor. The amenity space is shown to include fitness center, business center, kids play room and lounge area. *Applicant should provide detailed testimony regarding the square footage area of the floor area and if it complies with the 50% requirement.*

Addressed during testimony at the December 1, 2020 Planning Board Hearing.

- (ii) *With the revised plans, applicant has proposed an alternative automated parking system with three levels a cellar, first floor and parking level 1. Applicant should clarify the overall height of first floor with alternative automated parking. Since one parking level is reduced from self-parking, can the height of the first floor be reduced further. This should be discussed.*

Addressed during testimony at the December 1, 2020 Planning Board Hearing.

(c) Parking Standards:

- i. *Bicycle Storage: The proposal includes essentially three bicycle storage rooms, one on parking level 2 and two on cellar level. Applicant should discuss how many parking spaces in total are proposed.*

As noted on the Site Plan (Sheet 4); ≥ 68 bicycle spaces are proposed (66 internal, 2 external).

3. Additional Comments:

- (a) *Architectural Design:*

- i. Per the redevelopment plan, buildings shall be designed to be attractive from all vantage points. Applicant should discuss the front façade along the parking, the material proposed and its consistency with rest of the building frontage and the surrounding area. *This should be discussed in detail during testimony.*
Addressed during testimony at the December 1, 2020 Planning Board Hearing.
 - ii. *Per the redevelopment plan, buildings shall provide step-backs along all street frontages at appropriate floor levels to provide architectural interest and additional air and light. Applicant should demonstrate through testimony how this is achieved.*
Addressed during testimony at the December 1, 2020 Planning Board Hearing.
- (b) Open Space: A minimum of 10% of any development site shall be designed open space and recreation facilities. This amounts to 1,883 square feet of open space requirement. The proposal includes, 5,265 square feet of proposed roof terrace. Applicant should discuss if any green features are proposed on site.
- A green wall is proposed along the north west elevation of the building, along property line adjacent to Lot 14. No details regarding the wall and its maintenance is provided. Construction regarding the same and its maintenance and operations. Details regarding its impact on adjacent property must be discussed.*
- Addressed during testimony at the December 1, 2020 Planning Board Hearing.**
- (c) Unit: The proposal includes, a total of 10 units that are one bedroom with office. The office room can be identified as a second bedroom. Applicant should testify regarding the design features that would discourage the use of the office room as a second bedroom in the unit. *Currently it appears to be two-bedroom unit.*
- Addressed during testimony at the December 1, 2020 Planning Board Hearing.**
- (d) Lighting: No lighting plan for the roof terrace has been provided. This should be provided to determine compliance and effect of light spillage on adjoining properties. Lighting details regarding the proposed third floor terrace and its impact on adjacent properties must be discussed.
- Addressed during testimony at the December 1, 2020 Planning Board Hearing.**
- (e) Signage:
- i. Proposal includes one (1) residential sign above the pedestrian entrance lobby from Broadway. This shall be 25 square feet. This complies. No details regarding the material, color and illumination of the signage is provided. *This should be provided to determine compliance.*
Acknowledged.
 - ii. Per the redevelopment plan, one sign per frontage per commercial use is permitted. The proposal includes two commercial spaces, with one space on a corner. The proposed signage is to comply with 20% of façade area requirement, however no details on material, color and illumination of signage is provided. *This should be provided to determine compliance.*
Acknowledged.

Per the rehabilitation plan, temporary signage is permitted. The size, design and location of the temporary signage shall be presented to the Planning Board as part of the Site Plan application. *No details have been provided.*
Acknowledged.

(i) Landscaping:

- (i) A note stating “any landscaping which is not resistant to the environment or dies within two (2) years of planting shall be replaced by the Redeveloper” should be added to the landscaping plan.

Streetscape, Landscape & Lighting Plan (Sheet 7) has been revised to note same under ‘Planting Notes’, Note #5.

- (ii) *Details on roof terrace planting should be provided. Further, details on the proposed greenroof design and type of planting must be provided.*

Addressed during testimony at the December 1, 2020 Planning Board Hearing.

- (j) **Trash and Recycling:** Floor plan show a chute and trash room on each floor. A trash room is located on the cellar floor plan. A detailed testimony regarding the operations and pick of trash along with truck turning diagram should be provided. The trash and operations manual must include the estimate amount of trash, a recycling separation procedure and other details.

Addressed during testimony at the December 1, 2020 Planning Board Hearing.

- (k) **Affordable Housing:** The applicant should provide a statement regarding compliance with the City’s Fair Share ordinance.

Addressed during testimony at the December 1, 2020 Planning Board Hearing.

- (l) *To the northwestern property line an adjacent building egress is noted on the first floor. Applicant should clarify regarding this and if it is part of an existing easement.*

Addressed during testimony at the December 1, 2020 Planning Board Hearing.

- (m) We defer to the Board Engineer regarding drainage, storm water and other engineering issues related to the site.

See responses to engineering comments below.

- (n) The applicant should be prepared to discuss whether any additional permits/approvals are required by outside agencies.

Addressed during testimony at the December 1, 2020 Planning Board Hearing.

Memorandum from CME Associates prepared by Robert J. Russo, PE, PP, CME, City Engineer dated November 3, 2020:

B. GENERAL SITE IMPROVEMENT REVIEW

1. The applicant shall provide for the installation of the necessary equipment to accomplish signal preemption for emergency vehicles at a minimum of one (1) signalized intersection abutting the development.

Acknowledged.

2. The applicant should provide a pedestrian warning device at the entrance to the parking garage. A detail for same should be provided.

The Site Plan (Sheet 4) has been revised to note a pedestrian warning device at the garage entrance.

3. This office recommends that the applicant mill and pave West 12th Street along the property frontage from the centerline to the curbline. Broadway has recently been paved by the City and should be milled and paved along the property frontage, curb to curb.

The Site Plan (Sheet 4) has been revised to indicate West 12th Street will be milled and paved from the centerline to the curb line along the property frontage and that Broadway will be milled and paved from curb to curb along the property frontage.

4. The applicant should provide testimony regarding trash and recycling facility operations. It should be noted that a trash room exits to the parking garage lower level. The applicant's engineer should provide more information as to how refuse trucks will service this area or if the trash will

- be brought to the curb.
Addressed during testimony at the December 1, 2020 Planning Board Hearing.
5. The applicant should provide a detail of the louvers/mesh grille that will screen the parking garage.
Please refer to the enclosed architecture plans for additional information for the louvers/mesh grille.
 6. The applicant should provide additional existing and proposed grades along the existing property lines to verify that the construction will not adversely impact the adjoining properties.
Existing and proposed grades are provided on the Grading Plan (Sheet 5).
 7. The Applicant's Engineer should design the proposed curb ramps, sidewalks, warning surfaces, signing, striping, and crosswalks, to meet the latest ADA and MUTCD requirements. The Applicant's Engineer should provide landing areas as required before and after the curb ramps at the appropriate slopes and the locations of the proposed detectable warning surfaces should be clearly indicated. This ADA compliance issue should be reviewed relative to all ramps, sidewalks, crosswalks that are to be proposed under this project. Any grading transitions shall be accomplished beyond the property limits so that all proposed sidewalk along the frontages are ADA compliant.
Further detail of ADA areas and ADA notes have been provided on the Grading Plan (Sheet 5). In addition, benches are proposed along West 12th Street and Broadway.
 8. The applicant should remove and replace the existing handicap ramp located on Broadway at the northern end of the project. The ramp grades and associated sidewalk should be adjusted since the existing curbing along the existing building will be removed.
Refer to the grading inset 'B' on the Grading Plan (Sheet 5).
 9. All traffic related signage should be noted on the site plans and details should be provided for same.
Traffic signage is indicated on the Site Plan (Sheet 4) and signage details are located in the Construction Details (Sheet 9).
 10. It appears that the building located on adjacent lot 22 contains an existing door that exits to the east that will be blocked by the proposed building. There is a proposed door noted on the applicant's plans which exits to the north that states "Adjacent Building Egress". The applicant should indicate if the proposed door will provide access from Lot 22.
Addressed during testimony.
 11. The applicant shall provide adequate security provisions in the parking garage and around the building perimeter.
City Note #1 indicating same has been added to the Site Plan (Sheet 4).
 12. The applicant should consider providing additional street trees on Broadway along with additional streetscape features along both frontages.
Additional street trees are proposed on the Streetscape, Landscape and Lighting Plan (Sheet 7).
 13. The applicant should indicate on the site plan that the existing basement access vault in front of Lot 18 will be removed.
The Demolition Plan (Sheet 3) has been revised to indicate the existing basement access to be removed.
 14. The applicant should review the parking layout to determine if minor modifications could result in some additional parking spaces.
The parking layout has been modified and mechanical (stacked) parking system added; 140 spaces are proposed when 129 spaces are required.

C. **UTILITIES**

1. The Applicant is proposing construction of residential apartment building with a total area of disturbance of 22,997 sf (0.53 acres). In accordance with City Ordinance and RSIS, residential projects that disturb less than 1 acre of land are classified as a minor development for stormwater management purposes.
Acknowledged.
2. The applicant proposes disturbance of more than 5,000 sf, therefore a soil erosion and sediment control plan certification should be obtained from the Hudson-Essex & Passaic Soil Conservation District prior to any soil disturbance. A copy of the permit should be provided to this office prior to construction.
Acknowledged.
3. The applicant should consider reviewing the detention basin vault sizing to determine if additional volume could be provided so run-off could be accepted from the street frontage.
Addressed during testimony at the December 1, 2020 Planning Board Hearing.
4. The outlet structure details provided on sheet 11 should be revised to include a 2-ft deep sump and a vapor tight trap or approved equal.
A manhole with sump and back flow preventer has been proposed just outside the building on the Drainage and Utility Plan (Sheet 6). The OCS and Basin Schematic detail on the Construction Details (Sheet 11) has been revised to indicate vapor-tight access manholes.
5. The Applicant's engineer should verify the pipe diameters of the combined sewer lines on Broadway. According to city maps the manholes at the intersection of Broadway and West 12th Street and East 12th Street are terminal manholes and the sewer line from West 12th Street to the west is a 36" pipe. Revise Utility Plan accordingly.
The Drainage and Utility Plan (Sheet 6) have been revised to indicate the existing sanitary pipe diameter. Pipe diameters and inverts have been verified via field survey.
6. The construction detail for Storm Manhole w/ Sump & Hood Detail should be removed since no separate manhole is proposed. All information should be provided in the outlet structure.
Storm Manhole with Sump & Hood Detail remains since one is now proposed.
7. The applicant should extend the existing sanitary sewer located on West 12th Street to the western property line.
The proposed water services have been relocated.
8. We recommend that the applicant connect the building water services to the existing 16" main located on Broadway as opposed to the 6" main located on West 12th Street.
A sewer extension along West 12th Street had not been proposed since sanitary sewer service is already provided to adjacent structures and it is not required to service this project.
9. We defer further review of the water and sanitary sewer systems to the Bayonne Utility Department and Suez.
Acknowledged.

D. TRAFFIC REVIEW

1. The Applicant's Engineer indicated that they included adjacent developments that are approved but not yet constructed in the existing traffic volumes as they did in a previous traffic impact study for one of those developments, specifically 282 Broadway. The Applicant's Engineer should provide the figure that lists the traffic of those adjacent developments to verify that the manual turning counts plus the adjacent developments equate to Figure 1 of this traffic report.
Acknowledged.
2. The Applicant's Engineer indicated that they performed trip generation in accordance with the ITE's Trip Generation Manual and utilized a background growth rate of 2% for two years. We reviewed the trip generation presented in the report and take no exception to the trips calculated and growth rate.
Acknowledged.
3. The levels of service under existing, no-build, and build conditions are anticipated by the Applicant's Engineer to be Level of Service C or better for all approaches for the signalized intersection of Broadway and East 12th Street, the signalized intersection of Broadway and West 12th Street/QuickChek Driveway, and the unsignalized intersection of West 12th Street and the proposed site driveway. We take no exception to the Applicant's projected Delays and Levels of Service.
Acknowledged.
4. The Applicant's Engineer proposes ramp transitions between garage levels that conflict with edge parking spaces as follows: Cellar Floor Plan - Parking Space 6; Ground Floor Plan - Parking Spaces 28 and 33; Parking Level 1 Plan - Parking Spaces 46 and 51; Parking Level 2 Plan - Parking Space 71. These parking spaces conflict with the proposed ramp transitions between the multiple parking levels as the ramp transition curve travels over the parking space. The Applicant's Engineer should address these concerns.
Please refer to the enclosed architectural plans for revised internal circulation and parking.
5. The Applicant's Engineer proposes 22-foot side aisles, standard compact parking spaces that are 8.5 feet by 18 feet, and compact parking spaces that are 7.5 feet by 16 feet. These dimensions concur with the redevelopment ordinance and we take no exception to these dimensions.
Acknowledged.
6. The Applicant's Engineer should provide intersection sight distance triangles that conform to the latest AASHTO (American Association of State Highway and Transportation Officials) guidelines as published in the current edition of *A Policy on Geometric Design of Highways and Streets*.
Sight distance triangle has been indicated on the Site Plan (Sheet 4) for the exit drive intersection on West 12th Street.
7. The Applicant's Engineer should provide a site circulation plan showing the travel paths of the proposed design vehicles (delivery/garbage/rescue squad/fire trucks) to verify that the on-site circulation is adequate for the required emergency and service vehicle access.
Addressed during testimony at the December 1, 2020 Planning Board Hearing; Delivery/garbage/rescue squad/fire trucks will not be entering parking garage. Circulation will be on-street adjacent to the property on Broadway and West 12th Street.
8. The Applicant's Engineer proposes crosswalk striping on the site plan. The crosswalk striping on the construction details indicate that the space between the interior edges of proposed crosswalk lines is labeled as "Match Existing". This dimension should be revised to 6 feet minimum as listed in the current Manual on Uniform Traffic Control Devices (MUTCD).

The 'Painted Crosswalk Striping Detail' on the Construction Details (Sheet 9) has been revised to be 6-foot minimum width.

9. The Applicant's Engineer should provide intersection control devices for the unsignalized intersection of the site driveway and West 12th Street. These Intersection Control Devices should consider the fact that West 12th Street is one way westbound. The site plan indicates that West 12th Street is two-way, but this street is listed in City Ordinance 7-22 as being one way westerly. The Applicant's Engineer should revise the plan accordingly to conform to the ordinance and to address the need to prevent vehicles exiting the site from turning left and traveling eastbound on West 12th Street.

The Site Plan (Sheet 4) has been revised to indicate West 12th Street is one-way westbound. In addition, traffic control signage and marking has been proposed for the intersection of the site driveway and West 12th Street.

10. The Applicant's Engineer proposes yellow painted striping in front of the site driveway with diagonal cross-hatching. The Applicant's Engineer should consider proposing whitepainted striping and consider rotating the cross-hatching to complement the West 12th Street traffic flow.

The painted striping in front of the site driveway has been revised to white and the cross-hatching has been rotated on the Site Plan (Sheet 4).

11. Fire lanes and striping are subject to the approval of the Fire Sub code Official.
Acknowledged.

E. MISCELLANEOUS

1. The applicant should consolidate the existing lots. The proposed lot number shall be approved by the Tax Assessor.

Acknowledged.

2. If the Board acts favorable on this application, the applicant shall post the required performance bonds and engineering and inspection fees.

Acknowledged.

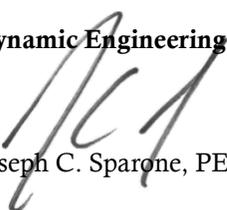
3. Other Agency Approvals:

- Hudson County Planning Board – Exemption verification pending
- Bayonne Utility Department and Suez - Pending
- Soil Conservation District – **Approved**; copy of same enclosed
- All other agencies having jurisdiction

Should you have any questions or comments please do not hesitate to contact our office.

Sincerely,

Dynamic Engineering Consultants, PC


Joseph C. Sparone, PE, PP


Marla A. Roller, LLA, PP