

# SILLS CUMMIS & GROSS

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February 9, 2022

## VIA Federal Express

Attention: Malvika Apte, PP / AICP  
Planning / Zoning Board of  
Adjustment Secretary  
City of Bayonne  
Division of Planning and Zoning  
630 Avenue C  
Bayonne, NJ 07002

**Re: Bayonne Luxury Waterwalk, LLC  
Preliminary and Final Site Plan & Minor Subdivision Application  
219 W 5<sup>th</sup> Street, City of Bayonne, New Jersey Block 301.01 / Lots 1 & 6 /  
Zone- Redevelopment Plan Block 301.01, Lots 1 & 6 219 W 5<sup>th</sup> Street  
Redevelopment Plan**

Dear Ms. Apte:

As you are aware, this firm represents Bayonne Luxury Waterwalk, LLC (the "Applicant") in connection with the application for Preliminary and Final Site Plan Approval & Minor Subdivision Approval (the "Application"). The Application is for the property located at 219 W 5<sup>th</sup> Street, which property is designated as Block 301.01, Lots 1 & 6, on the official tax map of the City of Bayonne (the "Property").

We are in receipt of your CME Planning Report, dated November 29, 2021 (the "Planning Report"). In connection with the Planning Report, below please find this firm's and / or the respective professionals' response to same:

### **Zoning and Bulk Variances**

- (a) Acknowledged.
- (b) Note 1: The Porte Cochere Area is two stories high providing a minimum clear height of 18' which exceeds bridge height requirements for roadways;

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(c) Item

- a. Item 1: Acknowledged.
- b. Item 2: Acknowledged.
- c. Item 3: Plans consist of more than 60% of all units with balconies, far exceeding the 60% requirement for waterfront units.
- d. Item 4: To clarify: The plans show a storage room on the second parking level with a total of 25,866 CF for tenant storage apart from closets within each unit. This storage room is subdivided into 72 individual storage cages, walkways and turning areas. When averaging the entire room by 72 we are providing an average of 359 CF of storage per each storage cage. If only calculating the net storage area of each cage, the average would be 220.0 CF per unit.

(d) Item

- a. Item i: Acknowledged. Plans have been updated to comply with the recent Electric Charging Station Law (P.L. 2021, c. 171).
- b. Item ii: Testimony will be provided.
- c. Item iii: Testimony will be provided for the waiver from NJ RSIS required minimum parking spaces.
- d. Item iv: Testimony will be provided.
- e. Item v: Applicant has a total of 13 tandem spaces (26 parking spaces). Total of 256 spaces – 12 public = 244 residential spaces – 26 tandem spaces = 218 spaces. 218 spaces for 167 residential units (180 – 13 assigned two-bedrooms). All tandem spaces will be assigned to two-bedroom units.

**Additional Comments**

- (a) Building Design-Acknowledged. Testimony will be provided.
- (b) Open Space- the bulk table on Sheet C-301 has been revised to show the open space provided for each area.
- (c) Sustainable and Green Features- Acknowledged. Testimony will be provided.
- (d) Lighting- Acknowledged.
- (e) Signage- Acknowledged.
- (f) Landscaping
  - a. Green roof planting details and notes are provided on Sheet C-704.
  - b. The notes provided on Sheet C-703 adequately address the watering, handling and quality of the propose plantings.
  - c. Details regarding proposed structural fill will be provided prior to final approval.

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- d. No tree gates are proposed as part of this project with the exception of the newly proposed Filtterra Unit for which a detail has been added and will be furnished by Contech.
- (g) Trash and Recycling- Acknowledged. Testimony will be provided.
- (h) Affordable Housing- Acknowledged. Testimony will be provided.
- (i) Snow Removal Operations- Acknowledged. Testimony will be provided.
- (j) Waterfront Walkway- Acknowledged. Testimony will be provided.
- (k) Acknowledged. Testimony will be provided.
- (l) Acknowledged. Testimony will be provided.

If you should require anything else from this office, please do not hesitate to ask.

Very truly yours,

/s/ Matthew P. Posada

Matthew P. Posada

MPP/