

March 7, 2022

**Via Email**

City of Bayonne Planning and Zoning Division  
630 Avenue C  
Bayonne, New Jersey 07002

Attn: Alicia Losonczy, Planning / Zoning Board of Adjustment Administrator

**RE: Supplementary Engineers Opinion  
Second Compliance Review - Engineering  
211-219 West 5<sup>th</sup> Street – Proposed Luxury Apartments  
Applicant : Bayonne Luxury Waterwalk, Llc  
Preliminary & Final Major Site Plan And  
Minor Subdivision Application  
Block 301.01, Lots 1 And 6  
City Of Bayonne, Hudson County, New Jersey  
Application Number : P-21-020**

Dear Ms. Losonczy:

On March 6, I transmitted a detailed Second Compliance Review (“Review”) for the above-referenced matter. I am providing this correspondence as a supplement to the Review to clarify my conclusions as they relate to the Board’s deliberations on the matter.

My Review identified four threshold issues that are particularly germane to the Board’s deliberations:

- Combined Sewer System (CSS) Impacts – The Applicant has submitted plans that violate the Redevelopment Plans’ explicit prohibition against utilizing the City’s CSS to convey stormwater generated from the Site. Matrix believes that this violation can be remedied by an alternate design; however, the current design is unacceptable.
- Combined Sewer System Modifications – The Applicant has proposed to relocation and reconstruct a portion of the City’s combined sewer system on its property. Based upon the evidence provided, Matrix is of the opinion that the proposed reconstruction/relocation is in the City’s interest, provided easements are provided to the City’s satisfaction.
- Flood Zone Considerations – The subject property is subject to certain FEMA flood designations that must be formally modified by FEMA for the project to proceed. Should the Board elect to approve the application, a condition mandating a FEMA map modification is imperative.
- Safe Pedestrian and Bicycle Access to Avenue A – The project, as proposed, does not provide a means for safe pedestrian and bicycle access from the Site to Avenue A. The proposed access adjoins industrial uses that present substantial challenges. A potential solution for this issue is for the Project’s residents to utilize the future publicly-accessible sidewalks that will be developed in the first phase of the adjoining “Bayview”

Redevelopment Project. In fact, the Redevelopment Plans for both the Subject property and the adjoining Bayview project required that the two projects be coordinated so that cross-project pedestrian access could be achieved. However, the timing of the two projects' relative implementation is uncertain and reliance upon the Bayview Project's sidewalks for safe access to Avenue A cannot be definitively determined in the interim period that may exist between the Subject Properties' dates of occupancy.

In consideration of the above-referenced information, I recommend that the Board hear the application at the March 8, 2022 hearing; however, I further recommend that the Board withhold any potential approval until a future hearing can be held when the following are satisfied:

- Submittal of revised engineering drawings addressing the comments of Matrix's Second Engineering Review, with particular emphasis upon revising the stormwater management system to avoid impacts to the City's CSS.
- Acknowledgement of the Applicant that the submitted plans are contingent upon a FEMA flood map modification, *and* a narrative describing how the modification will be achieved (including schedule)
- Development of a Resolution Compliance Condition that satisfactorily addresses the Board (and its' professionals) concerns regarding safe access to Avenue A. I recommend that the Applicant engage directly with the Board Attorney, City Attorney and the City/Board professionals to resolve this matter in a manner that could potentially resolve Board concerns.

Thank you for your attention.

Very truly yours,

**MATRIX NEW WORLD ENGINEERING**



Andrew Raichle, PE  
Vice President