



**PLANNING BOARD
CITY OF BAYONNE
MINUTES OF SPECIAL MEETING
MARCH 31, 2015**

A special meeting of the City of Bayonne Planning Board was held on Tuesday, March 31, 2015 in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Chairman Garelick called the meeting to order at 6:05 p.m. and led all in the Pledge of Allegiance to the Flag. Chairman Garelick advised that the Board has complied with the Open Public Meetings Act/Sunshine Law.

Secretary Lotosky called the roll. Present at the meeting were Chairman Garelick and Commissioners La Pelusa, Lotosky, Malloy, Mulcahy, Quintela and Mayoral Designee Wondolowski. Commissioners Fiermonte and Marsella and Mayor James M. Davis were absent.

Also present were James Clarkin, P.P. Consulting City Planner, Robert Russo, P.E., Consulting City Engineer, Suzanne Mack, P.P., and Richard N. Campisano, Esq., Board Counsel.

Adoption of Minutes:

No minutes were available for adoption.

Communications:

None

Public Hearing:

P-15-004 MILLIONS, INC. – Site: 55 Hook Rod in City Block 417, Lot 3 *[The applicant is seeking preliminary and final major site plan approval to construct a second story on the existing building for staff offices. The applicant also seeks to raise the roof by ten (10) feet and to construct new refrigeration and freezer sections.]*

Daniel L. Steinhagen, Esq., attorney for the applicant, gave a brief opening statement, entered his exhibits into evidence and called his first witness.

Witness:

Frank Ng, principal of applicant was sworn to provide factual testimony in support of the application. Mr. Ng said that his business is a family operation that has been in Bayonne for fifteen (15) years. He described his business as the import and storage of foods. He told how he occupied a large industrial building on Pulaski Street but the New Jersey Turnpike Authority took title to the property and he was forced to move in a short period of time. Mr. Ng said that his family wants to remain in Bayonne so he purchased 55 Hook Road and is prepared to invest \$30 million to renovate the building to conform to his business needs. He described the changes and how he proposes to raise the roof and construct new refrigeration and freezer sections as well as offices.

Board questions:

Board commissioners and the audience were permitted to ask questions of Mr. Ng.

Witness:

Stephen M. Kawalek, R.A., P.P., was sworn to provide expert testimony as an architect and planner. Mr. Kawalek described the project in detail. He described the present site conditions by using pictures and detailed how it was a unique site. The property is an irregular shape causing dimensional variances which are preexisting conditions. He described the variety of land uses in the surrounding area. He reviewed the Zoning Ordinance and requested relief. He indicated the project was consistent with the Master Plan. He addressed point by point each of the variances requested. He stated most of the trucks that will be making deliveries are tractor/trailers however there are also some small box trucks with an estimated total of about twenty (20) to thirty (30) per day. He described the location of the proposed offices and new loading area. He reviewed the

City's Planner and Engineer's reports and described the applicant's position on same. Mr. Kawalek discussed the variances requested and provided positive and negative criteria with regard to this application.

Board questions:

Board commissioners and the audience were permitted to ask questions of Mr. Kawalek.

Commissioner Mulcahy made a motion to approve the application subject to any conditions spread across the record. Commissioner Malloy seconded the motion and a unanimous vote followed.

Public Hearing:

P-15-005 C & A DEVELOPMENT, INC. *[The applicant is seeking preliminary and final major site plan approval to renovate the existing building and to construct an 804 square foot mezzanine level.]*

Patrick J. McNamara, Esq., attorney for the applicant, gave a brief summary of the application, entered his exhibits into evidence and called his first witness.

Witness:

Charles Olivo, P.E., was sworn to provide expert testimony. Mr. Olivo described the 804 square foot proposed addition of the mezzanine to the third floor. He advised there were fourteen (14) parking stalls for the employees and that the property is only one-half mile from the 8th Street Light Rail. Mr. Olivo testified that the facility hours of operation are from 7:00 a.m. to 7:00 p.m. He said that employees include engineers and mechanics with specialized jobs in the assembly processes. He described the traffic as low volume indicating there are two to three deliveries per day and three to five larger trucks per month. He advised that pre-existing conditions exist and are caused by dimensional issues; he described the parking and lighting to the lot indicating that it does not interfere with neighbors. Mr. Olivo addressed the reports prepared by the City's Planner and Engineer and he expressed the applicant's position on same.

Witness:

April Purnell, Controller for Fluitec who is the tenant at the property provided factual testimony in support of the application. Ms. Purnell testified as to her company's current operation and uses which include shipping and receiving and assembly. Fluitec is consolidating facilities and for improved operation would add product assembly, testing, production and logistics. Ms. Purnell advised there are eighteen (18) employees at the facility. She testified that the assembly machines are custom designed to measure anti-oxidants in oil and that there is no mass production, only assembly is done at this site. She said that they must conform to the New Jersey Department of Environmental Protection requirements.

Witness:

Jose Santos, A.I.A., was sworn to provide expert testimony. Mr. Santos described the floor plan of the facility and the building height of 40 feet. In addition he testified to the functional use of the property.

Witness:

John McDonough, P.P., described the documents he reviewed in preparation for his testimony in this matter. He indicated that he had been to the site and described the project in detail. He described the site conditions and how it was a unique site. He reviewed the Zoning Ordinance and described the relief requested. Mr. McDonough addressed the variances and how they were pre-existing conditions with the exception of the height variance. It was his opinion that the proposed project was positive for the area. Mr. McDonough testified as to the positive and negative criteria as it relates to this application.

Closing remarks:

Patrick McNamara, Esq., said that he felt the testimony provided in support of this application was sufficient for the Board to approve the application. He respectfully requested that the Board act favorably on this application.

Chairman Garelick made a motion to approve the application subject to conditions agreed to and spread across the record. Commissioner Mulcahy seconded the motion and a unanimous vote followed.

A motion was made to close the meeting at 8:36 p.m.

Susan Bischoff, Certified Shorthand Reporter, 449 Columbia Boulevard, Wood-Ridge, NJ 07075 took a transcript of the meeting.

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