



**PLANNING BOARD
CITY OF BAYONNE
MINUTES OF REGULAR MEETING
MAY 12, 2015**

A regular meeting of the City of Bayonne Planning Board was held on Tuesday, May 12, 2015 in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Chairman Garelick called the meeting to order at 6:03 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.

Vice Chairwoman Fiermonte called the roll. Present at the meeting were Chairman Garelick and Commissioners Fiermonte, Marsella, Malloy, Quintela and Mulcahy. Commissioner La Pelusa and Mayor James M. Davis were absent.

Also present were Suzanne Mack, P.P., City Planner, Robert Russo, P.E., Consulting City Engineer, James Clarkin, P.P. Consulting City Planner (sitting in for Jennifer Beahm, P.P.) Richard N. Campisano, Esq., Board Counsel and Lillian Glazewski, Land Use Administrator.

Adoption of Minutes:

Commissioner Mulcahy made a motion to adopt the minutes of the regular meeting held on March 31, 2015. Commissioner Malloy seconded the motion and a unanimous vote of eligible members followed.

Commissioner Mulcahy made a motion to adopt the minutes of the regular meeting held on April 14, 2015. Commissioner Fiermonte seconded the motion and a unanimous vote followed.

Communications:

- City Planner and Consulting City Engineer's Consistency Opinion regarding Medical Tourism TV, LLC – Entertainment Pavilion at Harbor Station South Peninsula at Bayonne Harbor
 - Commissioner Garelick made a motion to accept the consistency opinion and the motion was seconded by Commissioner Malloy. A unanimous vote followed.
- **From the Municipal Council:** Authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether properties in City Block 330, Lots 6, 7, 8, 9, 10, 11 & 12, more commonly known as 17 West 5th Street, 15 West 5th Street, 11 West 5th Street, 9 West 5th Street, 155-161 Broadway, as shown on the official Tax Map of the City of Bayonne, are properties in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

Public Hearing:

P-15-010 PUBLIC SERVICE ELECTRIC AND GAS COMPANY – Site: 606-608 Broadway in City Block 172, Lot 52 *[The applicant is seeking minor site plan approval to allow the conversion of the second floor of the building from residential to commercial use.]*

Glen C. Kienz, Esq., attorney for applicant, summarized the proposed application. Mr. Kienz offered his exhibits into evidence and called his first witness.

Witness:

Jeffrey Clayton, Manager of Business Solutions for Public Service Electric and Gas was sworn to provide factual testimony. Mr. Clayton described the site, the operation and the proposed interior changes to the second floor. He advised the Board that the proposed improvement would enhance the customer service experience at this site and would benefit the general public.

Board questions:

There were no questions from the Board.

Audience questions:

There were no questions from the general public.

Closing:

Mr. Kienz respectfully requested the Board grant approval.

Commissioner Garelick made a motion to approve the application. Commissioner Mulcahy seconded the motion and a unanimous vote followed.

Public Hearing:

P-14-025 KAPLAN PROMENADE AT BAYONNE – Site Avenue A & West 1st Street in City Block 390, Lots 1 & RG-67; Block 391, Lots 1 & 2; Block 332, Lot 3; Block 360, Lot 2; Block 373, Lots 1, 2, 13, 14, 15; Block 511, Lots 5 & 6 *[The applicant is seeking preliminary minor subdivision approval to create three new lots and preliminary major site plan approval of phase I to construct two five-story multi-family residential buildings with a total of 300 dwelling units.*

Glen C. Kienz, Esq., attorney for the applicant gave a brief opening statement, offered his exhibits into evidence and called his first witness.

Witness:

Jason Kaplan, principal of applicant and president of Kaplan Companies was sworn to provide factual testimony. Mr. Kaplan testified that the Kaplan Companies have been in business since 1952 and that they have been working on this property for over a decade. Mr. Kaplan advised the Board that they are the designated redeveloper for the site. Mr. Kaplan also discussed mass transit options for the future of the development.

Board questions:

Commissioner Garelick questioned Mr. Kaplan

Audience questions:

Mickey Czok, owner of the Starting Point at First Street expressed his concern about the affect the construction will have on his business.

Amir Peer, owner of White Gloves Storage questioned how he could keep his business open during construction.

Leo Smith, Assistant Superintendent of Schools voiced concern about school age children.

City Planner Sue Mack and Acting Commissioner Wondolowski said that the City will work with the applicant and the business owners in the area.

Witness:

David J. Minno, architect with Minno and Wasko Architects was sworn to provide expert testimony in support of the application. Mr. Minno described the project and testified as to the proposed development, public amenities, building facades, materials and the structures that make up the architectural elements of the project. He discussed the streetscapes and described the functional use of the buildings and how the design was in keeping with the Redevelopment Plan principles to connect with the City. He also described the parking and other design features. Mr. Minno indicated that the applicant agreed with the Board professionals' comments as set forth in their reports

Board questions:

Commissioner Garelick questioned Mr. Minno.

Audience questions:

Resident John Sebik questioned Mr. Minno.

Witness:

Joseph J. Flemming, P.E., P.P. was sworn as an expert witness. Mr. Flemming testified in his capacity as an Engineer for the applicant and he described the site as 66.4 acres of land. He said that he reviewed the new flood elevations and described development along the established grid pattern in Bayonne. He testified as to the proposed right-of-way extensions for Avenue A and West 1st Street, the creation of Park Avenue, Trembly Street and Daly Street rights-of-way. He spoke of the required amount of parking spaces (346). He further discussed the new utilities, garbage and recycling; water filtration for street runoff, signage, lighting and plantings. Mr. Fleming indicated the project was

consistent with the Master Plan as well as the Redevelopment Plan and he reviewed the variances being requested by the applicant as part of this project. He said that the project on balance would be positive for the area and the City as a whole. Mr. Flemming testified that signs would be compliant with the City Zoning Ordinance.

Board questions:

Commissioner Garelick, Consulting City Engineer, Andy Raichle, P.E. and Consulting City Planner, James Clarkin, P.P. questioned Mr. Flemming.

Audience questions:

There were no questions from the general public.

Witness:

Karl Pehnke, P.E., traffic engineer for the applicant was sworn to provide expert testimony in support of an updated traffic evaluation prepared by him for this project. Mr. Pehnke testified that the Bayonne grid system will accommodate this proposed development. He stated that the traffic report indicates that the development would not have a measurable effect on traffic in the area.

Board questions:

Chairman Garlick, Commissioners Marsella and Fiermonte and Consulting City Engineer Raichle questioned Mr. Pehnke.

Audience questions:

There were no questions from the general public.

Closing:

Mr. Kienz respectfully requested the Board look favorably upon this application.

Public comment:

Leo Smith, Assistant Superintendent of Schools and Business Administrator said that he likes the project, but he is concerned about the number of new students that will be brought into the system. Mr. Smith asked that the City speak with the Board of Education about planning for some schools to accommodate the additional children. He also mentioned that it takes two and a half years to plan a new school on fast track. Discussions should be ongoing immediately.

Board comment:

Acting Commissioner Wondolowski said that he looks forward to the completion of this project.

Commissioner Malloy said this is a very exciting time and we are seeing an industrial property reclaimed into a class a residential project. This brings changes to the town including to the Board of Education. Schools have to be part of our plans moving forward. This project fits into the town and is a home run.

Commissioner Fiermonte agreed that this is a good project. She said that she also shares concerns about the number of additional school children in the school system.

Commissioner Mulcahy said that waterfront developments that have spread across Hudson County have spurred business in the areas. He said that he overwhelmingly approves of this project.

Commissioner Marsella said that this change is good for the City and it is inevitable. Commissioner Marsella asked the City officials developers to remain open to tackle problems to come.

Commissioner Quintela said that he wants the applicant to work with local businesses during the construction of this project.

Commissioner Garelick said that this project will transform a part of the City that for many years was unused. He is happy that the proposed parks and open areas will be allocated for use by all

residents of Bayonne. Commissioner Garlelick also said that he understands fully the trials and tribulations regarding education. This project will also create many construction jobs.

Commissioner Garelick made a motion to approve the application preliminary approval subject to conditions spread across the records. Commissioner Marsella seconded the motion and a unanimous vote followed.

Adoption of Resolutions

- **P-15-012 Bayonne Landco, LLC – Site: 505-519 Broadway in City Block 196, Lots 1,2,4,5,6,7**
 - Commissioner Eneas made a motion to adopt the resolution and Commissioner Fiermonte seconded the motion. A unanimous vote followed.

A motion was made to close the meeting at 8:10 p.m.

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

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