



**PLANNING BOARD
CITY OF BAYONNE
MINUTES OF REGULAR MEETING
SEPTEMBER 8, 2015**

A regular meeting of the City of Bayonne Planning Board was held on Tuesday, September 8, 2015 in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Chairman Garelick called the meeting to order at 6:11 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 Marsella called the roll. Present at the meeting were Chairman Garelick and Commissioners Fiermonte, Marsella, La Pelusa, Malloy, Mulcahy and mayoral designee Wondolowski. Commissioners Quintela and Lawandy and Mayor James M. Davis were absent.

Also present were James Clarkin, P.P., Consulting City Planner, Robert Russo, P.E., Consulting City Engineer, Richard N. Campisano, Esq., Board Counsel and Lillian Glazewski, Land Use Administrator.

Adoption of Minutes:

Commissioner Marsella made a motion to adopt the minutes of the August 11, 2015 regular meeting. Commissioner Fiermonte seconded the motion and a unanimous vote followed.

Communications:

- **P-14-008 Waterford at Bayonne, LLC** – Site: 38-44 Kennedy Boulevard; Block 363, Lot 1.01. A request for an extension allowing the temporary banner sign at the site.

- Commissioner Garelick made a motion to grant a one-year extension allowing the banner sign and Commissioner Marsella seconded the motion. A unanimous vote followed.

- **Municipal Council Resolution** authorizing and directing the Planning Board to review and make recommendation to the Municipal Council regarding an amendment to the Scattered Site Redevelopment Plan for Block 411, Lots 2, 3, 4 and 5 and identified as 75 East 31st Street, 79-87 East 31st Street and 80 East 32nd Street.

- **Municipal Council Resolution** authorizing and directing the Planning Board to prepare Redevelopment Plan for Block 221, Lots 1, 2, 3, 4, 5, 15, 16, 17, 18, 19 and 24 and identified as 13-27 East 19th Street, 12-22 East 21st Street and 434-436 Broadway.

Introduction to the Master Plan Reexamination

Francis Reiner, P.P. from DMR Architecture Planning Engineering Interiors Consulting, introduced and discussed the legal requirements of the master plan reexamination study according to N.J.S.A. 40:55D-89.

Mr. Reiner said that the City of Bayonne has retained his firm to assist with the reexamination process. Mr. Reiner further stated that this entire process will take ten to twelve months or longer to complete.

Mr. Reinber said that there are five questions to be asked when preparing a reexamination report. They are, (1) identify major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report; (2) determine the extent to which such problems and objectives have increased or been reduced subsequent to such date; (3) determine the extent to which there have been significant changes in the assumptions, policies and objectives, forming the basis for the Master Plan or development regulations as last revised; (4) specific changes / recommendations for the Master Plan should be prepared; and (5) the recommendations of the Planning Board concerning the incorporation of redevelopment plans adopted pursuant to the Local Redevelopment and Housing Law.

Mr. Reiner stated further that this is an open and public process, with an outreach to residents, business owners and other members of the community for their input. Public outreach workshops with breakout sessions at meetings will be organized and surveys will be posted on the City's website. There will be many opportunities for the public to be involved in this reexamination process. A draft report will be presented to the Planning Board for their comments and at that time residents will also have another opportunity to look at the Master Plan and provide their comments.

Audience questions:

Residents Mathew Kopko, Bruce Piggot, Ed Szawiel, Michael O'Connor and Peter Franco questioned Mr. Reiner.

Public Hearing:

Resolution for preparation of amendment to the Redevelopment Plan for the Texaco Redevelopment Area, located at the southernmost point of Bayonne near the intersection of Avenue A and West 1st street, and designated as Block 332, Lot 3; Block 360, Lot 2; Block 373, Lots 1, 2, 13, 14 and 15; Block 390 Lots 1, RG67; Block 391, Lots 1 and 2; Block 511, Lots 5 and 6.

A presentation was given by Suzanne Mack, P.P., City Planner who discussed the proposed amendments to the redevelopment plan.

Commissioner La Pelusa said that he would have liked to have been given a copy of the amendments sooner to review them thoroughly prior to the meeting. Mr. La Pelusa also said that he would like the language regarding "eminent domain" on page 20 eliminated from the plan.

Commissioner Marsella concurred with Mr. La Pelusa.

Audience questions:

Residents Ed Szawiel, Al Sambade, Peter Franco, Mathew Kopko, (extensive questioning), and Hanusz Rajkowski questioned Ms. Mack.

Commissioner Marsalla made a motion to recommend to the Council to remove the “eminent domain” language from the plan. Commissioner Malloy seconded the motion and a unanimous vote followed.

A short break was taken at 8:00 p.m. and the meeting resumed at 8:10 p.m. Secretary Marsella called the roll.

Public Hearing:

Presentation of a portion of the Broadway Corridor Redevelopment plan for Block 221, Lots 1, 2, 3 4, 5, 15, 16, 17, 18, 19 and 24. The parcels are identified as 13-27 East 19th Street, 12-22 East 21st Street, and 434-436 Broadway.

Suzanne Mack, P.P., City Planner gave a short presentation to the Board and opened herself up to questioning.

Chairman Garelick said he was curious as to why Lot 26 was not included in the redevelopment plan. Ms. Mack explained that the resolution received from the Municipal Council requesting the Planning Board to prepared the redevelopment plan did not include Lot 26 and that is why it wasn't in with these amendments.

Chairman Garelick responded that Lot 26 has been vacant for over ten years and it should be included into this redevelopment plan. It was determined that Lot 26 was in the redevelopment study for this area and the Planning Board agreed since the lot was originally incorporated into the study it should also be added to the redevelopment plan.

The Board agreed to recommend to the Council additional height and the inclusion of Lot 26.

There were no further questions or comments from the Board.

Commissioner Fiermonte made a motion to forward the Board's comments and recommendations to the Municipal Council. Commissioner Marsella seconded the motion and a unanimous vote followed.

Public Hearing:

P-15-021 – 304 AVENUE C BAYONNE, LLC – Site: 304 Avenue C in City Block 264, Lot 43 *[The applicant is seeking preliminary and final major site plan approval and bulk variance relief to convert a commercial office to a residential apartment.]*

Richard Meola, Esq., appeared for the applicant. Mr. Meola entered his exhibits into the record and called his first witness.

Witness:

Suzanne Huguley, realtor for 304 Avenue C was sworn to provide factual testimony in support of this application. Ms. Huguley testified that converting the vacant office space into a residential rental unit is positive for the neighborhood. She indicated it would be more in keeping with the character of the area. The need for office space at this site has diminished over the years and by converting this to residential units, the space could find a use that is in keeping with the character of the area

Board questions:

There were no questions from the Board.

Audience questions:

There were no questions from the general public.

Witness

Al Sambade, P.E., P.P., was sworn to provide expert testimony in the field of architecture and planning. Mr. Sambade testified that he was retained by the applicant to prepare the site plan for this project. He described the building and its surrounding area and testified to the permitted uses in the area. Mr. Sambade further testified that the work would be limited to the interior of the building. The proposed conversion conforms more to the use of the Master Plan. Mr. Sambade discussed the three variances requested by the applicant namely, minimum lot area, parking and usable open space.

He testified that mass transit and open space are available in the area and that there are many recreational uses in the area as well as municipal open spaces. Mr. Sambade also said that there was no open space available on site to provide for same. He said nothing physically can be done to mitigate these uses however the open space in the general proximity of the site mitigates the variances.

Board questions:

Chairman Garelick questioned Mr. Sambade.

Audience questions:

There were no questions from the general public.

Closing Remarks:

Mr. Meola respectfully requested the Board approve this application.

Audience closing remarks:

There were no comments from the general public.

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

Adoption of Resolutions

- **P-15-017 - 396 BROADWAY, LLC – Site: 396 Broadway in City Block 226, Lot 45**
 - Commissioner Fiermonte made a motion to adopt the resolution and Commissioner Marsella seconded the motion. A unanimous vote followed.
- **P-15-016 INFINITE THERAPY SOLUTIONS, LLP – Site 28-30 East 22nd Street in City Block 212, Lot 31**
 - Commissioner Garelick made a motion to adopt the resolution and Commissioner Fiermonte seconded the motion. A unanimous vote followed.
- **P-15-019 – 26 NORTH AVENUE, LLC – Site: 26 North Street in City Block 297, Lot 3**

- Commissioner Marsella made a motion to adopt the resolution and Commissioner Fiermonte seconded the motion. A unanimous vote followed.
- **P-14-008 WATERFORD AT BAYONNE, LLC (Granting one year extension to all temporary banner sign at 28-58 Kennedy Boulevard)**
 - Commissioner Garelick made a motion to adopt the resolution and Commissioner Marsella seconded the motion. A unanimous vote followed.
- **PLANNING BOARD OF THE CITY BAYONNE COUNTY OF HUDSON, STATE OF NEW JERSEY TRANSMITTING THE TEXACO AREA AMENDED AND RESTATED REDEVELOPMENT PLAN**
 - Commissioner La Pelusa made a motion to adopt the resolution and Commissioner Malloy seconded the motion. A unanimous vote followed.
- **PLANNING BOARD OF THE CITY BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY TRANSMITTING THE REDEVELOPMENT PLAN FOR A PORTION OF THE BROADWAY CORRIDOR**
 - Commissioner Marsella made a motion to adopt the resolution and Commissioner Malloy seconded the motion. A unanimous vote followed.

A motion was made to close the meeting at 9:10 p.m.

Susan Bischoff, Certified Shorthand Reporter, 449 Columbia Boulevard, Wood-Ridge, NJ

07075 took a transcript of the meeting.

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