PLANNING BOARD
CITY OF BAYONNE
MINUTES OF REGULAR MEETING
DECEMBER 8, 2015

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

Chairman Garelick called the meeting to order at 6:07 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, Malloy, Mulcahy, Quintela, Lawandy and Mayoral Designee Vincent Virga. Mayor James M. Davis and Commissioner La Pelusa were absent.

Also present were Suzanne Mack, P.P., City Planner, 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 November 9, 2015 regular meeting and Commissioner Fiermonte seconded the motion. A unanimous vote of eligible members followed.

Communications:

- Letter from John A. Zucker, Esq., attorney for 230 Avenue E, LLC (P-14-011) requesting a one-year extension to begin construction at the subject property.
    - Commissioner Garelick made a motion to grant the extension through December 8, 2016 and Commissioner Marsella seconded the motion.

Board Reorganization

- Election of officers for 2016 (nominations and acceptances):

  The following Commissioners were nominated and accepted the nominations for the office of Chairman, Vice-Chairman and Secretary for calendar year 2016.

  - Theodore Garelick, Chairman
  - Karen Fiermonte, Vice-Chairperson
  - Laura Marsella, Secretary

  Vote: Unanimous.

- **Appointment of Support Personnel**:

  The following is a list of support personnel unanimously voted in by the Board:

  - Richard N. Campisano, Esq., Board Attorney
  - Suzanne Mack, P.P., City Planner
  - Jennifer Beahm, P.P., Consulting City Planner
  - Robert Russo, P.E., Consulting City Engineer
  - Andrew W. Raichle, Consulting City Engineer
  - Lillian Glazewski, Board Administrator
  - Susan Bischoff, C.S.R.

- **Adoption of 2016 Calendar**:

  The Commissioners voted unanimously to adopt the following regular meeting dates for calendar year 2016:

  January 12, 2016
  February 9, 2016
  March 8, 2016
  April 12, 2016
  May 10, 2016
  June 14, 2016
  July 12, 2016
  August 9, 2016
  September 13, 2016
  October 11, 2016
  November 7, 2016 (Alternate date)
  December 13, 2016

Public Hearing:

Hearing on supplemental items added to The Bayonne Bay West Redevelopment Plan for a portion of Block 830, Lot 1 a/k/a Bayonne Bay West, prepared by Suzanne Mack, PP and Andrew Raichle, PE. Ms. Mack gave a brief presentation and summary of the supplemental items.

Commissioner Malloy made a motion to forward the Board's recommendation to the Municipal Council for adoption. Commissioner Marsella seconded the motion and a unanimous vote followed.

Public Hearing:

P-15-025 KRE Fleet Bayonne Urban Renewal, LLC (Fidelco) – Site: Harbor Station North in City Block 600, Lot 1 and Block 630, Lot 1. *[The applicant is seeking preliminary and final major site plan approval to construct three four-story residential buildings with 1,011 parking spaces.*

Patrick J. McNamara, Esq., attorney for the applicant gave an opening statement, entered his exhibits into evidence and called his first witness.

Witness:

Josh Sternberg, Managing Director of Fidelco Realty Group and a member of KRE Fleet Bayonne was sworn as a factual witness. Mr. Sternberg described the project, the site and the proposal in general terms and discussed the process that led to this project. Mr. Sternberg said that the site is located in close proximity to the Hudson Bergen Light Rail Station (HBLR). He said that mass transit access and its location were key factors in this development. Mr. Steinberg further testified that the applicant is proposing 625 residential units with ancillary parking and mixed uses for phase I. He said that a second phase consisting of 225 units will be proposed in the future.

Board questions:

There were no questions from the Board.

Audience questions:

Resident Albert Rinaldi expressed his concerns about traffic flow and the cost of infrastructure.

Witness:

David J. Minno, AIA was sworn to testify as an expert witness. Mr. Minno testified regarding the functional use of the property. He described the project as transitional, between old City and a new "smart growth transit oriented development". He described the three proposed buildings which will contain six hundred twenty-five (625) residential units ranging from studio apartments to three (3) bedroom units. He described the features of the buildings as having "urban street frontage". He further described the proposed parking facilities and how there will be 1.68 parking spaces per unit. He said that some of the building amenities are bike storage and trash pickup. He discussed the building materials and said that the building would be energy efficient.

Board questions:

Chairman Garelick and City Planner Anthony Rodriguez questioned Mr. Minno.

Audience questions:

There were no questions from the general public.

Witness

Thomas Bauer, A.I.A., a landscape architect with Melillo & Bauer was sworn to provide expert testimony on behalf of the application. Mr. Bauer described the present site as "barren and empty". He said that the proposed amenities comply with the Redevelopment Plan. He stated further that he reviewed the consulting City Engineer's report and comments, inclusive of the applicant's intention along the sound wall and how it is consistent with the Harbor Station North Redevelopment Plan.

Board questions:

Chairman Garelick and Commissioner Virga questioned Mr. Bauer.

Audience questions:

There were no questions from the general public.

Witness:

Geoffrey R. Lanza, P.E, of Bowman Consulting was sworn to provide expert engineering testimony. Mr. Lanza testified that he prepared the site plan and subdivision plan for the project. He described the subdivision and the new lots. He further testified as to the site plan, new driveways, fire safety and reviewed the grading plan. Mr. Lanza said he will accept the consulting City Planner, consulting City Engineer and the Fire Departments requests. On behalf of the applicant, Mr. Lanza agreed to extend the sound wall. He described the proposed landscaping and stated that it was consistent with the Harbor Station North Redevelopment Plan

Board questions:

Chairman Garelick and City's Consulting Engineer Andrew Raichle questioned Mr. Lanza.

Audience questions:

There were no questions from the general public.

Witness:

Lee D. Klein, P.E., of Klein Traffic Consulting, was sworn to provide expert engineering testimony in the field of traffic. He testified as to the traffic impacts associated with the proposed development. He further testified as to the site having approximately 860 feet of frontage on Chosin Few Way with two full-movement, site access driveways and two drop-off/pick-up loop driveways proposed. An additional full-movement driveway access is proposed on Centre Street/East 45th Street. He advised that due to the construction of Interchange 14A at the New Jersey Turnpike, current traffic patterns and volumes are atypical and are not representative of normal existing travel conditions and as such the study was compiled from other studies conducted over recent years for developments in the same area. In conclusion, he stated that the proposed development would have a nominal impact on traffic operations at the studied intersections including NJ Route 440 with Pulaski Street/southbound jug handle; Avenue E with Centre Street/E. 45th Street; NJ Route 440 with Goldsborough Drive; Goldsborough Drive with Chosin Few Way; Chosin Few Way with E. 40th Street Road "A-S"

Board questions:

City Planner Suzane Mack, City Consulting Engineer Andrew Raichle and Commissioner Marsella questioned Mr. Klein.

Audience questions:

Resident Albert Rinaldi questioned Mr. Klein.

Closing remarks:

Mr. McNamara respectfully requested the Board to act favorably upon the application.

Audience closing remarks:

Albert Rinaldi commented that this is a good project, designed well and has addressed most of the issues.

Commissioner Malloy stated that this project is a long time coming and he is glad that it is finally moving forward. The applicant has provided very sound and thought out plans and the layout and amenities are attractive. He said he is looking forward to the ribbon cutting.

Chairman Garelick said that he supports growth and commended the applicant for submitting a a well thought out plan.

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

A short break was taken at 7:56 p.m. and the meeting resumed at 8:09 p.m. Secretary Marsella called the roll.

Public Hearing:

P-15-023 Paulanto Dental, LLC – Site: 189-195 Avenue E in City Block 101, Lot 22.01 *[The applicant is seeking preliminary and final major site plan approval and bulk variance relief to construct a new three-story structure containing a dental office on the first floor, off-street parking and 18 residential apartments.]*

Paul Weeks, Esq., attorney for the applicant, gave his opening statement, entered his exhibits into evidence and called his first witness.

Witness:

Al Sambade, P.P. was sworn as an expert witness to testify on behalf of the application. Mr. Sambade gave brief overview of the application describing the site and proposed four story building. He said that the building would have fourteen (14) two bedroom apartments and a dental office on the ground floor. With regard to the dental office, he stated that the hours of operation would be Monday through Friday 9:00 a.m. to 5:00 p.m. with possible Saturday hours. There would be an approximate staff of three (3) to six (6) people including the dentist and his assistant. Mr. Sambade testified that he reviewed the environmental report and went over the consulting City Planner and Engineer's reports. He discussed the parking garage design and the bulk requirements of the building.

Board questions:

Chairman Garelick and Commissioners Malloy and Marsella questioned Mr. Sambade as did City Planner Anthony Rodriguez.

Audience questions:

Resident Jack Wojslawowicz questioned Mr. Sambade and expressed his concern about parking.

Closing Remarks:

Mr. Weeks said that he relied on the testimony given and respectfully requested the Board approve this application.

Audience remarks:

There were no closing remarks from the general public.

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

A short break was taken at 8:55 p.m. and the meeting resumed at 9:02 p.m. Secretary Marsella called the roll.

Public Hearing:

P-15-020 Kouvel Properties, LLC – Site: 871 Broadway in City Block 101, Lot 22.01 *[The applicant is seeking preliminary and final major site plan approval and bulk variance relief so as to allow the conversion of the first floor of the existing building into a commercial office space and to convert the second floor into two residential apartments and add a third floor consisting of two additional residential apartments.]*

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

Witness:

Daniel Angel Roman, A.I.A., was sworn to provide expert architectural testimony on behalf of the application. Mr. Roman described the application and architectural plans prepared by his firm. He indicated the interior changes were to create two (2) residential units, each with two (2) bedrooms on the second and third floors of the building, while creating commercial space for two (2) offices on the ground floor. Mr. Roman testified that there are many recreational uses in the area as well as municipal open spaces, so the applicant's inability to provide same is mitigated by these uses. Mr. Roman stated that this is a rehabilitation of an abandoned property that was previously a tavern and catering hall. He described the commercial space as two offices that will have five employees and would operate between the hours of 8:30 a.m. and 5:00 p.m. Monday through Friday.

Board questions:

Chairman Garelick questioned Mr. Roman.

Audience questions:

Albert Rinaldi questioned Mr. Roman and expressed his concern with parking, the lack of usable open space and the structural integrity of the building

Closing Remarks:

Mr. Weeks respectfully requested the Board look favorably upon this application. He said that the application is appropriate and conforms with the Master Plan and Zoning Ordinance.

Audience Remarks:

Albert Rinaldi expressed his concern on granting small variances on parking. He said that no one is addressing the exacerbation of the number of parking spaces. He questioned the validity of parking numbers that are being used. He further stated that the parking issue has reached the point that the demands on the City infrastructure cannot be met. People in the City of Bayonne own their own cars.

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

Public Hearing:

Harbor Station South Redevelopment Plan for Port Terminal Boulevard in Block 790, Lot 1; Block 770, Lot 1; Block 730, Lots 1and 2; Block 780, Lot 1; Block 720, Lot 1; Block 700; Lot 1; Block 750, Lot 1; Block 731, Lot 1; Block 751, Lot 1 and inclusive of rights-of- way.

Suzanne Mack, P.P. and Andrew Raichle, P.E. gave a presentation on the Redevelopment Plan.

Chairman Garelick made a motion to forward a recommendation to the Municipal Council to adopt the redevelopment plan. Commissioner Fiermonte seconded the motion and a unanimous vote followed.

<u>Adoption of Resolutions</u>

- **Consistency Resolution Harbor Station South Redevelopment Plan**
    - Commissioner Marsella made a motion to adopt the resolution and Commissioner Mulcahy seconded the motion. A unanimous vote followed.
- **P-14-011 – 230-250 Avenue E, LLC**
    - Chairman Garelick made a motion to adopt the resolution and Commissioner Marsella seconded the motion. A unanimous vote followed.

A motion was made to close the meeting at 10:09 p.m.

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

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