PLANNING BOARD
CITY OF BAYONNE
MINUTES OF REGULAR MEETING
JANUARY 12, 2016

A regular meeting of the City of Bayonne Planning Board was held on Monday, January 12, 2016 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, La Pelusa, Mulcahy and mayoral designee Virga. Mayor James M. Davis and Commissioners Quintela and Lawandy were absent.

Also present were Richard N. Campisano, Esq., Board Counsel, Suzanne Mack, P.P., City Planner, Anthony Rodriguez, P.P., consulting City Planner and Lillian Glazewski, Land Use Administrator.

Adoption of Minutes:

Commissioner Fiermonte made a motion to adopt the minutes of the December 8, 2015 regular meeting and. Commissioner Marsella seconded the motion and a unanimous vote of eligible members followed.

Commissioner Mulcahy made a motion to adopt the minutes of the special meeting held on December 15, 2015 and Commissioner Marsella seconded the motion. A unanimous vote of eligible members followed.

Communications:

- Michael Miceli, Esq., attorney for P-08-008 RDA Realty II, LLC requesting a six month extension of time to begin construction.
    - Commissioner Garelick made a motion to extend the time to begin construction through June 30, 2016. Commissioner Marsella seconded the motion and a unanimous vote followed.
- Harbor Station South Major Subdivision - Block 731, Lot 1; Block 751, Lot 1; Block 770, Lot 1; Block 721, Lot 1; Bock 780, Lot 1; Block 730, Lot 2; Block 790, Lot 1; and certain mapped rights of Way.
- Municipal Council request for the Planning Board to perform a study and provide comment as to whether a change in the R-2 zoning for property located at the corner of West 55th Street and Garfield Avenue known as Block 28, Lot 4 would be beneficial to permit commercial development.
    - The commissioners unanimously agreed to forward a recommendation to the City Council to make the zone change specifically to this block and lot.
- Municipal Council authorizing the Planning Board to prepared a redevelopment plan for Block 482, Lots 10 and 11 at Constable Hook.
- Municipal Council request for the Planning Board to conduct an investigation to determine whether certain property located at 74-78 East 32nd Street and 258-270 Prospect Avenue a/k/a Block 411, Lots 1, 6, 7, 8, 10.01 and 11-15 constitute non-condemnation areas in need of redevelopment

Public Hearing:

P-15-029 GORDON TERMINAL SERVICE CO. OF NJ – Site: 2 Hook Road in City Block 481, Lot 1 *[The applicant is seeking preliminary and final major site plan approval to allow the erection and installation of tanks and to construct a small single story accessory building to blend automotive and industrial lubricating oils.]*

Leonard P. Kiczek, Attorney for Applicant gave a brief opening statement, offered his exhibits into evidence and called his first witness.

Witness:

Thomas Gordon principal and vice-president of Gordon Terminals was sworn to provide factual testimony in support of the application. Mr. Gordon testified that he has been the principal and vice-president of the company since 1967. He described the proposed project and explained that the purpose is to move a portion of the existing business to accommodate customers more efficiently. He further testified that they will be handling motor oils and hydraulic oils. Mr. Gordon also pointed out that fifteen (15) have already been hired in anticipation of the expansion. In addition, the cost of the construction will be approximately one million two hundred dollars.

Board questions:

Chairman Garelick questioned Mr. Gordon as to the cost of the project and to the impact from the construction on surrounding area.

Audience questions:

There were no questions from the general public.

Witness:

David Dileo, P.E. U.N.I. Engineering, Inc., was sworn to provide expert testimony in support of the application. Mr. Dileo testified that the plans were prepared by his firm. He indicated that there would be a total of six tanks, four of which are prefabricated and two that would be constructed on site. He further testified as to the two variances required, minimum rear and side yard setbacks and how there would be no impact to any neighbors or to the Master Plan. In addition, Mr. Dileo described the pumping facility and how it would work.

Board questions:

Consulting City Planner Anthony Rodriguez questioned Mr. Dileo on the two variances being requested. Commissioner Garelick also questioned Mr. Dileo.

Audience questions:

There were no questions from the general public.

Closing statements:

Commissioner Garelick commented that this is a good project that has already created jobs and he is in favor and will support the application.

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

Public Hearing:

Redevelopment Plan for 138-140 Avenue B and 101-103 West 44th Street known as Block 84, Lots 6, 7, 8 and 9

The redevelopment plan was presented by Anthony Rodriguez, P.P. Mr. Rodriguez summarized the plan with a description of the project area, redevelopment plan objectives / relationship to local objectives, the land use plan and consistency with the Master Plan.

Board questions:

Chairman Garelick and Commissioner Marsella questioned Mr. Rodriguez.

Audience questions:

Resident Pete Cresci asked Mr. Rodriguez who the owner of the property is and who contracted him to prepare the redevelopment plan.

Commissioner Marsella made a motion to return a recommendation to the Municipal Council to adopt the redevelopment plan. Commissioner Mulcahy seconded the motion and a unanimous vote followed.

Public Hearing:

BCB Bank Redevelopment Plan for property located at 9, 11, 15 & 17 West 5th Street and 155, 157, 159 & 161 Broadway in City Block 330, Lots 6, 7, 8, 9 10, 11 & 12

The redevelopment plan was presented by Suzanne Mack, P.P. Ms. Mack described the tracts of land and rights-of-way and indicated that the parcels and rights-of-way are currently in diverse ownership. Ms. Mack described the land use plan, bulk regulations, design requirements, relationship of the 8th Street Plan and affordable housing obligation. Ms. Mack also said that the plan may be amended from time to time. She further stated that this is a non-condemnation plan.

Board questions:

Chairman Garelick and Commissioner Malloy questioned Ms. Mack.

Audience questions:

Resident Kathleen Anderson questioned Ms. Mack.

Commissioner Garelick made a motion to send a favorable recommendation to the Municipal Council to adopt the plan. Commissioner Malloy seconded the motion and a unanimous vote followed.

Public Hearing:

Rehabilitation Plan for 105.5 North Street known as Block 295, Lot 17. *The presentation of this plan was adjourned.*

Public Hearing:

P-15-028 - 119-121 WEST 52ND STREET, LLC – Site: 119-121 West 52nd Street in City Block 38, Lot 16 *[The applicant is seeking minor subdivision approval as well as preliminary and final major site plan approval to construct two new two-family homes on the subdivided property.]*

John Zucker, Esq., attorney for applicant gave a brief description of the site and proposed relief, offered his exhibits into evidence and called his first witness.

Witness:

Al Sambade, P.P. was sworn to provide expert testimony in support of the application. Mr. Sambade testified that he was retained by the applicant to prepare the subdivision plan and site plan for this project. He discussed the objectives of the plan and described the location of the property noting that it is located in an area with mixed uses. Mr. Sambade addressed the consulting City Planner and consulting City Engineer's comments. He further testified that it is his professional opinion that the requested variances can be granted without substantial detriment to the public and surrounding area.

Board questions:

Chairman Garelick, Commissioner Marsella and consulting City Planner Rodriguez questioned Mr. Sambade.

Audience questions:

There were no questions from the general public.

Closing Statements:

Mr. Zucker respectfully requested the Board approve the application.

Commissioner Marsella made a motion to approve the application with the conditions spread across the record. Commissioner Mulcahy seconded the motion and a unanimous vote followed.

Adoption of Resolutions

- **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**.
  - Commissioner Perez made a motion to adopt the resolution and Commissioner Malloy seconded the motion. A unanimous vote followed.
- **P-15-023 PAULANTO DENTAL, LLC – Site: 189-195 Avenue E in City Block 226, Lots 18 & 19**
  - Commissioner Marsella made a motion to adopt the resolution and Commissioner Fiermonte seconded the motion. A unanimous vote followed.
- **P-15-020 KOUVEL PROPERTIES, LLC – Site 871 Broadway in City Block 101, Lot 22.01**
  - Commissioner Marsella made a motion to adopt the resolution and Commissioner Fiermonte seconded the motion. A unanimous vote followed.

- **P-08-008 RDA REALTY II, LLC – Site: 748-756 Broadway in City Block 140, Lots 56, 57 58**
  - Commissioner Garelick made a motion to adopt the resolution and Commissioner Mulcahy seconded the motion. A unanimous vote followed.
- Resolution transmitting the Redevelopment Plan for 9, 11, 15 & 17 West 5th Street and 155-157, 159 and 161 Broadway, Block 330, Lots 6-12 to the Municipal Council.
  - Commissioner Marsella made a motion to adopt the resolution and Commissioner Fiermonte seconded the motion. A unanimous vote followed.
- Resolution transmitting the Rehabilitation Plan for 105.5 North Street known as Block 295, Lot 17 to the Municipal Council.
  - Commissioner Marsella 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 7:30 p.m.

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

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