



**PLANNING BOARD
CITY OF BAYONNE
MINUTES OF REGULAR MEETING
DECEMBER 13, 2016**

A regular meeting of the City of Bayonne Planning Board was held on Tuesday, December 13, 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, Commissioners Fiermonte, Becker, Malloy, Marsella, Perez, and Quintela. Honorable Mayor Davis and Commissioners Lawandy and Virga were absent.

Also present were Richard N. Campisano, Esq., Board Counsel, Robert Russo, PE, consulting City Engineer, Anthony Rodriguez, PP, consulting City Planner and Alicia Losonczy, Clerk.

Adoption of Minutes:

Commissioner Marsella made a motion to adopt the minutes of the regular meeting held on November 11, 2016 and Commissioner Fiermonte seconded the motion. Commissioners Fiermonte, Marsella, Perez, and Becker voted to adopt the minutes. Chairman Garelick, Commissioners Malloy and Quintela abstained.

Communications:

- City Council Resolution authorizing and directing the Planning Board to prepare an amended redevelopment plan for property located at the Peninsula in Block 830, Lot 1

- City Council resolution authorizing and directing the planning board to conduct a preliminary investigation to determine whether property located at 517-519; 521-523; 525-527; 529; and 531 Avenue E in Block 140, Lots 21, 22, 23 & 25 constitutes a non-condemnation area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.
- City Council Resolution authorizing the Planning Board to reopen the Scattered Site Redevelopment Plan and consider amending the Redevelopment Plan to include property located at 477, 479 and 481 Broadway and 19-25 West 22nd Street in Block 204, Lots 2 & 3 and Block 203, Lot 4.
- City Council Resolution authorizing the Planning Board to reopen the Scattered Site Redevelopment Plan and consider amending the Redevelopment Plan to include property located at 477, 479, and 481 Broadway and 19 – 25 West 22nd Street in Block 204, Lots 2 & 3 and Block 203, Lot 4.
- Letter from Michael Miceli, Esq., attorney for application/project P-15-019 – 26 North Avenue, LLC, requesting a five-year extension within which to begin construction.
 - Chairman Garelick made a motion to grant the extension and Commissioner Malloy seconded the motion. All commissioners present voted in favor of granting the extension with the exception of Commissioner Quintela, who abstained.
- Letter from Paul Weeks, Esq., attorney for application/project P-15-020 – Kouvel Properties, LLC, requesting a six-month extension within which to begin construction.
 - Chairman Garelick made the motion to approve a six-month extension and Commissioner Marsella seconded the motion. All commissioners present voted in favor of granting the extension with the exception of Commissioner Quintela, who abstained.

Board Reorganization

- Election of officers for 2017 (nominations and acceptances):

The following Commissioners were nominated and accepted the nominations for the office of Chairman, Vice-Chairman and Secretary for calendar year 2017.

- 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
- Robert Russo, P.E., Consulting City Engineer
- Andrew W. Raichle, Consulting City Engineer
- James Clarkin, P.P., City Consulting Planner
- Lillian Glazewski, Board Administrator
- Susan Bischoff, C.S.R.

- **Adoption of 2017 Calendar:**

The Commissioners voted unanimously to adopt the following regular meeting dates for calendar year 2017:

January 10, 2017
February 14, 2017
March 14, 2017
April 11, 2017
May 9, 2017
June 13, 2017
July 11, 2017
August 8, 2017
September 12, 2017
October 10, 2017
November 14, 2017
December 12, 2017

Public Hearing:

P-16-045 – 191 BROADWAY, LLC (Amended Application) Site: 191 Broadway in City Block 318, Lot 20 *[The applicant is seeking preliminary and final major site plan approval and bulk variance relief to amend application P-16-019 to include an accessible apartment on the ground floor and a second set of stairs in the existing building.]*

William J. Finnerty, Esq, attorney for the applicant appearing. He stated this was an amendment to application P-16-019. Mr. Finnerty then moved his exhibits into evidence. He described the subject property and proposed amendment.

Witness:

John McDonough, P.P., testified that this is an amendment to application P-16-019 approved by this Board for an addition of two stories to the existing building which will contain commercial on the first floor, two one-bedroom apartments on the second floor and two two-bedroom duplex apartments on the third and fourth floors. This amendment is a request for Board approval for an ADA accessible unit to comply with the City's Building Code.

Board questions:

The Commissioners did not have any questions for Mr. McDonough.

Audience questions:

No one from the general public had any questions of Mr. McDonough.

Closing Remarks:

William J. Finnerty, Esq., attorney for the applicant, requested the Board look favorably upon this application.

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

Public Hearing

P-16-039 SUZANNE NEARY and JOAN BRUNNER – Site: 665 Avenue E in City Block 98, Lot 18 *[The applicant is seeking preliminary and final major site plan approval and bulk variance relief to allow the construction of a three-story three-family home to replace a three-family home that was destroyed by fire.]*

William J. Finnerty, Esq, attorney for the applicant gave a brief opening statement, offered his exhibits into evidence and called his first witness.

Witness:

Alan Feld, AIA, was sworn to provide expert testimony in support of the application. He testified that he was retained by the applicant to prepare the plans for this project. Mr. Feld described the details of the site plan.

Board questions:

Chairman Garelick and Anthony Rodriguez, P.P., consulting City Planner, questioned Mr. Feld.

Audience questions:

No one from the general public had any questions of Mr. Feld.

Closing Remarks:

Chairman Garelick commented that this new edifice is a good replacement since the previous house burned down.

William J. Finnerty, Esq., attorney for the applicant, respectfully requested the Board look favorably upon this application.

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

Public Hearing:

P-16-036 PIER VIEW LOFTS, LLC – Site: 676-688 Avenue E in City Block 402, Lots 4-7
[The applicant is seeking preliminary and final major site plan approval and bulk variance relief to construct a five-story residential building with 65 residential units and onsite parking.]

William J. Finnerty, Esq, attorney for the applicant gave a brief background of the previous application approved by this board. He stated that many of the recommendations from the TRC were implemented and he offered his exhibits into evidence.

Witness:

Arthur Kheyman, principal and owner of the property, was sworn as a factual witness.

Board questions:

Chairman Garelick questioned Mr. Kheyman.

Audience questions:

Resident Tara Lavelle questioned Mr. Kheyman if renters would be allowed to get a street parking sticker. Chairman Garelick informed her the Board has no jurisdiction over the issuance of parking permits but sees a trend that this building is in a transit area, where the goal is to have more people use public transportation.

Mary Lavelle had questions regarding contamination and what measures the applicant would take to protect the residents.

Mary Jane Yablonicky said she lives across the street. Her concern was with regard to pest control.

Amelia Fano said she lives on Avenue E, about three lots away, is concerned about both this construction as well as the Turnpike construction going on at the same time and also with pest control.

Chairman Garelick asked Mr. Campisano to pass on the residents' concerns to the Building Department regarding pest control. Mr. Campisano said there will be a condition in the resolution that the Building Department monitor this issue.

Witness:

Christiano Pereria, RA, AIA, LEED, AP, was sworn to provide expert planning testimony in support of the application. He discussed the site plan through a power point presentation. He explained the units and said that there would be no negative impact to the area if this application is approved.

Board Questions:

Commissioner Garelick questioned Mr. Pereria.

Audience questions:

No one from the general public had any questions of Mr. Pereira.

Witness:

Paul W. Anderson, P.E., was sworn to provide expert testimony in support of the application. Mr. Anderson described the landscaping, storm drainage, retention system, mill and resurface to the center line of the street, changing the pavement type (concrete color) at the entrances for the pedestrian pathway, and grading for drainage.

Board Questions:

Consulting City Engineer, Robert Russo, PE had a question about parking for Mr. Anderson. Chairman Garelick and Commissioner Marsella also had questions for Mr. Anderson.

Audience questions:

There were no questions from the audience for Mr. Anderson.

Witness:

Joseph Staiger, P.E., Traffic Engineer, discussed the Traffic Impact Analysis he prepared. He testified that he studied many traffic patterns, minimal delays, good flow, circulation pattern, etc.

Board Questions:

Chairman Garelick questioned Mr. Staiger regarding the entrance and exit from the garage. He also suggested placement of a mirror and a temporary right turn only exit sign be placed until the Turnpike construction traffic is alleviated.

Commissioner Perez commented that the Turnpike construction is approximately three months ahead of schedule.

Audience questions:

Mary Jane Yablonicky asked Mr. Staiger if a right turn only sign can be implemented outside of the garage. Mr. Staiger said he will comply with the resident's request.

Witness:

John McDonough, P.P., was sworn to provide expert testimony in support of the application. Mr. McDonough offered Exhibit A25 into evidence. He explained the development is in compliance other than two requested variances, which can be viewed as relatively minor.

Board Questions:

Chairman Garelick, had a question for Mr. McDonough.

Sue Mack commented that it is one of the best projects.

Commissioner Malloy said that we couldn't ask for better, having this property redeveloped.

Audience questions:

There were no questions for Mr. McDonough.

Closing Remarks:

William J. Finnerty, Esq., attorney for the applicant, said that he relies on the expert testimony and respectfully requested the Board look favorably upon this application.

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

Public Hearing:

P-16-037 JINCO, INC. – Site: 174 West 7th Street in City Block 304, Lot 1 *[The applicant is seeking preliminary and final major site plan approval to construct a five-story residential building with 56 luxury apartments and parking.]*

William J. Finnerty, Esq, attorney for the applicant briefly summarized the proposed application. Echo Auto Sales is currently on the site and it was a gas station prior to that use.

Witness:

Christiano Pereiro, RA, AIA, LEED, AP, was sworn to provide expert testimony in support of the application. Mr. Pereiro testified that he was retained by the applicant to prepare the architectural plans for this application. He proceeded to describe the plans to the Board. His final plans will include a landscaping plan.

Board questions:

Chairman Garelick and Consulting City Engineer, Anthony Rodriguez, PP questioned Mr. Pereiro.

Audience questions:

Elaine Strydio asked where the parking garage would be located. Mr. Pererio replied that it will be located on Seventh Street.

Witness:

Joseph Staiger, PE, was sworn to provide expert testimony in support of the application. Mr. Staiger testified that sufficient parking will be provided and traffic patterns were studied.

Board Questions:

Chairman Garelick questioned Mr. Staiger.

Audience questions:

No one from the general public had any questions of Mr. Staiger.

Witness:

John McDonough, LA, PP, AICP was sworn to provide expert testimony in support of the application. He described the surrounding area, proposed project and how this project would benefit the area.

Board Questions:

Chairman Garelick questioned Mr. McDonough.

Audience questions:

No one from the general public had any questions for Mr. McDonough.

Closing Remarks:

William J. Finnerty, Esq., attorney for the applicant, in closing said that he relied on the expert testimony provided and respectfully requested the Board approve this application.

Commissioner Marsella made a motion to approve this application. Commissioner Perez seconded the motion and a unanimous vote followed.

Adoption of Resolutions

- **P-16-033 -BROADWAY BUS CORP–Site: 1319 Kennedy Boulevard in City Block 7, Lot 2**
 - Commissioner Perez made a motion to adopt the resolution and Commissioner Fiermonte seconded the motion. A unanimous vote followed. Quintela abstained
- **P-16-034 – VIOLA MOORE – Site: 77 East 21st Street in City Block 456, Lot 28**
 - Commissioner Perez made a motion to adopt the resolution and Chairman Garelick seconded the motion. All commissioners present voted aye with the exception of Commissioner Quintela, who abstained.
- **P-16-035 - KHIDER and BLANCHE JIJI - Site 418 Broadway in City Block 226, Lot 36**
 - Commissioner Perez made a motion to adopt the resolution and Commissioner Fiermonte seconded the motion. All commissioners present voted aye with the exception of Commissioner Quintela, who abstained.
- **P-15-019 - 26 NORTH AVENUE, LLC - 26 North Street Block 297, Lot 3**
 - Commissioner Fiermonte made a motion to adopt the resolution and Commissioner Marsella seconded the motion. A unanimous vote followed.
- **P-15-020 - 871 BROADWAY, Block 101, lot 22.01**
 - Commissioner Garlick made a motion to adopt the resolution and Commissioner Fiermonte seconded the motion. A unanimous vote followed.

A motion was made by Commissioner Perez to close the meeting at 9:25 p.m. Commissioner Marsella seconded the motion.

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

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