



**PLANNING BOARD
CITY OF BAYONNE
MINUTES OF REGULAR MEETING
APRIL 11, 2017**

A regular meeting of the City of Bayonne Planning Board was held on Tuesday, April 11, 2017 in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Vice-Chairperson Fiermonte called the meeting to order at 6:10 p.m. and led all in the Pledge of Allegiance to the Flag. Vice-Chairperson Fiermonte advised that the Board has complied with the Open Public Meetings Act/Sunshine Law.

Board attorney Richard Campisano called the roll. Present at the meeting were, Vice-Chairperson Fiermonte, Commissioners Perez, Malloy, Lawandy and Becker. Chairman Garelick, Commissioner Quintela and Mayor Davis were absent.

Also present were Richard N. Campisano, Esq., Board Counsel, Robert Russo, PE, James F. Clarkin, PP and Lillian Glazewski, Land Use Administrator.

Adoption of Minutes

Commissioner Perez made a motion to adopt the minutes of the regular meeting held on February 14, 2017 and Commissioner Malloy seconded the motion. A unanimous vote of eligible members followed.

Communications:

- Municipal Council resolution authorizing the Planning Board to prepare a Rehabilitation Plan for property located at 537-543 Broadway in City Block 189, Lot 24 pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40a:12a-1 et seq.

- Municipal Council resolution authorizing the Planning Board to amend the Redevelopment Plan for the Peninsula at Bayonne Harbor Station South.
 - Municipal Council resolution authorizing and directing the Planning Board to prepare a Redevelopment Plan for the property located at 306-322 Avenue E (former St. Joseph's Church)
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- P-15-025 KRE Fleet Bayonne Urban Renewal, LLC – Request for administrative approval – Site: Harbor Station North; Block 600, Lots 1 & Block 630, Lot 1

Patrick McNamara, Esq., appeared on behalf of the applicant. Mr. McNamara advised that the applicant is seeking the Board's approval to proceed with an administrative approval for certain revisions to the plans that were previously approved.

City Planner Suzanne Mack advised that Andrew Raichle, P.E., the City's consulting engineer for this project, reviewed the proposed revisions and he submitted a memorandum dated April 11, 2017 recommending that the modifications be approved administratively. Ms. Mack reviewed the proposed modifications and she said they would not have a deleterious effect on the project.

Commissioner Perez made a motion to allow the proposed modifications to be approved administratively and Commissioner Malloy seconded the motion. A unanimous vote followed.

Public Hearing:

Presentation of an overlay as an amendment to the Redevelopment Plan for the Peninsula at Bayonne Harbor Station South as it related to the portion of the Peninsula identified as Block 700, Lot 1 and Block 791, Lot 1 on the official tax map of the City of Bayonne and referred to as "Harbor Station South".

Presentation by Suzanne Mack, P.P., City Planner.

There were no questions from the Board or general public.

Commissioner Perez made a motion to send the recommendation of the Board to consider the adoption of the amended Redevelopment Plan to the Municipal Council. Commissioner Malloy seconded the motion and a unanimous vote followed.

Public Hearing:

Presentation of the South Cove Redevelopment Plan encompassing Block 412, Lots 1.01, 2.01, 2.03, 2.21 and 2.22, located at 77-191 LeFante Way, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A: 12 A-1, et. seq.

Presentation by Suzanne Mack, P.P., City Planner.

Board:

Commissioner Malloy opined that this is a great plan. He questioned Ms. Mack with regard to the hotel parking and pedestrian path.

Audience:

Resident Michael Rusigno questioned Ms. Mack.

Comments

Karen Fiermonte commended Ms. Mack on her presentation of the plan.

Commissioner Perez made a motion to send a recommendation to the Municipal Council to consider the adoption of the Redevelopment Plan. Commissioner Malloy seconded the motion and a unanimous vote followed.

Public Hearing:

P-17-002 FIRST DEVELOPERS, LLC – Site: 439 Avenue C in City Block 224, Lot 24
[The applicant is seeking preliminary and final major site plan approval and bulk variance relief to allow the construction of a three-story mixed use building with commercial on the ground floor and four residential apartments on the upper floors.]

Ronald Shaljjan, Esq., attorney for the applicant briefly described the application and offered his exhibits A-1 through A-22 into evidence

Witness:

Al Sambade, PP, AIA, PE, was sworn to provide expert testimony in support of the application. Mr. Sambade described the existing property which he said has been vacant for at least 50 years. He said that it is the intention of the applicant to bring the property into a productive use. He said that this lot is 2,750 square feet and is located in C-1 district. He described building and size of units. He also mentioned that the building is in close proximity to the 22nd Street Light Rail Station. Mr. Sambade addressed the City Planner and Engineer's reports. He said that they have made revisions to the plans to eliminate two (2) of the requested variances (1) usable open space and (2) building coverage. Now the applicant is only requesting variances for parking and side yard setback. Mr. Sambade pointed out that the proposed building is a permitted use in this area. He addressed the reports submitted by the City Engineer and City Planner.

Board questions:

Vice-Chair Fiermonte, Commissioner Perez, and consulting planner Clarkin questioned Mr. Sambade.

Audience questions:

There were no questions from the general public.

Closing remarks:

Commissioner Perez said that he had some concern about the parking but he is happy to see something being built there that will add to the City's ratables.

Vice-Chair Fiermonte agreed with Commissioner Perez.

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

A short break was taken at 7:29 p.m. and the meeting resumed at 7:40 p.m. Mr. Campisano called the roll.

Public Hearing:

P-16-041 SUN MEN YAU – Site: 448 Avenue E in City Block 409, Lot 12 *[The applicant is seeking preliminary and final major site plan approval and bulk variance relief to allow the construction of a four-family dwelling.]*

Paul Weeks, Esq., attorney for the applicant appearing, offered his exhibits into evidence and called his first witness.

Witness:

Stephen Kawalek, PP, AIA, PE was sworn to provide expert testimony in support of the application. Mr. Kawalek described the nature of the application and the variances being requested. He addressed the comments received from the City Engineer and City Planner and confirmed that if this application is approved, revised plans will be submitted for final approval.

Board questions:

Vice-Chair Fiermonte questioned Mr. Kawalek

Audience questions:

Residents Tom Elias and Daniel Elias questioned Mr. Kawalek

Public comments:

Resident Tom Elias, whose property is adjacent to the proposed structure was concerned about his property, quality of life and the loss of light and air.

Daniel Elias also addressed the quality of life and the lack of space between the

Closing remarks:

Mr. Weeks said that he relies on the testimony of his expert witness he and pointed out that the proposed use is permitted in the zone and the variances requested are de minimis. He respectfully requested the Board approve the application.

Board comments:

Commissioner Malloy said that the Board weighs the granting of the variances against the overall project. He liked the design of the building, however he did not think it fit in this spot. He was not in favor of the application.

Commissioner Perez concurred with Commissioner Malloy that the building is too close to the adjacent neighbor to the north.

Commissioner Lawandy also agreed and said that the applicant needs to come up with a better design.

Vice-Chair Fiermonte and Commissioner Becker concurred.

Commissioner Perez made a motion to approve the application and Commissioner Malloy seconded the motion. Unanimously, all commissioners voted to deny the application.

Adoption of Resolutions

- South Cove Redevelopment Plan encompassing Block 412, Lots 1.01, 2.01, 2.03, 2.21 and 2.22, located at 77-191 LeFante Way
 - Commissioner Perez made a motion to approve the resolution and Commissioner Malloy seconded the motion. A unanimous vote followed.
- Amendment to the Redevelopment Plan for the Peninsula at Bayonne Harbor Station South as it related to the portion of the Peninsula identified as Block 700, Lot 1 and Block 791, Lot 1
 - Commissioner Perez made a motion to approve the resolution and Commissioner Fiermonte seconded the motion. A unanimous vote followed.

A motion was made to close the meeting at 8:15 p.m.

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

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