



**PLANNING BOARD
CITY OF BAYONNE
MINUTES OF REGULAR MEETING
JUNE 13, 2017**

A regular meeting of the City of Bayonne Planning Board was held on Tuesday, June 13, 2017 in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Chairman Garelick called the meeting to order at 6:10 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.

Board attorney Richard Campisano called the roll. Present at the meeting were, Chairman Garelick, Commissioners Fiermonte, Perez, Quintela, Becker, Valado and Mayoral Designee John Milan Sebik. Mayor Davis and Commissioners Malloy and Lawandy were absent.

Also present were Richard N. Campisano, Esq., Board Counsel, Darren Mazzei, 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 May 9, 2017 and Commissioner Fiermonte seconded the motion. A unanimous vote of eligible members followed.

Communications:

- Municipal Council Resolution authorizing the Planning Board to conduct an investigation to determine whether property located at 979-993 Avenue C in City Block 76, Lot 17 constitutes a

non-condemnation area in need of redevelopment pursuant to the LRHL N.J.S.A 40A:12A-1 et seq.

- Municipal Council Resolution authorizing the Planning Board to conduct an investigation to determine whether property located at 122, 124, 126, 126 ½, 128, 130, 132, 134-136, 138, 140, 165, 167, 169, 170-180 and 157-163 Avenue E in City Block 467, Lots 11, 12 & 13; Block 458, Lots 1 & 1.01 and Block 234, Lot 8.01 constitute non-condemnation areas in need of redevelopment pursuant to the LRHL N.J.S.A 40A:12A-1 et seq.
- E-mail request from Richard DeAngelis, Esq., of McKirdy & Riskin, PA, attorneys for TK MAC, LLC, the owner of Block 373, Lot 15, requesting the presentation of the Redevelopment Study by Paul Phillips, PP be postponed because their planner is unable to attend this meeting to testify in opposition to the Redevelopment Study.
 - o Commissioner Garelick made the motion to grant the adjournment to the next regular meeting of the Planning Board on July 11, 2017. Commissioner Perez seconded the motion and a unanimous vote followed.

Public Hearing:

P-17-005 – 309 BROADWAY REALTY, LLC – Site: 309 Broadway in City Block 257, Lot 12 *[The applicant is seeking preliminary and final major site plan approval and bulk variance relief to allow the construction of a three-story residential building with six residential units.]*

Leonard P. Kiczek, Esq., attorney for applicant, described the property as the former Moosie's property which included a nursery and residential home. Mr. Kiczek offered his exhibits into evidence and called his first witness.

Witness:

Al Sambade, PP, PE, AIA, was sworn to provide expert testimony in support of this application. Mr. Sambade described the location of the property and the proposed use. He said that the applicant's intention is to demolish the existing structure and construct a three-story building with six residential units. The building will be constructed of full steel noncombustible material. Mr. Sambade also testified that he reviewed the City Planner and City Engineer's comments and recommendations and confirmed that the applicant has no issues with same. Mr. Sambade provided

testimony in support of the variances being requested. He concluded that this application meets the goals of the City Master Plan.

Board questions:

Chairman Garelick and City Engineer, Darren Mazzei questioned Mr. Sambade.

Audience questions:

Resident Andrzej Zambrowski questioned Mr. Sambade on behalf of his aunt who lives adjacent to the subject property.

Closing comments:

Leonard P. Kiczek, Esq. said that this is a good application and he relied on the expert testimony provided. He respectfully requested the Board look favorably on this application.

Audience comments:

There were no comments from the general public.

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

Public Hearing:

Presentation of a Redevelopment Plan for property known as Bayonne Bay East at the Peninsula at Bayonne Harbor also known as Block 830, Lots 1.01; 1.02; 1.03; 1.04; 1.05; 1.06 & 1.07.

The presentation was made by City Planner Suzanne Mack, PP and consulting City Engineer Andrew Raichle, PE

Resident questions:

Resident Mike Rusigno questioned Ms. Mack and Mr. Raichle.

Commissioner Perez made a motion to forward the Board's comments / recommendations back to the City Council and Commissioner Fiermonte seconded the motion. A unanimous vote followed.

Public Hearing:

P-16-047 NP2 REALTY, LLC – Site: 138 Prospect Avenue in City Block 434, Lot 26 *[The applicant is seeking minor site plan approval and bulk variance relief for a curb cut to add three off-street parking spaces in the back of the property.]*

Peter Cecinini, Esq., attorney for applicant described the property and relief is being sought before calling his first witness.

Witness:

Eleanor Kogan, owner, was sworn as a factual witness. Ms. Kogan described the existing four-family residential building and how the tenants did not use the yard but did request to have parking there so they would not have to park on the street.

Board questions:

There were no questions from the Board.

Audience questions:

There were no questions from the general public.

Witness:

Alan Feld, AIA, was sworn to provide expert testimony in support of the application. Mr. Feld described the property and its location on New Street. He said that the proposed parking area would put to use an unused grassy area located next to the adjoining property's garages. He described the proposed new fencing and lighting to be provided along with the accessory parking and how the applicant would provide or contribute toward a new street tree. Mr. Feld felt the variances were justified because the residential character of the neighborhood is preserved. Mr. Feld opined that the site is suited for the parking. He said that the variances could be granted without substantial detriment to the public good and that the requested variances will not substantially impair the intent and purpose of the City Zone Plan and Zoning Ordinance.

Board questions:

Chairman Garelick, Commissioner Sebik, consulting City Planner James Clarkin and consulting City Engineer Darren Mazzei questioned Mr. Feld.

Audience questions:

There were no questions from the general public.

Closing Remarks:

Mr. Cecinini respectfully requested the Board approve the application.

Audience comments:

There were no comments from the general public.

Commissioner Perez made a motion to approve the application subject to any and all conditions agreed to during the course of this hearing. Commissioner Sebik seconded the motion and a unanimous vote followed.

Public Hearing:

Presentation of a Redevelopment Study for property known as 105.5 North Street also known as Block 295, Lots 16 & 17.

Presentation by City Planner Suzanne Mack, PP

Chairman Garelick made a motion to forward a recommendation back to the Municipal Council to adopt the Redevelopment Study. Commissioner Perez seconded the motion and a unanimous vote followed.

A short break was taken at 7:33 p.m. and the meeting resumed at 7:43 p.m. Mr. Campisano called the roll.

Public Hearing:

Presentation of a Redevelopment Plan for property known as St. Joseph's property located at 306-314 Avenue E in City Block 440, Lots, 3, 4 & 5; 316-322 Avenue E in City Block 440, Lot 4 and 317 Avenue E in City Block 191, Lot 5.02.

Presentation by City Planner Suzanne Mack, P.P.

Audience comments:

Robert Vertabello, Esq., of the office of Connell Foley, attorneys for the developer noted that the designation of the parcels were reversed in error.

Board questions:

Commissioner Valado questioned Ms. Mack.

Audience questions:

There were no questions from the general public.

A motion was made by Commissioner Perez to forward the Board's recommendation to the Municipal Council and Commissioner Fiermonte seconded the motion. A unanimous vote followed.

Adoption of Resolutions

- **P-14-008 WATERFORD AT BAYONNE - Site: 38-44 Kennedy Boulevard**
 - o Commissioner Garelick made a motion to approve the resolution and Commissioner Perez seconded the motion. A unanimous vote followed.
- **P-17-004 YAKSOK MANAGEMENT, LLC – Site: 977-981 Broadway in City Block 70, Lots 21 & 22**
 - o Commissioner Perez made a motion to approve the resolution and Commissioner Fiermonte seconded the motion. A unanimous vote followed.
- **P-17-001 BROADWAY PARTNERSHIP, LLC – Site: 536 Broadway in City Block 190, Lot 9**
 - o Commissioner Perez made a motion to approve the resolution and Commissioner Fiermonte seconded the motion. A unanimous vote followed.

- Redevelopment Plan for property known as Bayonne Bay East at the Peninsula at Bayonne Harbor also known as Block 830, Lots 1.01; 1.02; 1.03; 1.04; 1.05; 1.06 & 1.07 Map of the City in accordance with the Redevelopment Law, N.J.S.A. 40A:12A-1 et seq.
 - o Commissioner Fiermonte made a motion to approve the resolution and Commissioner Perez seconded the motion. A unanimous vote followed.
- Redevelopment Study for property known as 105.5 North Street also known as Block 295, Lots 16 & 17.
 - o Commissioner Perez made a motion to approve the resolution and Commissioner Garelick seconded the motion. A unanimous vote followed.
- Redevelopment Plan for property known as St. Joseph's property located at 306-314 Avenue E in City Block 440, Lots, 3, 4 & 5; 316-322 Avenue E in City Block 440, Lot 4 and 317 Avenue E in City Block 191, Lot 5.02
 - o Commissioner Perez made a motion to approve the resolution and Commissioner Garelick seconded the motion. A unanimous vote followed.

A motion was made to close the meeting at 8:31 p.m.

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

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