



**PLANNING BOARD
CITY OF BAYONNE
MINUTES OF REGULAR MEETING
AUGUST 8, 2017**

A regular meeting of the City of Bayonne Planning Board was held on Tuesday, August 8, 2017 in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Chairman Garelick called the meeting to order at 6:16 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.

Commissioner Malloy called the roll. Present at the meeting were, Chairman Garelick, Commissioners Malloy, Fiermonte, Perez, Quintela, Becker, Lawandy and Valado. Mayor Davis was 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 July 11, 2017 and Commissioner Malloy seconded the motion. A unanimous vote of eligible members followed.

Communications:

- Municipal Council Resolution authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether certain property located at 41 Prospect Avenue, also identified as Block 455, Lot 3, 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.

Public Hearing:

P-17-013 MAHALAXMI BAYONNE, LLC (Gupta) – Site: Harbor Station South in City Block 751, Lot 1 [The applicant is seeking preliminary and final major subdivision approval in relation to property located at Harbor Station South at Goldsborough Drive, consisting of a portion of Block 751, Lot 1 and a portion of Block 790, Lot 1 (the “Property”), as shown on the Tax Map of the City of Bayonne.]

Donald M. Pepe, Esq., attorney for applicant explained that due to an error in the notice for the July meeting with regard to the subdivision portion of the application, it was necessary for the applicant to bifurcate the subdivision portion and reschedule the hearing on the subdivision. Mr. Pepe said that corrected notices have been properly served. He offered his exhibits into evidence and they were accepted by Chairman Garelick.

Andrew Raichle, PP, the City’s consulting engineer was sworn to provide expert testimony with regard to the subdivision since the property in question is owned by the City. Mr. Raichle testified that the applicant is acting as a designated redeveloper and has the City’s consent for the subdivision of existing Block 751, Lot 1 into four (4) corner lots leaving one remaining “parent” lot which also incorporates a portion of the adjoining Block 790, Lot 1. The proposed southeast corner lot is the location of the first phase of the proposed development and Mr. Raichle reviewed the companion site plan and approved application.

Board questions:

There were no questions from the Board.

Audience questions:

There were no questions from the general public.

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

Public Hearing:

P-17-017 BAYONNE REDEVELOPERS URBAN RENEWAL BLOCK 700, LLC – Site: Harbor Station South, 301 Chosin Few Way; Block 700, Lot 1 *[The applicant is seeking preliminary and final major site plan approval to allow the construction of a 148,000 sf prototypical Costco Wholesale Facility with an eighteen (18) pump Costco Fueling Station.]*

Andy S. Norin, Esq., attorney for applicant, gave a brief opening statement and offered his exhibits into evidence. Mr. Norin called his first witness.

Witness:

Russell McFall, II, P.E., a principal of Maser Consulting, was sworn to provide expert testimony in support of the application. Mr. McFall described the site, the location of the fuel facility and addressed the design waiver being requested. He also testified that the applicant will work with the Board's professionals regarding their comments.

Board questions:

There were no questions from the Board

Audience questions:

There were no questions from the general public.

Witness:

Douglas Brookbank, AIA, was sworn to provide expert testimony. Mr. Brookbank described the proposed building, its sustainability and green features. He testified that he reviewed the entry and exterior of the building. He described the fueling stations as free standing with a canopy cover. He also described the liquor store facility which will be separate from the main building. He said that

signage is proposed at several locations on the site. He testified that Costco will employ approximately two hundred fifty (250) people at this location.

Board questions:

Chairman Garelick questioned Mr. Brookbank.

Witness:

Jeffrey M. Fiore, PE, a traffic engineer with Maser Consulting, PA, was sworn to provide expert testimony in support of this application. Mr. Fiore testified that when preparing the Traffic Impact Statement, his firm took into consideration the future developments that would impact the roadways. He described the access to the site via a full movement ingress/right out only egress driveway along Goldsborough Drive as well as separate full movement and truck only driveways along Chosin Few Way. He said that additional striping is proposed in a 100-foot long eastbound left turn lane into the site within the existing cartway width of Goldsborough Drive. He testified that the gas station portion of the site provides three (3) lanes of fueling islands with six (6) fueling positions per island, a total of eighteen (18) fueling positions. The layout of the site provides sufficient circulation to accommodate a tractor-trailer delivery truck, gas tanker deliver truck, garbage truck as well as emergency vehicles. Mr. Fiore stated the applicant is providing seven hundred eleven (711) parking spaces which exceeds the City of Bayonne Ordinance requirement for parking. It is also in excess of the Redevelopment Plan requirements.

Board questions:

Commissioner Perez, Chairman Garelick and City Planner Suzanne Mack questioned Mr. Fiore.

Audience questions:

Residents Albert Rinaldi and Mike Rusigno questioned Mr. Fiore.

Audience Closing Remarks:

Resident Albert Rinaldi recommended that the Board approve this application. Resident Mike Rusigno expressed his concern with traffic in that area, specifically around Chosin Few Way.

Board Comments:

Commissioner Perez commented that this is a wonderful project that will bring in jobs to Bayonne. Commissioner Perez suggested that the applicant set a date, time and place for residents to fill out job applications. He also suggested that this could be done at City Hall.

Chairman Garelick said that Costco has a good nation-wide reputation and he looks forward to seeing the project come to fruition. He also said that he would like Costco to hold a career day to open job opportunities to Bayonne residents.

Commissioner Malloy said that the Mayor would be happy to volunteer the City Council Chambers for a career day. Commissioner Malloy also said that this is a great project and he mentioned that Costco should look into UEZ opportunities.

Commissioner Fiermonte concurred with her fellow Commissioners.

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

A short break was taken at 7:02 p.m. and the meeting resumed at 7:12 p.m. Commissioner Malloy called the roll.

Public Hearing:

P-17-009 BAYONNE BAY DEVELOPERS URBAN RENEWAL, LLC – Site: Peninsula at Bayonne Harbor Bayonne Bay West; Block 830, Lots 1.01, 1.02, 1.03 and 1.04 I [The applicant is seeking preliminary and final major subdivision approval as well as preliminary and final major site plan approval to construct a multi-family residential structure with 500 residential units in two phases. A total of 1,167 parking spaces are provided.]

Stephen E. Barcan, Esq., attorney for applicant, stated that this application is in full compliance with the redevelopment plan and is variance free.

Witness:

Joseph Fleming, PE was sworn as an expert witness. Mr. Fleming described the area in question and said that this is a great location for the proposed construction. He said that the property includes active and passive open space and the applicant is providing one thousand one hundred sixty-seven (1,167) parking spaces, which exceeds the required number of parking spaces for this project. Mr. Fleming also discussed the amenities, proposed signage (9 signs) and phases of construction. He addressed the reports submitted by the City's professionals.

Mr. Barcan made mention that the applicant and the City have executed a Redeveloper's Agreement and there is no Council on Affordable Housing (COAH) requirement within the agreement. Mr. Barcan said that he would be happy to provide the section of the agreement that speaks to the COAH requirement.

Board questions:

There were no questions from the Board.

Audience questions:

There were no questions from the general public.

Witnesses:

Additional witnesses testifying in support of this application were Mark A. Berkowsky, AIA, Robert Larsen, P.P., Lawrence Appel, P.E. and Joseph Staigar, P.E., traffic engineer

Audience:

Residents Albert Rinaldi and Mike Rusigno had questions for the traffic engineer, Joseph Staigar, PE.

Closing remarks:

Resident Albert Rinaldi said that this is a good project and he recommended that the Board approve the application.

Chairman Garelick pointed out that the variances requests are de minimis and can be granted. The applicant's experts have addressed all of the comments made by our City professionals.

Commissioner Malloy expressed his pleasure in seeing the former Military Ocean Terminal redeveloped.

Commissioner Perez 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 8:52 p.m. The meeting resumed at 9:01 p.m. and the roll was called.

Public Hearing:

Presentation of a Redevelopment Study for the property known as the Texaco site which is identified as Block 332, Lot 3; Block 360, Lot 2; Block 373, Lots 1, 2, 13, 14 and 15; Block 390 Lots 1, RG67; Block 391, Lots 1 and 2; and Block 511, Lots 5 and 6 as shown on the office tax map of the City of Bayonne.

Paul Phillips, PP, a principal at Phillips Preiss Grygiel, LLC, who were retained by the City to prepare this study gave the presentation. Mr. Phillips described the properties in question. He said that the properties are collectively referred to as the Texaco Redevelopment Area and the purpose of this study is to determine whether Lots 15 and Lot 2 in Block 373 should continue to be included as part of the Texaco Redevelopment Area. Mr. Phillips concluded that Lots 15 and Lot 2 in Block 373 be included as a part of the Texaco Redevelopment Area.

Board questions:

Commissioner Valado and Chairman Garelick questioned Mr. Phillips.

Audience questions:

Richard DeAngelis, Esq. approached and said that he represents the owner of Block 373 Lot 15 (a/k/a The Starting Point). Mr. DeAngelis requested this matter be carried to the regular meeting on October 10th so that he can produce his own experts to provide testimony in opposition.

Chairman Garelick made a motion to carry this matter to October 10, 2017 and Commissioner Fiermonte seconded the motion. A unanimous vote followed.

Adoption of Resolutions

- **P-17-013 MAHALAXMI BAYONNE, LLC (Gupta) – Site: Harbor Station South in City Block 751, Lot 1**
 - Commissioner Garelick made a motion to approve the resolution and Commissioner Perez seconded the motion. A unanimous vote followed.
- **P-17-014 BAYONNE EQUITIES, LLC – Site: 477, 479-481 Broadway in City Block 201, Lots 2 & 3**
 - 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 9:50 p.m.

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

/lg