



**PLANNING BOARD
CITY OF BAYONNE
MINUTES OF REGULAR MEETING
NOVEMBER 14, 2017**

A regular meeting of the City of Bayonne Planning Board was held on Tuesday, November 14, 2017 in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Chairman Garelick called the meeting to order at 6:02 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, Commissioners Malloy, Quintela, Valado, Becker and John Sebik. Chairman Garelick and Commissioners Fiermonte Perez, Lawandy and Mayor Davis were absent.

Also present were Richard N. Campisano, Esq., Board Counsel, Darren Mazzei, PE, consulting City Engineer, Donald Meisel, PP, consulting City Planner and Suzanne Mack, PP, City Planner.

Adoption of Minutes

Commissioner Malloy made a motion to adopt the minutes of the regular meeting held on October 10, 2017 and Commissioner Sebik seconded the motion. A unanimous vote of eligible members followed.

Commissioner Malloy made a motion to adopt the minutes of the special meeting held on October 17, 2017 and Commissioner Sebick 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 property located at 71 New Hook Access Road and 69 New Hook Access Road in City Block 416, Lots 1 and 2 constitute 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.
- Municipal Council resolution authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether property located at 130-134 Avenue F, East 23rd Street, Mechanic Street, 136 Avenue F, 27 Mechanic Street, 39 Mechanic Street and 41 Mechanic Street in City Block 450, Lots 1, 10.01, 10.02, 21, 22, 23 and 24 constitute 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.
- Municipal Council resolution authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether property located at 86 East 22nd Street, 88 East 22nd Street, 90 East 22nd Street, 91 East 22nd Street and 111 Avenue F 24 in City Block 456, Lots 19, 9, 8.02, 8.03 and 8.01 constitute 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.
- Municipal Council resolution authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether property located at 343 Avenue A and 345-347 Avenue A in City Block 254, Lots 22 and 23 constitute 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-17-024 McDONALD'S CORPORATION – Site: 537-543 Broadway; Block 189, Lot 24

[The applicant is seeking preliminary and final major site plan approval to construct a new McDonald's fast food restaurant.]

Michael Miceli, Esq., attorney for applicant gave a brief opening statement and offered his exhibits into evidence. Mr. Miceli had three additional exhibits added to the exhibit list as follows: (1) exhibit A-22 rendering; (2) exhibit A-23 elevations and (3) exhibit A-24 turning template.

Witness:

Joseph C. Sparone, PE, from Dynamic Engineering was called and sworn to provide expert testimony in support of this application. Mr. Sparone described the existing building and parking at the site. He said that the applicant proposes to demolish the existing structure and construct a new

structure with twenty parking spaces. There will be a wider streetscape, open plaza and the corner will be a focal point. He described the drive-through and how refuse would be handled.

Board questions:

Commissioner Malloy questioned the dedicated City parking and the bronze art proposed. Darren Massie, PE, City Engineer questioned signage with regard to the “no left turn” and asked about the hours of operation.

Resident questions:

Residents Albert Rinaldi and Gonzalo Trenosky questioned Mr. Sparone.

Witness:

Craig Peregoy, PE, traffic engineer was sworn to provide expert testimony. Mr. Peregoy testified as to the Traffic Impact Study prepared by his firm. He testified to the existing traffic volumes and existing site operations. In conclusion, Mr. Peregoy said that the proposed improvements will have no appreciable effect on the trip generation at the site.

Board questions:

There were no questions from the Board.

Resident questions:

Resident Albert Rinaldi questions Mr. Peregoy.

Closing Remarks:

Resident Albert Rinaldi said that he is against having curb cuts on Broadway which would cause a safety hazard.

Resident Gonzalo Trenosky commented in support of the application.

Michael Miceli, Esq., attorney for the applicant said that he relied on the testimony presented and respectfully requested the Board approve the application.

Board comments:

Commissioner Sebik commented that this is an excellent design long overdue. He opined further that the curb cut is crucial to the Central Business District.

Commissioner Malloy said this is a long time coming. He commented that concessions were made on both sides.

Commissioner Malloy made a motion to approve the application conditioned upon any and all conditions agreed to across the record. Commissioner Becker seconded the motion and a unanimous vote followed.

Public Hearing:

Presentation of preliminary investigation non-condemnation area in need of redevelopment for property known as 41 Prospect Avenue in City Block 455, Lot 3.

Presentation by Suzanne Mack, PP, City Planner.

Commissioner Sebik made a motion to forward the Board's findings to the Municipal Council and Commissioner Malloy seconded the motion.

Public Hearing:

Presentation of preliminary investigation non-condemnation area in need of redevelopment for property known as 43-45 West 32nd Street in City Block 145, Lot 1.

Presentation by Suzanne Mack, PP, City Planner.

Commissioner Malloy made a motion to forward the Board's findings to the Municipal Council and Commissioner Sebik seconded the motion.

Public Hearing:

Presentation of preliminary investigation non-condemnation area in need of redevelopment for property known as Block 394.02, Lot 1

Presentation by Suzanne Mack, PP, City Planner.

Commissioner Malloy made a motion to forward the Board's findings to the Municipal Council and Commissioner Sebik seconded the motion.

Adoption of Resolutions

- **P-17-016 – MYK BUILDERS, LLC – Site: 123-125 West 12th Street in City Block 262, Lot 3**
 - Commissioner Malloy made a motion to approve the resolution and Commissioner Sebik seconded the motion. A unanimous vote of eligible members followed.
- **P-17-023 –PIER VIEW LOFTS URBAN RENEWAL, LLC – Site: 676-678 Avenue E in City Block 402, Lots 4, 5, 6 & 7**
 - Commissioner Malloy made a motion to approve the resolution and Commissioner Sebik seconded the Fiermonte A unanimous vote of eligible members followed.
- **Preliminary investigation non-condemnation area in need of redevelopment for property known as 41 Prospect Avenue in City Block 455, Lot 3. (P-17-021)**
 - Commissioner Malloy made a motion to approve the resolution and Commissioner Sebik seconded the motion. A unanimous vote followed.
- **Preliminary investigation non-condemnation area in need of redevelopment for property known as 43-45 West 32nd Street in City Block 145, Lot 1. (P-17-025)**
 - Commissioner Malloy made a motion to approve the resolution and Commissioner Sebik seconded the motion. A unanimous vote followed.
- **Preliminary investigation non-condemnation area in need of redevelopment for property known as Block 394.02, Lot 1. (P-17-027)**
 - Commissioner Malloy made a motion to approve the resolution and Commissioner Sebik seconded the motion. A unanimous vote followed.

A motion was made to close the meeting at 7:43 p.m.

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

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