



**PLANNING BOARD
CITY OF BAYONNE
MINUTES OF REGULAR MEETING
DECEMBER 12, 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 6:15 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 and Commissioners Fiermonte, Malloy, Valado, Becker, Perez, and John Sebik, mayoral designee. Commissioners Quintela and Lawandy and Mayor Davis were absent.

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

Mayor Davis approached the podium to recognize Chairman Garelick who was resigning after this meeting. The mayor commended Chairman Garelick for the many years he volunteered to serve on several Boards throughout the City. The Mayor proclaimed this day to be "Theodore Garelick Day" and he presented him with a proclamation and collage reflecting the many developments that came to fruition during his service on the Planning Board. Also recognizing Chairman Garelick were Gary La Pelusa, Terrence Malloy, Juan Perez and Karen Fiermonte.

Adoption of Minutes

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

Communications:

- Request from John A. Zucker, Esq., attorney for 91 Evergreen, LLC (P-12-012) for a six-month extension of time to begin construction at 91-93 Evergreen Street; Block 322, Lot 10
- Municipal Council authorizing and directing the Planning Board, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., to conduct a preliminary investigation to determine whether property located at 90-100 Avenue E and 100 ½ - 102 Avenue e in City Block 467, Lots 8 & 9 constitute non-condemnation areas in need of redevelopment. (P-17-035)
- Municipal Council resolution authorizing and directing the Planning Board, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., to conduct a preliminary investigation to determine whether property located at 343 Avenue A & 345-347 Avenue A in City Block 254, Lots 22 & 23 constitute non-condemnation areas in need of redevelopment. (P-17-036)
- Municipal Council resolution authorizing and directing the Planning Board, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., to conduct a preliminary investigation to determine whether property located at 130-134 Avenue F, Foot of East 23rd Street, Foot of Mechanic Street, 136 Avenue F, 37, 39 & 41 Mechanic Street constitute non-condemnation areas in need of redevelopment. (P-17-037)
- Municipal Council resolution authorizing and directing the Planning Board, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., to conduct a preliminary investigation to determine whether property located at 86, 88, 90 & 92 East 22nd Street and 111 Avenue F in City Block 456, Lots 10, 9, 8.02, 8.03 and 8.01 constitute non-condemnation areas in need of redevelopment. (P-17-038)
- Municipal Council resolution authorizing and directing the Planning Board, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., to conduct a preliminary investigation to determine whether property located at 71 & 69 New Hook Road in City Block 416, Lots 1 & 2 constitute non-condemnation areas in need of redevelopment. (P-17-034)
- Letter from John Zucker, Esq., attorney for P-16-012 – 91 Evergreen, LLC requesting a six-month extension of time within which to begin construction.

- Commissioner Perez made the motion and Commissioner Fiermonte seconded the motion. A unanimous vote followed.
- Letter from William J. Finnerty, Esq., attorney for P-14-010 MCP Associates, 554-556 Broadway, requesting the Board reinstate the application that was withdrawn and grant a one-year extension.
 - Commissioner Garelick made the motion to reinstate the application and grant a one-year extension to begin construction through December 12, 2018. Commissioner Perez seconded the motion and a unanimous vote followed.
- Request from John P. Wyciskala, Esq., consulting City Attorney requesting an adjournment to February 13, 2018 of the schedule continuation of the Redevelopment Study for the property known as the Texaco site 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; Block 511, Lots 5 and 6.
 - Commissioner Garelick made a motion to grant the adjournment to February 13, 2018 and Commissioner Fiermonte seconded the motion. A unanimous vote followed.

Board Reorganization:

- Election of officers for 2018 (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.

- Karen Fiermonte, Chairperson
- Maria Valado, Vice-Chairperson
- Terrence Malloy, 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
- CME Associates, Consulting City Engineer and Planner
- Lillian Glazewski, Board Administrator
- Susan Bischoff, C.S.R.

- **Adoption of 2018 Calendar:**

The Commissioners voted unanimously to adopt the following regular meeting dates for calendar year 2018:

January 9, 2018
February 13, 2018
March 13, 2018
April 10, 2018
May 8, 2018
June 12, 2018
July 10, 2018
August 14, 2018
September 11, 2018
October 9, 2018
November 13, 2018
December 11, 2018

Public Hearing:

P-17-032 ROMERO 412-414 BROADWAY, LLC - Site: 412-414 Broadway in City Block 226, Lots 38 & 39 *[The applicant is seeking preliminary and final major site plan approval and bulk variance relief to allow the enclosure of an 818 square foot area on the first floor of the existing building.]*

Michael Miceli, Esq., attorney for applicant, gave a brief opening statement with an overview of the application and description and location of the property. Mr. Miceli moved his exhibits into evidence and called his first witness.

Witness:

Marisol Romero, applicant, was sworn to provide factual testimony in support of the application. Ms. Romero testified that her family owns the business that is being relocated to the property in question. She said that they have outgrown their present site and are moving to the new location because there is additional space to accommodate their needs. This location is in the center of Bayonne and a perfect site to accommodate the business' expansion. Ms. Romero further stated that her family wants to enclose a small space in the rear of the building for a party room that was previously used as a Tiki Bar.

Board questions:

Chairman Garelick and Commissioners Malloy, Fiermonte, Valado & Perez commented on the façade and how beautiful it has turned out.

Audience questions:

There were no questions from the general public.

Witness:

Alan Feld, Architect, was sworn to provide expert testimony in support of the application. Mr. Feld described the new interior of the building and proposed party room. He further testified that by enclosing the outdoor patio there would be reduced noise in the area. Mr. Feld addressed the variances and provided testimony in support of same.

Board questions:

Chairman Garelick, consulting City Engineer Russo and consulting City Planner Van Den Kooy questioned Mr. Feld.

Audience questions:

There were no questions from the general public.

Witness:

Michael J. Pessolano, PP was sworn to provide expert testimony. Mr. Pessolano testified that the facility will have seating for 175 people. He addressed the variances needed for lot coverage, setback and parking. Mr. Pessolano said that the proposed enclosure will reduce the noise impact to the surrounding area.

Board questions:

There were no questions from the Board.

Audience questions:

There were no questions from the general public.

Closing remarks:

There were no closing remarks from the general public.

Mr. Miceli, in closing, stated that he relied on the expert testimony provided and respectfully requested the Board approve this application.

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

Public Hearing:

P-17-019 VENCON DEVELOPERS, LLC – Site: 1-3 Meadow Street in City Block 460, Lots 1 & 2 *[The applicant is seeking preliminary and final major site plan approval and bulk variance relief to allow the construction of a four-story residential building containing 14 residential units and 18 parking spaces.]*

Rita Mary McKenna, Esq., attorney for applicant described the location of the property and what relief is being sought. Moved exhibits into evidence

Witness:

Jennifer Palermo, Architect, was sworn to provide expert testimony in support of the application. Ms. Palermo described the property location, and the proposed residential units. She discussed the parking being provided at ground level and said that although only fifteen (15) parking spaces are required, the applicant is providing eighteen (18) parking spaces. Ms. Palermo also discussed the proposed amenities which included a rooftop deck.

Board questions:

Chairman Garelick and consulting City Engineer Russo questioned Ms. Palermo.

Audience questions:

Resident Pily Vazquez, asked questions of Ms. Palermo and expressed her concerns with the project.

A short break was taken at 7:23 p.m. and the meeting resumed at 7:36 p.m. Secretary Malloy called the roll.

Witness:

David Karlebach, a Professional Planner was sworn as an expert witness. Mr. Karlebach said that he reviewed the site and the surrounding area. He said that the proposed project is in keeping with the Master Plan and will be an improvement to the existing site. Mr. Karlebach provided testimony in support of the requested variances and said that the granting of the variances will not be detrimental to the surround area.

Board questions:

There were no questions from the Board

Audience questions:

There were no questions from the general public.

Closing remarks:

There were no closing remarks from the general public.

Ms. McKenna, Esq. respectfully requested the Board approve the application.

Commissioner Perez complimented the proposed structure and said that the applicant has provided more parking than what is required by ordinance.

Commissioner Malloy commented that this is the start of a boom to this neighborhood.

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

Public Hearing:

Presentation of a preliminary investigation to determine if property located at 115-117 West 2nd Street; Block 365, Lot 9 constitutes a non-condemnation area in need of redevelopment. (*Chris' Corner*) (P-17-026)

Presentation by Suzanne Mack, PP

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

Public Hearing:

Presentation of a preliminary investigation to determine whether property located at 343 Avenue A & 345-347 Avenue A in City Block 254, Lots 22 & 23 constitute non-condemnation areas in need to redevelopment. (P-17-036)

Presentation by Suzanne Mack, PP

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

Public Hearing:

Presentation of a Rehabilitation Plan for the property located at 63-67 New Hook Road in City Block 416, Lot 3. (*Jersam, Inc.*) (P-17-028)

Presentation by Peter Van Den Kooy, PP

Sue Mack, PP, discussed signage and asked to amend the plan to include the signage clarification.

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

Adoption of Resolutions

- **P-17-024 – McDONALD’S CORPORATION – Site: 537-543 Broadway in City Block 189, Lot 24**
 - Commissioner Perez made a motion to approve the resolution and Commissioner Valado seconded the motion. A unanimous vote of eligible members followed.
- **Resolution for preliminary investigation to determine if property located at 115-117 West 2nd Street; Block 365, Lot 9 constitutes a non-condemnation area in need of redevelopment. (*Chris’ Corner*) (P-17-026)**
 - Commissioner Fiermonte made a motion to approve the resolution and Commissioner Garelick seconded the motion. A unanimous vote followed.
- **Resolution for preliminary investigation to determine whether property located at 343 Avenue A & 345-347 Avenue A in City Block 254, Lots 22 & 23 constitute non-condemnation areas in need to redevelopment. (P-17-036)**
 - Commissioner Fiermonte made a motion to approve the resolution and Commissioner Garelick seconded the motion. A unanimous vote followed.
- **Resolution for Rehabilitation Plan for the property located at 63-67 New Hook Road in City Block 416, Lot 3. (*Jersam, Inc.*) (P-17-028)**
 - 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 8:22 p.m.

Susan Bischoff, Certified Shorthand Reporter, 449 Columbia Boulevard, Wood-Ridge, NJ

07075 took a transcript of the meeting.

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