



**PLANNING BOARD  
CITY OF BAYONNE  
MINUTES OF REGULAR MEETING  
JUNE 12, 2018**

A regular meeting of the City of Bayonne Planning Board was held on Tuesday, June 12, 2018 in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Karen Fiermonte, Chairperson called the meeting to order at 6:13 p.m. and led all in the Pledge of Allegiance to the Flag. Chairperson Fiermonte advised that the Board has complied with the Open Public Meetings Act/Sunshine Law.

Commissioner Malloy called the roll. Present at the meeting were, Chairperson Fiermonte and Commissioners, Malloy, Becker, Musharbash and Lawandy. Commissioners, Perez, Quintela, Valado and Mayor Davis were absent.

Also present were Richard N. Campisano, Esq., Board Counsel, Robert Russo, PE, consulting City Engineer, Malvita Apte, PP, consulting City Planner, Andy Raichle, PE, consulting City Engineer, Suzanne Mack, PP, City Planner and Lillian Glazewski, Land Use Administrator.

**Adoption of Minutes**

Commissioner Malloy made a motion to adopt the minutes of the regular meeting held on May 8, 2018 and Commissioner Musharbash 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 May 15, 2018 and Commissioner Musharbash seconded the motion. A unanimous vote of eligible members followed.

**Communications:**

- Municipal Council authorizing and directing the Planning Board to reopen and amend the amended redevelopment plan for property known as Bayonne Bay East at the Peninsula at Bayonne Harbor, also known as Block a portion of Block 830, Lots 1.05, 1.06, 1.07 and a portion of Memorial Boulevard formerly a portion of Block 830, Lot 1. (P-17-012)
- Municipal Council authorizing and directing the Planning Board to conduct a preliminary investigation to determine if property located at 211-217 Broadway in City Block 305, Lot 20 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. (P-18-017)
- Municipal Council authorizing and directing the Planning Board to conduct a preliminary investigation to determine if property located at 87-97 West 23<sup>rd</sup> Street and 63-85 West 23<sup>rd</sup> Street in City Block 194, Lots 1 & 2, constitute non-condemnation areas in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (P-18-018)

**Public Hearing:**

**P-18-015 JAMES A. LYNCH – Site 41 Broadway in City Block 380, Lot 43** *[The applicant is seeking minor site plan approval along with bulk variance relief for parking stall width to construct a carport at the site.]*

Kathleen Lynch, wife of the applicant appeared pro se before the Board and testified that the proposed driveway is 8' 4" wide and is comparable to other driveways currently on the block. Mrs. Lynch requested permission for a curb cut to be able to add a carport next to their residence

**Board questions:**

There were no questions from the Board.

**Audience questions:**

There were no questions from the general public.

Commissioner Malloy made a motion to approve the application and Commissioner Musharbash seconded the motion. A unanimous vote followed.

**Public Hearing:**

**P-18-020 - CENTRE STREET REDEVELOPER, LLC (KRE Fleet Urban Renewal, LLC) – Site: Harbor Station North; Block 600, Lot 1 and Block 630, Lot 1** *[The applicant is seeking amended final site plan approval for phase 1 and final major site plan for phase 2 for the Harbor Station North project. Proposed three four-story residential buildings with a total of 625 apartment units. The proposed amendment is to reduce the footprint of the building redistributing 13 units between phase 1 and 2, increasing the retail space and making a minor reduction in parking.]*

Patrick J. McNamara, Esq., attorney for applicant said that the applicant is proposing to alter the initial site plan. He said that the applicant is proposing to amend the plan by reducing the building footprints, redistributing thirteen (13) units between phases 1 and 2, increasing the retail space and slightly reducing the parking.

**Witness:**

Geoffrey Lanza, P.E., was sworn to provide expert testimony. Mr. Lanza testified that there was very little change to the site. He said there will be no change to the retail development(s). The only change is to the footprint but not the unit mix. There will be six hundred twenty five (625) dwelling units in total. Mr. Lanza further testified that he reviewed the consulting City Engineer and Planner's reports and stated there was no issue complying with same.

**Board Questions:**

Malvika Apte, PP, consulting City Planner questioned Mr. Lanza.

**Audience Questions:**

There were no questions or testimony from members of the general public; and

**Closing Remarks:**

Mr. McNamara respectfully requested the Board approve the application.

There were no closing remarks from the general public.

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

**Public Hearing:**

**P-18-008 PENINSULA LOFTS URBAN RENEWAL, LLC – Site: 197-205 Avenue E in City Block 221, Lots 10, 11 & 12** *[The applicant is seeking preliminary and final major site plan approval and bulk variance relief to construct a multifamily residential building consisting of 125 dwelling units with attached four-story parking structure containing 157 off-street parking spaces.]*

Patrick J. McNamara, Esq., attorney for applicant said that the site in question is the site of the former Villanova Catering Hall. He said that the land has been designated An Area in Need of Redevelopment by the City. Mr. McNamara explained that the applicant proposes to construct an eleven- (11) story multi-family building consisting of one hundred twenty-five (125) dwelling units with an attached four- (4) story parking structure containing two hundred forty-five (245) off-street parking spaces.

**WITNESS:**

Juaquin Bozus, AIA., was sworn as an expert witness to testify. Mr. Bozus testified that he prepared the architectural plan and is familiar with the application and supporting documents. Mr. Bozus offered an aerial photo of the site which was marked into evidence as Exhibit A-12. He testified that the first floor encroachment will require a franchise agreement with the City. He described ten (10) stories of the building being residential floors and further described the roof space as having added amenity space. Mr. Bozus also provided testimony as to the waste

and recycling process for the building. He described the HVAC system as each unit having its own system. He described the proposed parking deck and how it would be mechanically ventilated. He further testified that this multi-family building is located only one block from the 22<sup>nd</sup> Street Light Rail Station.

**Board Questions:**

Commissioner Lawandy questioned Mr. Bozus.

**Audience Questions:**

Residents Jack Woyslawowicz and Karol Czajka questioned Mr. Bozus.

**Witness:**

Jonathan Istranyi, P.E., was sworn to provide expert testimony in support of the application. He said that he reviewed Exhibit A-25, an aerial photograph of the site. He described the area and reviewed the abundance of parking to be provided on site. He then reviewed Exhibit A-26, a colorized rendering of the project. He outlined the unit mix of the multi-family structure and described the building fixtures. He described the attached four (4) story parking structure containing two hundred forty-five (245) off-street parking spaces and how the parking system would work, testifying that residents do not move around in the garage, only valets will move cars. He said that the applicant will provide new sidewalks, curbing and street trees as well as the utilities to be used on Avenue E. He further reviewed the Consulting City Engineer's report and had no objections to same. Mr. Istranyi then reviewed Exhibit A-27, an alternate site plan to alleviate the variance for building setback. He reviewed the signage and advised same will be provide with the final plans but assured it will comply with the City requirements. Istranyi reviewed the Traffic and Parking Assessment Report prepared by

Stonefield Engineering & Design and testified the report was prepared to examine the potential traffic and parking impacts of the proposed residential development.

**Board Questions:**

Chairperson Fiermonte and Commissioner Lawandy questioned Mr. Istranyi as did City Planner Suzanne Mack and consulting City Planner Malvika Apte.

**Audience Questions:**

Residents Mike Rusigno, Karol Czajka and Jack Wojslawowicz questioned Mr. Istranyi.

**Witness:**

John McDonough, P.P., was sworn to provide expert planning testimony. Mr. McDonough testified that the proposed development complies with the major requirements of the Redevelopment Plan such as height, floor area ratio, lot coverage and parking. He addressed both positive and negative criteria as it relates to this project. Mr. McDonough further described the project as being a “Hot Spot” around the 22<sup>nd</sup> Street Light Rail as well as an in-fill site in a blighted area. He testified that this project would not have a substantial detriment to the public good nor impair the Zone Plan and Zoning Ordinance and was an efficient use of land. He further testified the requested variances are justified from a planning perspective and the proposed project implements the Villanova Redevelopment Plan and the City Master Plan recommendations as it supports the character of the neighborhood and the project could not be built without these variances.

**Board questions:**

Consulting City Planner Malvika Apte questioned Mr. McDonough.

**Audience questions:**

There were no questions from the general public.

**Closing remarks:**

Mr. McNamara respectfully requested the Board look favorably upon this application.

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

A short break was taken at 8:57 p.m. and the meeting resumed at 8:09 p.m. Secretary Malloy called the roll.

**Public Hearing:**

**P-18-013 SOUTH COVE COMMON URBAN RENEWAL – Site: 77-219 LeFante Way in City Block 412, Lots 1.01, 2.01, 2.021, 2.022, and 2.03** *[The applicant is seeking approval for a General Development Plan (GDP) for a mixed-use center.]*

Patrick J. McNamara, Esq., attorney for applicant explained the concept for a general development plan. He said that everything seen here tonight is only being presented conceptually and the applicant must return for site plan approval prior to moving forward with the project.

**Witness:**

Stewart Johnson, AIA, an architect with Minno Wasko was sworn to provide expert testimony. Mr. Johnson gave a description of the site and area as it presently exists with a mix of retail sales/services and a river walk. Mr. Johnson described the proposal to enhance the development and create a mixed-use town center along the waterfront consisting of multiple midrise and high rise buildings. Mr. Johnson further testified that the proposed GDP complies with all the regulatory requirements of the Riverwalk at South Cove Redevelopment.

**Board questions:**

There were no questions from the Board.

**Audience questions:**

Resident Mike Rusigno questioned Mr. Johnson.

**Witness:**

Juaquin Bozus, Architect was sworn to provide expert testimony. He described several of the developments sites and outlined the varied architectural elements of those buildings along LeFante Way.

**Board questions:**

There were no questions from the Board.

**Audience questions:**

Resident Mike Rusigno questioned Mr. Bozus.

**Witness:**

Jonathan Istranyi, PE was sworn as an expert witness. He testified as to what was required for a GDP in terms of Municipal Land Use Law.

**Board questions:**

Consulting City Planner Malvika Apte and consulting City Engineer Andy Raichle questioned Mr. Bozus.

**Audience questions:**

Resident Mike Rusigno questioned Mr. Bozus.

**Witness:**

John McDonough, PP was sworn to provide expert testimony. Mr. McDonough said that he reviewed the redevelopment plan for compliance and he testified that the application is for the approval of a general development plan to continue to repurpose and redevelop the property and



the development of a new mixed use town center along the waterfront consisting of a variety of buildings.

**Board questions:**

Consulting City Planner Malvika Apte and City Planner Sue Mack, questioned Mr. McDonough.

**Audience questions:**

There were no questions from the general public.

**Closing remarks:**

Francesco Alessi said that the applicant is moving forward to bring a mixed use town center, shopping, retail restaurants co-working space residential and hotel to the area that will benefit retailers, residents and the community. He asked board to vote favorably and vote in favor of this general development project.

Commissioner Malloy commented that we have been waiting for something like this to come along since 2001.

Chairperson Fiermonte concurred.

Commissioner Malloy made a motion to approve the GDP application. Commissioner Musharbash seconded the motion and a unanimous vote followed.

**Adoption of Resolutions**

- **P-18-001 ZM PROPERTIES, LLC – Site: 31 West 8<sup>th</sup> Street in City Block 283, Lot 13**
  - **Commissioner Fiermonte made a motion to approve the resolution and Commissioner Malloy seconded the motion. A unanimous vote followed.**
- **P-18-002 ANGELO DEL RUSSO and ROBERT M. KAYE (St. Joseph's Property) – Site: 306-322 Avenue E in City Block 440, Lots 3, 4, 5 and 317 Avenue E in City Block 191, Lot 5.02**

- **Commissioner Fiermonte made a motion to approve the resolution and Commissioner Lawandy seconded the motion. A unanimous vote followed.**
- **P-17-041 – 419 BROADWAY, LLC – Site: 419 Broadway in City Block 225, Lot 22**
  - **Commissioner Fiermonte made a motion to approve the resolution and Commissioner Malloy seconded the motion. A unanimous vote followed.**
- **P-17-031 HUDSON PROPERTY HOLDINGS, LLP – Site: 43 West 49<sup>th</sup> Street; 44, 46-48, 50 West 50<sup>th</sup> Street; Block 57, Lots 4, 42, 43 and 44**
  - Commissioner Fiermonte made a motion to approve the resolution and Commissioner Malloy seconded the motion. A unanimous vote followed.

A motion was made to close the meeting at 9:28 p.m.

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

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