



**PLANNING BOARD
CITY OF BAYONNE
MINUTES OF REGULAR MEETING
SEPTEMBER 11, 2018**

A regular meeting of the City of Bayonne Planning Board was held on Tuesday, September 11, 2018 in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Karen Fiermonte, Chairperson called the meeting to order at 6:06 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, Commissioners Malloy, Valado, Perez, Becker, Quintela and Mayoral Designee Sebik. Commissioners Lawandy, Musharbash and Mayor Davis were absent.

Also present were Richard N. Campisano, Esq., Board Counsel, Rob Russo, PE, City Engineer's Office, Malvika Apte, PP, consulting City Planer, Suzanne Mack, PP, City Planner and Lillian Glazewski, Land Use Administrator.

Adoption of Minutes

Commissioner Perez made a motion to adopt the minutes of the regular meeting held on August 14, 2018 and Commissioner Malloy seconded the motion. A unanimous vote of eligible members followed.

New Jersey Future Presentation Focused on:

Moriah “Mo” Kinberg, Community Outreach Manager gave a presentation on the following topics:

- The Combined Sewer Overflow permit and Long-Term Control plan timeline and alternatives that can be considered.
- Green infrastructure techniques for managing stormwater
- Possible ordinance changes to support stormwater management

Public Hearing:

P-18-026 – 8-10 EAST 21st, LLC – Site: 8-10 East 21 Street in City Block 221, Lot 20
[The applicant is seeking preliminary and final major site plan approval and bulk variance relief to convert the first floor commercial space into two residential units.]

Michael T. Halkias, Esq., attorney for applicant, gave a brief summary of the proposed project, offered his exhibits into evidence and called his first witness.

Witness:

Al Sambade, PP was sworn to provide expert testimony in support of this application. Mr. Sambade testified that he was retained by the applicant to prepare the site plan for this application. He said that he read the comments submitted by the City Planner and offered justification for the variances and waivers requested. Mr. Sambade described the trash/recycle area and how it would be handled. He said that the store front façade and sign would be removed. It was Mr. Sambade’s expert opinion that the applicant satisfied the Zone Plan and the granting of the requested variances would not impair the intent and purpose of the Zone Plan and Zoning Ordinance

Board questions:

Chairman Fiermonte said that she would like the front façade rehabilitated to look more fitting for a residential building.

Commissioners Perez, Valado and consulting City Planner Apte questioned Mr. Sambade.

Audience questions:

There were no questions from the general public.

Closing Remarks:

There were no closing remarks from the general public.

Mr. Halkias in closing stated that this application is reasonable in all respects. He said that the applicant has met the criteria for approval and respectfully requested the Board look favorably upon the application.

Motion:

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

Public Hearing:

P-18-025 – MHP 33 PROSPECT AVENUE URBAN RENEWAL, LLC – Site: 27-31 Prospect Avenue in City Block 455, Lots 1, 2 and 3 *[The applicant is seeking preliminary and final major site plan approval to allow the construction of a residential building with 76 units and 77 onsite parking spaces.]*

Michael Miceli, Esq., attorney for applicant moved the exhibits into evidence and called his first witness.

Witness:

Bruce Stieve, AIA was sworn to provide expert testimony. Mr. Stieve stated that he prepared the architectural plans for the site. He prepared and presented a power point

presentation of the proposed building. Mr. Stieve also addressed the comments offered by our City Planner and Engineer as they relate to the architectural aspect of the project.

Board questions:

Chairman Fiermonte, Commissioner Perez and Board professionals Rob Russo, PE and Malvika Apte, PP questioned Mr. Stieve.

Audience questions:

Resident Nick Pollicani questioned Mr. Stieve.

Witness:

Tiago Duarte, PE sworn to provide expert testimony in support of the application. Mr. Duarte described the site from an engineering prospective. He discussed site lighting and addressed the City planner's comments related to lighting, environmental conditions on site, trash collection and parking layout. Mr. Duarte testified that the building was in compliance with zoning requirements. With regard to the on-site environmental conditions, Mr. Duarte testified that it will all be remediated to residential standards if necessary. Mr. Duarte testified that the applicant has met the parking requirement of the Redevelopment Plan and that a waiver from the Residential Site Improvement Standards (RSIS) is being requested. Lastly, Mr. Duarte testified that the applicant will comply with the signage requirements as outlined in the City ordinance.

Board questions:

City Engineer Rob Russo, PE and consulting City Planner Malviak Apte, PP questioned Mr. Duarte.

Closing Remarks:

There were no closing comments from the general public.

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

Board comments:

Commissioners Malloy and Perez complimented the applicant on a nice presentation and opined that this is a beautiful project. Chairperson Fiermonte asked that the door to the den be removed and opened. She also suggested that the applicant work with the neighbors and extend appropriate courtesies to them during construction of the project.

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

A short break was taken at 7:36 p.m. and the meeting resumed at 7:47 p.m. Secretary Malloy called the roll.

Public Hearing:

Presentation of an Amendment to the Redevelopment Plan for property located at 736-742 Avenue E in City Block 393, Lots 3, 4, & 5 known as the Gulf Oil site (formerly Beacon Oil site) [P-17-030]

Presentation by Malvika Apte, PP, consulting City Planner

Board questions:

Chairperson Fiermonte questioned Ms. Apte.

Audience questions:

Michael Miceli, Esq., brought up a question with regard to two setbacks as set forth in the redevelopment plan.

A short break was taken at 7:59 p.m. to allow the Board's professionals to discuss the issue of the setbacks. The meeting resumed 8:01 p.m. and the roll was called.

Ms. Apte testified that it has been decided to amend the side yard setback from 6 ft. to a “0” setback and the 10- foot setback on Avenue E to “0”.

Commissioner Perez then made a motion to forward the Board’s recommendation to adopt the redevelopment plan as amended with the setbacks to the Municipal Council for adoption. Commissioner Sebik seconded the motion and a unanimous vote followed.

ADOPTION OF RESOLUTIONS:

- **P-18-009 - 79-81 EAST 25, LLC – Site: 79-81 East 25th Street; Block 436, Lot 8**
 - Commissioner Perez made a motion to adopt the resolution and Commissioner Valado seconded the motion.
- **P-18-023 - 673-675 AVENUE E, LLC – Site: 673-675 Avenue E in City Block 94, Lot 18**
 - Commissioner Perez made a motion to adopt the resolution and Commissioner Valado seconded the motion.
- **P-18-014 – SOUTH COVE COMMONS URBAN RENEWAL II, LLC and SOUTH COVE COMMONS URBAN RENEWAL III, LLC) – Site: 1 LeFante Way; Block 412, Lots 2.021 & 2.022**
 - Commissioner Perez made a motion to adopt the resolution and Commissioner Valado seconded the motion.
- **P-18-012 PENINSULA VIEW URBAN RENEWAL, LLC – Site: 77-79-87 East 31st Street; Block 411, Lots 2-5, 7, 8 & 11**
 - Commissioner Perez made a motion to adopt the resolution and Commissioner Valado seconded the motion.
- **Resolution Adopting an Amended Redevelopment Plan for 736-742 Avenue E; Block 393, Lots 3, 4, 5 (P-17-030)**
 - Commissioner Perez made a motion to approve the resolution and Commissioner Valado seconded the motion. A unanimous vote followed.
- **Resolution for the Amendment to the 8th Street Rehabilitation Plan for 26 North Street Subarea. (P-10-001)**

- Commissioner Perez made a motion to approve the resolution and Commissioner Valado seconded the motion. A unanimous vote followed.
- P-18-029 Antonio Suarez (Minor Subdivision) – Site: 73-75 West 50th Street in City Block 52, Lot 16
 - Commissioner Perez made a motion to approve the resolution and Commissioner Valado seconded the motion. A unanimous vote followed.

A motion was made to close the meeting at 8:08 p.m.

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

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