



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

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

Chairperson Fiermonte called the meeting to order at 6:25 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, Valado, Perez, Becker, Musharbash and mayoral designee John Sebik. Commissioners Lawandy and Quintela and Mayor Davis were absent.

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

Adoption of Minutes

Commissioner Perez made a motion to adopt the minutes of the regular meeting held on November 13, 2018 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 for property located at 276 Prospect Avenue in Block 407, Lots 1, 2, 3 & 4 and Block 408, Lots 1 & 2 to determine if the property is in need of redevelopment. (P-13-001)
- Municipal Council resolution authorizing and directing the Planning Board to conduct a preliminary investigation for property located at 101-143 East 22nd Street; 102-120 East 22nd

Street; 103-115 East 21st Street in Block 450, Lots 7 & 8; Block 451, Lots 1.01, 2.05 & 2.03; Block 457.01, Lots 6, 7, 7.01, 8.02, 9 & 10 and Block 457.02, Lots 1, 2, 4, 7 & 8 to determine if the property is in need of redevelopment. (P-18-039)

- Municipal Council resolution authorizing and directing the Planning Board to reopen and amend the Boulevard Gateway Redevelopment Plan. (SPR 277)
- Letter from Thomas Leane, Esq., attorney for application P-18-030 Kennedy Boulevard Development LLC – Site 79-87 Kennedy Boulevard and 42-44 Juliette Street in City Block 346, Lots 22, 23, 24 and 25, item X on the Planning Board agenda, requesting an adjournment to the January 8, 2019 regular meeting.
 - Commissioner Valado made a motion to grant the adjournment to January 8, 2019 and Commissioner Perez seconded the motion. A unanimous vote followed.

Board Reorganization:

- Election of officers for 2019 (nominations and acceptances):

The following Commissioners were nominated and accepted the nominations for the office of Chairperson, Vice-Chairperson and Secretary for calendar year 2019.

- 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
- Malvika Apte, consulting City Planner
- Lillian Glazewski, Board Administrator
- Susan Bischoff, C.S.R.

- **Adoption of 2019 Calendar:**

The Commissioners voted unanimously to adopt the following regular meeting dates for calendar year 2019:

January 8, 2019
February 12, 2019
March 12, 2019
April 9, 2019
May 14, 2019
June 11, 2019
July 9, 2019
August 13, 2019
September 10, 2019
October 8, 2019
November 12, 2019
December 10, 2019

Public Hearing:

Presentation of Amendment to Peninsula at Bayonne Harbor Maritime District.

The presentation of the amendment was made by Andrew Raichle, PE, consulting Engineer for the Peninsula at Bayonne Harbor.

Audience questions of Mr. Raichle:

Resident Mike Rusigno questioned Mr. Raichle.

Commissioner Perez made a motion to forward the Board's recommendation to adopt the amendment to the Municipal Council and Commissioner Malloy seconded the motion. A unanimous vote followed.

Public Hearing:

P-18-035 – 536 BROADWAY PARTNERSHIP, LLC (Amended Application) – Site: 536 Broadway in City Block 190, Lot 9 *[The applicant is seeking to amend a previous approval for a mixed use commercial/residential structure to allow for off-street parking and curb cut extension.]*

John Zucker, Esq., attorney for applicant, in his opening statement described the property as being located within the Scattered Site Redevelopment Plan area and is presently vacant. He said that his client is seeking a variance for off-street parking and curb cut extension to permit the addition of off-street parking to a previously approved mixed-use, commercial and residential structure at the site.

Mr. Zucker entered his exhibits into evidence and called his first witness.

Witness:

Al Sambade, PP, PE, AIA, was sworn to provide expert testimony in support of the application.

Mr. Sambade testified that this application is a modification to a previously approved plan to change the ground floor commercial area to office/retail with three (3) off-street parking spaces. He discussed the stormwater system and testified that it brings the project closer to compliance with the Scattered Sites Redevelopment Plan. He said that the Scattered Site Redevelopment Plan for this project's commercial uses are exempt from the City parking requirement because the site is within a 25-foot radius of a nearby public parking lot. In addition, the plan states that on-site parking for residential uses shall be provided to the extent practical and off-site parking within 250 feet may be utilized to meet the parking requirements. Mr. Sambade said the requested relief is justified from a planning perspective and the proposed project implements the Master Plan and Redevelopment Plan. He said that it will not alter the character of the neighborhood nor is it detrimental to the public health, welfare and safety. Mr. Sambade stated further that the applicant has satisfied the Zone Plan and the variances can be granted without impairment to the Zone Plan and Zoning Ordinance.

Board questions:

There were no questions from the Board.

Audience questions:

There were no questions from the general public.

Closing remarks:

John Zucker, Esq., said that he relied on the expert testimony given by Mr. Sambade and he respectfully requested the Board approve the application.

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

Public Hearing:

P-18-031 – 43-45 WEST 32ND, LLC – Site: 43-45 West 32nd Street in City Block 145, Lot 1
[The applicant is seeking preliminary and final major site plan approval to allow the construction of a five-story residential building containing 24 residential units and 24 parking spaces.]

William J. Finnerty, Esq., attorney for applicant, requested an adjournment to the Board's next regular meeting in January.

Commissioner Valado made a motion to grant the adjournment of this application to January 8, 2019. Commissioner Malloy seconded the motion and a unanimous vote followed.

Public Hearing:

Amendment to 8th Street Rehabilitation Plan for Bayview Shopping Center 211-219 West 5th Street, in City Block 301.01 Lots 1 & 6.

Presentation by Suzanne Mack, PP, City Planner.

Board questions:

There were no questions from the Board.

Audience questions:

Van Ripps, and Louis Ripps, principals of Palmer Asphalt Company questioned Ms. Mack.

Commissioner Perez made a motion to forward the Board's recommendation to the Municipal Council and Commissioner Sebik seconded the motion. A unanimous vote followed.

Adoption of Resolutions

- **P-18-033 – 425-429 AVENUE C BAYONNE REALTY URBAN RENEWAL, LLC – Site: 425-427 Avenue C in City Block 230, Lots 22 & 22.01**
 - Commissioner Perez made a motion to approve the resolution and Commissioner Fiermonte seconded the motion. A unanimous vote of eligible members followed.
- **P-18-036 LEG-BP BAYONNE OWNER, LLC – Site: Maritime District at the Peninsula at Bayonne Harbor; Block 1180, Lots 1, 2; Block 900, Lot 1; Block 1000, Lot 1**
 - Commissioner Perez made a motion to approve the resolution and Commissioner Fiermonte seconded the motion. A unanimous vote of eligible members followed.
- **Resolution for amendments to the 8th Street Rehabilitation Plan for property located at 12 West 9th Street in City Block 283, Lot 6. (P-10-001 subfolder)**
 - Commissioner Valado made a motion to approve the resolution and Commissioner Perez seconded the motion. A unanimous vote followed.
- **Resolution for amendments to the 8th Street Rehabilitation Plan Site #7 281-295 Broadway in City Block 264, Lots 13-23. (P-10-001 subfolder)**
 - Commissioner Perez made a motion to approve the resolution and Commissioner Fiermonte seconded the motion. A unanimous vote followed.
- **Resolution for amendments to the 8th Street Rehabilitation Plan for 16 North Street Subarea Site #1 in City Block 297, Lot 3. (P-10-001 subfolder)**
 - Commissioner Perez made a motion to approve the resolution and Commissioner Fiermonte seconded the motion. A unanimous vote followed.
- **Resolution for the amendments to the 8th Street Rehabilitation Plan for 211-217 Broadway in City Block 305, Lot 20. (P-18-017)**
 - Commissioner Perez made a motion to approve the resolution and Commissioner Fiermonte seconded the motion. A unanimous vote followed.
- **Resolution adopting a second revision to the Amended Redevelopment Plan for the Riverwalk at South Cove in City Block 412, Lots 1.01, 2.01, 2.021 and 2.03. (P-16-031)**
 - Commissioner Perez made a motion to approve the resolution and Commissioner Fiermonte seconded the motion. A unanimous vote followed.
- **Resolution for amendments to the 8th Street Rehabilitation Plan Site 2 Bayview Shopping Center and Bergen Point Brass Foundry located at 219 West 5th Street in City Block 301.01, Lot 1. (P-10-001 subfolder)**
 - Commissioner Perez 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 7:17 p.m.

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

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