PLANNING BOARD
CITY OF BAYONNE
MINUTES OF REGULAR MEETING
JANUARY 8, 2019

A regular meeting of the City of Bayonne Planning Board was held on Tuesday, January 8, 2019 in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Chairperson Fiermonte called the meeting to order at 6:05 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, Becker, Quintela, Lawandy, Musharbash and mayoral designee John Sebik. Commissioner and Perez and Mayor Davis were absent.

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

Adoption of Minutes

Commissioner Malloy made a motion to adopt the minutes of the regular meeting held on December 11, 2018 and Commissioner Sebik seconded the motion. A unanimous vote of eligible members followed.

Communications:

- Letter received from Thomas Leane, Esq., attorney for Application P-18-030 Kennedy Boulevard Development LLC requesting an adjournment to the February 2019 Planning Board meeting.

- Chairperson Fiermonte made a motion to grant the adjournment to the next regular meeting of the Planning Board scheduled for February 12, 2019 and Commissioner Sebik seconded the motion. A unanimous vote followed.

- Letter from Paul Weeks, Esq., attorney for application P-17-016 MYK Builders, LLC (remand back to the Board) to our February 12, 2019 regular meeting.

  - Chairperson Fiermonte made the motion and Commissioner Sebik seconded the motion. A unanimous vote followed.

Public Hearing:

P-18-031 – 43-45 West 12th Street, 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 Finnerty, Esq., attorney for the applicant open. Offered exhibits into evidence and called his first witness. No variances required for this application.

Witness:

Arthur Kheyman, the founder and managing partner of applicant was called and sworn to provide factual testimony. Mr. Kheyman said that he has experience with development and is also involved with other projects in Bayonne. He said that he has met with, and is willing to work with the neighbors to alleviate any concern that may exist. Mr. Kheyman also stated that this application meets all of the requirements of the redevelopment plan. The applicant would like to begin construction in the summer.

Board questions:

There were no questions from the Board

Audience questions:

Resident Mike Rusigno and Barbara Weber questioned Mr. Kheyman.

<u>Witness</u>:

Paul Anderson, PE was called and sworn to provide expert testimony in support of this application. Mr. Anderson testified that he prepared the site plan for the site and he described the proposed project. He said that the parking provided in the site plan coincides with the redevelopment plan for the number of parking spaces that are required. Mr. Anderson discussed the water and sewer services. A Landscape Plane was entered as Exhibit A-24 by Mr. Anderson. He testified further that he reviewed the City Engineer's report and addressed how the developer will comply with the Zoning items in the report. Mr. Anderson provided further testimony addressing comments item by item in the professional reports and advised that the applicant will comply with the consulting City Planner's comments.

<u>Board questions</u>:

There were no questions from the Board.

<u>Audience questions</u>:

There were no questions from the audience.

<u>Witness</u>:

Daniel Vitenson, AIA, was sworn to provide expert testimony in support of this application. Mr. Vitenson testified that he prepared the architectural plan for this project. He described the project, proposed building materials and aesthetics of the proposed building. Mr. Vitenson further testified as to the unit mix, number of parking spaces provided, enclosure of parking garage, proposed signage, fencing trash compactor and disposal. He described the lobby/concierge area. He also described the second and third floors as the same size consisting of eight (8) one-bedroom units and six 6) two-bedroom units. He described the fourth and fifth floors having a two-foot extension for balconies.

Board questions:

There were no questions from the Board

Audience questions:

There were no questions from the general public.

Witness:

John McDonough, PP was sworn to provide expert planning testimony. Mr. McDonough testified that the project complies with the Redevelopment Plan and does not require any variances. He described the site and surrounding area. He testified that the proposed project adds value and aesthetics to the neighborhood. Mr. McDonough said that he reviewed the planning criteria and how the proposed project not only improves the neighborhood but enhances the Master Plan. He testified that the project would strengthen the Broadway Corridor and mass transit as well as economic development and growth. Mr. McDonough testified that the project would not have a substantial detriment to the public good nor impair the Zone Plan and Zoning Ordinance. He said it is an efficient use of land that is currently stagnant and vacant. Mr. McDonough added further that this project will pull in the resident population that will contribute to local businesses.

Board questions:

There were no questions from the Board.

Audience questions:

Resident Rich McCusker questioned Mr. McDonough.

Audience Comments:

Resident Lucia Rowley commented favorably to this project.

William Finnerty, Esq., in closing reiterated that the proposed development meets all of the requirements of redevelopment plan and the applicant has worked with the neighbors on Avenue C to address their concerns. He respectfully requested the Board approve this application.

Board Comments:

Chairperson Fiermonte said that the application was well presented. She suggested that tenants of the building should not be allowed to obtain parking passes for street parking.

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

A short break was taken at 7:07 p.m. and the meeting resumed at 7:14 p.m. The roll was called.

Public Hearing:

Presentation of Amendment to the Forum Redevelopment Plan for Block 183, Lots 1 and 2.01;

The presentation of the amendment to the Redevelopment Plan was given by consulting City Planner Malvika Apte, PP.

Board question:

There were no questions from the Board.

Audience questions:

There were no questions from the general public.

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

Public Hearing:

Presentation of Preliminary Investigation for Block 407, Lot 1 (Prospect Avenue); Block 407, Lot 2 (East 32nd Street & Prospect Avenue); Block 407, L0t 3 (NY Bay & Prospect Avenue); Block 408, Lot 1 (276 Prospect Avenue) and Block 408, Lot 2 (Prospect Avenue & Route 440)

The presentation of the Preliminary Investigation dated December 19, 2018 was given by Malvika Apte, PP, consulting City Planner.

Board questions:

There were no questions from the Board.

Audience questions:

There were no questions from the general public.

Commissioner Valado made a motion to forward the Board's recommendation with regard to the Preliminary Investigation to the Municipal Council. Commissioner Musharbash seconded the motion and a unanimous vote followed.

Adoption of Resolutions

- **P-18-035 – 536 BROADWAY PARTNERSHIP, LLC – Site: 536 Broadway in City Block 190, Lot 9**
  - Commissioner Valado made a motion to approve the resolution and Commissioner Sebik seconded the motion. A unanimous vote of eligible members followed.
- **P-17-029 Resolution on amendment to the Forum Redevelopment Plan**
  - Commissioner Valado made a motion to approve the resolution and Commissioner Fiermonte seconded the motion. A unanimous vote of eligible members followed.
- **P-13-001 Resolution for Investigation for Block 407, Lot 1 (Prospect Avenue; Block 407, Lot 2 (East 32nd Street & Prospect Avenue); Block 407, Lot 3 (NY Bay & Prospect Avenue; Block 408, Lot 1 (276 Prospect Avenue and Block 408, Lot 2 (Prospect Avenue)**
  - Commissioner Valado made a motion to approve the resolution and Commissioner Fiermonte seconded the motion. A unanimous vote followed.

A motion was made to close the meeting at 7:30 p.m.

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

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