



**PLANNING BOARD
CITY OF BAYONNE
MINUTES OF REGULAR MEETING
APRIL 9, 2019**

A regular meeting of the City of Bayonne Planning Board was held on Tuesday, April 9, 2019 in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Chairperson Fiermonte called the meeting to order at 6:17 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, Perez, Patel and Musharbash. Mayor Davis was absent.

Also present were Richard N. Campisano, Esq., Board Counsel, Robert Russo, PE, City Engineer's Office and Malvika Apte, PP consulting City Planner.

Adoption of Minutes

Commissioner Perez made a motion to adopt the minutes of the regular meeting held on March 12, 2019 and Commissioner Valado seconded the motion. A unanimous vote of eligible members followed.

Commissioner Perez made a motion to adopt the minutes of the special meeting held on March 25, 2019 and Commissioner Valado seconded the motion. A unanimous vote of eligible members followed.

Communications:

- Municipal Council resolution authorizing and directing the Planning Board to conduct an investigation of property located at 1209-1211 Kennedy Boulevard in Block 24, Lots 2 & 3 to determine if said property constitutes a non-condemnation area in need of redevelopment. (*P-19-019*)
- Municipal Council resolution authorizing and directing the Planning Board to prepare a Redevelopment Plan for property located at 333-340 East 10th Street, 13-15 Avenue E & 9 Avenue E in Block 278, Lots 2, 3, 4 pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12a-1 et seq. (Bayonne Pool site) (*P-19-001*)
- Letter from Michael Miceli, Esq., attorney for application **P-18-040 EOM 554 BROADWAY URBAN RENEWAL, LLC – Site: 554-556 Broadway; 11 East 25th Street and 17-31 East 26th Street in City Block 184, Lots 5, 10 and Block 179, Lots 4, 5 & 6** requesting the matter be adjourned to the regular meeting on May 14, 2019.
 - Commissioner Perez made a motion to grant the adjournment to May 14, 2019 without further notice and Commissioner Valado seconded the motion. A unanimous vote followed.
- **P-18-034 – 153 AVENUE C PARTNERS, LLC – Site 153-157 Avenue C in City Block 317, Lots 9 & 10** [*The applicant is seeking minor subdivision and preliminary and final major site plan approval with bulk variance relief to allow the construction of three new two-family homes on the subdivided lots.*]
 - Commissioner Perez made a motion to grant the adjournment to June 11, 2019 without further notice and Commissioner Valado seconded the motion. A unanimous vote followed.

Public Hearing:

P-19-018 AVENUE A DEVELOPMENT LLC (AMENDED APPLICATION) – Site: 99-105 Avenue A & 99-105 Avenue A rear; Block 333.03, Lots 1, 2, 3 & 4 – [*The applicant is seeking an amendment to application P-17-018 filed by PSIP Avenue A, LLC for the former Best Foods property located at 99-105 Avenue A in Block 333.03, Lots 1, 2, 3, 4 to add a new access driveway to the property, change the location and size of the new warehouse/industrial building, add truck and car parking and rearrange the truck and car parking.*]

Meryl A.G. Gonchar, Esq., attorney for applicant gave a brief description of the application before the Board. Ms. Gonchar entered her exhibits into evidence and called her first witness.

Witness:

William B. Edwards, PE, of Edwards Engineering Group, Inc. was sworn to provide expert testimony in support of the application. He described the site plan that was prepared by his office and offered a color rendering of the site plan which was entered into evidence as Exhibit A-19. Mr. Edwards discussed the existing conditions, the size of the building, landscaping, parking, the cross access easement, bicycle parking, dumpster enclosure location, emergency access, fencing, truck access and signage. He testified that the existing warehouse on Lot 1 has been rehabilitated and site improvements have been substantially completed. Mr. Edwards testified that the applicant is proposing a reduction to the square footage of the proposed warehouse. Mr. Edwards further testified that that the amended site plan continues to comply with all setbacks and other bulk standards of the Plan. He testified that all outside agency approvals have been obtained or were being finalized and that any amendments to those permits and approvals that would be required to reflect the requested plan revisions would be sought.

Board questions:

City Engineer, Rob Russo and consulting City Planner Malvika Apte questioned Mr. Edwards.

Audience questions:

Van Ripps, principal of Palmer Asphalt Company an adjacent neighbor and residents Antonio Nardini and Michael Morris also questioned Mr. Edwards.

Witness:

Rick Pratt, AIA, of Pratt Design Studio, LLC was sworn to provide expert testimony in support of the application. Mr. Pratt described what the new buildings would look like and marked exhibit A-21 a color rendering of the north side of the building. Mr. Pratt also discussed the materials and colors to be used in the construction of the buildings.

Board questions:

There were no questions from the Board.

Audience questions:

Residents Van Ripps, Mike Morris and Patty Graham questioned Mr. Pratt.

Witness:

Alan W. Lothian, PE, Senior Project Manager and traffic engineer with Langan Engineering was sworn to provide expert testimony. Mr. Lothian discussed the impact from the proposed driveway and how it would affect circulation in the area. In conclusion, Mr. Lothian opined that it his expert opinion that the proposed changes would not have a significant impact with regard to traffic.

Board questions:

There were no questions from the Board.

Audience questions:

Residents Mike Morris and Van Ripps questioned Mr. Lothian.

Closing Remarks

Residents Antonio Nardini, Van Ripps and Mike Morris offered closing remarks.

Meryl A.G. Gonchar, Esq., reminded the Board that this is an amendment to the application that was previously approved by this Board. She said that the applicant is in full compliance with the Redevelopment Plan and the proposed amendment will be an improvement to the project. Ms. Gonchar respectfully requested the board act favorably on this application.

Chairperson Fiermonte said that this is a nice project and that will improve an underutilized site. She said that further investigation should be made to have a traffic light placed in that area.

All commissioners concurred with Chairperson Fiermonte.

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

A short break was taken at 8:00 p.m. and the meeting resumed at 8:15 p.m. The roll was called.

Public Hearing:

P-19-005 – 345-347 AVENUE A URBAN RENEWAL, LLC – Site: 343-347 Avenue A in City Block 254, Lots 22 & 23 *[The applicant is seeking preliminary and final major site plan approval to allow the construction of a five-story multifamily residential building containing 31 residential units and 36 parking spaces.]*

Michael Miceli, Esq., attorney for applicant, said that this is a contaminated site that is undergoing revitalization. Mr. Miceli offered his exhibits into evidence and called his first witness.

Witness:

Al Sambade, AIA, PP, PE was sworn in to provide expert testimony in support of this application. He discussed the cleanup of the contamination on the site and talked about the surrounding area. Mr. Sambade described the site plan he prepared floor by floor. He described the building materials and aesthetics of the proposed building as well as proposed signage. Mr. Sambade also testified that he reviewed the reports submitted by the City's agencies and Board professionals. He addressed item by item the suggestions in City Engineer Robert Russo's report and consulting City Planner Malvika Apte's report. He addressed signage and stated that signage will be in conformance with the Redevelopment Plan. Mr. Sambade stated that no parking permits will be issued to residents living in the building, so as to ensure that they utilize the parking spaces in the garage. Security cameras will be placed in the parking garage for safety as well as lighting. He also said that the applicant agrees to widen a portion of Washington Parkway to allow widening of the sidewalk area and a wider passageway for vehicle. He testified that sufficient lighting and cameras will be provided in

the parking garage for security. Mr. Sambade said that the proposed application is fully compliant with the Redevelopment Plan.

Board questions:

Commissioner Perez and consulting City Planner Apte questioned Mr. Sambade.

Audience questions:

Residents Peter Franco, Patty Graham, Dina Loky, Caroline McCarthy, Mike Morris, Petrice O'Halloran and Bernadette Dugan questioned Mr. Sambade.

Audience Comments:

Residents Dina Loky, Peter Franco, Maureen O'Halloran, Sharon Plaskin, Petrine O'Halloran, Patty Graham and Melanie Flora commented in opposition to the application.

Resident Alex Sabatini spoke in support of the application.

Michael Miceli, Esq. commented that the proposed building will be an improvement to what previously existed on the site. He said the property was in a state of disrepair.

Commissioner Perez commented favorably to the residents of this building not being able to obtain parking permits.

Commissioner Becker said that this is a beautiful project and it is better than what was previously there.

Commissioners Patel, Valado, Quintela and Chairperson Fiermonte concurred.

Commissioner Perez made a motion to approve the project subject to any and all conditions agreed to across the record. Commissioner Patel seconded the motion. The vote was five aye votes with Commissioner Valado voting against the application.

Adoption of Resolutions

- **P-18-038 SHEHATA BESHAI – Site: 190 West 24th Street in City Block 192, Lot 36**
 - Commissioner Fiermonte made a motion to approve the resolution and Commissioner Perez seconded the motion. A unanimous vote of eligible members followed.
- **P-17-016 MYK BUILDERS, LLC – Site: 123-125 West 12th Street in City Block 262, Lot 3**
 - Commissioner Perez made a motion to approve the resolution and Commissioner Fiermonte seconded the motion. A unanimous vote of eligible members followed.
- **P-19-009 – 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; Block 680, Lot 1; Block 800, Lot 1; Block 802, Lot 1; Block 830, Lot 1.05; Block 930, Lot 1; Block 935, Lot 1 (For Preliminary Approval Only)**
 - Commissioner Perez made a motion to approve the resolution and Commissioner Fiermonte seconded the motion. A unanimous vote of eligible members followed.
- **P-18-030 KENNEDY BOULEVARD DEVELOPMENT, LLC – Site: 79-83 Kennedy Boulevard; 42 Juliette Street and 44 Juliette Street in City Block 346, Lots 22, 23, 24, 25**
 - Commissioner Perez made a motion to approve the resolution and Commissioner Fiermonte seconded the motion. A unanimous vote of eligible members followed.

A motion was made to close the meeting at 10:33 p.m.

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

07075 took a transcript of the meeting.

/lg