



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

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

Chairperson Fiermonte called the meeting to order at 6:08 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.

Board attorney Campisano called the roll. Present at the meeting were Chairperson Fiermonte and Commissioners Becker, Perez, Valado, Patel and mayoral designee Sebik. Mayor Davis and Commissioners Malloy, Musharbash and Quintela were 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 special meeting held on June 11, 2019 and Commissioner Sebik seconded the motion. A unanimous vote of eligible members followed.

Commissioner Perez made a motion to adopt the minutes of the regular meeting held on May 14, 2019 and Commissioner Malloy seconded the motion. A unanimous vote of eligible members followed.

Communications:

- Letter from Michael Miceli, Esq., dated June 27, 2019 requesting that the vote on application P-18-040 – EOM554 Broadway Urban Renewal, LLC be carried to the Planning Board's regular scheduled for August 13, 2019.
 - Commissioner Perez made a motion to grant the adjournment to the regular meeting scheduled for August 13, 2019 without further notice required by the applicant. Commissioner Sebik seconded the motion and a unanimous vote followed.
- Municipal Council Resolution authorizing and directing the Planning Board to reopen and amend the redevelopment plan for property located at 554-556 Broadway and 11 East 25th Street in City Block 184, Lots 10 and 526, 27, 28, 29 and 30 pursuant to the LRHL N.J.S.A. 40A:-12A-1 et seq. (Da Noi) (P-19-023)

Public Hearing:

P-19-017 ROBERT & ALBERT DWECK, INC. – Site: 472 Broadway in City Block 211, Lot 11 *[The applicant is seeking preliminary and final major site plan approval and bulk variance relief to construct a two-bedroom apartment on the second floor of the existing building.]*

Stephen S. Rose, Esq., attorney for the applicant, gave an opening statement. Mr. Rose gave a brief history of the site and proposed plan.

Witness:

Joseph Dweck, applicant, owner, principal and general manager of applicant was sworn to provide factual testimony. Mr. Dweck testified that he is the owner of the property and if the application is approved he will comply with the Fair Share Housing requirements.

Board questions:

There were no questions from the Board.

Audience questions:

There were no questions from the general public.

Witness:

Alan Feld, Architect was called and sworn as an expert witness to testify in support of this application. Mr. Feld testified that the proposed two-bedroom apartment will contain 1,196 square feet and will have two (2) bathrooms. He said that the windows for the entire building will be updated. Mr. Feld discussed and provided testimony in justification of the parking variance which he said is a preexisting condition that is mitigated by mass transit near the site. Mr. Feld further testified that approval of this application will not be a substantial detriment to the public welfare and will not substantially impair the intent and purpose of the Master Plan and Zoning Ordinance. Mr. Feld also testified that he reviewed the consulting City Planner's comments in her report dated July 3, 2019. He said that all work is interior to the building.

Board questions:

Consulting City Planner Malvika Apte, PP questioned Mr. Feld.

Audience questions:

There were no questions from the general public.

Closing remarks:

Mr. Rose respectfully requested the Board approve the application.

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

Public Hearing:

P-19-016 TFG 115-117 W 2ND STREET URBAN RENEWAL, LLC – Site: 115-117 West 2nd Street in City Block 365, Lot 9 *The applicant is seeking preliminary and final major site plan approval and bulk variance relief to construct a four-story multifamily residential building with twelve residential units and 14 parking spaces.] Former Site of Chris's Corner*

Glen Kienz, Esq., attorney for applicant, said that the application is in full compliance except for a setback in the rear of the property. Mr. Kienz offered his exhibits into evidence and called his first witness.

Witness:

Adrian Melia, Architect, was sworn and qualified as an expert witness. Mr. Melia added additional exhibits marked as A-23, 24, 25, 26 into evidence. Mr. Melia testified as to the existing conditions, proposed improvements and site plan layout, roof deck and recreational space, street elevation of Humphrey Avenue and material to be used to compliment the neighborhood. He discussed the proposed lighting on the outside of the building on West 2nd Street. He said there is no signage proposed on the building, only the street number to be placed on the building. Mr. Melia said that security cameras will be installed. He said that a private trash firm will deal with the trash and recycling. He also talked about the detention system.

Board questions:

Chairperson Fiermonte and Commissioners Perez and Sebik questioned Mr. Melia. Consulting City Planner Apte also questioned Mr. Melia.

Audience questions:

Residents Ray Locinak, Robert Arnone, Theresa Caputo, Gregory Frusci and Anne Locinak questioned Mr. Melia.

A short break was taken at 7:39 p.m. and the meeting resumed at 7:54 p.m. The roll was called.

Witness:

John McDonough, PP was sworn to provide expert planning testimony in support of the application. Mr. McDonough testified that the application complies with all the use and bulk requirements of the Redevelopment Plan, including height. The only variance requested is for a 5- foot

setback where 15 feet is required. Mr. McDonough concluded that this is a good application that warrants approval.

Board questions:

There were no questions from the Board.

Audience questions:

Residents Gregory Frusci and Ray Locinak questioned Mr. McDonough.

Closing remarks:

Residents Gregory Frusci, Ray Locinak and Theresa Caputo commented in opposition to the application.

Glen Kienz, Esq. respectfully requested the Board look favorably on this application.

Board comments:

Commissioner Perez said that this is a beautiful building that will increase the value of the surrounding properties.

All remaining Commissioners felt this to be a nice addition to the neighborhood and a good design that will fit into and enhance the neighborhood.

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

Public Hearing:

Presentation of Redevelopment Plan for 9 Avenue E, 13-15 Avenue E and 22 East 19th Street in City Block 278, Lots 2, 3 & 4 respectively. (*P-19-001*)

Presentation by Malvika Apte, PP, consulting City Planner

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

Public Hearing:

Presentation of Preliminary Investigation as a Non-condemnation area in need of redevelopment pursuant to N.J.S.A. 40A:12A-1 for property located at 175 Avenue A and 159 to 161 Avenue A in City Block 300.01, Lots 2 and 3 and Block 301.03, Lots 2 and 3 (*P-19-002*)

Presentation by Suzanne Mack, PP, City Planner

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

Adoption of Resolutions

- **P-18-034 – 153 AVENUE C PARTNERS, LLC – Site 153-157 Avenue C in City Block 317, Lots 9 & 10 (Denial)**
 - Commissioner Valado made a motion to approve the resolution and Commissioner Perez seconded the motion. A unanimous vote of eligible members followed.
- **P-19-004 ANNETTE SKURSKY, ESECUTRIX OF THE ESTATE OF CATHERINE MARGIOTTA – Site 60, 62-64 Broadway in City Block 370, Lots 47 & 48**
 - Commissioner Perez made a motion to approve the resolution and Commissioner Sebik seconded the motion. A unanimous vote of eligible members followed.
- **Resolution - Redevelopment Plan for 9 Avenue E, 13-15 Avenue E and 22 East 19th Street in City Block 278, Lots 2, 3 & 4**
 - Commissioner Perez made a motion to approve the resolution and Commissioner Sebik seconded the motion. A unanimous vote of eligible members followed.
- **Resolution - Preliminary Investigation as a Non-condemnation area in need of redevelopment pursuant to N.J.S.A. 40A:12A-1 for property located at 175 Avenue a and 159 to 161 Avenue A in City Block 300.01, Lots 2 and 3 and Block 301.03, Lots 2 and 3**
 - Commissioner Perez made a motion to approve the resolution and Commissioner Sebik seconded the motion. A unanimous vote of eligible members followed.

A motion was made to close the meeting at 9:25 p.m.

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