



**PLANNING BOARD
CITY OF BAYONNE
MINUTES OF REGULAR MEETING
NOVEMBER 12, 2019**

A regular meeting of the City of Bayonne Planning Board was held on Tuesday, November 12, 2019 in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Chairperson Fiermonte called the meeting to order at 6:15 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.

Secretary Malloy called the roll. Present at the meeting were Chairperson Fiermonte and Commissioners Valado Becker, Perez, Malloy, Patel, Mathews and mayoral designee Sebik. Mayor Davis and Commissioner Quintela were absent.

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

Adoption of Minutes

Commissioner Malloy made a motion to adopt the minutes of the regular meeting held on October 8, 2019 and Commissioner Perez seconded the motion. A unanimous vote of eligible members followed.

Communications:

- Letter from Andrew Raichle, PE, Matrix New World Engineering, Inc., regarding “interim/temporary use request determination, proposed truck chassis maintenance yard at portions of Harbor Station South and Harbor Station North in City Block 660, Lot 1; Block 751, Lots 1.07, 1.09, 1.10, 1.11, 1.14, 1.15 & 1.16 and a portion of mapped rights-of-way.”
- Municipal Council Resolution authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether property located at 108; 104-106; 94-102 East 21st Street in Block 457.01, Lots 2,3,4,&5 constitute a non-condemnation area in need of redevelopment pursuant to the LRHL N.J.S.A. 40A:12A-1 et seq. [Sampson Tank] (*P-19-036*)
- Municipal Council Resolution authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether property located at 196-200 Avenue E in City Block 458, Lots 7, 8, 9 constitutes a non-condemnation area in need of redevelopment pursuant to the LRHL N.J.S.A. 40A:12A-1 et seq. (*P-19-037*)
- Request from Noah Friedman, principal, P-14-010 EOM 554 Broadway Urban Renewal, LLC (formerly, MCP Associates, LP) for a one-year extension to begin the conversion of the second floor offices of the existing building located in Block 184, Lot 5 into eight residential units.
 - Commissioner Perez made a motion to grant the one-year extension through November 12, 2020 and Commissioner Malloy seconded the motion. A unanimous vote followed.
- Letter from Leonard P. Kiczek, Esq., requesting a six-month extension to begin construction of a three-story residential building with six residential units on property located at 309 Broadway in City Block 257, Lot 12.
 - Commissioner Fiermonte made a motion to grant the six-month extension through May 12, 2020 and Commissioner Perez seconded the motion. A unanimous vote followed.
- E-mail received from John Zucker, Esq., attorney for P-19-020 JOHN MARYAN, LLC – Site 42-46 West 36th Street in City Block 126, Lot 37 [*The applicant is seeking minor subdivision approval to subdivide the lot into three non-conforming lots and preliminary and final major site plan approval to construct three new two-family homes on the newly subdivided lots.*]
 - Commissioner Perez made a motion to adjourn this application to the December 10, 2019 regular meeting. Commissioner Sebik seconded the motion and a unanimous vote followed.

Public Hearing (Court Ordered Remand):

P-19-034 SUN MEN YAU – Site: 448 Avenue E in City Block 409, Lot 12 *[By remand ordered by the Superior Court dated May 29, 2018, the applicant is returning to the Board seeking preliminary and final major site plan approval bulk variance relief to allow the construction of a four-family home.]*

Paul Weeks, Esq., attorney for applicant moved exhibits into evidence and gave a brief review of the history of the application, hearing and decision.

Witness:

Stephen Kawalek, PP, PE was sworn to provide expert testimony in support of the application. Mr. Kawalek testified that he is familiar with this application and he prepared the site plan for same. He described the nature of the application, location of the property, proposed façade of the structure and provided testimony in justification of the variances being requested.

Board questions:

Malvika Apte, PP, consulting City Planner questioned Mr. Kawalek.

Audience:

There were no questions from the general public.

Closing remarks:

Paul Weeks, Esq., said that he relied on his expert's testimony and respectfully requested the Board approve the application.

Commissioner Perez made the motion to approve the application subject to any and all conditions spread across the record and Commissioner Malloy seconded the motion. All Commissioners, *except for Commissioner Mathews*, voted to approve the application.

A short break was taken at 6:36 p.m. and the meeting resumed at 6:40 p.m. The roll was called.

Public Hearing:

Presentation of preliminary investigation of property located at 219 West 5th Street (Nacirema) in City Block 301.01, Lot 1 on the official Tax Map of the City of Bayonne. *(P-19-040)*

Presentation by Suzanne Mack, PP, City Planner

Audience:

Van Ripps, principal and president of Palmer Asphalt questioned Ms. Mack. He said that he feels this preliminary investigation does not meet the standards for redevelopment.

John McDonough, PP was sworn to provide responses regarding the questions being posed by Mr. Ripps as to the preliminary investigation.

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

Public Hearing:

Presentation of preliminary investigation of property located at 108; 104-106; 94-102 East 21st Street in Block 457.01, Lots 2,3,4,&5 on the official Tax Map of the City of Bayonne pursuant to N.J.S.A. 40A:12A-1 et seq. of the Local Redevelopment and Housing Law. *(P-19-036)*

Presentation by Suzanne Mack, PP, City Planner

Board questions/comments:

There were no questions or comments from the Board.

Audience questions/comments:

There were no questions or comments from the general public.

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

Public Hearing:

Presentation of preliminary investigation of property located at Block 457.01, Lots 6, 7, 7.01, 8, 8.01, 9 & 10 and Block 457.02, Lots 1, 2, 7 & 8 on the official Tax Map of the City of Bayonne pursuant to N.J.S.A. 40A:12A-1 et seq. of the Local Redevelopment and Housing Law. *(P-19-041)*

Presentation by Suzanne Mack, PP, City Planner

Board questions/comments:

There were no questions or comments from the Board.

Audience questions/comments:

There were no questions or comments from the general public.

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

Public Hearing:

Presentation of preliminary investigation of property located at 196-200 Avenue E in City Block 458, Lots 7, 8, 9 on the official Tax Map of the City of Bayonne pursuant to N.J.S.A. 40A:12A-1 et seq. of the Local Redevelopment and Housing Law. *(P-19-037)*

Presentation by Suzanne Mack, PP, City Planner

Board questions/comments:

There were no questions or comments from the Board.

Audience questions/comments:

There were no questions or comments from the general public.

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

Adoption of Resolutions

- **P-17-005 309 Broadway Realty, LLC – Site: 309 Broadway in City Block 257, Lot 12** (six-month extension)
 - Commissioner Valado made a motion to approve the resolution and Commissioner Perez seconded the motion. A unanimous vote of eligible members followed.
- **P-14-010 MCP Associates, LP – Site: 554-556 Broadway in City Block 184, Lot 5** (one-year extension)
 - Commissioner Valado made a motion to approve the resolution and Commissioner Sebik seconded the motion. A unanimous vote of eligible members followed.
- **P-19-036 Recommending adoption of the non-condemnation investigation report for property located at Avenue F and East 21st Street in City Block 457.01, Lots 2, 3, 4 & 5 known as the Samson Tank Site**
 - Commissioner Perez made a motion to approve the resolution and Commissioner Valado seconded the motion. A unanimous vote of eligible members followed.
- **P-19-041 Recommending adoption of the non-condemnation investigation report for property located at Block 457.01, Lots 6, 7, 7.01, 8, 8.01, 8.02, 9 & 10 and Block 457.02, Lots 1, 2, 7 & 8 (Ken's Marine/Lehigh Realty Phase 2)**
 - Commissioner Valado made a motion to approve the resolution and Commissioner Sebik seconded the motion. A unanimous vote of eligible members followed.
- **P-19-037 Recommending adoption of the non-condemnation investigation report for property located at 196-200 Avenue E, Block 458, Lots 7, 8 & 9**
 - Commissioner Perez made a motion to approve the resolution and Commissioner Valado seconded the motion. A unanimous vote of eligible members followed.
- **P-19-040 Recommending adoption of the non-condemnation investigation report for property located at 219 West 5th Street, Block 301.01, Lot 1 (Nacirema)**
 - Commissioner Perez made a motion to approve the resolution and Commissioner Valado seconded the motion. A unanimous vote of eligible members followed.

A motion was made to close the meeting at 8:15 p.m.

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

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