



**PLANNING BOARD  
CITY OF BAYONNE  
MINUTES OF REGULAR MEETING  
JANUARY 14, 2020**

A regular meeting of the City of Bayonne Planning Board was held on Tuesday, January 14, 2020 in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Chairperson Fiermonte called the meeting to order at 6:07 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 and mayoral designee Sebik. Commissioners Mathews, Quintela and Mayor Davis were absent.

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

**Adoption of Minutes**

Commissioner Perez made a motion to adopt the minutes of the regular meeting held on December 10, 2019 and Commissioner Sebik seconded the motion. A unanimous vote of eligible members followed.

**Public Hearing**

**P-19-031 SMZ BAYONNE, LLC – Site: 1127-1157 Kennedy Boulevard in City Block 50, Lot 2** *[The applicant is seeking preliminary and final major site plan approval and bulk variance relief to expand an existing parking lot by adding 64 parking spaces.]*

Nicole M. Magdziak, Esq., attorney for applicant, gave a brief opening statement, offered her exhibits into evidence and called upon her witness to testify in support of this application.

**Witness:**

Kyle McKenna, PE was sworn and recognized by the Board as an expert witness. Mr. McKenna described the existing site conditions from an aerial photo of the site that was marked as Exhibit A-21. He then described the proposed site improvements to the site. Mr. McKenna testified that the applicant intends to improve parking conditions on the site, sidewalks, trash receptacles, landscaping and new grass areas with additional shrubs and thirteen (13) shade trees will be provided along Kennedy Boulevard as required by the County. He addressed the tandem spaces stating that they will work because no two (2) units would share the two (2) spaces.

**Board questions:**

City Engineer Russo commented on Mr. McKenna's testimony regarding the tandem parking.

**Audience questions:**

There were no questions from the general public.

**Closing remarks:**

Nicole Magdziak, Esq., respectfully requested the Board approve this application.

Chairperson Fiermonte commented that it is rare for the Board to get an application that is providing additional parking in the City. She is in favor of 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 Malloy seconded the motion and a unanimous vote followed.

**Public Hearing:**

**P-19-044 QOZ PROSPECT PROPERTY URBAN RENEWAL, LLC – Site: 33 Prospect Avenue in City Block 455, Lot 1.01** *[The applicant is seeking preliminary and final major site plan approval to construct a six-story residential building with eighty-five (85) residential units and eighty-nine (89) parking spaces.]*

Michael Miceli, Esq., attorney for applicant, marked his exhibits into evidence and called his first witness.

**Witness**

Bruce Stieve, AIA, was sworn and recognized as an expert witness to testify in support of this application. Mr. Stieve testified that he was retained by the applicant to prepare the architectural plan for the project. He described the location where the proposed building would be constructed and discussed the proposed number of units, parking and amenities to be constructed thereon. He also addressed the consulting City Planner and City Engineer's comments offered in their reports.

**Board questions:**

Commissioner Perez, City Engineer Russo, consulting City Planner Apte and City Planner Mack questioned Mr. Stieve.

**Audience questions:**

Residents Robert Keri and Mike Morris also questioned Mr. Stieve.

**Witness:**

Tiago Duarde, PE, Civil Engineer was sworn to provide expert testimony. Mr. Duarde testified that the environmental concerns have already been addressed. He discussed the similarities from this

application and a previous application (Madison Hill) that this developer built. He said that the sanitary sewer lateral changes are subject to Suez and New Jersey Transit and he also discussed fencing around the property.

**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 and recognized as an expert witness. Mr. McDonough testified that the site is located near mass transit and meets the parking requirements. He described the lighting standards for the building and confirmed that there would be no free standing lights. Mr. McDonough further testified that this project would not have a substantial detriment to the public good nor would it impair the Zone Plan and Zoning Ordinance. Mr. McDonough also addressed the Residential Site Improvement Standards (RSIS) as it applies to this application. Mr. McDonough testified that this project is good for the community as a whole and can be approved without any substantial detriment to the public good or 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 comments:**

Resident Mike Morris said that he likes this project.

Michael Miceli, Esq., in closing, said that he relied on the testimony of his experts and he respectfully requested the Board approve the application.

**Board comments:**

Chairperson Fiermonte commented that she was impressed with presentation and façade of building.

Commissioner Valado commented that she loves the project and it fits in with neighborhood.

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.

A short break was taken at 7:28 p.m. and the meeting resumed at 7:44 p.m. Secretary Malloy called the roll.

**Public Hearing:**

**P-19-032 ALLAN and JOANNE McLEOD – Site: 282-284 and 286-288 Broadway in City Block 259. Lots 1, 2, 12 & 13** *[The applicants are seeking preliminary and final major site plan approval to construct a ten-story mixed use building with 151 residential units and ground floor retail space.]*

Christopher Vitale, Esq., attorney for applicant, gave a brief description of the application, marked his exhibits into evidence and called his first witness.

**Witness:**

Mark Chisvette, PE was sworn and accepted as the applicant's expert witness. Mr. Chisvette gave overview of the project. He said the applicant is proposing to demolish the existing buildings and construct a new 10-story building. He described the entrance to the building and talked about the Sewer connection and stormwater management system, outdoor lighting, streetscape, entrances and exits to the building, including the parking garage and dog run proposed.

**Board questions:**

City Engineer Russo and consulting City Planner Apte questioned Mr. Chisvette.

**Audience questions:**

Residents Victor Rodriguez, Pat Maloney and Mike Morris questioned Mr. Chisvette.

**Witness:**

Keith Michels, AIA, was sworn and accepted as an expert witness to provide testimony in support of this application. Mr. Michels said that he was retained by the applicant to prepare the architectural plan for this project. Mr. Michels described the plan and provided an overview of the project from an architects prospective.

**Board questions:**

Chairman Fiermonte and Commissioners Valado, Malloy and Sebik questioned Mr. Michels as did City Engineer Russo and consulting City Planner Apte. All were concerned about the height variance being requested. It was suggested that the applicant reconsider and reconfigure the plan to eliminate the height variance.

A short break was taken at 9:13 p.m. and the meeting resumed at 9:37 p.m. The roll was called

Upon return to the dais after the break, Christopher Vitale, Esq., applicant's attorney, requested an adjournment to the March 10, 2020 meeting.

Commissioner Perez made a motion to adjourn the meeting to March 10, 2020 with no further notice required by the applicant. Commissioner Malloy seconded the motion and a unanimous vote followed.

**Adoption of Resolutions**

- **P-19-033 – 211-217 BROADWAY, LLC – Site: 211-217 Broadway in City Block 305, Lot 20**
  - Commissioner Perez made a motion to approve the resolution and Commissioner Valado seconded the motion. A unanimous vote of eligible members followed.

- **P-19-020 JOHN MARYAN, LLC – Site 42-46 West 36<sup>th</sup> Street in City Block 126, Lot 37**
  - Commissioner Valado made a motion to approve the resolution and Commissioner Perez seconded the motion. A unanimous vote of eligible members followed.

A motion was made to close the meeting at 9:45 p.m.

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

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