



**PLANNING BOARD
CITY OF BAYONNE
MINUTES OF VIRTUAL MEETING
SEPTEMBER 8, 2020**

A virtual meeting of the City of Bayonne Planning Board was conducted by electronic means on Tuesday, September 8, 2020 as permitted during this State of Emergency due to the COVID 19 pandemic.

The meeting was called to order by Chairperson Fiermonte at 6:08 p.m. Chairperson Fiermonte led all in the Pledge of Allegiance to the Flag and advised that the Board has complied with the Open Public Meetings Act/Sunshine Law and as permitted during a State of Emergency as declared by Governor Phil Murphy.

Secretary Nadrowski called the roll. Present at the meeting were Chairperson Fiermonte, Commissioners Valado, Nadrowski, Mathews, Patel, Becker and mayoral designee Veloz. Mayor Davis, Commissioners Quintela and Youssef were absent.

Also present were Richard N. Campisano, Esq., Board Counsel, Robert Russo, PE, City Engineer, Steven Gottlieb, PP consulting City Planner, Suzanne Mack, PP, City Planner, Lillian Glazewski, Land Use Administrator and Alicia Losonczy, Zoning Officer.

Adoption of Minutes

Commissioner Nadrowski made a motion to adopt the minutes of the special meeting held on July 29, 2020 and Commissioner Valado seconded the motion. A unanimous vote of eligible members followed.

Commissioner Nadrowski made a motion to adopt the minutes of the regular meeting held on August 11, 2020 and Commissioner Valado seconded the motion. A unanimous vote of eligible members followed.

Communications:

- Chairperson Fiermonte read a Proclamation from the City of Bayonne and signed by Mayor James M. Davis, recognizing Lillian Glazewski, Land Use Administrator for her 25 years of service to the City and wishing her well on her upcoming retirement.
- Municipal Council resolution authorizing and directing the Planning Board to reopen and amend the amended and restated Redevelopment Plan for the Texaco redevelopment area for property located in City Block 332, Lot 3; Block 360, Lot 2; Block 373, Lots 1, 2, 13, 14 and 15; Block 390, Lots 1, RG67; Block 391, Lots 1 and 2; and Block 511, Lots 5 and 6 as shown on the official Tax Map of the City of Bayonne pursuant to the LRHL, N.J.S.A. 30A:12A-1 et. seq.

At the onset of the meeting, Richard Campisano, Esq., Board attorney, advised that item number XI on the Planning Board agenda entitled:

Presentation of an Amended and Restated Redevelopment Plan for Silk Lofts Redevelopment Plan for the property located at 122 Avenue E, 124 Avenue E, 126 Avenue E, 126½ Avenue E, 128 Avenue E, 130 Avenue E, 132 Avenue E, 134-136 Avenue E, 138 Avenue E, 140 Avenue E, 165 Avenue E, 167 Avenue E, 169 Avenue E, 170-180 Avenue and 157-163 Avenue E which property is identified as Block 467, Lot 17,18,19,29,21,22,23,24,25 & 26, Block 234, Lots 8.01, 11, 12 & 13 and Block 458, Lots 1 & 1.01, as shown on the official tax map of the City of Bayonne pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (Silk Lofts) (P-17-011)

would not be reached due to time constraints. That matter will be rescheduled to the next regular meeting on October 13, 2020 at which time it will be presented at a Public Hearing.

Public Hearing:

P-20-022 – BCP, LLC – Site: 2nd Street off Avenue A in City Block 362 *[The applicant is seeking preliminary and final major site plan approval to construct a billboard on the site in conjunction with the amended Texaco Redevelopment Plan (P-16-021)]*

Francis X. Regan, Esq., attorney for the applicant, gave a brief summary of the application, offered his exhibits into evidence and called his first witness.

Witness:

Brett S. Skapinetz, P.E., Professional Engineer with Dynamic Engineering was called and sworn to provide expert testimony in support of the application. Mr. Skapinetz testified that his firm prepared the site plan for this application. He described the existing conditions of the property,

signage and addressed the comments in the City Planner's report dated August 27, 2020 and the City Engineer's report dated September 1, 2020. Mr. Skapinetz further testified that the applicant will comply with everything requested in both reports.

Board questions:

There were no questions from the Board.

Audience questions:

There were no questions from the audience.

Witness:

John McDonough, PP was called and sworn as an expert witness to testify on behalf of the application. Mr. McDonough testified that he is familiar with this application and he prepared the zoning exhibit for same. He pointed out that the application is fully compliant with the Redevelopment Plan and is variance free. Mr. McDonough also addressed the comments made in consulting City Planner Apte's report and opined that this application can be approved and is fully compliant with the Redevelopment Plan.

Board questions:

Commissioner Veloz questioned Mr. McDonough.

Audience questions:

There were no questions from the general public.

Board comments:

Commissioner Nadrowski said that it isn't often that we can say that an application is adding parking to an area. This is a definite net gain.

Closing statements:

Francis X. Regan, Esq. said that this is a fully compliant application and is variance free. It is a well-designed building. He respectfully requested the Board look favorably upon the application.

Motion:

Commissioner Valado made a motion to approve the application with the conditions agreed to and spread across the record. Commissioner Nadrowski seconded the motion and a unanimous vote followed.

Public Hearing:

P-20-023 – BCP, LLC – Site: 796 and 798-804 Avenue E in City Block 393, Lots 19 and 20
[The applicant is seeking preliminary and final major site plan approval to construct a billboard on the site in conjunction with the amended Redevelopment Plan (P-17-008)]

Michael Miceli, Esq., attorney for the applicant, in his opening statement gave a brief summary of the application, offered his exhibits into evidence and called his first witness.

Witness:

Brett S. Kapinetz, P.E., was sworn in to provide expert testimony in his area of expertise. Mr. Kapinetz described the existing conditions of the property, signage and addressed the reports submitted by the consulting City Planner and consulting City Engineer. He described the proposed billboard along with the proposed improvements that will be made to the site. He also said that the application will be fully compliant with the New Jersey Department of Transportation (NJDOT) guidelines. Mr. Kapinetz further testified that there would be no negative effect from the billboard lighting on the residential properties in the immediate area.

Board questions:

Commissioner Nadrowski and Veloz questioned Mr. Kapinetz.

Audience questions:

There were no questions from the general public.

Witness:

John McDonough, P.P. was sworn to provide expert testimony. Mr. McDonough testified that he is familiar with the plans and that he prepared a zoning exhibit for this meeting which was so marked. He testified that the project conforms with the Redevelopment Plan and is designed in accordance with the parameters for this site. He described the surrounding area as having a mix of uses. He testified that the lighting for the billboard would have a minimal impact except on the roadway. Mr. McDonough discussed the beneficial uses that the billboard would have to the community. It will provide important information when required in an emergency.

Board questions:

There were no questions from the Board.

Audience questions:

There were no questions from the general public.

Closing remarks:

Michael Miceli, Esq. said he relied on his experts' testimony and respectfully requested the Board approve the application.

Motion:

Commissioner Valado made a motion to approve the application subject to any and all conditions as spread across the record and Commissioner Veloz seconded the motion. A unanimous vote of members present followed.

Public Hearing:

Presentation of an Amended Redevelopment Plan for the Peninsula at Bayonne Harbor: Maritime, Lofts and Land Districts for property located in City Block 404, Lot 1.20, Block 1190, Lots 1, 2 and 3, Block 900, Lot 1.01, Part of Block 930, Lots 1 & 2, Block 970, Lot 1, Block 1000, Lot 1.01, Block 1030, Lot 1, Block 1040, Lot 1, Block 1060, Lot 1, Block 1180, Lot 1.01, Part of "Road A", Part of "Road D" Pursuant to the LRHL, N.J.S.A. 40:A12A-1 et seq. (P-10-003)

Suzanne Mack, PP, City Planner and Andrew Raichle, PE, consulting City Engineer gave testimony to modifications that were made to the Redevelopment Plan for the Peninsula at Bayonne Harbor Maritime, Lofts and Landing Districts that they testified are necessary to further the goals and objectives of the Master Plan.

Board questions:

There were no questions from the Board.

Audience questions:

There were no questions from the general public.

Closing remarks:

Both Suzanne Mack, PP, City Planner and Andrew Raichle, PE, consulting City Engineer gave closing remarks justifying the modifications made to the Redevelopment Plan and asking the Board to forward its recommendation to adopt the changes.

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

A short break was taken at 7:32 p.m. and the meeting resumed at 7:43 p.m. The roll was called.

Public Hearing:

P-20-017 – SIXTH WAVE LOGISTICS – Site: 71 New Hook Road in City Block 416, Lot 1 *[The applicant is seeking minor subdivision approval along with preliminary and final major site plan approval to allow the construction of a new flex-use warehouse.]*

Charles Harrington, Esq., appeared on behalf of the applicant. Mr. Harrington in his opening statement said that this is a minor subdivision and site plan application. He offered his exhibits into evidence and called his first witness.

Witness:

Mathew Welsh, P.E., was sworn to provide expert testimony on behalf of the application. He described the existing site and its location which he said is in a flood zone. Mr. Welsh described the

improvements proposed for the property, the operation of the parking areas, their layout and how traffic would enter and exit the two properties. He further discussed the bulk requirements and setbacks along with advising that the applicant would remove the parking encroachment from the right-of-way (ROW). He talked about a detention basin for stormwater, lighting and landscaping. Mr. Welsh briefly addressed the proposed subdivision of the lots. He also addressed the comments in the consulting City Planner's report dated September 2, 2020 and consulting City Engineer's report dated September 3, 2020.

Board questions:

Commissioners Nadrowski, Veloz and Mathews questioned Mr. Welsh.

Audience questions:

Resident Jerome Caldwell questioned Mr. Welsh.

Witness:

Zach Wester, A.I.A., was sworn to provide expert testimony in support of the application. Mr. Wester testified that his firm was retained to prepare the architectural plans for the site. Mr. Wester described in detail, the purpose of the building, the present site conditions and the elevations of the new flex use warehouse. He testified that the office space would be located in the Mezzanine. Mr. Welsh talked about the materials that would be used for the new building and opined that it would have an attractive look. He said that barbed wire would not be included on the proposed fencing and that signage would comply with the Redevelopment Plan. Mr. Welsh advised the Board that the application was compliant with the standards of the Redevelopment Plan.

Board questions:

Commissioner Veloz and consulting City Planner Gottlieb also questioned Mr. Welsh.

Audience questions:

There were no questions from the general public.

Closing remarks:

Charles Harrington, Esq., remarked that this is a good application and he respectfully requesting the Board to look favorably on the application.

Motion:

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

Public Hearing:

P-20-019 – P-20-019 – 17 AVENUE E URBAN RENEWAL, LLC – Site: 17 Avenue E in City Block 278, Lot 2 – 4 *[The applicant is seeking preliminary and final major site plan approval to allow the construction of a six-story multifamily residential building with 70 residential units and 70 parking spaces.]*

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

Witness:

Al Sambade, PP, AIA, PE was sworn to provide expert testimony in support of the application. Mr. Sambade testified that he was retained by the applicant to prepare the site plan for the application. He proceeded to describe the location of the property and its present condition. Mr. Sambade described to the Board the proposed building materials and aesthetics of the building. He presented renderings of the façade of the building. He also testified that there will be improvements made to the streetscape. He addressed lighting, open space, signage, trash removal and parking garage design. Mr. Sambade also addressed the comments made in the reports dated August 31, 2020 that were issued by the consulting City Planner, Malvika Apte P.P., A.I.C.P. and the consulting City Engineer, Robert Russo, P.E. and he confirmed that the applicant would satisfy the conditions contained in their reports. Mr. Sambade gave lengthy testimony regarding the Leeds Silver Standards. He testified that the

applicant could comply with Leeds Standards but was not able to qualify under the Silver Standard. It was Mr. Sambade's testimony that the applicant made a reasonable attempt at compliance but that the standard at this project was not practical. Mr. Sambade also discussed the State Residential Site Improvement Standards (RSIS) standards in relation to the parking requirements of the Redevelopment Plan.

Board questions:

Commissioners Nadrowski, Veloz, Mathews and consulting City Planner Gottlieb questioned Mr. Sambade.

Audience questions:

There were no questions from the general public.

Closing remarks:

Michael Miceli, Esq., said that he relies on the expert testimony given and he respectfully requested the Board approve the application.

Motion:

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

Adoption of Resolution:

- Amended Redevelopment Plan for the Peninsula at Bayonne Harbor: Maritime, Lofts and Land Districts for property located in City Block 404, Lot 1.20, Block 1190, Lots 1, 2 and 3, Block 900, Lot 1.01, Part of Block 930, Lots 1 & 2, Block 970, Lot 1, Block 1000, Lot 1.01, Block 1030, Lot 1, Block 1040, Lot 1, Block 1060, Lot 1, Block 1180, Lot 1.01, Part of "Road A", Part of "Road D" Pursuant to the LRHL, N.J.S.A. 40:A12A-1 et seq. (*P-10-003*)

○ Chairperson Fiermonte made a motion to adopt the resolution and Commissioner Veloz seconded the motion. A unanimous vote followed.

A motion was made to close the meeting at 10:30 p.m.

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

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