PLANNING BOARD
CITY OF BAYONNE
MINUTES OF VIRTUAL MEETING
NOVEMBER 9, 2020

A virtual meeting of the City of Bayonne Planning Board was conducted by electronic means on Monday, November 9, 2020 as permitted during this State of Emergency due to the COVID 19 pandemic.

The meeting was called to order by Chairperson Fiermonte at 6:04 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 time or roll call were Chairperson Fiermonte, Commissioners Nadrowski, Quintela, Becker, Mathews and Youssef. Mayor Davis, mayoral designee Veloz, Commissioners Valado and Patel were not present.

Also present were Richard N. Campisano, Esq., Board Counsel, Malvika Apte, PP consulting City Planner, Suzanne Mack, PP, City Planner and Alicia Losonczy, Planning/Zoning Board of Adjustment Secretary.

Adoption of Minutes

Commissioner Nadrowski made a motion to adopt the minutes of the regular meeting held on October 13, 2020 and Commissioner Mathews seconded the motion. A unanimous vote of eligible members followed.

Communications:

- Letter from Michael Miceli, Esq. of Weiner Law Group for applicant, P-20-020 BAYONNE EQUITIES BII URBAN RENEWAL, LLC – Site: 9-11 West 12th Street and 281, 283-287 and 289 Broadway: Block 264, Lots 15, 16, 17 and 18 consenting to carry the matter until a special Planning Board meeting on Tuesday, December 1, 2020 with no further notice required of the applicant

- Letter from Erica Andrews constituting the entry of her appearance before the Planning Board in the matter of P-20-020 - BAYONNE EQUITIES BII URBAN RENEWAL, LLC

    - Commissioner Fiermonte made the motion to carry the matter until the special Planning Board meeting scheduled for December 1, 2020 with no further notice required of the applicant and Commissioner Nadrowski seconded the motion. A unanimous vote followed.

- Letter from Paul Weeks, Esq., attorney for applicant, for P-17-041 419 BROADWAY, LLC – Site 419 Broadway; Block 225, Lot 22, requesting a one-year extension within which to begin construction

    - Commissioner Nadrowski made the motion to grant the one year extension and Chairwoman Fiermonte seconded the motion. A unanimous vote followed.

- Municipal Council Resolution Number 20-10-21-044 authorizing the designation and transfer of the Redevelopment Agreement from McDonald's Corp to McDonald's Real Estate Company for the property located at 537-543 Broadway, which is identified as Block 189, Lot 24 as shown on the official Tax Map of the City of Bayonne for the Redevelopment of such property in accordance with the Redevelopment Plan (McDonald's)

- Department of Community Affairs adopted a remote meetings protocol

    - Commissioner Nadrowski made the motion to grant the one year extension and Chairwoman Fiermonte seconded the motion. A unanimous vote followed.

Public Hearing:

Presentation of an Amended and Restated Redevelopment Plan for the Resnick's Phase II Redevelopment Plan for the property identified as Block 77, Lots 13, 14, 15, 27, 28, 29, 30, 31 and 32.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. (Resnick's Phase II) (P-20-007)

Presentation by Malvika Apte, PP, consulting City Planner. Ms. Apte gave a presentation and summary of the Redevelopment Plan. She summarized the redevelopment area, redevelopment components, goals and objectives, Land Development Regulations, use, bulk and parking regulations and design standards of the redevelopment plan.

Board questions:

Commissioner Mathews asked what the designated LEED rating was on this plan. Ms. Apte responded that it has a silver rating, which is approximately fifty points and above. Commissioner Nadrowski asked a question regarding setback and parking. Commissioner Nadrowski made a comment that Phase I just had their opening and it was a phenomenal project that accomplished what it set out to do and this Phase II will hopefully only compliment that area to a great extent.

Audience questions:

There were no questions from the audience.

Motion:

Chairwoman Fiermonte made a motion to forward the Board's recommendation to the City Council to adopt the Redevelopment Plan. Commissioner Nadrowski seconded the motion. A unanimous vote followed

Public Hearing:

P-20-024 RAMON VELOZ, Site: 399 Broadway in City Block 231, Lot 25 *The applicant is seeking preliminary and final major site plan approval and bulk variance relief to construct a 611 square foot addition in the rear yard to the existing single story commercial building for expansion of the current office use.*

Paul Weeks, Esq., the attorney for the applicant, gave a brief opening statement, offered his exhibits into evidence and called his first witness.

Witness:

Ramon Veloz was sworn in and testified that his business at the location is mainly a travel agency but also does tax and accounting services as well. He is applying for an extension to create a conference room to utilize for the accounting services. Mr. Veloz stated they will build two small offices for two employees as well a as conference room to seat up to eight people. There will also be space for filing cabinets for storage.

Board Questions:

Commissioner Youssef asked if there are parking spaces for any of the employees. Mr. Veloz said that would be impossible.

Audience Questions:

There were no questions form the audience.

Witness:

Steve Kawalek was sworn in. Mr. Kawalek testified that the interior finishes would be in keeping with the existing office space. The edition will house ample nature light and ventilation. Mr. Kawalek stated that the positive criteria greatly outweighs the negative criteria as well as conforms to the City's Master Plan.

Board Questions:

Malvika Apte, PP asked the total height of the proposed structure. Mr. Kawalek said that depends on where it is being calculated from: from the rear grade, the ridge line is about 14 feet 6 inches. In the front, the existing parapet is about 17 feet. It would slope to the rear of the building. Ms. Apte questioned if rain water would collect. Mr. Kawalek said the runoff would meet the drainage system. Ms. Apte also asked if the utility pole in the rear would be removed. Mr. Kawalek did not see it in their way, however, if any outside approval is required, the applicant would obtain it.

Audience Questions:

There were no questions form the audience.

Closing Remarks:

Mr. Weeks asked that the Board vote favorably upon this application

A motion was made by Commissioner Mathews 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-20-021) Presentation of a Non-condemnation Area in Need of Redevelopment Study for property located at 7 and 9 Cottage Street and 218-222 Broadway in City Block 319, Lots 1.01, 1.02 and 26 to determine whether said property constitutes a non-condemnation area in need of redevelopment, pursuant to the LRHL, N.J.S.A. 40A:12A-1 et seq. *(Delta Gas Station)*

Presentation by Suzanne Mack, City Planner. Ms. Mack pointed out the requirements needed to designate a parcel or parcels of land an Area in Need of redevelopment. She described the site as the former Delta Gas Station which has not been in service. She testified that based on her findings this site satisfies the requirements to be declared an area in need of redevelopment and may be recommended back to the Municipal Council.

Board questions:

There were no questions from the Commissioners.

Audience questions:

There were no questions from the general public.

Chairwoman Fiermonte agrees that this is an area in need of redevelopment in close proximity to the light rail.

Motion:

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

Public Hearing:

(P-20-028) Presentation of a Non-condemnation Area in Need of Redevelopment Study for property located in City Block 360, Lot 1, Block 332, Lots 2, 2.01 4 and 5; Block 361, Lot 12 and Block 362, Lot 3 to determine whether said property constitutes a non-condemnation area in need of redevelopment, pursuant to the LRHL, N.J.S.A. 40A:12A-1 et seq. *(Caschem)*

Presentation by Suzanne T. Mack, PP, consulting City Planner. Ms. Mack said this is just north of the Texaco site and close to the Best Foods and A & P areas as well. The site is located near Gertrude Street and Avenue A and should be looked at as a mixed use site for the future. The industrial lots are no longer in use; a former defunct chemical plant. All lots but 2 and 2.01 are in the Urban Enterprise Zone. Ms. Mack testified that based on her findings this site satisfies the requirements to be declared an area in need of redevelopment and may be recommended back to the Municipal Council.

Board questions:

There were no questions from the Board.

Audience questions:

Steven Antisz called in to question what steps are being taken in consideration of flooding since the area near his home on First Street has a flooding issue. He is concerned that a sea wall may be required if the developer is to elevate the property.

Motion:

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

Public Hearing:

(P-20-030) Presentation of a Non-condemnation Area in Need of Redevelopment Study for property located at 7 and 9 New Hook Road in city Block 479, Lot 1 and Block 481, Lot 5.02 to determine whether said property constitutes a non-condemnation area in need of redevelopment, pursuant to the LRHL, N.J.S.A. 40A:12A-1 et seq. *(PDQ Plastics)*

Presentation by Suzanne T. Mack, PP, consulting City Planner. Ms. Mack said that some of the other parcels are part of the Exxon Site, which is under private development; only a few of the lots are under common ownership. Ms. Mack testified that the site contains acres of abandoned industrial buildings in bad repair and based on her findings this site satisfies the requirements to be declared an area in need of redevelopment, therefore, may be recommended back to the Municipal Council.

Board questions:

There were no questions from the Commissioners.

Audience questions:

There were no questions from the general public.

Motion:

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

<u>Adoption of Resolutions</u>:

- **Bayonne Planning Board Protocol Resolution**
  - Commissioner Nadrowski made a motion to approve the resolution and Chairperson Fiermonte seconded the motion. A unanimous vote of eligible members followed.

- **P-20-026 – JOHN AND MARYAN, LLC – Site: 42-46 West 36th Street; Block 126, Lot 37**
  - Commissioner Fiermonte made a motion to approve the resolution and Commissioner Nadrowski seconded the motion. A unanimous vote of eligible members followed.

- **P-17-041 - 419 BROADWAY, LLC – Site 419 Broadway; Block 225, Lot 22**
  - Commissioner Nadrowski made a motion to approve the resolution and Commissioner Mathews seconded the motion. A unanimous vote of eligible members followed.

- **P-20-007 – (*Resnicks - Phase II)* 17, 19, 21 West 46th Street, 12, 14, 16, 20, 22, 24 West 47th Street in City Block 77, Lots 13, 14, 15, 27, 28, 29, 30, 31 and 32**
  - Commissioner Nadrowski made a motion to approve the resolution and Commissioner Mathews seconded the motion. A unanimous vote of eligible members followed.

- **P-20-021 – (*Delta Gas Station)* 7-9 Cottage Street and 218-222 Broadway in City Block 319, Lots 1.01, 1.02 and 26**
  - Commissioner Nadrowski made a motion to approve the resolution and Commissioner Mathews seconded the motion. A unanimous vote of eligible members followed.

- **P-20-028 – (*Caschem)* City Block 360, Lot 1, Block 332, Lots 2, 2.01 4 and 5; Block 361, Lot 12 and Block 362, Lot 3**
  - Commissioner Nadrowski made a motion to approve the resolution and Commissioner Mathews seconded the motion. A unanimous vote of eligible members followed.

- **P-20-030 – (*PDQ Plastics)* 7 and 9 New Hook Road in City Block 479, Lot 1 and Block 481, Lot 5.02**
  - Commissioner Nadrowski made a motion to approve the resolution and Commissioner Mathews seconded the motion. A unanimous vote of eligible members followed.

Commissioner Nadrowski made a motion to end the meeting at 8:31 pm and Commissioner Mathews seconded the motion.

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

/akl