



**PLANNING BOARD
CITY OF BAYONNE
MINUTES OF VIRTUAL MEETING
DECEMBER 1, 2020**

A virtual meeting of the City of Bayonne Planning Board was conducted by electronic means on Monday, December 1, 2020, as permitted during this State of Emergency due to the COVID 19 pandemic.

The meeting was called to order by Chairperson Fiermonte at 6:02 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. It was conducted in accordance with all of the protocols and procedures set by the City of Bayonne and this Board in compliance with regulations issued by the State Department of Community Affairs for the conducting of open public meetings on a remote/virtual basis with use of a webinar-type platform.

Secretary Nadrowski called the roll. Present at the time or roll call were Chairperson Fiermonte, Commissioners Valado, Nadrowski, Quintela, Becker, Mathews, Patel and Veloz. Mayor Davis and Commissioners Youssef was not present.

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 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 November 9, 2020 and Commissioner Mathews seconded the motion. A unanimous vote of eligible members followed.

Communications:

There were no communications.

Public Hearing:

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 *The applicant has proposed a 10-story mixed-use development consisting of 116 residential units, 118 parking spaces, retail and rooftop amenities with an indoor pool.*

Michael Miceli, Esq., the attorney for the applicant, gave a brief opening statement, offered his exhibits into evidence and called his first witness. Mr. Miceli said the application has been revised to consist of 100 units and at least 106 parking spaces.

Witness:

Yossi Melamed, RA, AIA was visible on camera as he was sworn in and qualified as an expert in the field of architecture. Mr. Melamed testified that the proposed project is one (1) mixed-use (multi-family residential and commercial/retail) building 135 feet in height, having ten (10) stories, 100 residential units, approximately 2,420 square feet of ground floor commercial/retail space and a self-park parking facility providing 106 on-site parking spaces. Mr. Melamed described the project location and surrounding area, the site and the existing uses and conditions at the site, stating that the property is on a corner lot and all lots are currently vacant. He described the residential units, noting that the size of the units range from the smallest at 645 square feet to the largest at 1,447 square feet. There are 100 units with a mix of one-bedroom, one-bedroom with office, two bedroom and three bedroom units. Mr. Melamed testified about the commercial/retail space along Broadway, the proposed parking and the design features of the building. He stated the project is consistent with good urban form and design principles as well as within the requirements of the Redevelopment Plan and meet the standards of the City's Master Plan.

Board Questions:

Chairperson Fiermonte, Commissioners Veloz, Mathews and Nadrowski questioned Mr. Melamed. Ms. Apte and Mr. Russo also questioned Mr. Melamed.

Audience Questions:

Stephen Rose, Esq., Attorney for objector, James Fischer, cross-examined Mr. Melamed regarding the dimensions of the six foot door and walls on each side proposed in the dens and if a door would be placed or if it would remain open. Mr. Rose asked if there would be an apartment dedicated to a Super. Mr. Melamed responded that there would be one. Mr. Rose questions trash and was advised of the chute (located near the elevator on each floor) that goes directly to the cellar. Mr. Rose questioned the levels of parking and residential use. He asked the definition of story. Mr. Melamed responded that parking is exempt from being counted as a story as per the Redevelopment Plan.

Karalynn Brancatella, of 17 West 12th Street, questioned what procedures will be implemented for the safety of the neighboring houses.

Witness:

Joseph Sparone, PE, a Principle of Dynamic Engineering, was visible on camera and sworn in to testify as an expert witness. He reviewed the key elements of the construction and building elements of the Site Plan. Mr. Sparone testified about the proposed traditional self-park facility depicted in the engineering plans submitted by his office. This plan provides 106 on-site parking spaces (only 101 spaces are required) within four parking levels (1 cellar, 1 ground and 2 intermediate levels within the ground level) that are connected by ramps. Mr. Sparone state the parking layout and design comply with the requirements of the Redevelopment Plan. Mr. Sparone testified that a traffic study was performed and a report was filed by his office in this matter.

Board Questions:

Commissioner Nadrowski questioned how long the project would take. Mr. Miceli advised that the project should take 18 – 24 months for a build-out and will coordinate with all City agencies properly. Commissioner Veloz asked if this complies with affordable housing. Ms. Mack commented that the one-level underground parking is not to be counted. It is her opinion that the project stays within the allowed 135 feet as permitted under the Redevelopment Plan.

Audience Questions:

Mr. Rose questioned the number of commercial units and if parking is available for them. Mr. Sparone said that there is parking available for the commercial units. He also questioned safety of the upper floors, if a generator was proposed, light spillage and close proximity to the neighboring property.

Nydia Hernandez, of 37 East 32nd Street, asked if residents of this building now forego the ability to park on the street.

Steve Durak, of 123 West 8th Street, owns the building nearby located at 291 Broadway and asked if the parking plan would close off some of the existing curb cuts, thereby gaining some metered spaces on Broadway and asked if the bus stop would remain. Mr. Sparone responded in the positive for both questions.

Karalynn Brancatella has questions regarding the shadow impact study, lighting, traffic, noise impact, parking and if there would be a point of contact in the future if she needed. Mr. Sparone responded to her questions and Miceli advised Ms. Brancatella to e-mail the Board Secretary in order to obtain his and the Developer's contact information.

A short break was taken from 8:38 pm – 8:49 pm.

Witness:

Edward Kolling, PP, AICP testified that he was retained to prepare a zoning analysis. He stated that the project was governed by the 8th Street Rehabilitation Plan (Rehabilitation Area #7). He described the proposed project as mixed development that meets all the requirements and standards of the Redevelopment Plan. He described the parking as a creative solution and the ground floor commercial design as a good use to promote interesting retail space. He stated the Redevelopment Plan was created because this area was not living up to its potential. Mr. Kolling testified that there is no substantial detriment to the purported intent and purpose and it promotes the intent of the Rehabilitation Plan as well as the City's Master Plan.

Board Questions:

There were no questions from the Commissioners.

Audience Questions:

Mr. Rose cross examined and asked if an eight story building wouldn't be more consistent with what is already in existence in the area.

Karalynn Brancatella questioned if a feasibility study had been performed, for marketing purposes to see if the project would be successful.

Mr. Rose called upon Thomas J. Mesuk, Architect and Professional Planner, who advised that the overall building mass will cast a large shadow for all the neighbors. Mr. Mesuk stated that a better plan would have been to build a small building. He said the project might meet the standards of the Redevelopment Plan but the Board can make a recommendation to change the proposal to help the quality of life for neighbors. Mr. Mesuk advised that eight stories would fit the neighborhood better.

There were no questions from the Board for Mr. Mesuk.

Comments:

Steve Durak called in to offer his full support for this application. He said this area was formerly a mess of buildings and this project will be a welcomed revitalization.

Closing Remarks:

Mr. Rose advised that he is not opposed to development except to the height of this building.

Mr. Miceli stated that this project advances the goals of the Redevelopment Plan and asked that the Board vote favorably upon this application

Closed Caucus:

Chairperson Fiermonte asked Mr. Campisano to make note of the items discussed to make a part of the resolution of approval. She felt overall it was a better proposal for the area. Commissioner Nadrowski reiterated how the neighbors recognize this as an area in need of improvement and long overdue. All fellow Commissioners agreed.

Commissioner Valado asked if the applicant was proposing rentals to tenants or condominiums. Mr. Miceli responded that condominiums are proposed for this building.

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

Adoption of Resolutions:

- **P-20-024 – RAMON VELOZ – Site: 399 Broadway; Block 231, Lot 25**
 - Commissioner Valado made a motion to approve the resolution and Commissioner Nadrowski seconded the motion. A unanimous vote of eligible members followed.

Commissioner Valado made a motion to end the meeting at 10:03 pm and Commissioner Nadrowski seconded the motion.

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

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