



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

A virtual meeting of the City of Bayonne Planning Board was conducted by electronic means on Monday, December 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 6:00 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, Patel and Youssef. Mayor Davis, mayoral designee Veloz and Commissioner Mathews were 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 Valado made a motion to adopt the minutes of the special meeting held on December 1, 2020 and Commissioner Nadrowski seconded the motion. A unanimous vote of eligible members followed.

Communications:

- Municipal Council resolution authorizing and directing the Planning Board to conduct an investigation of property located at 107 Avenue F in City Block 456, Lot 7 to determine whether the property constitutes a non-condemnation area in need of redevelopment pursuant to the LRHL, N.J.S.A. 40A:12A-1 et seq. (P-20-031)
- Municipal Council resolution authorizing and directing the Planning Board to conduct an investigation of property located at 12 and 14 West 22nd Street in City Block 210, Lots 26 and 27 to determine whether the property constitutes a non-condemnation area in need of redevelopment pursuant to the LRHL, N.J.S.A. 40A:12A-1 et seq. (P-20-032)
- Letter from Michael Miceli, Esq. of Weiner Law Group for applicant, P-17-024 – McDonald's Corporation – Site: 537-543 Broadway; Block 189, Lot 24 requesting a seven-month extension within which to begin construction
 - Commissioner Valado made the motion to grant the seven-month extension within which to begin construction and Commissioner Nadrowski seconded the motion. A unanimous vote followed.
- Letter from Michael Miceli, Esq. of Weiner Law Group for applicant, P-20-027 – H & H Brothers, LLC – Site: 63-65 LeFante Way, Block 415, Lot 2 requesting the matter be carried to the regular meeting of the Planning Board on January 12, 2021 meeting
 - Commissioner Valado made the motion to carry the matter until the regular Planning Board meeting scheduled for January 12, 2021 with no further notice required of the applicant. Chairperson Fiermonte seconded the motion. A unanimous vote followed.

Board Reorganization:

- **Election of officers for 2021 (nominations and acceptances):**
The following Commissioners were nominated and accepted for calendar year 2021:
 - **Karen Fiermonte – Chairperson**
Commissioner Valado made the motion for this nomination. Commissioner Nadrowski seconded the motion and a unanimous vote followed.

- **Maria Valado - Vice-Chairperson**

Chairperson Fiermonte made the motion for this nomination. Commissioner Nadrowski seconded the motion and a unanimous vote followed.

- **Sharon Nadrowski - Secretary**

Commissioner Valado made the motion for this nomination. Chairperson Fiermonte seconded the motion and a unanimous vote followed.

- **Appointment of Support Personnel:**

The following is a list of support personnel unanimously voted in by the Board:

- Richard N. Campisano, Esq., Board Attorney
- Suzanne Mack, P.P., City Planner
- Robert Russo, P.E., consulting City Engineer
- Malvika Apte, consulting City Planner
- Alicia Losonczy, Planning/Zoning Board of Adjustment Secretary
- Susan Bischoff, C.S.R
- Andrew Raichle, PE, Special Project Engineer

Chairperson Fiermonte made the motion for this appointment. Commissioner Valado seconded the motion and a unanimous vote followed.

- **Adoption of 2021 Calendar:**

The Commissioners voted unanimously to adopt the following regular meeting dates for calendar year 2021:

January 12, 2021
February 9, 2021
March 9, 2021
April 13, 2021
May 11, 2021
June 8, 2021
July 13, 2021
August 10, 2021
September 14, 2021
October 12, 2021
November 9, 2021
December 14, 2021

Commissioner Valado made the motion to adopt the 2021 calendar of meeting dates. Chairperson Fiermonte seconded the motion and a unanimous vote followed.

Public Hearing:

P-20-025 JINGJUN AND HONG ZHOU – Site: 231 Avenue E in City Block 212, Lot 14

The applicant is seeking preliminary and final major site plan approval to convert the existing three-family dwelling to a five-family dwelling.

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

Witness:

Jingjun Zhou was sworn in as an expert and fact witness as both an Architect and the owner of the property. Mrs. Zhou testified that she and her husband had purchased the property recognizing it as a five-family from the real estate agent. She wanted to purchase this as an investment property and is excited to be in Bayonne since it is up-and-coming. Mrs. Zhou has been practicing architecture for sixteen years, obtained her license in New Jersey in 2010 and worked in New York City as an architect for seven years. Mrs. Zhou testified that she will make no changes to the footprint of the building and the variances being requested are in existence. Mrs. Zhou gave her expert opinion that the four units on the upper two floors and the one unit on the lower floor seem to be in existence for the past 50 – 70 years; there was no sheetrock in the apartments which is an indicator that these walls were used prior to sheetrock being widely used. Mrs. Zhou testified that the shed in the rear yard was removed by her and her husband. She said they will most likely hire one of the tenants to manage the trash. The plan is also to provide lighting and landscaping.

Board Questions:

Chairperson Fiermonte discussed the floor plan. Mrs. Zhou said they can remove the wall between the dining room and kitchen. Malvika Apte, PP, AICP, consulting City Planner, added how dens being turned into bedrooms is a current issue that the City is seeing and how expanding the master bedroom or removing the wall should be considered. Ms. Apte asked where trash would be

stored. Mrs. Zhou said they would consider the den issue and would designate a portion of the rear yard for trash storage.

Audience Questions:

Youxiang Wang, of 48 East 22nd Street, called in. She moved to the area one year ago and asked if there would be parking provided as that is a grave concern on that block especially since this project would make the current parking issue more crowded. Ms. Zhou responded that parking would not be provided as it is not possible to add it.

Peter Franco advised that he had meeting connectivity issues. He questioned what other development Ms. Apte had referred to. Mr. Franco asked Ms. Zhou if she had applied for a tax abatement. Ms. Zhou responded that she did not.

Witness:

John McDonough, P.P. was sworn in and testified that this project is located in the TDD District where the proposed density is permitted. He stated that there is no parking and none proposed. The project will allow two apartments on the upper-most floor, two apartments on the middle floor and one three-bedroom unit on the bottom floor. Mr. McDonough testified that there was probably a commercial use on the first floor at one point but the units appear to be long-standing on the property. He discussed how the relief sought related to parking; where six spaces are required and none are being provided. Mr. McDonough testified that the benefits of the application as a whole greatly outweigh the detriments and suggested an approval is warranted.

Board Questions:

Ms. Apte questioned Mr. McDonough regarding the parking requirement.

Audience Comments:

Peter Franco was sworn in and stated that he is in support of this application which he believes should be approved since it doesn't change the characteristic of the neighborhood.

Closing Remarks:

Mr. Finnerty said that his client is in agreement to the interior alterations discussed by the City's professionals and asked that the Board vote favorably upon this application

Closed Caucus:

Chairperson Fiermonte and Commissioner Nadrowski stated they would be in favor of this application if the concerns mentioned would become conditional to the approval of this application. Commissioner Becker stated he does not feel this is a good application and will be voting against it.

A motion was made by Commissioner Valado to approve the application with the conditions agreed to and spread across the record. Commissioner Patel seconded the motion.

The following vote to approve the application was taken at the hearing:

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>
Karen Fiermonte	[X]	[]	[]	[]	[]
Maria I. Valado	[X]	[]	[]	[]	[]
Sharon Nadrowski	[X]	[]	[]	[]	[]
Michael Quintela	[X]	[]	[]	[]	[]
Mitesh R. Patel	[X]	[]	[]	[]	[]
George Becker	[]	[X]	[]	[]	[]
Friday Mathews, Jr.	[]	[]	[]	[]	[X]
Demyana Youssef	[X]	[]	[]	[]	[]
James Davis, Mayor	[]	[]	[]	[]	[X]
Ramon Veloz	[]	[]	[]	[]	[X]
(Mayoral Designee)					

Presentation of Zoning Ordinance Modifications in regard Pervious Coverage:

Joseph DeMarco, Esq., Development Counsel, gave a presentation informing everyone of recent Zoning ordinance modifications in regard to pervious coverage modifications for different districts and the Long Term Control Plan.

Resident Peter Franco called in to discuss said changes and advised he is in favor of the update.

Public Hearing:

(P-19-023) Presentation of a Redevelopment Plan for property located at 1099–1105 Avenue C

and 66-68 West 54th Street which property is identified as Block 34, Lots 26, 27, 28, 29 and 30 pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (*Da Noi*)

Presentation by Suzanne Mack, PP, AICP, City Planner. Ms. Mack pointed out the requirements needed to designate parcels of land an Area in Need of redevelopment. She described the site and 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:

Chairperson Fiermonte, Commissioners Nadrowski and Valado questions if a restaurant is suitable for that area on the ground floor and requested it be included as a permitted use should a future tenant choose to put a ground-floor restaurant there.

Audience questions:

There were no questions from the general public.

Motion:

Commissioner Valado made a motion to approve the application subject to any and all conditions as spread across the record and Commissioner Fiermonte seconded the motion.

The following vote to approve the Redevelopment Plan was taken at the hearing:

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>
Karen Fiermonte	[X]	[]	[]	[]	[]
Maria I. Valado	[X]	[]	[]	[]	[]
Sharon Nadrowski	[X]	[]	[]	[]	[]
Michael Quintela	[X]	[]	[]	[]	[]
Mitesh R. Patel	[X]	[]	[]	[]	[]
George Becker	[X]	[]	[]	[]	[]
Friday Mathews, Jr.	[]	[]	[]	[]	[X]
Demyana Youssef	[X]	[]	[]	[]	[]
James Davis, Mayor	[]	[]	[]	[]	[X]
Ramon Veloz	[]	[]	[]	[]	[X]
(Mayoral Designee)					

Adoption of Resolutions:

- **P-20-020 – BAYONNE EQUITIES BII URBAN RENEWAL, LLC – Site: 9-11 West 12th Street AND 281, 283-287 AND 289 Broadway in City Block 264, Lots 15, 16, 17 and 18**
 - Commissioner Valado made a motion to approve the resolution and Commissioner Nadrowski seconded the motion.

The following vote to approve the resolution was taken at the hearing:

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>
Karen Fiermonte	[X]	[]	[]	[]	[]
Maria I. Valado	[X]	[]	[]	[]	[]
Sharon Nadrowski	[X]	[]	[]	[]	[]
Michael Quintela	[X]	[]	[]	[]	[]
Mitesh R. Patel	[X]	[]	[]	[]	[]
George Becker	[X]	[]	[]	[]	[]
Friday Mathews, Jr.	[]	[]	[]	[]	[X]
Demyana Youssef	[X]	[]	[]	[]	[]
James Davis, Mayor	[]	[]	[]	[]	[X]
Ramon Veloz	[]	[]	[]	[]	[X]
(Mayoral Designee)					

- **P-17-024 – McDONALD'S CORPORATION – Site 537-543 Broadway; Block 189, Lot 24**
 - Commissioner Valado made a motion to approve the resolution and Commissioner Fiermonte seconded the motion.

The following vote to approve the resolution was taken at the hearing:

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>
Karen Fiermonte	[X]	[]	[]	[]	[]
Maria I. Valado	[X]	[]	[]	[]	[]
Sharon Nadrowski	[X]	[]	[]	[]	[]
Michael Quintela	[X]	[]	[]	[]	[]
Mitesh R. Patel	[X]	[]	[]	[]	[]
George Becker	[X]	[]	[]	[]	[]
Friday Mathews, Jr.	[]	[]	[]	[]	[X]
Demyana Youssef	[X]	[]	[]	[]	[]
James Davis, Mayor	[]	[]	[]	[]	[X]
Ramon Veloz	[]	[]	[]	[]	[X]
(Mayoral Designee)					

- **P-19-023 – Redevelopment Plan for property located at 1099-1105 Avenue C and 66-68 West 54th Street; Block 34, Lots 26, 27, 28, 29 and 30 (*DaNoi*)**
 - Commissioner Valado made a motion to approve the resolution and Chairperson Fiermonte seconded the motion.

The following vote to approve the resolution was taken at the hearing:

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>
Karen Fiermonte	[X]	[]	[]	[]	[]
Maria I. Valado	[X]	[]	[]	[]	[]
Sharon Nadrowski	[X]	[]	[]	[]	[]
Michael Quintela	[X]	[]	[]	[]	[]
Mitesh R. Patel	[X]	[]	[]	[]	[]
George Becker	[X]	[]	[]	[]	[]
Friday Mathews, Jr.	[]	[]	[]	[]	[X]
Demyana Youssef	[X]	[]	[]	[]	[]
James Davis, Mayor	[]	[]	[]	[]	[X]
Ramon Veloz (Mayoral Designee)	[]	[]	[]	[]	[X]

Commissioner Valado made a motion to end the meeting at 8:45 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.

/akl