



**PLANNING BOARD
CITY OF BAYONNE
MINUTES OF VIRTUAL MEETING
JANUARY 12, 2021**

A virtual meeting of the City of Bayonne Planning Board was conducted by electronic means on Monday, January 12, 2021, as permitted during this State of Emergency due to the COVID 19 pandemic.

The meeting was called to order by Chairperson Fiermonte at 5:59 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 is 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 of roll call were Chairperson Fiermonte, Commissioners Valado, Nadrowski, Becker, Mathew, Veloz and Patel. Mayor Davis, Commissioners Quintela and Youssef 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 regular meeting held on December 8, 2020 and Commissioner Nadrowski seconded the motion. A unanimous vote of eligible members followed.

Communications:

- Letter from Stephen S. Rose, Esq., attorney for applicant P-17-005 – 309 BROADWAY REALTY, LLC – Site: 309 Broadway in City Block 257, Lot 12 requesting a one-year extension within which to begin construction (covering May 2020 until May 2021)
 - Commissioner Nadrowski made the motion to grant the one-year extension within which to begin construction and Commissioner Valado seconded the motion. A unanimous vote followed.
- Letter from Michael Miceli, Esq., attorney for applicant P-19-035 – EOM 90 AVE E URBAN RENEWAL LLC - Site: 90-102 Avenue E in City Block 467, Lot 8 requesting a one-year extension until March 31, 2022 within which to begin construction
 - Commissioner Valado made the motion to grant the one-year extension within which to begin construction and Chairperson Fiermonte seconded the motion. A unanimous vote followed.
- Municipal Council resolution authorizing and directing the Planning Board to prepare a Redevelopment Plan for property located at 7 and 9 Cottage Street and 218-222 Broadway which property is identified as Block 319, Lots 1.01, 1.02 and 26 pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (Delta Gas Station) (P-20-021)
- Municipal Council resolution authorizing and directing the Planning Board to prepare a Redevelopment Plan for property identified as Block 360, Lot 1; Block 332, Lot 2, 2.01, 4 and 5; Block 261, Lot 12 and Block 362, Lot 3 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. (Caschem) (P-20-028)
- Municipal Council resolution authorizing and directing the Planning Board to conduct an investigation of property located at 80 – 84 East 25th Street in City Block 442, Lot 14 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-21-001)

Public Hearing (Item VI):

P-20-031 - Presentation of a Non-condemnation Area in Need of Redevelopment Study for property located at 107 Avenue F in City Block 456, Lot 7 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.

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 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.

Motion:

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

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]	[]	[]	[]	[]

Public Hearing (ItemVII):

P-20-006 - Presentation of a Non-condemnation Area in Need of Redevelopment Study for property located at 11-13 West 47th Street, 973-975, 979, 983-987 Broadway and 12 West 48th Street in City Block 70, Lots 19, 20, 21.01, 23 and 24 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. (Resnick's Phase III)

Presentation by Suzanne Mack, City Planner. Ms. Mack testified to the requirements needed to designate a parcel or parcels of land an Area in Need of redevelopment. She described the site as the third phase as the Resnick's project and they are currently in Phase 2. 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:

Sandy Zak asked if the study would affect her taxes or if any properties would be forced to change in any way.

Comments:

There were no comments.

Motion:

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

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]	[]	[]	[]	[]

Public Hearing (Item VIII):

P-20-027 P-20-027 H & H BROTHERS, LLC – Site: 63-65 LeFante Way in City Block

415. Lot 2 *The applicant is seeking preliminary and final major site plan approval and bulk variance relief to reconfigure and add 55 parking spaces and improve a two-lane, one-way circulation route around the existing structure on the property.*

Michael Miceli, Esq., the attorney for the applicant, gave a brief opening statement, offered his exhibits (A-1 through A-32) into evidence and called his first witness.

Witness:

Adnan A. Khan, PE, CME was sworn in and testified that the current warehouse covers a little over 7.5 acres and will not be changing the use or function of the facility. Located in the Heavy Industrial District the building measures 180,000 square feet (8,000 square feet for office space and the remainder for use as a warehouse and distribution). Mr. Khan described the project location and surrounding area, the site and the existing uses and conditions at the site. The existing building is being used by the applicant for his business. There are 120 employees working at this warehouse in two shifts with approximately 45 employees working between shift changes. As the result of the new lot configuration there should be sufficient parking on all shifts. He testified there are currently two existing driveways and stated the applicant is proposing employee parking along the frontage of the building; adding twenty more parking spaces that what is currently in existence. There are no operation changes or building modifications proposed and lighting, landscaping and stormwater management improvements are proposed for the site.

Board Questions:

Commissioner Veloz asked if the light manufacturing facility has been in existence. He also questioned if the construction would have impact on the business. Mr. Khan did not expect any significant obstructions related to the project.

Commissioner Mathews questioned if the trees discussed for the landscaping waiver could be donated to a City park. Mr. Khan said they can improve the area with as much green areas in the front as possible. Mr. Miceli said he would follow up the possibility of a contribution with the Board Planner and Engineer.

Mr. Russo said a contribution should be made to City if a sidewalk is not proposed and he defers to the Building Department if ADA access is required.

Audience Questions:

There were no questions form the audience.

Witness:

John McDonough, LA, PP, AICP was sworn in and testified that this is an establish business in the city and this proposal is to make the site better. He testified that the project and the site are governed by I-H Heavy Industrial District and a wholesale product distribution warehouse use is permitted. He explained that this project would help separate the vehicular traffic from the truck traffic currently operating on the site. Mr. McDonough explained the four bulk variances and waivers that the applicant is requesting as reasonable; they are for parking, curb cuts, aisle widths and parking setbacks along with the design waivers for sidewalks, curbing lighting and landscaping. Mr. McDonough testified the project creates better overall site organization, is a benefit to the city and an improvement over the existing condition.

Board Questions:

Commissioner Nadrowski discussed walkability and why there should be a sidewalk as the Master Plan asks for Bayonne to be a walkable town. She also asked for clarification on the stormwater implementation. Mr. Khan responded to Ms. Nadrowski that the addition will assist with the additional impervious surface and discussed the slow discharge into the system, thus creating a 20 – 50% reduction of release of water into the City system.

Audience Questions:

There were no questions from the audience.

Closing Remarks:

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

Closed Caucus:

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.

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]	[]	[]	[]	[]

A short break was taken from 8:07. Secretary Nadrowski took a roll call and the meeting reconvened at 8:14 pm.

Public Hearing (Item IX):

P-19-032 ALLAN and JOANNE McLEOD – Site: 282-284 and 286-288 Broadway in City Block 259, Lots 1, 2, 12 and 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., the attorney for the applicant, gave a brief opening statement explaining this application was initially introduced some time ago and explained the applicant has reduced the bulk of the project. He offered his exhibits into evidence and called his first witness.

Witness:

Arthur Michels, AIA was sworn in and testified that the property is currently occupied by City Newark Glass and covered by the Redevelopment Plan for Newark Glass. He described the surrounding area, the site and the existing uses and conditions at the site. Mr. Michels testified that the lot area is 27,488 square feet and the existing building is being used by the applicant for his business.

He explained the lower portion of the proposed building will be constructed of a durable brick that is aesthetically sensitive to neighboring buildings. The upper portion of the building will be made of glass, since the family owns and operates the glass company currently on the premises, zinc-colored metal panels help to break up the glass along with balconies that are set back. There is a canopy that may require Council action for approval to be in the right-of-way. The bulk standards were described and all requirements met as shown in the plans. The building contains nine (9) stories, which is compliant: the ground level with commercial/retail and parking and eight (8) residential levels above. The height is 107 feet to the roof surface, which is compliant. Mr. Michels gave detailed testimony about the architectural plans.

Board Questions:

Commissioners Fiermonte, Valado, Nadrowski and Veloz, along with Ms. Apte, questioned Mr. Michels.

Audience Questions:

There were no questions from the audience.

Witness:

Mark Chisvette, PE, was sworn in and qualified as an engineering expert. He described the existing conditions at the site and reviewed the key elements of the construction and buildings and the site plan. He testified about the security cameras, building and street lighting, the stormwater management systems, the streetscape and landscaping, utilities, signage and other improvements at the

site as depicted on the plans. He testified that the bulk standards set forth in the Rehabilitation Plan have been met with the proposal set forth in the plans.

Board Questions:

Ms. Apte questioned Mr. Michels if an 8 foot fence is possible to screen off the dog run from the neighboring property.

Audience Questions:

There were no questions from the audience.

Witness:

John McDonough, PP, AICP was sworn in and qualified as an expert in professional planning. He testified that the project and the site are governed by a Rehabilitation Plan that overlays existing zoning. Mr. McDonough testified that the overlay zoning permits a mixed-use building containing residential and commercial/retail uses. The proposal is for 126 residential units which is significantly less than the permitted density. The building complies with all bulk standards, including for lot depth, setbacks, lot coverage, floor area ratio, residential density and building height.

Board Questions:

There were no questions from the Board.

Audience Questions:

There were no questions from the audience.

Closing Remarks:

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

Closed Caucus:

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.

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]	[]	[]	[]	[]

Adoption of Resolutions:

- **P-20-025 – JINGJUN AND HONG ZHOU – Site 231 Avenue E in City Block 212, Lot 14**
 - Commissioner Valado made a motion to approve the resolution and Commissioner Nadrowski seconded the motion.

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]	[]	[]

- **P-17-005 – 309 BROADWAY REALTY, LLC Site: 309 Broadway in City Block 257, Lot 12**
 - Commissioner Valado made a motion to approve the resolution and Commissioner Fiermonte seconded the motion.

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]	[]	[]	[]	[]

- **P-17-005 – EOM 90 AVE E URBAN RENEWAL**

- Commissioner Valado made a motion to approve the resolution and Commissioner Fiermonte seconded the motion.

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]	[]	[]	[]	[]

- **P-20-006 – Resnick’s Phase 3 Site: 309 Broadway in City Block 257, Lot 12**

- Commissioner Valado made a motion to approve the resolution and Commissioner Veloz seconded the motion.

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 9:33 pm and Commissioner Veloz seconded the motion. A unanimous vote of eligible members followed.

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

/akl