



ZONING BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
MARCH 21, 2022

A virtual meeting of the City of Bayonne Zoning Board of Adjustment was conducted by electronic means on Monday, March 21, 2022 as permitted during this State of Emergency due to the COVID 19 pandemic.

Vice-Chairman DiLullo called the meeting to order at 6:09 p.m. and led all in the Pledge of Allegiance to the Flag. Vice-Chairman DiLullo declared a quorum and advised that the Board has complied with the Open Public Meetings Act/Sunshine Law.

Secretary Lombari called the roll. Present at the meeting were Vice-Chairman DiLullo, Secretary Lombari, Commissioners Pineiro, DeRos, Gamal, Sisk-Galvin, Blake and McCourt. Chairman Adams, Commissioners Contey and Fares was not present.

Also present were Richard Campisano, Esq., Board Counsel, Robert Russo, PE, City Engineer, Malvika Apte, PP, consulting City Planner, Suzanne Mack, PP, City Planner and Alicia Losonczy, Zoning Board of Adjustment Administrator.

Adoption of Minutes:

Vice-Chairman DiLullo called for the adoption of the minutes from the February 28, 2022 regular meeting.

Commissioner Lombari made the motion to adopt the minutes and Commissioner DeRos seconded the motion. A unanimous vote of eligible members followed.

Communication:

- Letter from Mr. John Powers for Application Z-20-008 - Site: 21-25 West 20th Street; Block 216, Lot 8 requesting a one-year extension within which to begin construction
 - Commissioner DeRos made a motion and Commissioner Pineiro seconded the motion. A unanimous vote of eligible members followed.

Item VI - Public Hearing:

Z-21-014 – STS. PETER AND PAUL ORTHODOX CHURCH – Site: 93-95 West 27th Street and 94-96 West 28th Street in City Block 47, Lot 8 *[The applicant proposes a subdivision of Lot 2 so that 92 and 95 West 27th Street each have their own lot and also to relocate the rear lot line of Lot 24 further back so that the church annex building is entirely contained on the same lot as the 28th Street church building.]*

Peter Cecinini, Esq., attorney for the applicant, gave an overview of the application and asked the Board to accept his exhibits.

Witness:

Charles Heydt was recognized as an expert by the Board and sworn in as an expert witness. He described the site located in the R-2 District and testified in regard to the proposed subdivision. Mr. Heydt described the proposed new lots and how the buildings would remain the same as well as their present uses. He testified that the purpose of this application is to make each lot provide one principal use.

Board Questions:

Vice-Chairman DiLullo, Commissioners DeRos and Gamal questioned Mr. Heydt.

Audience questions:

Gail Godesky questioned Mr. Heydt.

Public Comment Portion:

Gail Godesky provided comment with regard to this matter.

Closing remarks:

Mr. Cecinini provided his closing remarks and asked that the Board vote favorably on this application.

Caucus:

Vice-Chairman DiLullo stated that he understands the reason for this application but has difficulty with the two new under-sized lots. He advised that he would not be in favor of this subdivision. All commissioners concurred with Vice-chairman Adams.

Motion:

Commissioner DeRos made a motion in the affirmative to approve the application subject to any and all conditions spread across the record. Commissioner Pineiro seconded the motion.

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>	<i>Not Voting</i>
Clifford Adams	[]	[]	[]	[]	[X]	[]
Nicholas DiLullo	[]	[X]	[]	[]	[]	[]
Louis Lombardi	[]	[X]	[]	[]	[]	[]
Joseph Pineiro	[]	[X]	[]	[]	[]	[]
Arrigo DeRos, Jr.	[]	[X]	[]	[]	[]	[]
Ehab Gamal	[]	[X]	[]	[]	[]	[]
Cindi Sisk-Galvin	[]	[X]	[]	[]	[]	[]
Ryan Blake	[]	[X]	[]	[]	[]	[]
Susan Contey	[]	[]	[]	[]	[X]	[]
Mahmoud Fares	[]	[]	[]	[]	[X]	[]
Joseph McCourt	[]	[]	[]	[]	[]	[X]

Item VII - Public Hearing:

Z-21-007 – ABBA KARAS REALTY, LLC by RAMEZ ZAKI - Site: 73 and 77 West 32nd Street; BLOCK 144, LOTS 17 AND 18 *[The applicant is seeking preliminary and final major site plan approval, use and bulk variance relief in order to demolish the two existing one-family houses on each of the lots and to construct a four-story, twenty-unit building with twenty-five parking spaces.]*

Peter Cecinini, Esq., attorney for the applicant, gave an overview of the application, offered his exhibits into evidence and called his first witness.

Witness #1:

Steve Kawalek, Architect, was recognized as an expert by the Board and sworn in to provide testimony. Mr. Kawalek reviewed and described the proposed plans for the site and agreed to work with City professionals in regard to their comments.

Board Questions:

Vice-Chairman DiLullo, Commissioners Gamal, Pineiro, DeRos, McCourt and Lombardi questioned Mr. Kawalek. Mr. Russo questioned Mr. Kawalek.

Audience questions:

Gabriel Seijas, Gail Godesky and George Vinc questioned Mr. Kawalek.

Witness #2:

Charles Heydt, PP, was recognized as an expert by the Board and sworn in to provide testimony. Mr. Heydt described the site, the demolition of the existing buildings and the proposed new multifamily building. He testified that there is no substantial detriment to the public good in granting the variances and felt this was a good project for the neighborhood.

Board Questions:

Commissioner Gamal, Vice-Chairman DiLullo, Commissioners McCourt and Lombardi questioned Mr. Heydt.

Audience questions:

Gail Godesky, Kieran White, Diane Soudy and George Vinc questioned Mr. Kawalek.

**A short break was taken at 9:03. Secretary Lombardi took a roll call and the meeting reconvened at 9:17 pm.*

Audience Comment Portion:

Gail Godesky and George Vinc made comment against this project.

Closing remarks:

Mr. Cecinini summed up his applicant's agreement to the Commissioners suggestions and said that this project is a good fit for the neighborhood.

Caucus:

Vice-Chairman DiLullo stated that he would like to see the applicant work with the neighbor who has the handicapped access and feels the applicant has been tentative to the needs of the neighborhood. Secretary Lombardi and Commissioner Pineiro find the applicant's compliance to be helpful and find this project to be a good concept. Commissioner DeRos felt a building of that size does not fit with the one- and two-family homes in the area and that parking would be an issue; therefore, would not be in favor of this application. Commissioner Gamal felt the area was not suitable for such a project. Commissioner Sisk-Galvin appreciates the applicant's willingness to work with the Board, however, feels this project will have too large an impact for the neighborhood. Commissioner Blake agrees with Commissioner DeRos that if a

traffic study had been completed, it would have been better. Commissioner McCourt appreciates the developer's leniency, however, is not in favor of this project.

Motion:

Commissioner Lombardi made a motion to approve the application subject to any and all conditions spread across the record. Commissioner Gamal seconded the motion.

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>	<i>Not Voting</i>
Clifford Adams	[]	[]	[]	[]	[X]	[]
Nicholas DiLullo	[X]	[]	[]	[]	[]	[]
Louis Lombardi	[X]	[]	[]	[]	[]	[]
Joseph Pineiro	[X]	[]	[]	[]	[]	[]
Arrigo DeRos, Jr.	[]	[X]	[]	[]	[]	[]
Ehab Gamal	[X]	[]	[]	[]	[]	[]
Cindi Sisk-Galvin	[]	[X]	[]	[]	[]	[]
Ryan Blake	[]	[X]	[]	[]	[]	[]
Susan Contey	[]	[]	[]	[]	[]	[X]
Mahmoud Fares	[]	[]	[]	[]	[]	[X]
Joseph McCourt	[]	[]	[]	[]	[]	[X]

Adoption of Resolutions:

- **Z-20-008 GOODMAN LOFTS, LLC – Site: 21-25 West 20th Street; Block 216, Lot 8**
 - Commissioner Lombardi made a motion to adopt the resolution Commissioner Pineiro seconded the motion.

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>
Clifford Adams	[]	[]	[]	[]	[X]
Nicholas DiLullo	[X]	[]	[]	[]	[]
Louis Lombardi	[X]	[]	[]	[]	[]
Joseph Pineiro	[X]	[]	[]	[]	[]
Arrigo DeRos, Jr.	[X]	[]	[]	[]	[]
Ehab Gamal	[]	[]	[X]	[]	[]
Cindi Sisk-Galvin	[X]	[]	[]	[]	[]
Ryan Blake	[X]	[]	[]	[]	[]
Susan Contey	[]	[]	[]	[]	[X]
Mahmoud Fares	[]	[]	[]	[]	[X]
Joseph McCourt	[]	[]	[]	[]	[X]

- **Z-21-008 – FLY JET SKI, LLC – Site: 50 Marina Drive in City Block 47, Lot 8 and**
 - **Z-21-015 – ELCO FISHERMAN’S MARINA, LLC – Site: 50 Marina Drive in City Block 47, Lot 8**
- Commissioner Pineiro made a motion to adopt the resolution Commissioner DeRos seconded the motion.

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>
Clifford Adams	[]	[]	[]	[]	[X]
Nicholas DiLullo	[X]	[]	[]	[]	[]
Louis Lombardi	[X]	[]	[]	[]	[]
Joseph Pineiro	[X]	[]	[]	[]	[]
Arrigo DeRos, Jr.	[X]	[]	[]	[]	[]
Ehab Gamal	[]	[]	[X]	[]	[]
Cindi Sisk-Galvin	[X]	[]	[]	[]	[]
Ryan Blake	[X]	[]	[]	[]	[]
Susan Contey	[]	[]	[]	[]	[X]
Mahmoud Fares	[]	[]	[]	[]	[X]
Joseph McCourt	[]	[]	[]	[]	[X]

The meeting adjourned at 9:52 pm.

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

/akl