PLANNING BOARD
CITY OF BAYONNE
MINUTES OF MEETING
APRIL 12, 2022

A regular meeting of the City of Bayonne Planning Board was held on Tuesday, April 12, 2022, in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Chairperson Fiermonte called the meeting to order at 6:17 p.m. and led all in the Pledge of Allegiance to the Flag. Chairperson Fiermonte advised that the Board has complied with the Open Public Meetings Act/Sunshine Law.

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

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

Adoption of Minutes

Commissioner Nadrowski made a motion to adopt the minutes of the special meeting held on March 30, 2022 and Commissioner Maiorano seconded the motion. A unanimous vote of eligible members followed; Commissioners Beiro and Lack abstained.

Communications:

- Resignation Letter received from Planning Board Commissioner Demyana Youssef dated April 1, 2022

- Letter from Michael Miceli, Esq. dated March 15, 2022 requesting the matter for Application P-21-019 AMS EQUITIES, LLC be carried to the May 10, 2022 regular meeting with no further notice on the part of the applicant

    - Commissioner Fiermonte made the motion to grant the one-year extension through April 21, 2023 and Commissioner Nadrowski seconded the motion. A unanimous vote of eligible Commissioners followed.

- Correspondence from New Jersey Turnpike Authority dated March 7, 2022 to serve as legal notification that applications for authorizations to perform geotechnical survey borings under Freshwater Wetlands General Permit 12 (FWW GP12) and Coastal Zone Management General Permit 23 (CZM GP23) will be submitted to the NJDEP

- Correspondence from Frank Alessi, representative for Application P-18-008 PENINSULA LOFTS URBAN RENEWAL, LLC at 197-205 Avenue E; Block 221, Lots 10, 11 and 12 for a one-year extension for preliminary and final major site plan approval and bulk variance relief to construct a multifamily residential building consisting of 125 dwelling units and attached four-story parking structure containing 157 off-street parking spaces through April 21, 2023

    - Commissioner Nadrowski made the motion to grant the one-year extension through April 21, 2023 and Commissioner Fiermonte seconded the motion. A unanimous vote of eligible Commissioners followed.

- Correspondence from Frank Alessi, representative for application P-18-014 SOUTH COVE COMMONS URBAN RENEWAL II, LLC & SOUTH COVE COMMONS URBAN RENEWAL III, LLC at One LeFante Way; Block 412, Lots 2.021 and 2.022 for a one-year extension for preliminary and final major site plan approval and bulk variance relief for Phase I of an overall plan to construct a 23-story high-rise containing a new hotel and residential uses. The hotel will consist of 130 keys, a 30,000-square foot banquet facility and 162 residential units through April 21, 2023

    - Commissioner Fiermonte made the motion to grant the one-year extension through April 21, 2023 and Commissioner Nadrowski seconded the motion. A unanimous vote of eligible Commissioners followed.

- Correspondence from Don Pepe, Esq., dated April 11, 2022, for Application P-22-002 GAURI SHANKAR FLAGSHIP URBAN RENEWAL, LLC, requesting the matter be placed first in the order on the agenda

    - Commissioner Fiermonte made the motion to grant the request to move the application up on the agenda after the two Redevelopment Plan presentations on the agenda. Commissioner Nadrowski seconded the motion. A unanimous vote of eligible Commissioners followed.

Public Hearing (Item VII):

P-21-028 – Consistency Review – "**GAMAL GROUP EAST REDEVELOPMENT PLAN**" (formerly Caschem) for the property identified as Block 361, 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.

Presentation by Suzanne Mack, City Planner. Ms. Mack 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 other regulations of the plan.

Board Questions:

Secretary Nadrowski, Commissioners Maiorano and Lack and Ms. Apte questioned Ms. Mack. Mr. Raichle made comment on this plan.

Audience Questions:

Mr. Pat Desmond, 131 West 4th Street, questioned Ms. Mack.

Audience Comments:

Mr. Pat Desmond made comment against this Redevelopment Plan as he lives in the area and feels this is not a good plan.

Motion:

Commissioner Fiermonte made a motion to approve the Redevelopment Plan with the request that a Traffic Study be included and subject to any and all conditions as spread across the record and Commissioner Maiorano seconded the motion.

The following vote to approve the Redevelopment Plan was taken at the hearing on April 12, 2022:

RECORDED VOTE:

Commissioners	*Aye*	*Nay*	*Abstain*	*Recuse*	*Absent*	*Not Voting*
Karen Fiermonte	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Maria I. Valado	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
Sharon Nadrowski	[ ]	[ ]	[X]	[ ]	[ ]	[ ]
George Becker	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Jack Beiro	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Ahmed Lack	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Thomas Maiorano	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Michael Quintela	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
James Davis, Mayor	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
Ramon Veloz	[ ]	[ ]	[ ]	[ ]	[X]	[ ]

*****A short break was taken at 7:32 pm. The meeting reconvened at 7:45 pm and roll call was taken.***

Public Hearing (Item VI):

P-21-024 – Presentation of a **REDEVELOPMENT PLAN** for property located at Block 465, Lot 9; Block 466, Lots 1, 2, 3 and 4; Block 478, Lots 1 and 1.01; P/O Block 506, Lot 2 (former Exxon/IMTT)

Presentation by Suzanne Mack, City Planner. Ms. Mack 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 other regulations of the plan.

Audience Questions:

Secretary Nadrowski questioned Ms. Mack. Mr. Raichle made comment to this Redevelopment Plan.

Audience Questions:

Jonathan Gulden, Esq. advised that he represented multiple nearby property owners in objection to this Redevelopment Plan and questioned Ms. Mack. Michael Miceli, Esq. made comment against Mr. Gulden's objections.

<u>Audience Comments</u>:

Mr. Diego Billatrao, Mr. Patrick Kelleher representing Local 24, Thomas Hurley of Local 253 (Carpenter's Union) questioned Ms. Mack.

<u>Motion:</u>

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

The following vote to approve the application was taken at the hearing on April 12, 2022:
<u>RECORDED VOTE</u>:

Commissioners	*Aye*	*Nay*	*Abstain*	*Recuse*	*Absent*	*Not Voting*
Karen Fiermonte	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Maria I. Valado	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
Sharon Nadrowski	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
George Becker	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Jack Beiro	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Ahmed Lack	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Thomas Maiorano	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Michael Quintela	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
James Davis, Mayor	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
Ramon Veloz	[ ]	[ ]	[ ]	[ ]	[X]	[ ]

*****A short break was taken at 8:31 pm. The meeting reconvened at 8:51 and a roll call was taken.***

<u>Public Hearing (Item X)</u>:

P-22-002 – GAURI SHANKAR FLAGSHIP URBAN RENEWAL, LLC – Site: 54 Flagship Street in City Block 751, Lot 1.06 *[The applicant is seeking preliminary and final major site plan approval to construct a six-story, with a mezzanine floor, multi-family improvement consisting of 180 units, amenities, parking and a waterfront walkway.]*

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

Witness #1:

Eric Ballou, Civil Engineer was sworn in and accepted by the Board as an expert in his field. Mr. Ballou testified to the scope of this project and discussed parking, lighting, landscaping and the overall design of the project and the General Development Plan for this site.

Board questions:

Commissioner Nadrowski questioned Mr. Ballou and asked Ms. Apte and Mr. Raichle for their input.

Audience questions:

Mr. Chris Cupo, 123 Wheaton Place, questioned Mr. Ballou.

Witness #2:

Jack Raker, Architect licensed in the state of New Jersey, was sworn in and testified to the architectural design of the project. He testified with regard to the layout, elevation design and façade of the building in detail. Mr. Raker discussed the Parking arrangement as well as the electric vehicle charging stations. He discussed the sign variances being requested for internally illuminated signage and sizes of signage for the retail portion of this project.

Board Questions:

Commissioner Nadrowski, Chairperson Fiermonte, Ms. Apte and Mr. Raichle questioned Mr. Raker.

Audience Questions:

There were no questions from the audience.

Witness #3:

Lee D. Klein, Traffic Engineer, was sworn in and accepted by the Board as an expert in his field. Mr. Klein testified to the traffic engineering report that he prepared for this project including electric vehicle charging stations.

Board questions:

Commissioners Nadrowski questioned Mr. Raker. Ms. Apte and Mr. Raichle questioned Mr. Klein.

Audience questions:

There were no questions from the audience.

Witness #4:

Edward Kolling, PP, was sworn in and accepted by the Board as an expert in his field. Mr. Kolling testified that this project was designed in accordance with the Redevelopment Plan and Master Plan for this site. He discussed the details of how highly amenitized the design is and feels this is a good project for the site. With regard to the variances, Mr. Kolling testified that it is his opinion that the positive criteria outweighs the negative criteria, therefore, this application should be approved.

Board questions:

Commissioners Nadrowski and Chairperson Fiermonte questioned Mr. Kolling. Ms. Apte and Mr. Raichle questioned Mr. Klein.

Audience questions:

There were no questions from the audience.

Audience Comments/Statements:

Pat Desmond made comment against this application.

Closing Remarks:

Mr. Pepe testified that his client is amenable to the conditions discussed during the presentation and asked that the Board vote favorably upon this application

Closed Caucus:

Chairperson Fiermonte discussed the walkway, adding conditions and that the studio apartment size is under what the Redevelopment Plan. Secretary Nadrowski agreed with Chairperson Fiermonte and felt that there are many changes in comparison to what was originally submitted including the conditional variance regarding a loading space and the pedestrian walkway. The applicant agreed to increase the studio apartment to 550 square feet and making it a condition of approval, subject to the approval of the city professionals. Conditions of approval include the application being subject to the recommendations for the lawn area, signage, unit size and loading area where the applicant will work with the Board professionals.

Motion:

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

The following vote to approve the application was taken at the hearing on April 12, 2022:
RECORDED VOTE:

Commissioners	*Aye*	*Nay*	*Abstain*	*Recuse*	*Absent*	*Not Voting*
Karen Fiermonte	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Maria I. Valado	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
Sharon Nadrowski	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
George Becker	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Jack Beiro	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Ahmed Lack	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Thomas Maiorano	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Michael Quintela	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
James Davis, Mayor	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
Ramon Veloz (Mayoral Designee)	[ ]	[ ]	[ ]	[ ]	[X]	[ ]

Glenn Kienz, Esq., spoke to the Board since it was after 10:00 pm and no new matters are to be heard after 10:00 pm. Mr. Kienz requested if the subdivision portion of the next application would be three minutes in presentation if he could present that portion of this application for approval. Chairwoman Fiermonte polled the Commissioners and the general consensus was that the Commissioners agreed to hear the brief application for subdivision.

Public Hearing (Item VIII):

P-22-009 – BAYONNE PARTNERS URBAN RENEWAL, LLC – Site: City Block 830, Lots 1.05, 1.06, 1.07 and a portion of Memorial Boulevard *[The applicant is proposing five* *residential buildings with a total of 1,250 multi-family dwelling units, 10,000 sf of retail space, two parking structures and other amenities.]*

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

Witness #1:

Josh Kline was accepted as an expert witness and sworn in. He testified that the subdivision takes one lot and creates three new conforming lots and Memorial Boulevard will be vacated.

Board Questions:

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

Audience Questions:

There were no questions from the audience.

Audience Comments:

There were no comments from the audience.

Closing Remarks:

Mr. Kienz will reserve his comments for the remainder of the application to be heard at the Board's next regular meeting, however, asked the Board vote favorably of the subdivision portion of the application.

Motion:

Commissioner Nadrowski made a motion to approve the subdivision portion of this application and to carry the remainder of the application without further notice on the part of the applicant and Commissioner Fiermonte seconded the motion.

The following vote to approve the application was taken at the hearing on April 12, 2022:

<u>RECORDED VOTE</u>:

Commissioners	*Aye*	*Nay*	*Abstain*	*Recuse*	*Absent*	*Not Voting*
Karen Fiermonte	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Maria I. Valado	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
Sharon Nadrowski	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
George Becker	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Jack Beiro	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Ahmed Lack	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Thomas Maiorano	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Michael Quintela	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
James Davis, Mayor	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
Ramon Veloz (Mayoral Designee)	[ ]	[ ]	[ ]	[ ]	[X]	[ ]

An additional motion was made to carry the remainder of this application without further notice on the part of the applicant to the May 10, 2022 regular meeting by Chairwoman Fiermonte. The matter was seconded by Secretary Nadrowski. A unanimous vote of eligible Commissioners followed.

Board Counsel Richard Campisano, Esq. requested Matthew Posada, Esq., attorney for Application P-21-020 Bayonne Luxury Waterwalk, LLC 219 West 5th Street; Block 301.01, Lots 1 and 6, approach the podium. Mr. Campisano asked if Mr. Posada would like to carry the matter to the next regular meeting scheduled for May 10, 2022. Mr. Posada requested the Board carry this matter. Chairwoman Fiermonte made the motion to carry the matter to the May 10, 2022 regular meeting with no further notice required on the part of the applicant. Commissioner Becker seconded the motion to carry the matter.

<u>Adoption of Resolutions</u>:

- **P-21-024 – Redevelopment Plan for property located at Block 465, Lot 9; Block 466, Lots 1,2,3 and 4; Block 478, Lots 1 and 1.01, Block 506, Lot 2 (former Exxon/IMTT)**

  - Commissioner Nadrowski 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 on April 12, 2022:
<u>RECORDED VOTE</u>:

Commissioners	*Aye*	*Nay*	*Abstain*	*Recuse*	*Absent*	*Not Voting*
Karen Fiermonte	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Maria I. Valado	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
Sharon Nadrowski	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
George Becker	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Jack Beiro	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Ahmed Lack	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Thomas Maiorano	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Michael Quintela	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
James Davis, Mayor	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
Ramon Veloz	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
(Mayoral Designee)						

- **P-21-019 – Gamal Group East Redevelopment Plan Site: Block 361, Lot 12 and Block 362, Lot 3 (formerly Caschem)**

  - Chairperson Fiermonte 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 on April 12, 2022:
<u>RECORDED VOTE</u>:

Commissioners	*Aye*	*Nay*	*Abstain*	*Recuse*	*Absent*	*Not Voting*
Karen Fiermonte	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Maria I. Valado	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
Sharon Nadrowski	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
George Becker	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Jack Beiro	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Ahmed Lack	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Thomas Maiorano	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Michael Quintela	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
James Davis, Mayor	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
Ramon Veloz	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
(Mayoral Designee)	[ ]	[ ]	[ ]	[ ]	[ ]	[X]

- **P-18-008 - PENINSULA LOFTS URBAN RENEWAL, LLC at 197-205 Avenue E; Block 221, Lots 10, 11 and 12**

    - Chairperson Fiermonte 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 on April 12, 2022: RECORDED VOTE:

Commissioners	*Aye*	*Nay*	*Abstain*	*Recuse*	*Absent*	*Not Voting*
Karen Fiermonte	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Maria I. Valado	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
Sharon Nadrowski	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
George Becker	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Jack Beiro	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Ahmed Lack	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Thomas Maiorano	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Michael Quintela	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
James Davis, Mayor	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
Ramon Veloz (Mayoral Designee)	[ ]	[ ]	[ ]	[ ]	[X]	[ ]

- **P-18-014 SOUTH COVE COMMONS URBAN RENEWAL II, LLC & SOUTH COVE COMMONS URBAN RENEWAL III, LLC at One LeFante Way; Block 412, Lots 2.021 and 2.022**

    - Chairperson Fiermonte 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 on April 12, 2022: RECORDED VOTE:

Commissioners	*Aye*	*Nay*	*Abstain*	*Recuse*	*Absent*	*Not Voting*
Karen Fiermonte	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Maria I. Valado	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
Sharon Nadrowski	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
George Becker	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Jack Beiro	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Ahmed Lack	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Thomas Maiorano	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Michael Quintela	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
James Davis, Mayor	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
Ramon Veloz (Mayoral Designee)	[X]	[ ]	[ ]	[ ]	[ ]	[ ]

On motion by Commissioner Fiermonte, seconded by Commissioner Nadrowski, the Board unanimously voted to close the meeting. Meeting adjourned at 10:52 pm.

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

/akl