PLANNING BOARD
CITY OF BAYONNE
MINUTES OF MEETING
JANUARY 10, 2023

A regular meeting of the City of Bayonne Planning Board was held on Tuesday, January 10, 2023 in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Chairperson Fiermonte called the meeting to order at 6:02 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 Becker called the roll. Present at the time of roll call were Chairperson Fiermonte, Commissioners Becker, Quintela, Booker, Beiro and Lach. Mayor Davis, Commissioners Valado, Veloz and Maiorano were not present.

Also present were Richard N. Campisano, Esq., Board Counsel, City Engineer, Malvika Apte, PP consulting City Planner, Philip Scott, PE consulting City Engineer, Suzanne Mack, PP, City Planner, Philip Scott, PE from Matrix Engineering (filling in for Andrew Raichle, PE) and Alicia Losonczy, Planning/Zoning Board of Adjustment Administrator.

Communications:

- Zoning Board of Adjustment – Annual Report for Calendar Year 2022
- ***P-17-019*** **–** Letter from applicant, Vencom Developers, LLC – Site: 1-3 and 5 Meadow Street; Block 460, Lots 1 and 2, dated December 21, 2022 requesting where the applicant is advising that they will not move forward with this project and are requesting to rescind the Board approval
    - Chairperson Fiermonte made the motion to grant the Administrative Approval and Commissioner Booker seconded the motion. A unanimous vote followed.

- ***P-19-033* -** Letter from applicant for P-19-033 211-217 Broadway, LLC – Site: 211-217 Broadway; Block 305, Lot 20 requesting a one-year extension until January 31, 2024
    - Chairperson Fiermonte made the motion to grant the Administrative Approval and Commissioner Booker seconded the motion. A unanimous vote followed.

- Municipal Council Resolution Authorizing and Directing the Planning Board to conduct a preliminary investigation to determine whether property known as Block 332, Lots 1, 6 and 7; Block 333.01, Lot 7; and Block 373, Lots 1, 2, 13 and 14 within the City constitute a non-condemnation area in need of redevelopment pursuant to the local redevelopment and housing law, N.J.S.A. 40A:12A-1 et seq. and authorizing the preparation of a redevelopment plan for the property ***(P-22-034)***

- Municipal Council Resolution Authorizing and Directing the Planning Board to re-open and consider an amendment to the 69-71 Hook Road Redevelopment Plan for properties known as Block 416, Lots 1.01 and 2.01 (formerly Block 416, Lots 1 and 2) within the City constitute a non-condemnation area in need of redevelopment pursuant to the local redevelopment and housing law, N.J.S.A. 40A:12A-1 et seq. and authorizing the preparation of a redevelopment plan for the property ***(P-17-034)***

- Municipal Council resolution authorizing and directing the Planning Board to re-open and consider an amendment to the 8th Street Rehabilitation Plan for properties identified as Block 206, Lots 1, 2, 3 and 4 to develop a map reflecting the boundaries of the proposed non-condemnation redevelopment area and 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-10-001) (Block is incorrectly noted as 206, correct Block is 306)***

- Municipal Council Resolution Authorizing and Directing the Planning Board to conduct a preliminary investigation to determine whether properties located in the CONSTABLE HOOK WEST AND EAST SIDE REDEVELOPMENT STUDY AREAS within the City constitute a non-condemnation area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12-1 et seq. ***(P-23-001)***

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

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

Consulting City Planner Suzanne Mack, PP, AICP was sworn in to provide expert testimony as to the Redevelopment Plan. Ms. Mack testified that the Municipal Council authorized and directed the Planning Board to prepare the redevelopment plan and she was retained by the City as consulting City

Planner to do so. She described the property and the plan in great detail. Ms. Mack testified to the goals and objectives for the building. She further discussed permitted uses and bulk requirements.

Board questions:

There were no questions from the Board.

Resident questions:

There were no questions from the general public.

Statements:

There were no statements from the audience.

Commissioner Booker made a motion to forward the Board's recommendation on the adoption of the Redevelopment Plan and Commissioner Fiermonte seconded the motion. A unanimous vote followed.

The following vote to approve the application was taken at the hearing on January 10, 2023:

RECORDED VOTE:

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

Public Hearing (Item VII):

P-22-026 BRIDGE POINT BAYONNE, LLC – Site: 63-67 New Hook Road; in City Block 416, Lot 3 *[The applicant is seeking preliminary and final major site plan approval and waiver to demolish the existing improvements and to construct a new one-story speculative industrial building for warehousing use.]*

Matthew Posada, Esq., the attorney for applicant, gave a statement that the application would continue to be heard this evening, offered his exhibits into evidence and called his first witness.

Witness #1:

Robert Streker, Professional Engineer, was sworn in and accepted by the Board as an expert to testify. He testified to the site and the proposed application and how it complies with the Redevelopment Plan. Mr. Streker discussed the details of the proposed warehouse, office and parking. He testified that the nine driveways will be lessened down to four and since the plan allows for three driveways, a variance is requested. He advised that the traffic signal preemption would be contributed by the applicant. Mr. Streker discussed how the project is in compliance with the redevelopment plan d the NJDEP requirements. The landscaping and lighting designs were described. Mr. Streker advised that since a tenant is not identified yet, they will submit a sign package at this time but one monument ground-mounted sign and one building mounted sign are proposed in order to protect the golf course.

Board questions:

Ms. Apte questioned Mr. Streker.

Audience questions:

There were no questions from the audience.

Witness #2:

Mr. John McDonough, Project Planner, was sworn in and accepted by the Board as an expert to testify. He explained that the antiquated site will be upgraded in accordance with the redevelopment plan except for two deviations and discussed those elements. Mr. McDonough described the project in great detail and how the positive criteria greatly outweighs the negative criteria.

Board Questions:

Ms. Apte questioned Mr. McDonough. Ms. Mack made comment.

Audience Questions:

There were no questions from the audience.

Statements/Comments:

There were no statements from the audience.

Closing Remarks:

Mr. Posada thanked the Board and asked that they vote favorably on this project.

Closed Caucus:

Chairperson Fiermonte appreciated the extensive nature of this application and that the details

Motion:

Commissioner Booker 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 application was taken at the hearing on January 10, 2023:

RECORDED VOTE:

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

A short break was taken at 7:54 p.m. and the meeting resumed at 8:06 p.m. Secretary Becker took called the roll.

Public Hearing (Item VIII):

P-22-027 1888 STUDIOS, LLC - Site: Block 332, Lot 3; Block, Lot 2; Block 390, Lots 1 and 2; Block 391, Lot 1 *[The applicant is seeking amended preliminary and final major site plan approval to reconfigure the previously approved site layout, eliminate the following: previously* *approved underground parking spaces/structures, the screening/post-production office building, the creative office building and the central utility plant and associated utility yard. The previously approved stage buildings have been reconfigured in size and location for use optimization and better site circulation to meet the anticipated needs of the motion picture and television studio complex.]*

Matthew Posada, Esq., the attorney for applicant, gave a brief opening statement, offered his exhibits into evidence and called his first witness. He explained the initial application was approved on March 30, 2022 and this application is to amend the building count (which will be reduced from nineteen to seventeen) and to make the parking garage above ground.

Witness #1:

Michael White, an Architect licensed in the state of California, described his expertise in Media and Technology Practice. He was sworn in and accepted by the Board as an expert in his field. Mr. White explained how the natural environment was considered in designing the project. He stated that the name of the applicant, 1888 Studios, LLC, carries a nostalgic homage to the year 1888, when the motion picture camera was invented. He explained the increased need for flex building. Mr. White advised that flex is defined as a sound stage with an immediately flexible space near to you without going outside and they are flexible in the use that they can have multiple professionals in the film industry utilizing these spaces. He explained their target for LEED silver, the elimination of green roofs, the percentage of solar panels and the art-deco flair in the architectural design. Mr. White advised that the parking was de minimis but decreased to 2,158 spaces.

Board questions:

Ms. Apte questioned Mr. White.

Audience questions:

There were no questions from the audience.

Witness #2:

Matt Cornett, an Architect licensed in the state of New Jersey, was sworn in and accepted by the Board as an expert in his field. Mr. Cornett testified to the revisions of this project and the redevelopment plan. He advised the subterranean parking facility will be removed and a five-story parking garage is proposed. He also explained the buildings that will be replaced. Mr. Cornett described the architectural details and the two design waivers for the foot candles and height of the light poles.

Board questions:

There were no questions from the Board.

Audience questions:

There were no questions from the audience.

Witness #3:

Sanjay Patel, a Professional Engineer licensed in the state of New Jersey, was sworn in and accepted by the Board as an expert in his field. Mr. Patel testified to the differences of what would be eliminated, added or changed from the previously approved application. He advised that there are three easements throughout the property PSE&G, Veolia, Ambridge Gas Line and the project will stay clear of these easements. Mr. Patel advised the project is designed in accordance with all NJDEP requirements. He discussed outfall locations and the stormwater system. The heliport is no longer being proposed for this application and signage is not part of this application; both will be brought back before the Board when ready.

Board questions:

Ms. Apte and Mr. Scott questioned Mr. Patel.

Audience questions:

There were no questions from the audience.

Witness #4:

Craig Hermann, a Civil Engineer licensed in the state of New Jersey, was sworn in and accepted by the Board as an expert in his field. Mr. Hermann testified to the changes and advised that the site has been refined for greater efficiency. He testified to the grading and advised that there are no zoning changes to the site as a result of the modifications. Mr. Hermann discussed the trash removal system, the remediation plan, the circulation plan and the stormwater management plan. He discussed how the landscaping would break up the parking areas and the functionality would be lost but they will meet the electric vehicle requirements for the state.

Board questions:

There were no questions from the Board,

Audience questions:

There were no questions from the audience.

Witness #5:

Dan Disario, a Traffic Engineer licensed in the state of New Jersey, was sworn in and accepted by the Board as an expert in his field. Mr. Disario reviewed the site and the traffic impact study prepared by his company. He testified that the modifications to the project will result in a net reduction and less traffic impact.

Board questions:

Mr. Scott and Ms. Mack questioned Mr. Disario.

Audience questions:

There were no questions from the audience.

Witness #6:

John McDonough, Planner, was sworn in and accepted by the Board as an expert in his field. Mr. McDonough testified this is a special project where the form of development is substantially the same as the initial application proposed with only changes to operational efficiencies. He advised that the proposed changes will make very little impact and the three minor design deviations from the original plan will have more positive impact than the project previously presented. Mr. McDonough opines that the application has met its burden and a world-class film studio is a significant project for the City of Bayonne.

Board questions:

Ms. Apte and Ms. Mack questioned Mr. McDonough.

Audience questions:

There were no questions from the audience.

Closing Remarks:

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

Closed Caucus:

Chairperson Fiermonte pointed out that this is a smart design and will be voting in favor of this amended application. Commissioner Lach added that the arts associated with film production will be a welcome addition since our youth are involved in productions at the local school level.

Motion:

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

The following vote to approve the application was taken at the hearing on December 13, 2022:

RECORDED VOTE:

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

Adoption of Resolutions:

- **P-19-038 – John & Maryan, LLC – Site: 126-128 West 54th Street; Block 33, Lot 20**
    - Chairperson Fiermonte made a motion to approve the resolution and Commissioner Beiro seconded the motion.

The following vote to approve the application was taken at the hearing on January 10, 2023:

RECORDED VOTE:

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

- **P-19-039 – John & Maryan, LLC – Site: 90-92 West 45th Street; Block 84, Lot 41**

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

The following vote to memorialize the resolution was taken at the hearing on January 10, 2023:
RECORDED VOTE:

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

- **P-17-019 – VENCON DEVELOPERS, LLC – Site: 1-3 and 5 Meadow Street; Block 460, Lots 1 and 2 *(rescinding approval)***

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

The following vote to memorialize the resolution was taken at the hearing on January 10, 2023:
RECORDED VOTE:

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

- **P-21-024 –CENTRAL CONSTABLE HOOK REDEVELOPMENT PLAN Site: Block 465, Lot 9; Block 466, Lots 1, 2, 3 and 4 and Block 478, Lots 1 and 1.01**
  - Chairperson Fiermonte made a motion to approve the resolution and Commissioner Beiro seconded the motion.

The following vote to memorialize the resolution was taken at the hearing on January 10, 2023:

<u>RECORDED VOTE</u>:

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

- **P-19-033 – 211-217 BROADWAY, LLC – Site: 211-217 Broadway; Block 305, Lot 20 *(extension)***
  - Chairperson Fiermonte made a motion to approve the resolution and Commissioner Becker seconded the motion.

The following vote to memorialize the resolution was taken at the hearing on January 10, 2023:

<u>RECORDED VOTE</u>:

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

- **P-22-026 – BRIDGE POINT BAYONNE, LLC - Site: 63-67 New Hook Road; Block 416, Lot 3**
    - Commissioner Booker made a motion to approve the resolution and Chairperson Fiermonte seconded the motion.

The following vote to memorialize the resolution was taken at the hearing on December 13, 2022:

<u>RECORDED VOTE</u>:

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

On motion by Chairperson Fiermonte, seconded by Commissioner Booker, the Board unanimously voted to close the meeting. The meeting adjourned at 9:35 pm.

Donna Arnold, Certified Shorthand Reporter, who filled in for Susan Bischoff of 449 Columbia Boulevard, Wood-Ridge, NJ 07075, took a transcript of the meeting.

/akl