



**PLANNING BOARD
CITY OF BAYONNE
MINUTES OF MEETING
APRIL 11, 2023**

A regular meeting of the City of Bayonne Planning Board was held on Tuesday, April 11, 2023 in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Chairperson Fiermonte called the meeting to order at 6:07 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.

Mr. Campisano called the roll. Present at the time of roll call were Chairperson Fiermonte, Commissioners Booker, Veloz, Beiro and Lach. Mayor Davis, Secretary Becker, Commissioners Valado, Quintela and Maiorano were not present.

Also present were Richard N. Campisano, Esq., Board Counsel, Robert J. Russo, City Engineer, Brian Slaugh, PP, AICP consulting City Planner, Suzanne Mack, PP, AICP City Planner, and Alicia Losonczy, Planning/Zoning Board of Adjustment Administrator.

Adoption of Minutes

Commissioner Beiro made a motion to adopt the minutes of the regular meeting held on March 14, 2023. Chairperson Veloz seconded the motion. A unanimous vote of eligible members followed.

Communications:

- Letter from Matthew P. Posada, Esq. dated March 10, 2023 requesting an extension for ADAM A. ENTERPRISE, LLC - Site: 1207, 1209-1211 John F. Kennedy Boulevard; Block 24, Lots 2 and 3 through and including September 14, 2024 (**P-21-007**)

- Commissioner Veloz made the motion to allow the extension through and including September 14, 2024 and Chairperson Fiermonte seconded the motion. A unanimous vote followed.
- Letter from Matthew P. Posada, Esq. dated March 10, 2023 requesting an extension for J & J BUILDERS, LLC - Site: 196-200 Avenue E; Block 458, Lot 7 through and including December 6, 2024 (**P-21-018**)
 - Commissioner Booker made the motion to allow the extension through and including December 6, 2024 and Chairperson Fiermonte seconded the motion. A unanimous vote followed.
- Municipal Council Resolution authorizing and directing the Planning Board to re-open and consider amendments to the “Redevelopment Plan Marist” for the property identified as Block 13, Lots 1.01, 16, 17, 18 and 18 B01 pursuant to the LRHL N.J.S.A. 40A:12A-1 et seq., (**Marist Redevelopment Plan – P-21-005**)

Public Hearing (Item VI):

P-22-025 – 101 BAYONNE, LLC – Site: 101 East 2nd Street; Block 359, Lot 4.03 [The applicant is seeking preliminary and final major site plan approval to construct an addition to an existing warehouse.]

Donald M. Pepe, Esq., attorney for applicant, gave his opening statement, offered his exhibits into evidence and called his first witness. He explained the purpose of this application is to modify the proposal since site restraints have dictated the revisions brought forth on this amended application.

Witness #1:

Stephen Musto, Engineer, an Engineer licensed in the state of New Jersey, was sworn in and testified to the application to construct an addition to an existing warehouse. He gave a general overview of the project and the proposed warehouse. Mr. Musto described the building layout and the operation of the parking in relation to the warehouse. He testified to the lighting, the stormwater plan, traffic, landscape requirement, site improvements and other details pertaining to this proposed project.

Board questions:

There were no questions from the Board.

Resident questions:

Max Simon questioned Mr. Musto.

Witness #2:

Antonio Scalise, an Architect licensed in the state of New Jersey, was sworn in and described the existing conditions at the site. He testified to the design of the project as depicted on the plans.

Board questions:

Mr. Slaugh questioned Mr. Scalise.

Resident questions:

There were no questions from the general public.

Witness #3:

Reanna Kirchhoff, Traffic Engineer, was sworn in and testified to the traffic/parking aspect.

Board questions:

Commissioner Veloz questioned Ms. Kirchhoff.

Resident questions:

There were no questions from the general public.

Witness #4:

Mayer Lati, Principal, was sworn in and testified to the operation of the project.

Board questions:

Commissioner Veloz questioned Mr. Lati.

Resident questions:

There were no questions from the general public.

Witness #5:

John McDonough, Professional Planner, was sworn in and testified to the project for this industrial site. He advised that statutory relief is met to approve this application.

Board questions:

There were no questions from the Board.

Resident questions:

Max Simon questioned Mr. McDonough.

Statements:

There were no statements from the audience.

Closed Caucus:

Chairperson Fiermonte advised that this is a good repurposing of the building and although there are some variances being requested, she felt this would be a favorable design.

Commissioner Booker made a motion to approve the application and Chairperson Veloz seconded the motion. A unanimous vote followed.

The following vote to approve the application was taken at the hearing on April 11, 2023:

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>	<i>Not Voting</i>
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	[X]	[]	[]	[]	[]	[]
(Mayoral Designee)						

Public Hearing (Item VII):

P-23-004 – LINK LOGISTICS REAL ESTATE – Site: 69-73 LeFante Way; Block 412,

Lot 3 *[The applicant is seeking preliminary and final major site plan approval to redevelop the property in accordance with the Redevelopment Plan to construct a warehouse distribution facility.]*

Jason Tuvel, Esq., attorney for applicant, gave his opening statement, offered his exhibits into evidence and called his first witness.

Witness #1:

Bradford Bohler, Engineer, was sworn in and testified to the application to redevelop the property in accordance with the Redevelopment Plan to construct a warehouse distribution facility. He oriented the Board to the site and discussed the existing as well as proposed concept. Mr. Bohler discussed the variances being requested, three existing driveways (one of which will be removed and replaced with landscaping), three rail crossings, drainage, refuse location and private hauler coming in once a week, lighting, utility plans, parking and landscaping (including eighty-five trees). He testified that there may be fifty to one hundred employees expected at this facility and they will operate twenty-four hours a day, seven days a week for this spec building.

Board questions:

Commissioners Beiro and Veloz questioned Mr. Bohler. Mr. Slaugh and Ms. Mack questioned Mr. Bohler.

Resident questions:

Michael Ruscigno questioned Mr. Bohler.

Witness #2:

Antonia Laurean, an Architect, licensed in the State of New Jersey was sworn in and testified to the design of the building, mechanicals on the roof, renderings of the façade, signage, and being that it is a speculative building, a tenant is not known at this time. Ms. Laurean discussed how LED lighting would be used on the interior and exterior and she said that the applicant would achieve LEED compliance.

***A short break was taken at 7:28 and the meeting resumed at 7:32. Mr. Campisano called the roll.**

Board questions:

Mr. Slaugh questioned Ms. Laurean.

Resident questions:

There were no questions from the general public.

Witness #3:

John McDonough, Professional Planner, was sworn in and testified to the project. He discussed this application in conjunction with the Redevelopment Plan. Mr. McDonough discussed how this project meets the purposes of zoning, is in conformity with the Master Plan, meets the goals of the Redevelopment Plan. He explained this to be a well-designed project, in which the relief is very minimal, and the positive criteria greatly outweighs any detriments.

Board questions:

Commissioner Veloz questioned Mr. McDonough. Mr. Slauch and Ms. Mack questioned or made comment to Mr. McDonough.

Resident questions:

There were no questions from the general public.

Statements:

There were no statements from the audience.

Closing Statement:

Mr. Tuvel relied on the testimony of his experts and asked the Board to vote favorably on this application.

Closed Caucus:

Chairperson Fiermonte said this is a very aesthetically pleasing project and would be voting in favor of it. Her fellow Commissioners concurred. Commissioner Beiro made a motion to approve the application and Commissioner Booker seconded the motion. A unanimous vote followed.

The following vote to approve the Area in Need of Redevelopment Study was taken at the hearing on April 11, 2023:

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>	<i>Not Voting</i>
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	[X]	[]	[]	[]	[]	[]
(Mayoral Designee)						

***A short break was taken at 8:00 and the meeting resumed at 8:06. Mr. Campisano called the roll.**

Public Hearing (Item VIII):

P-21-005 – Presentation of an Amended and Restated Redevelopment Plan to the Marist Redevelopment Plan for property identified in City Block 13, Lots 1.01, 16, 17, 18 and 18 B01 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.

City Planner Suzanne Mack, PP, AICP was sworn in to provide expert testimony as to the Amended and Restated Redevelopment Plan. Ms. Mack testified that the Municipal Council authorized and directed the Planning Board to prepare the amended and restated plan which will now include interim uses (Section 2.51); they are temporary uses for which the applicant would have to go before the Board with a site plan application.

Board questions:

There were no questions from the Board.

Resident questions:

Michael Ruscigno questioned Ms. Mack.

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

The following vote to approve the application was taken at the hearing on April 11, 2023:

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>	<i>Not Voting</i>
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-21-005 – RDP for Block 13, Lots 1.01, 16, 17, 18 and 18 B01 (*Marist RDP Amendment*)**
 - Commissioner Veloz made a motion to approve the resolution and Commissioner Booker seconded the motion.

The following vote to approve the application was taken at the hearing on April 11, 2023:

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>	<i>Not Voting</i>
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-22-018 – OM GANESH, LLC – Site: Chosin Few Way; Block 751, Lot 1.15**

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

The following vote to approve the application was taken at the hearing on April 11, 2023:

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>	<i>Not Voting</i>
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	[X]	[]	[]	[]	[]	[]
(Mayoral Designee)						

- **P-22-032 – QOZ PROSPECT PROPERTY URBAN RENEWAL, LLC – Site: 33 Prospect Avenue; Block 455, Lot 1.01**

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

The following vote to approve the application was taken at the hearing on April 11, 2023:

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>	<i>Not Voting</i>
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	[X]	[]	[]	[]	[]	[]
(Mayoral Designee)						

- **P-19-045 - 746 Ave E Bayonne Urban Renewal, LLC - Site: 736-742 Avenue E; Block 393, Lots 3,4 and 5**
 - Chairperson Fiermonte made a motion to approve the resolution and Commissioner Booker seconded the motion.

The following vote to approve the application was taken at the hearing on April 11, 2023:

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>	<i>Not Voting</i>
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	[X]	[]	[]	[]	[]	[]
(Mayoral Designee)						

- **P-21-007 - ADAM A. ENTERPRISE, LLC - Site: 1207, 1209-1211 John F. Kennedy Boulevard; Block 24, Lots 2 and 3**

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

The following vote to approve the application was taken at the hearing on April 11, 2023:

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>	<i>Not Voting</i>
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	[X]	[]	[]	[]	[]	[]
(Mayoral Designee)						

- **P-21-018 - J & J BUILDERS, LLC - Site: 196-200 Avenue E; Block 458, Lot 7**

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

The following vote to approve the application was taken at the hearing on April 11, 2023:

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>	<i>Not Voting</i>
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	[X]	[]	[]	[]	[]	[]
(Mayoral Designee)						

On motion by Chairperson Fiermonte, seconded by Commissioner Beiro, the Board unanimously voted to close the meeting. The meeting adjourned at 8:20pm.

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

/akl