



**PLANNING BOARD
CITY OF BAYONNE
Minutes of Special Meeting
OCTOBER 2, 2023**

A special meeting of the City of Bayonne Planning Board was held on Monday, October 2, 2023 in the auditorium of Bayonne High School, 669 Avenue A, Bayonne, New Jersey.

Chairperson Fiermonte called the meeting to order at 6:11 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 Veloz, Booker, Maiorano, Beiro and Lach. Mayor Davis, Secretary Becker, Commissioners Valado and Lawandy were not present.

Also present were Richard N. Campisano, Esq., Board Counsel, Andrew Raichle, PE, consulting City Engineer, Phillip Scott, PE, consulting City Engineer, James Clavelli, PP, AICP consulting City Planner, Suzanne Mack, PP, AICP City Planner, and Alicia Losonczy, Planning/Zoning Board of Adjustment Administrator.

Adoption of Minutes

Chairperson Fiermonte made a motion to adopt the minutes of the regular meeting held on September 12, 2023. Commissioner Veloz seconded the motion. A unanimous vote of eligible members followed.

Public Hearing (Item VII):

P-23-018 – DUKE REALTY BAYONNE URBAN RENEWAL, LLC – Site: Avenue J, E 22nd Street and Hook Rd/Block 466, Lots 1, 2, 3, and 4; Block 478, Lots 1 and 1.01; Block 465 Lot 9; Block 506, Lot 2 *[The applicant is seeking preliminary and final major site plan approval and bulk variance and/or design exception/waiver relief to construct a total of five (5) solar-ready warehouses totaling approximately 1,682,880 sf on the southern parcel and proposed Lot 1 for use as a Warehouse Distribution Facility; a variance is being requested for additional ground signs along with five (5) requests for waivers]*

Michael Miceli, Esq., attorney for applicant, gave his opening statement, offered his exhibits into evidence and called his first witness. Mr. Miceli advised this site is the old Exxon site, which had up to 800 tanks at one time and was probably the most contaminated site in New Jersey and the IMTT site, which is not needed for IMTT's long-term operation. He advised that the parcels are governed by a Redevelopment Plan and 90% of the remediation of the Exxon site is complete. Mr. Miceli said this would be an exciting first step to revitalize that area and explained how his client, Prologis, has many buildings throughout the country and brings long-term commitment to the communities they invest in.

Witness #1:

Michael Sousa, Project Engineer licensed in the State of New Jersey, was sworn in and accepted by the Board as an expert witness. He testified to the site which is governed by the Redevelopment Plan. Mr. Sousa described ownership of the properties and development of each parcel as well. He explained the location, height and other details of each of the five solar-ready warehouse buildings, the guard shack and the maintenance building. Mr. Sousa advised that a traditional warehouse use is anticipated, however, an exact user is not known at this time. He discussed access/ circulation plan, removal of existing tanks, parking, utilities, open space recreational area, the existing pipeline, landscaping and stormwater management. Mr. Sousa explained a variance

for lighting is being sought for purposes of security and variances for signage for number of signs. He advised of all other agency submissions related to this application. Mr. Sousa advised that the project will consist of two phases due to the necessary remediation which would include temporary roadways throughout each phase. He said there will be two trash compactors per building and they will hire a private hauler for their refuse.

Board Questions:

Commissioners Maiorano and Veloz questioned Mr. Sousa. Mr. Campisano, Ms. Mack, Mr. Clavelli, and Mr. Raichle questioned Mr. Sousa.

Resident questions:

Michael Ruscigno and Sharon Nadrowski questioned Mr. Sousa.

Witness #2:

John McDonough, Project Planner licensed in the State of New Jersey, was sworn in and testified to the fact that there is a Redevelopment Plan and a Redeveloper's Agreement for this project. He described the presently-industrial site, the center of Constable Hook, which is to be converted to a world-class warehouse facility; a natural evolution into logistics. He advised everything in the proposal complies except for the variances being requested for number of signs, a variance for lighting and twenty years of extended zoning protection due to the sheer nature of this project. Mr. McDonough feels this 127 + acre site provides a project that will have a positive influence on the site in accordance with and promoting the goals and objectives of the Master Plan.

Board questions:

Commissioner Maiorano questioned Mr. McDonough. Mr. Raichle provided a comment.

Resident questions:

There were no questions from the general public.

Statements:

There were no statements from the audience.

Closing:

Mr. Miceli provided a brief statement summarizing this application and requested the Board vote favorably on this application.

Closed Caucus:

Chairperson Fiermonte advised that warehouses are a great addition to our community, especially beginning jobs to our city, a shuttle would really be beneficial to lessen traffic and that additional future traffic reports would be beneficial. Commissioner Lack made a favorable comment also.

Commissioner Maiorano made a motion to approve the application and Chairperson Fiermonte seconded the motion.

The following vote to approve the application was taken at the hearing on October 2, 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]	[]	[]	[]	[]	[]
Thomas Maiorano	[X]	[]	[]	[]	[]	[]
Jack Beiro	[X]	[]	[]	[]	[]	[]
Ahmed Lack	[X]	[]	[]	[]	[]	[]
Mikel Lawandy	[]	[]	[]	[]	[X]	[]
James Davis, Mayor	[]	[]	[]	[]	[X]	[]
Ramon Veloz	[X]	[]	[]	[]	[]	[]
(Mayoral Designee)						

**A short break was taken from 8:09. Mr. Campisano took a roll call when the meeting reconvened at 8:24 pm.*

Public Hearing (Item VIII):

P-23-020 - BAYVIEW JV, LLC c/o LARKEN ASSOCIATES – Site: former A & P Property; Block 300.01, Lots 1, 2, and 3; Block 301.03, Lots 1.02, 2 and 3; Block 511, Lot 1 *[The applicant is seeking amended approval to the former application P-21-017 for amended preliminary and final major site plan involving modifications of the initial approval and amended subdivision where lot lines will be relocated and variance relief is being sought for rear yard setback and a second curb cut measuring 22 feet.]*

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

Witness #1:

Matthew Neuls, Project Engineer licensed in the State of New Jersey, was sworn in and accepted as an expert witness. He testified to the site and gave an overview of the prior approvals as well as the amendments of the application before the Board at this time. Mr. Neuls described the phasing of the project to consist of four phases. He discussed the 1,100 units that received approval and that Lot 2 is not part of the minor subdivision. Mr. Neuls testified that a variance is required for driveway width and number of driveways since they are requesting two driveways.

Board questions:

Commissioner Maiorano questioned Mr. Neuls. Mr. Raichle and Ms. Mack made comment.

Resident questions:

Michael Ruscigno and Sharon Nadrowski questioned Mr. Neuls.

Witness #2:

Jay S. Troutman, Jr., PE, Traffic Engineer licensed in the State of New Jersey, was sworn in and accepted as an expert witness to address Ms. Nadrowski's question posed initially to Mr. Neuls but answered by Mr. Troutman since it was related to traffic.

Resident Questions:

Sharon Nadrowski questioned Mr. Troutman.

Witness #3:

Stuart Johnson, Project Architect licensed in the State of New Jersey, was sworn in and recognized as an expert witness. Mr. Johnson described the overall revisions from the initial approval in 2021. He explained the facade of the building, materials used in this project, updated number of units and overall details of the project. Mr. Johnson advised that they will meet the design requirements of a LEED silver certification.

Board questions:

Commissioner Lack, Mr. Clavelli and Mr. Raichle questioned Mr. Johnson.

Resident questions:

Ms. Nadrowski questioned Mr. Johnson. Mr. Raichle made comment.

Witness #4:

John McDonough, Project Planner licensed in the State of New Jersey, was sworn in and accepted as an expert witness. Mr. McDonough advised that he considers this to be a showpiece proposal. He discussed the adjacent Bergen Point Brass Foundry site which transformed the area. Mr. McDonough discussed the minimal relief - variances for the following: curb cut width of twenty-two feet where ten feet is permitted, number of driveway curb cuts where the applicant is relocating the second one for better circulation, and a small parcel of land that will be provided to the Brass Foundry site through the subdivision. Mr. McDonough testified that the applicant is requesting a twenty-year extension for zoning protection. He comments that the deviations are minor and opined that this application should be approved.

Board questions:

Ms. Mack requested Mr. McDonough speak to the affordable housing component of the application.

Resident questions:

There were no questions from the general public.

Statements:

There were no statements from the audience.

Closed Caucus:

Chairperson Fiermonte advised that she is happy to see the addition of the traffic light and the buffer.

Commissioner Maiorano made a motion to approve the application and Commissioner Veloz seconded it.

The following vote to approve the application was taken at the hearing on October 2, 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]	[]	[]	[]	[]	[]
Thomas Maiorano	[X]	[]	[]	[]	[]	[]
Jack Beiro	[X]	[]	[]	[]	[]	[]
Ahmed Lack	[X]	[]	[]	[]	[]	[]
Mikel Lawandy	[]	[]	[]	[]	[X]	[]
James Davis, Mayor	[]	[]	[]	[]	[X]	[]
Ramon Veloz	[X]	[]	[]	[]	[]	[]
(Mayoral Designee)						

On motion by Chairperson Fiermonte, seconded by Commissioner Maiorano, the Board unanimously voted to close the meeting. The meeting adjourned at 10:00 pm.

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