PLANNING BOARD
CITY OF BAYONNE
MINUTES OF MEETING
DECEMBER 12, 2023

A regular meeting of the City of Bayonne Planning Board was held on Tuesday, December 12, 2023 in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Chairperson Fiermonte called the meeting to order at 6:10 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, Secretary Becker, Commissioners Booker, Maiorano, Beiro and Lach. Mayor Davis, Commissioners Valado, Veloz and Lawandy were not present.

Also present were Richard N. Campisano, Esq., Board Counsel, Robert J. Russo, 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:

Commissioner Becker made a motion to adopt the minutes of the special meetings held on November 6, 2023. Commissioner Maiorano seconded the motion. A unanimous vote of eligible members followed.

Communications:

- ***P-15-019*** **–**Communication from Michael Miceli, Esq. dated October 12, 2023 requesting an extension for 26 North Avenue, LLC - 26 North Street; Block 297, Lot 3 until December 1, 2025 ***(P-15-019)***
  - Commissioner Maiorano made the motion to allow the extension until December 1, 2025 and Commissioner Booker seconded the motion. A unanimous vote followed.
- Municipal Council resolution authorizing and directing the Planning Board to prepare a Redevelopment Plan for certain property located at Newark Bay- 1st to 3rd Street, 4-22 Avenue A, 247-251 West 1st Street, and 218-222 West 2nd Street, Block 332, Lots 1,6, and 7; Block 333.01, Lot 7 and Block 373, Lots 1, 2, 13 and 14 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. (*White Glove/Avenue A*) ***(P-22-034)***

Board Reorganization:

- **Election of officers for 2024 (nominations and acceptances)**:
  The following Commissioners were nominated and accepted for calendar year 2024:
  - **Karen Fiermonte – Chairperson**
  Secretary Becker made the motion for this nomination. Commissioner Maiorano seconded the motion and a unanimous vote followed.
  - **Maria Valado - Vice-Chairperson**
  Chairperson Fiermonte made the motion for this nomination. Commissioner Becker seconded the motion and a unanimous vote followed.
  - **George Becker - Secretary**
  Chairperson Fiermonte made the motion for this nomination. Commissioner Booker seconded the motion and a unanimous vote followed.

- **Appointment of Board Personnel**:
  The following is a list of support personnel unanimously voted in by the Board:
  - Richard N. Campisano, Esq., Board Attorney
  - Suzanne Mack, P.P., City Planner
  - Susan Bischoff, C.S.R
  - CME Associates
  - Matrix New World
  - Alicia Losonczy, Board Administrator

  Chairperson Fiermonte made the motion for this appointment. Commissioner Becker seconded the motion and a unanimous vote followed.

- **<u>Adoption of 2024 Calendar</u>**:
  The Commissioners voted unanimously to adopt the following regular meeting dates for calendar year 2024:

January 9, 2024
February 6, 2024
March 12, 2024
April 9, 2024
May 14, 2024
June 11, 2024
July 9, 2024
August 13, 2024
September 10, 2024
October 8, 2024
November 4, 2024 (alternate date)
December 10, 2024

Chairperson Fiermonte made the motion to adopt the 2024 calendar of meeting dates. Commissioner Becker seconded the motion and a unanimous vote followed.

<u>Presentation of Zoning Ordinance Amendment (Item VI):</u>

P-24-001 Presentation of Zoning Ordinance amendment to Chapter 33-12.3 Schedule of Fees for Land Use Approvals to update the Special Meeting Fee from $1,000 to $4,000 per applicant.

Presentation by Joseph D. Skillender, Esq., Director of Planning, Zoning, and Development

<u>Board questions:</u>

Brian Slaugh made comment regarding the fee.

<u>Resident questions:</u>

There were no questions from the general public.

<u>Statements:</u>

There were no statements from the audience.

Chairperson Fiermonte made a motion to forward the Board's recommendation on the adoption of the Area in Need of Redevelopment Study and Commissioner Becker seconded the motion. A unanimous vote followed.

The following vote to approve the amendment to the Zoning Ordinance was taken at the hearing on December 12, 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]	[ ]	[ ]	[ ]	[ ]	[ ]
Thomas Maiorano	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Jack Beiro	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Ahmed Lack	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Mikel Lawandy	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
James Davis, Mayor	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
Ramon Veloz (Mayoral Designee)	[ ]	[ ]	[ ]	[ ]	[X]	[ ]

Public Hearing (Item VII):

P-23-012 - Presentation of a Non-condemnation Area in Need of Redevelopment Study for property located at 28-34 East 22nd Street in City Block 212, Lots 30, 31, and 32 to develop a map reflecting the boundaries of the proposed non-condemnation redevelopment area and to determine whether said property constitutes a non-condemnation area in need of redevelopment in pursuant to the LRHL, N.J.S.A. 40A:12A-1 et seq. ***(former Fryczynski Funeral Home)***

City Planner Suzanne Mack, PP, AICP provided expert testimony with regard to the Area in Need of Redevelopment Study. Ms. Mack said that this Plan was on the Board for a very long time but was delayed as a result of COVID-19. She explained the current site and the lack of ability to develop the properties under the current criteria.

Board questions:

Mr. Slaugh made comment in regard to this plan.

Resident questions:

Michael Morris, of 55 West 1st Street, questioned Ms. Mack.

Board/Resident Statements:

There were no statements from the Board or audience.

Commissioner Booker made a motion to forward the Board's recommendation on the adoption of the Area in Need of Redevelopment Study and Chairperson Fiermonte 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 December 12, 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]	[ ]	[ ]	[ ]	[ ]	[ ]
Thomas Maiorano	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Jack Beiro	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Ahmed Lack	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Mikel Lawandy	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
James Davis, Mayor	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
Ramon Veloz (Mayoral Designee)	[ ]	[ ]	[ ]	[ ]	[X]	[ ]

Public Hearing (Item VIII):

P-22-024 – 5 MEADOW CONSTRUCTION, LLC – Site: 5 Meadow Street; Block 464, Lot 1.01 *[The applicant seeks amended approval for prior application P-17-019 which was approved to allow the construction of a (4) four-story residential building containing fourteen (14) residential units and eighteen (18) parking spaces. The application being submitted currently calls for the construction of a multi-family residential building (with garage) that will be five (5) stories and comprised of twenty-one (21) residential units with twenty-four (24) associated parking spaces. The proposed plan is in conformance with the applicable zone except with respect to the required rear yard setback and lot coverage, both of which were previously approved.]*

Richard Campisano advised that a correspondence from the applicant's attorney be rescheduled without preservation of notice.

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

P-22-031 – SIXTH WAVE LOGISTICS, LLC – Site: 69-71 New Hook Road; Block 416, Lots 1.01 and 2.01 *[The applicant is seeking preliminary and final major site plan approval to construct a self-storage building (157,150 sf) and flex warehouse including (68,300 sf), but not limited to, climate control uses (e.g. cold storage/refrigerated storage) as Phase II of this project. Phase I received approval under Application P-20-017.]*

Charles J. Harrington III, Esq., the attorney for the applicant, offered his exhibits into evidence and called his first witness. He provided a brief overview that his client initiated the Redevelopment Plan and is the designated redeveloper of the property as well. Mr. Harrington explained Phase I of this project and how Phase II requires a subdivision and proposed combination of warehouse and office use with no variance.

<u>Witness #1</u>:

Matthew Welch, an Engineer licensed in the State of New Jersey, was accepted as an expert witness and sworn in. He testified to the completed Phase I of the project and the Phase II proposal. He discussed the site is situated higher since it is located in the flood plain. Mr. Welch advised that the existing Delta Self-Storage will be demolished and then a new self-storage and a new flex building will be constructed. He explained the loading will take place internal to the building, making it more convenient for the tenants. Mr. Welch discussed the proposed parking and circulation. He described Lot 1.03 as having the self-storage warehouse, Lot 1.02 will have the flex building and Lot 2.02 will have the existing warehouse. He stated that the applicant will be reducing pervious and motor-vehicle surface and discussed a comprehensive landscape plan. Mr. Welch advised that the proposed lot coverage is 87%.

Board questions:

Mr. Russo and Mr. Slaugh questioned Mr. Welch.

Resident questions:

There were no questions from the general public.

Witness #2:

Mark Ford, an Architect licensed in the State of New Jersey, gave the Board the benefit of his expertise, was accepted as an expert witness and sworn in. He discussed the buildings acting like sister-buildings; with the intention to combine the look of both phases. Mr. Ford described the footprints, functions and locations of each of the buildings. The six stories of storage units will have an upper penthouse that sits in the center of the building, creating a seventh floor; with a use as an office. The cold storage building will have architectural features consistent with Phase I and will be a maximum height of ninety feet for both structures. Mr. Ford testified that pre-finished metal panels and pre-cast panels will be used in a similar color scheme to what was used in Phase I. He explained the proposed facades, the lighting plan and the variations in the facades.

Board questions:

Mr. Slaugh and Mr. Russo questioned Mr. Ford.

Resident questions:

There were no questions from the general public.

Witness #3:

John McDonough, PP, a Planner licensed in the State of New Jersey, was accepted as an expert witness and sworn in. He testified to the application before the Board governed by the Redevelopment Plan and advised that the proposal is in compliance with the Redevelopment Plan except for the two variances required for signage. Mr. McDonough advised that this redevelopment area was the pioneer for that area with regard to transforming the area. He explained how this project is on point with the Master Plan and suggested the Board vote favorably on this application.

Board questions:

Mr. Slaugh questioned Mr. McDonough. Mr. Welch addressed the question regarding the radial lot line

Resident questions:

Michael Morris questioned Mr. McDonough.

Board/Resident Statements:

Michael Morris made comment in regard to this application.

Closing Remarks:

Mr. Harrington asked the Board to vote favorably upon this application.

Chairperson Fiermonte advised that this is that "middle piece" that connects the development down in that area. She feels the new buildings will be nice to replace the outdated existing building and she would look to see a sidewalk put into place as part of this project. She feels that the signal preemption and sidewalk would be a good benefit and will be voting in favor of this project. Chairperson Fiermonte made a motion to approve this application for Phase II of this project and Commissioner Becker seconded the motion. A unanimous vote followed.

The following vote to approve the application was taken at the hearing on December 12, 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]	[ ]	[ ]	[ ]	[ ]	[ ]
Thomas Maiorano	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Jack Beiro	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Ahmed Lack	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Mikel Lawandy	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
James Davis, Mayor	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
Ramon Veloz (Mayoral Designee)	[ ]	[ ]	[ ]	[ ]	[X]	[ ]

<u>Adoption of Resolutions</u>:

- **P-15-019 – 26 NORTH AVENUE, LLC – Site: 26 North Street in City Block 297, Block 3 *(extension until December 1, 2025)***
  - Chairperson Fiermonte made a motion to approve the resolution and Commissioner Becker seconded the motion.

The following vote to approve the Memorializing of the Resolution was taken at the hearing on December 12, 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]	[ ]	[ ]	[ ]	[ ]	[ ]
Thomas Maiorano	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Jack Beiro	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Ahmed Lack	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Mikel Lawandy	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
James Davis, Mayor	[ ]	[ ]	[ ]	[ ]	[X]	[ ]
Ramon Veloz (Mayoral Designee)	[ ]	[ ]	[ ]	[ ]	[X]	[ ]

- **P-23-019 - ABBA KARAS REALTY, LLC – Site: 41-43 West 19th Street; Block 220, Lot 5**
  - Chairperson Fiermonte made a motion to approve the resolution and commissioner Booker seconded the motion.

The following vote to approve the Memorializing of the Resolution was taken at the hearing on December 12, 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]	[ ]	[ ]	[ ]	[ ]	[ ]
Thomas Maiorano	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Jack Beiro	[ ]	[ ]	[X]	[ ]	[ ]	[ ]
Ahmed Lack	[X]	[ ]	[ ]	[ ]	[ ]	[ ]
Mikel Lawandy	[ ]	[ ]	[ ]	[ ]	[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 at7:49 pm.

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

/akl