



**PLANNING BOARD
CITY OF BAYONNE
MINUTES OF MEETING
JANUARY 9, 2024**

A regular meeting of the City of Bayonne Planning Board was held on Tuesday, January 9, 2024 in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Chairperson Fiermonte called the meeting to order at 6:04 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 Valado, Booker, Beiro, Lach, and Lawandy. Mayor Davis, Secretary Becker, Commissioners Maiorano and Veloz 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 Booker made a motion to adopt the minutes of the special meetings held on December 12, 2023. Commissioner Beiro seconded the motion. A unanimous vote of eligible members followed.

Communications:

- ***P-22-028*** –Communication from Michael Miceli, Esq. dated January 2, 2024 requesting an application for 745-747 Broadway, LLC – 745-747 Broadway; Block 139, Lots 18 and 19 be adjourned until February 6, 2024 meeting
 - Commissioner Valado made the motion to carry the matter to the February 6, 2024 meeting and Commissioner Booker seconded the motion. A unanimous vote followed.
- ***P-23-023*** – Communication from Peter Cecinini, Esq. dated January 2, 2024 requesting an application for 745-747 Broadway, LLC – 745-747 Broadway; Block 139, Lots 18 and 19 be adjourned until February 6, 2024 meeting
 - Commissioner Valado made the motion to carry the matter to the February 6, 2024 meeting and Chairperson Fiermonte seconded the motion. A unanimous vote followed.
- ***P-23-027*** – Communication from Glenn Kienz, Esq. dated January 9, 2024 advising the matter be carried to a Special Meeting to be held on Monday, January 29, 2024, and new notice will be published

Presentation of Zoning Ordinance Amendment (Item VI):

P-24-001 Presentation of Zoning Ordinance amendment to Chapter 33-2.2 Definition of Terms; Adding new definition for Retail Store, Convenience

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

Board questions:

There were no questions from the Board.

Resident questions:

There were no questions from the public.

Commissioner Valado made a motion to forward the Board's recommendation on the adoption of the update to the Zoning Ordinance and Commissioner Booker seconded the motion.

The following vote to approve the amendment to the Zoning Ordinance was taken at the hearing on January 9, 2024:

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)						

Public Hearing (Item VII):

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 a garage that will be five (5) stories comprised of twenty-two (22) 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.]*

Donald Pepe, Esq., the attorney for the applicant, offered his exhibits into evidence and called his first witness.

Witness #1:

Ahmed Emara, an Architect licensed in the State of New Jersey, was accepted as an expert witness and sworn in. He testified to the proposed amendments to the project and the site. Mr. Emara discussed how some of the variances overlap and explained them in detail; with three variances previously approved. He discussed the parking, floor plan designs, and façade

improvements on all elevations. Mr. Emara testified that move-ins and move-outs would be handled within the garage in a designated area. He advised that multiple bins would be provided in the refuse area.

Board questions:

Chairperson Fiermonte, Commissioner Lawandy, Mr. Russo, and Ms. Mack questioned Mr. Emara.

Resident questions:

There were no questions from the general public.

Witness #2:

John McDonough, PP, a Planner licensed in the State of New Jersey, was accepted as an expert witness, and sworn in. He described the project proposed in the TDO – Transit Development Overlay District. Mr. McDonough described the relief being requested in the planning report and explained how all relief requested meets the statutory requirement with appropriate justifications. He advised that there is a rationale for the lack of cure for the deficiencies for lot area, lot width, front setback, rear setback, lot coverage, the twelve feet width of the curb cut and the lighting relief. Mr. McDonough testified that the positive criteria greatly outweigh any negative criteria and discussed how this project meets the purposes of zoning. He feels relief can be granted without any substantial detriment to the public and feels that since the statutory burden has been met. Mr. McDonough opined that this application can be approved if evaluating planning criteria.

Board questions:

Ms. Mack questioned Mr. McDonough.

Resident questions:

Mark Schutte questioned Mr. McDonough.

Board/Resident Statements:

There were no statements from the Board or the public.

Closing Statement:

Mr. Pepe made a statement with regard to this matter.

Closed Caucus:

Chairperson Fiermonte advised that she hopes the lighting is ample and a good safety feature. She hopes the applicant will work with the city professionals to meet the lighting requirements.

Commissioner Valado 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 January 9, 2024:

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 (Mayoral Designee)	[]	[]	[]	[]	[X]	[]

Public Hearing (Item VI):

P-23-006 - Presentation of a Redevelopment Plan for property located at 431-437 Broadway, 11-13 West 19th Street, 10-12 West 20th Street in City Block 220, Lots 18, 23, 24, 25 and 26 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. (*Bayonne Go-Cart/Retro Fitness*)

Consulting City Planner Suzanne Mack, PP, AICP provided expert testimony about this Redevelopment Plan. Ms. Mack advised the permitted uses on each of the floors and the mix of units; 450 square feet being the minimum allowed for a one-bedroom unit. She discussed the rooftop use allowances, buffers, plantings, parking and design/streetscape standards.

Board questions:

Mr. Lawandy questioned Ms. Mack.

Resident questions:

There were no questions from the public.

Statements/Comments:

There were no statements from the audience.

Chairperson Fiermonte likes the inclusion of the rooftop area and the possibility of breweries or cideries.

Chairperson Fiermonte made a motion to forward the Board's recommendation on the adoption of the Redevelopment Plan and Commissioner Valado seconded the motion.

The following vote to approve the Redevelopment Plan was taken at the hearing on January 9, 2024:

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)						

Adoption of Resolutions:

- **P-22-031 – SIXTH WAVE LOGISTICS, LLC – Site: 69-71 New Hook Road in City Block 416, Lots 1.01 and 2.01**
 - Chairperson Valado 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 January 9, 2024:

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)						

- **P-23-006 – Redevelopment Plan for 431-437 Broadway, 11-13 West 19th Street, 10-12 West 20th Street in City Block 220, Lots 18, 23, 24, 25 and 26**
 - Commissioner Valado 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 January 9, 2024:

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 Commissioner Valado, seconded by Chairperson Fiermonte, the Board unanimously voted to close the meeting.

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