



**PLANNING BOARD
CITY OF BAYONNE
MINUTES OF MEETING
JUNE 11, 2024**

A regular meeting of the City of Bayonne Planning Board was held on Tuesday, June 11, 2024 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.

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

Also present were Richard N. Campisano, Esq., Board Counsel, Darren Mazzei, Consulting 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:

Chairperson Fiermonte made a motion to adopt the minutes of the special meetings held on May 14, 2024. Commissioner Booker seconded the motion. A unanimous vote of eligible members followed.

Communications:

- Letter from Donald Pepe, Esq. dated May 9, 2024 requesting the matter for MAHALAXMI BAYONNE URBAN RENEWAL, LLC - Site: One Flagship Street; Block 751, Lots 1.11, 1.14, 1.15 be carried until the July 9, 2024 meeting with preservation of notice (**P-23-017**)
 - Chairperson Fiermonte made the motion to carry the matter to the July 9, 2024 meeting with no further notice required on the part of the applicant and after Commissioner Booker seconded the motion, a unanimous vote followed.
- Letter from Mayor James M. Davis dated May 31, 2024 reappointing Ramon Veloz as the Mayoral Designee with a term expiring on June 30, 2025 and reappointing Loyad Booker, Jr. as the Class III Member with a term expiring on June 30, 2025
- Letter from Paul Weeks, Esq. dated May 9, 2024 requesting the matter for QUATTRO AMICI, LLC - Site: 585 Avenue E; Block 121, Lot 25 be carried to the July 9, 2024 meeting with preservation of notice (**P-24-011**)
 - Chairperson Fiermonte made the motion to carry the matter to the July 9, 2024 meeting with no further notice required on the part of the applicant and after Commissioner Veloz seconded the motion, a unanimous vote followed.

Presentation of Zoning Ordinance Amendment (Item VI):

P-24-001 (i) Presentation of Zoning Ordinance amendment to Chapter 33 Planning and Development: Sections 33-3.1 Zoning Officer and Chapter 35 Zoning Regulations: Section 35-31.2 Duties of the Zoning Officer – updates

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

Board questions:

There were no questions from the Board.

Resident questions:

Mike Ruscigno asked a question of Director Skillender.

Statements:

There were no statements from the audience.

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

The following vote to approve the amendment to the Zoning Ordinance was taken at the hearing on June 11, 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]	[]	[]	[]	[]	[]
Mike Quintela	[X]	[]	[]	[]	[]	[]
James Davis, Mayor	[]	[]	[]	[]	[X]	[]
Ramon Veloz	[X]	[]	[]	[]	[]	[]

(Mayoral Designee)

Presentation of Zoning Ordinance Amendment (Item VII):

P-24-001 (j) Presentation of Zoning Ordinance amendment to Chapter 33-20: Article

XX Short Term Rentals - updates

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 general public.

Statements:

There were no statements from the audience.

Chairperson Fiermonte made a motion to forward the Board's recommendation on the adoption of the ordinance amendment and Commissioner Veloz seconded the motion. A unanimous vote followed.

The following vote to approve the amendment to the Zoning Ordinance was taken at the hearing on June 11, 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]	[]	[]	[]	[]	[]
Mike Quintela	[X]	[]	[]	[]	[]	[]
James Davis, Mayor	[]	[]	[]	[]	[X]	[]
Ramon Veloz	[X]	[]	[]	[]	[]	[]
(Mayoral Designee)						

Presentation of Zoning Ordinance Amendment (Item VIII):

P-24-001 (k) Presentation of City of Bayonne Ordinance amendment to Vacant Property Signs

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 general public.

Statements:

There were no statements from the audience.

No vote required since this is for information purposes only from Chapter 17.

Presentation of Zoning Ordinance Amendment (Item IX):

P-24-001 (I) Presentation of Zoning Ordinance amendment to Chapter 33-12.3 Schedule of Fees for Land Use Approvals to update the Special Meeting Fee to be \$5,000 per applicant.

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 general public.

Statements:

There were no statements from the audience.

Chairperson Fiermonte made a motion to forward the Board's recommendation on the ordinance revision and Commissioner Booker seconded the motion. A unanimous vote followed.

The following vote to approve the amendment to the Zoning Ordinance was taken at the hearing on June 11, 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]	[]	[]	[]	[]	[]
Mike Quintela	[X]	[]	[]	[]	[]	[]
James Davis, Mayor	[]	[]	[]	[]	[X]	[]
Ramon Veloz	[X]	[]	[]	[]	[]	[]
(Mayoral Designee)						

Public Hearing (Item X):

P-24-013 - Presentation of an amendment to the Redevelopment Plan (*original # P-10-001 subfolder*) for property located at 26 North Street in City Block 297, Lot 3 as shown on the official Tax Map of the City of Bayonne (*former Pagano's*)

City Planner Brian Slaugh, PP, AICP provided expert testimony with regard to the amendments to this Redevelopment Plan. Mr. Slaugh advised that the plan is being amended reducing the height to fourteen stories, amending some of the permitted and conditional uses, parking requirements as well as the area and yard requirements. He said that there was a reasonable amount of dialogue with the owner, and he opined that this amendment to the Redevelopment Plan should be adopted. The changes were: Page 1 – Block 237 is an error and the Plan should reflect the correct Block of 297, Page 4 indicates “not exceeding 4,000 square feet”, however, should be listed as “not exceeding 7,000 square feet” to match what is found later in the plan, and Page 9 (Paragraph M) with regard to the superseding nature of the plan to the ordinance – “this plan shall supersede any pre-existing plan, 8th Street Rehabilitation Plan, except as provided herein.”

Board questions:

Ms. Mack questioned Mr. Slaugh.

Resident questions:

There were no questions from the audience.

Board/Resident Statements:

There were no statements from the Board or audience.

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

The following vote to approve the Redevelopment Plan was taken at the hearing on June 11, 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]	[]	[]	[]	[]	[]
Mike Quintela	[X]	[]	[]	[]	[]	[]
James Davis, Mayor	[]	[]	[]	[]	[X]	[]
Ramon Veloz (Mayoral Designee)	[X]	[]	[]	[]	[]	[]

Public Hearing (Item XI):

P-24-014 - Presentation of an amendment to the Peninsula at Bayonne Harbor South Redevelopment Plan for property located in City Block 751 as shown on the official Tax Map of the City of Bayonne (*Mahalaxmi*)

City Planner Brian Slaugh, PP, AICP provided expert testimony with regard to the amendments to this Redevelopment Plan. Mr. Slaugh explained the revisions to the standards of this plan, including fifty stories as the height allowance.

Board questions:

Ms. Mack made comment with regard to Mr. Slaugh's presentation.

Resident questions:

Michael Ruscigno questioned if a traffic light could be placed on MOTBY. Director Joseph Skillender answered Mr. Ruscigno's question with regard to traffic controls in the area.

Board/Resident Statements:

Lou Dibarro, 31 West 46th Street, resident of Bayonne, made a comment. Mr. Booker made comment and Commissioner Lach is in favor of this amendment.

Chairperson Fiermonte made a motion to forward the Board's recommendation on the adoption of the Redevelopment Plan 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 June 11, 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]	[]	[]	[]	[]	[]
Mike Quintela	[X]	[]	[]	[]	[]	[]
James Davis, Mayor	[]	[]	[]	[]	[X]	[]
Ramon Veloz	[X]	[]	[]	[]	[]	[]

(Mayoral Designee)

****A short recess was taken at 7:27. Mr. Campisano took a roll call and the meeting reconvened at 7:42 pm.***

Public Hearing (Item XIV):

P-23-033 – 38 EAST 25TH STREET, LLC - Site: 38 East 25th Street; Block 191, Lot 6

[The applicant is seeking preliminary and final major site plan approval to construct a new, three-story building consisting of five residential units involving multiple bulk variance relief including side yard setback, minimum lot frontage, minimum lot area, maximum lot coverage and parking.]

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

Witness #1:

Ahmed A. Emara, AIA, an Architect licensed in the State of New Jersey, was accepted as an expert witness and sworn in. He testified to the location of the project located in the R-M High Density Zone and within the TDO – Transit Development Overlay. Mr. Emara explained the project location as well as the existing and proposed site plans. He spoke to several points of the

Engineering Report of Mr. Russo and agreed with him that an additional variances is required for the parking space being closer than five feet to the right-of-way as noted in Section 35-17.5.

Board questions:

Mr. Slaugh and Mr. Mazzei questioned Mr. Emara. Commissioner Veloz questioned Mr. Emara.

Resident questions:

There were no questions from the general public.

Witness #2:

Hesham M. Kammoura, a Civil Engineer licensed in the State of New Jersey, was accepted as an expert and sworn in. He testified to the general overview of the project. Mr. Kammoura advised that he prepared a drainage summary sheet and that he considers this project minor development, not a major development.

Board questions:

Mr. Mazzei advised that a construction easement will need to be addressed during the compliance phase. Mr. Slaugh questioned Mr. Kammoura.

Resident questions:

Ahsan Hashmi, resides at 36 East 25th Street, made comment and was advised by Mr. Campisano that he can return during the statement portion of the hearing.

Witness #3:

Joseph Staiger, Traffic Consultant, licensed in the State of New Jersey, was accepted as an expert witness and sworn in. He testified that he prepared a traffic report and discussed the findings of said report. Mr. Staiger discussed the number of parking spaces and the variance required for the deficiency of two spaces.

Board questions:

Mr. Slaugh and Mr. Mazzei questioned Mr. Staiger. Commissioner Veloz questioned Mr. Staiger.

Resident questions:

There were no questions from the general public.

Witness #4:

Mallory Clark, AIA, an Architect was accepted as an expert witness and sworn in. She provided an overview of the overall site, the variances being requested and discussed the 550 square foot green roof. Ms. Clark advised that the benefits of this project greatly outweigh the detriment.

Board questions:

Mr. Slaugh questioned Ms. Clark. Mr. Mazzei questioned the trash removal which was responded to by Mr. Emara.

Resident questions:

There were no questions from the general public.

Board/Resident Statements:

Mr. Ahsan Hashmi, resides at 36 East 25th Street, made comment against this application since he will be sandwiched between this new building and the existing funeral home. He feels the value of his property will be affected as well as the light and fresh air to him and his family.

Closing Statement:

Mr. Kapish provided his closing statement and asked the Board to vote favorably on this application.

Closed Caucus:

Chairperson Fiermonte did not feel some of the variances were warranted and felt the traffic testimony was confusing advising that most people would be using public transportation.

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

The following vote to approve the application was taken at the hearing on June 11, 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]	[]	[]	[]
Mike Quintela	[X]	[]	[]	[]	[]	[]
James Davis, Mayor	[]	[]	[]	[]	[X]	[]
Ramon Veloz (Mayoral Designee)	[]	[X]	[]	[]	[]	[]

Adoption of Resolutions:

- **P-24-001 (i)(j)(l) – Resolution adopting Ordinance Update Chapter 33-3.1 and 35-31.2-Duties of the Zoning Officer**
 - Chairperson Fiermonte made a motion to approve the resolution and Commissioner Booker seconded the motion.

The following vote to Memorialize the Resolution was taken at the hearing on June 11, 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]	[]	[]	[]	[]	[]
Mike Quintela	[X]	[]	[]	[]	[]	[]
James Davis, Mayor	[]	[]	[]	[]	[X]	[]
Ramon Veloz (Mayoral Designee)	[X]	[]	[]	[]	[]	[]

- **P-24-001 (j) – Resolution adopting Ordinance Update Chapter 33-20: Article XX-Short Term Rental updates**
 - Chairperson _ made a motion to approve the resolution and Commissioner _ seconded the motion.

The following vote to Memorialize the Resolution was taken at the hearing on June 11, 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]	[]	[]	[]	[]	[]
Mike Quintela	[X]	[]	[]	[]	[]	[]
James Davis, Mayor	[]	[]	[]	[]	[X]	[]
Ramon Veloz	[X]	[]	[]	[]	[]	[]
(Mayoral Designee)						

- **P-24-001 (l) – Resolution adopting Ordinance Update - Special Meeting Fee Increased to \$5,000 per Applicant**
 - Chairperson Fiermonte made a motion to approve the resolution and Commissioner Booker seconded the motion.

The following vote to Memorialize the Resolution was taken at the hearing on June 11, 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]	[]	[]	[]	[]	[]
Mike Quintela	[X]	[]	[]	[]	[]	[]
James Davis, Mayor	[]	[]	[]	[]	[X]	[]
Ramon Veloz	[X]	[]	[]	[]	[]	[]
(Mayoral Designee)						

- **P-24-013 Amendment to Redevelopment Plan (original # P-10-001 subfolder) for 26 North Street, Block 297, Lot 3**
 - Chairperson Fiermonte made a motion to approve the resolution and Commissioner Veloz seconded the motion.

The following vote to Memorialize the Resolution was taken at the hearing on June 11, 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]	[]	[]	[]	[]	[]
Mike Quintela	[X]	[]	[]	[]	[]	[]
James Davis, Mayor	[]	[]	[]	[]	[X]	[]
Ramon Veloz	[X]	[]	[]	[]	[]	[]
(Mayoral Designee)						

- **P-24-014 Amendment to the Peninsula at Bayonne Harbor South Redevelopment Plan for property located in City Block 751**
 - Chairperson Fiermonte made a motion to approve the resolution and Commissioner Booker seconded the motion.

The following vote to Memorialize the Resolution was taken at the hearing on June 11, 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]	[]	[]	[]	[]	[]
Mike Quintela	[X]	[]	[]	[]	[]	[]
James Davis, Mayor	[]	[]	[]	[]	[X]	[]
Ramon Veloz	[X]	[]	[]	[]	[]	[]
(Mayoral Designee)						

On motion by Chairperson Fiermonte, seconded by Commissioner Veloz, the Board unanimously voted to close the meeting. The meeting adjourned at 9:12 pm.

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

/akl