

JERSEY CITY PLANNING BOARD

PUBLIC MEETING

In accordance with N.J.S.A 10:4-12, the “Open Public Meetings Act,” you are hereby notified of a Virtual Regular Meeting of the Jersey City Planning Board on the date and time of October 10, 2023 at 5:30 pm.

ADVISORIES

No new matter involving an applicant will be started after 11PM. At 10PM the Board Chair will decide and advise applicants whether they will be heard. If an applicant cannot be heard because of the lateness of the hour, the matter will be carried over to the next regularly scheduled meeting with preservation of notice.

The Board Chair may change the order in which the agenda items are called.

DIGITAL MEETING ACCESS AND PARTICIPATION INSTRUCTIONS

The Jersey City Planning Board is utilizing the Zoom service to conduct regular meetings in compliance with the New Jersey Open Public Meetings Act.

[Meeting Link](https://us02web.zoom.us/j/86162443723)
[CLICK TO JOIN](https://us02web.zoom.us/j/86162443723)

If you wish to **participate** during the public comment portion of an agenda item, then you must:

- Join the meeting using Zoom: <https://us02web.zoom.us/j/86162443723>
- When the Public Comment portion of a case you wish to speak on is opened to the public, you as an attendee must then click the “raise hand” button in order to indicate to the Board Chair or Secretary that you wish to speak. If you called in, you may use *9 to raise your hand.
- After clicking “raise hand” listen for your name, phone number or other ID, given to you during login.1 Permissions to speak will be then granted to you and you must be sworn in before you can give comments.
- The Board will determine how long each commenter will speak, and when your time expires your microphone will be muted.
- You cannot participate in public comment unless you are attending the virtual meeting through Zoom.

You may also call in to access the meeting. All public users calling in must use +1 301 715 8592 or +1 929 205 6099, and reference Webinar ID: **861 6244 3723**

All microphones of public users will be muted, except as set forth above during the public comment portion of each agenda item. You can test out the functionality of Zoom, including speaker/microphone on your computer or other internet connected device at <https://zoom.us/test>.

Any questions can be directed to the City Planning main line during business hours at 201-547-5010 or via email at cityplanning@icnj.org. Staff will not be available by phone or in the office during the virtual meeting. You can find more information available at jerseycitynj.gov/planning.

ACCESS DIGITAL PLANS AND APPLICATION MATERIALS

To access and download digital plans, agendas have hyperlinks to where you can find digital plans, reports and other materials for all applications to be presented. Within the agenda, click on a link for the case you wish to review. See links below. Alternatively, you can search by address or case number to review digital plans at the [Jersey City Data Portal](https://jerseycitynj.gov/planning).

AGENDA

1. Call to Order
2. Sunshine Announcement
3. Roll Call
4. Swear in Staff
5. Correspondence
6. **ADJOURNMENTS**

- a. Case: P2023-0011

<https://data.jerseycitynj.gov/explore/dataset/planning-board-application-p2023-0011-12th-street-row-pathway/information/>

For: Preliminary and Final Major Subdivision

Address: 12th St ROW between Provost St., Barnum St., & Newport Parkway

Applicant: The Fourteenth Florence Street Corporation

Attorney: Charles J. Harrington III, Esq.

Review Planner: Matthew da Silva

Block/Lot: N/A (Public Right of Way)

Zone: Newport Redevelopment Plan

Description: Development of right-of-way as pedestrian walkway/cycleway/promenade.

Requests to Carry with Preservation of Notice to 10.24.2023

7. OLD BUSINESS

- a. Case: P2023-0046

<https://data.jerseycitynj.gov/explore/dataset/p2023-0046-278-grand-st/information/>

For: Site Plan Amendment with variances

Address: 278 Grand St

Applicant: Ocean Woodland LLC

Attorney: Michael Higgins, Esq.

Review Planner: Matt Ward, AICP PP

Block: 14105 Lot: 9

Zone: Bright Street Redevelopment Plan

Description: Proposed amendment to minor site plan approval (original case number P16-117) modifying the façade design, entry, and increasing the building height from 46' to 47'7.25"

Variance: Maximum height in feet.

TESTIMONY TAKEN AT SEPTEMBER 5TH MEETING

- b. Case: P2023-0051

<https://data.jerseycitynj.gov/explore/dataset/p2023-0051-363-newark-avenue-1-year-extension-subdivision-planning-board-applica/information/>

For: 1 year extension Subdivision

Address: 363 Newark Avenue

Applicant: Consolidated Rail Corporation

Attorney: Thomas P. Leane, Esq.

Review Planner: Cameron Black, AICP, PP

Block: 10901 Lot: 120 and 109

Zone: Park/Open Space

Description: Subdivision to create lots 120.01, 120.02, and 109.01

Variances: none

- c. Case: P2023-0052

<https://data.jerseycitynj.gov/explore/dataset/planning-board-application-p2023-0052-351-third-street-2023/information/>

For: One (1) year extension for Minor Site Plan

Address: 351 Third Street

Applicant: Third Street JC, LLC

Attorney: Thomas Leane, Esq.

Review Planner: Erik Beasley

Block: 11004 Lot: 4

Zone: Neighborhood Commercial District

Description: request for one (1) year extension of the Minor Site Plan Approval obtained under case no. P19-027. Original approval was a four (4) story mixed use building consisting of ground floor retail/commercial space and six (6) dwelling units on the subsequent floors above, which was approved June 18th, 2019, and memorialized July 23rd, 2019. Two (2) one-year extensions were obtained under case no. P21-155 to extend the statutory protections of P19-027 until July 23rd, 2023, which was a approved February 15th, 2022, and was memorialized March 8th, 2022.

d. Case: P2023-0042

<https://data.jerseycitynj.gov/explore/dataset/planning-board-application-p2023-42-417-communipaw/information/>

For: 190 day Subdivision filing extension

Address: 417 Communipaw Ave.

Applicant: 417 Communipaw OZ, LLC

Attorney: Ronald Shaljian, Esq.

Review Planner: Matthew da Silva

Block: 18901 Lot: 23 & 29

Zone: Morris Canal Redevelopment Plan – Berry Lane Park North Zone

Description: Applicant is requesting extension for recording Subdivision plat at 417 Communipaw - Case #.P22-145

e. Case: P2023-0049

<https://data.jerseycitynj.gov/explore/dataset/planning-board-application-p2023-0049/information/>

For: 190 day Subdivision filing extension

Address: 808 Pavonia Ave.

Applicant: 808 Pavonia Phase I Owner LLC

Attorney: James McCann, Esq.

Review Planner: Matthew da Silva

Block: Multiple (See GDA) Lot: Multiple (See GDA)

Zone: Journal Square Redevelopment Plan – Zone 10

Description: Per N.J.S.A. 40:55D-54a, the Applicant seeks a 190-day extension to file a subdivision plat for a Preliminary and Final Subdivision Approval (Case No. P22-136) granted on October 11, 2022 and memorialized by a Resolution adopted on October 11, 2022. There are no changes to the approved subdivision plat.

f. Case: P2023-0050

<https://data.jerseycitynj.gov/explore/dataset/planning-board-application-p2023-0050-808-pavonia/information/>

For: 190 day Subdivision filing extension

Address: 808 Pavonia Ave.

Applicant: 808 Pavonia Phase I Owner LLC

Attorney: James McCann, Esq.

Review Planner: Matthew da Silva

Block: Multiple (See GDA) Lot: Multiple (See GDA)

Zone: Journal Square Redevelopment Plan – Zone 10

Description: Per N.J.S.A. 40:55D-54a, the Applicant seeks a 190-day extension to file a subdivision plat for a Preliminary and Final Subdivision Approval (Case No. P22-225) granted on January 10, 2023 and memorialized by a Resolution adopted on January 10, 2023. There are no changes to the approved subdivision plat.

g. Case: P22-210

<https://data.jerseycitynj.gov/explore/dataset/planning-board-application-p22-210-27-29-fayette-ave-2023/information/>

For: Preliminary & Final Site Plan with 'c' Variance(s)

Address: 27-29 Fayette Ave

Applicant: 27-29 Fayette, LLC

Attorney: Thomas P. Leane, Esq.

Review Planner: Francisco Espinoza

Block: 9202 Lot: 4 & 5

Zone: R-3

Description: Applicant is proposing to develop a vacant lot into a new six (6) story building containing 20 dwelling units and 12 parking spaces. The applicant will be utilizing the density under the AHO

(affordable housing overlay) Variances: Min front yard setback, min rear yard setback, side yard setback above the first floor (right and left), max height at garage level, and max wall height at garage level

CARRIED FROM SEPTEMBER 5TH MEETING WITH PRESERVATION OF NOTICE WITH TESTIMONY TAKEN AT SEPTEMBER 5TH MEETING

8. **NEW BUSINESS**

9. Case: P23-076

<https://data.jerseycitynj.gov/explore/dataset/p23-076-829-bergen-avenue/information/>

For: Preliminary and Final Major Site Plan with 'c' Variances

Address: 829 Bergen Avenue

Applicant: 29-31 Court House Place LLC

Attorney: Charles J. Harrington, III, Esq./Allyson M. Kasetta, Esq.

Review Planner: Liz Oppen, AICP

Block: 13302 Lot: 22

Zone: CBD

Description: Construction of a new 11-story mixed use building containing 78 residential units, 1,350 square feet of retail space and amenities

Variance(s): Lot size, lot width, front yard setback, parking

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10. Case: P23-028

<https://data.jerseycitynj.gov/explore/dataset/p23-028-608-grove-st0/information/>

For: Conditional Use

Address: 608 Grove Street

Applicant: Greener of Grove LLC

Attorney: Rosemarie Moyeno Matos, Esq.

Review Planner: Matt Ward, AICP PP

Block: 7104 Lot: 1

Zone: Jersey Avenue Light Rail Redevelopment Plan

Description: Proposed Class 5 Cannabis Retailer as a conditional use on the ground floor and existing mixed-use building along with associated improvements.

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11. Case: P23-067

<https://data.jerseycitynj.gov/explore/dataset/p23-067-394-summit-ave0/information/>

For: Preliminary and Final Major Site Plan with Variances

Address: 394 Summit Ave

Applicant: 394 Summit Ave LLC

Attorney: Thomas P. Leane Esq.

Review Planner: Matt Ward, AICP, PP

Block: 10802 Lot: 8

Zone: Journal Square 2060 Redevelopment Plan

Description: Proposed 5-story mixed-use building with 17 dwelling units and 623 square feet of ground floor commercial.

Variances: Minimum rear yard, ground floor minimum required floor to ceiling height, and minimum required residential floor to ceiling height

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12. Case: P22-230

<https://data.jerseycitynj.gov/explore/dataset/p22-230-656-658-grand-street/information/>

For: Conditional Use

Address: 656 Grand Street

Applicant: Retreat NJ, LLC

Attorney: Heather Kumer, Esq.

Review Planner: Matt Ward, AICP, PP

Block: 17205 Lot: 3.01

Zone: Morris Canal Redevelopment Plan

Description: Proposed Cannabis Retailer fit out and signage for a ground floor commercial space consisting of 1,927 square feet.

CARRIED FROM SEPTEMBER 19TH MEETING WITH PRESERVATION OF NOTICE

13. Case: P2023-0003

<https://data.jerseycitynj.gov/explore/dataset/p2023-0003-402-grand-street/information/>

For: Preliminary and Final Major Site Plan

Address: 402 Grand Street

Applicant: D F Jersey Donuts, Inc.

Attorney: Corey Klein, Esq.

Review Planner: Matthew da Silva

Block: 12605 Lot: 1

Zone: Montgomery Gateway Redevelopment Plan | Community Commercial District | F Flood Overlay Zone

Description: Proposed 217 sq. ft addition to existing donut shop with pickup window and ancillary site improvements including 33 parking spots, grading, drainage improvements, landscaping, lighting, and signage.

Variance(s): Signage

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14. Case: P23-097

<https://data.jerseycitynj.gov/explore/dataset/planning-board-application-p23-097-433-palisade-ave-2023/information/>

For: Conditional Use

Address: 433 Palisade Ave

Applicant: Altalune Inc.

Attorney: Heather Kumer, Esq

Review Planner: Francisco Espinoza

Block: 3902 Lot: 27

Zone: RC-2

Description: Proposed Cannabis Retailer fit out and signage for a ground floor commercial space consisting of 1,809 square feet.

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15. Case: P22-140

<https://data.jerseycitynj.gov/explore/dataset/planning-board-application-p22-140-152-ogden-ave-2023/information/>

For: Preliminary and Final Major Site Plan

Address: 152 Ogden Avenue

Applicant: PF Associates, LLC

Attorney: Thomas P. Leane, Esq.

Review Planner: Francisco Espinoza / Timothy Krehel, AICP PP

Block: 5103

Lot: 10

Zone: R-3 (Mid-Rise, Multi-Family)

Description: Proposed construction of an eight (8) story building with fourteen (14) residential units and fourteen (14) parking spaces.

Variance(s): None

CARRIED FROM SEPTEMBER 19TH MEETING WITH PRESERVATION OF NOTICE

16. Case: P23-075

<https://data.jerseycitynj.gov/explore/dataset/case-p23-075-319-321-fourth-street-planning-board-application-2023/information/>

For: Preliminary and Final Major Site Plan with 'c' variances

Address: 319-321 Fourth Street

Applicant: 319 Fourth Street LLC

Attorney: Michael Higgins, Esq.

Review Planner: Cameron Black, AICP PP

Block: 11101

Lot: 10 & 11

Zone: RC-3

Description: Proposed construction of a four (4) story building with eight (8) residential units and four (4) parking spaces.

Variance(s): Parking, rear yard, and landscaping

CARRIED FROM SEPTEMBER 19TH MEETING WITH PRESERVATION OF NOTICE

17. Case: P23-072

https://data.jerseycitynj.gov/explore/dataset/gda_form_80/information/

For: Preliminary and Final Major Site Plan with 'c' variances

Address: 381 Route 440

Applicant: PAL-MALS LLC c/o Levco Management, LLC

Review Planner: Tanya Marione, AICP, PP

Block: 26102 Lot: 3

Zone: Waterfront Planned Development

Description: 6,048 sq ft area within the existing parking lot on the site of an existing bank for a retail building

Variances: Front Yard setback

CARRIED FROM SEPTEMBER 19TH MEETING WITH PRESERVATION OF NOTICE

18. Case: P23-062

<https://data.jerseycitynj.gov/explore/dataset/p23-062-619-marin-boulevard/information/>

For: Preliminary and Final Major Site Plan with Variances

Address: 619 Marin Boulevard

Applicant: Real Shelter for ALL LLC

Attorney: Thomas P. Leane Esq.

Review Planner: Liz Oppen, AICP

Block: 7103 Lot: 2-8 and 11

Zone: Jersey Avenue Light Rail Redevelopment Plan | Neighborhood District

Description: Proposed 14 story, mixed use development with 613 dwelling units (15% affordable), 200 parking spaces and ground floor retail

19. Case: P23-069

<https://data.jerseycitynj.gov/explore/dataset/p23-069-390-tonnele-ave/information/>

For: Conditional Use

Address: 390 Tonnele Avenue

Applicant: Buku Culture LLC

Attorney: Chirali V. Patel, Esq.

Review Planner: Matt Ward, AICP, PP

Block: 4601 Lot: 42

Zone: HC Highway Commercial

Description: Proposed Class 5 Cannabis Retailer and associated building renovations of a 3,193 square foot space and site work. Exterior work will repair parking, update façade, install signage, install landscaping and repair fencing.

20. Case: P23-071

<https://data.jerseycitynj.gov/explore/dataset/p23-071-638-communipaw-ave/information/>

For: Conditional Use

Address: 638 Communipaw Avenue

Applicant: Can XA Group LLC

Attorney: Zachary M. Rosenberg

Review Planner: Matt Ward, AICP, PP

Block: 17905 Lot: 7

Zone: Jackson Hill Redevelopment Plan

Description: Proposed Class 5 Cannabis Retailer Microbusiness at a one-story commercial space of 1,620 square feet with associated signage

21. Case: P23-104

<https://data.jerseycitynj.gov/explore/dataset/planning-board-application-p23-104-35-43-cottage-street/information/>

For: Amendment to Major Subdivision

Address: 35-43 Cottage Street

Applicant: 35 Cottage Street, LLC

Attorney: Charles J. Harrington III, Esq. & Allyson M. Kasetta, Esq.

Review Planner: Matthew da Silva

Block: 7903 Lot: 17-19

Zone: Journal Square 2060 Redevelopment Plan, Zone 4, Homestead Place Bonus

Description: Applicant is requesting administrative amendment approval for modifications to the approved building reflected on enclosed plans and revision narratives.

22. Memorialization of Resolutions

23. Executive Session, as needed, to discuss litigation, personnel or other matters

24. Adjournment

CHRISTOPHER LANGSTON, CHAIRMAN, PLANNING BOARD