

# 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 March 21, 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. 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](mailto: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](https://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 Case
5. Correspondence

### 6. ADJOURNMENTS

- a. [Case: P23-022](#) Address: 558 Communipaw Avenue  
**CARRIED TO APRIL 4, 2023 MEETING WITH PRESERVATION OF NOTICE.**
- b. [Case: P22-184](#) Address: 529 Liberty Ave  
**CARRIED TO APRIL 4, 2023 MEETING WITH PRESERVATION OF NOTICE.**
- c. [Case: P22-168](#) Address: 157 Newark Ave and 324 Barrow Street  
**CARRIED TO APRIL 4, 2023 MEETING WITH PRESERVATION OF NOTICE.**

### 7. OLD BUSINESS

### 8. NEW BUSINESS

9. [Planning Board Application](#) - Certified Artist Kayt Hester. Formal action may be taken.
10. [Case: P23-030](#) For: Minor Site Plan Address: 460 Grand Street Applicant: DISH Wireless L.L.C. Attorney: Kevin Jones, Esq.  
Review Planner: Cameron Black, PP, AICP Block: 13801 Lot: 6 Zone: Bates Street Redevelopment Plan  
Description: DISH Wireless L.L.C. is proposing to install a rooftop wireless antenna facility on the existing building.  
**CARRIED FROM MARCH 7 & 14, 2023 MEETING WITH PRESERVATION OF NOTICE**
11. [Case: P22-200](#) For: Preliminary and Final Major Site Plan Address: 176 West Side Avenue Applicant: 176 Westside Avenue Development, LLC  
Attorney: Gordon N. Gemma Review Planner: Matt Ward, PP, AICP Block: 23801 Lot: 1.01 Zone: RC-2 Residential Commercial 2 District  
Description: Proposed five-story mixed-use building with 67 dwelling units (triggering the Inclusionary Zoning Ordinance "IZO" which requires 10 affordable units), a mix of resident amenity spaces, roughly 6,767 square feet of ground floor retail, 69 off-street parking spaces, 38 bike parking spaces, two curb cuts with an exit-only driveway proposed on Fulton Avenue, and other associated improvements.  
**CARRIED FROM MARCH 7, 2023 WITH PRESERVATION OF NOTICE.**
12. [Case: P22-077](#) For: Minor Subdivision and Preliminary and Final Major Site Plan with 'c' Variances Address: 251-257 Grand Street  
Applicant: Liberty Harbor North Brownstone Condominium Urban Renewal, LLC Attorney: James C. McCann, Esq.  
Review Planner: Liz Oppen, AICP and Mallory Clark-Sokolov, PP, AICP Block: 15801 Lot: 23.03, 23.04 & 23.01 Zone: Liberty Harbor North RDP  
Description: New Construction of a 12 story plus attic multi-family mixed use residential building containing 106 units with a lot re-configuration and consolidation to conform lots to development. Variance(s): Balcony depths, ground floor height  
**CARRIED FROM MARCH 7, 2023 WITH PRESERVATION OF NOTICE.**
13. [Case: P22-069](#) For: Preliminary and Final Major Site Plan with 'c' variances Address: 227-301 West Side Ave and 19-23 Fisk St  
Applicant: West Side Fisk LLC Attorney: Charles Harrington III Esq. Review Planner: Matt Ward, AICP, PP Block: 22103 Lots: 5, 13, 14  
Zone: West Side Redevelopment Plan Description: Proposed construction of a six (6) story residential building with 200 dwelling units (utilizing the affordable housing overlay "AHO" which requires 20 affordable units), 100 off-street parking spaces, and partial preservation and adaptive reuse of an existing industrial structure. Variance(s): maximum lot coverage, maximum building coverage, minimum rear yard setback  
**CARRIED FROM MARCH 7, 2023 WITH PRESERVATION OF NOTICE.**
14. [Case: P22-159](#) For: Preliminary and Final Major Site Plan with 'c' Variances Address: 145 Industrial Drive, 2-54 and 56-68 Harbor Drive  
Applicant: IV3 Liberty Commerce Center, LLC Attorney: Thomas J. Trautner, Esq. Review Planner: Timothy Krehel, AICP PP Block: 30306 Lot: 11, 12, 13  
Zone: Greenville Industrial (Modern Industrial Park District) Description: Applicant proposes construction of a 404,427 square foot warehouse building containing approximately 384,206 square feet of warehouse space and 20,221 square feet of ancillary office space.  
Variance(s): Parking must be located behind or on the side of buildings, off street loading is limited to the rear and/or side yards, one ground sign per building is permitted, Freestanding ground sign area shall not exceed 20sf in area or be 4' above grade.  
**CARRIED FROM MARCH 7, 2023 WITH PRESERVATION OF NOTICE.**
15. [Case: P22-201](#) For: Preliminary and Final Major Site Plan Amendment Address: 179 Academy Street Applicant: TRG Academy, LLC  
Attorney: Thomas P. Leane, Esq. Review Planner: Timothy Krehel, AICP PP Block: 12308 Lot: 11.01 Zone: Journal Square 2060 (Zone 4)  
Description: Amendments to previously approved six (6) story building on newly subdivided lot including fifty (50) residential units and rear yard and rooftop terraces. The changes are largely interior, and any proposed changes associated with the façade are in relation to the interior changes.  
**CARRIED FROM MARCH 7, 2023 WITH PRESERVATION OF NOTICE.**
16. [Case: P22-202](#) For: Preliminary and Final Major Site Plan Amendment Address: 39 High Street Applicant: 37-47 High Street  
Attorney: Thomas P. Leane, Esq. Review Planner: Timothy Krehel, AICP PP Block: 10802 Lot: 11.01 Zone: Journal Square 2060 (Zone 4a)  
Description: Proposed Amendments to a previously approved a six (6) story residential building with eighty-three (83) dwelling units and eighteen (18) parking spaces. The changes are largely interior, and any proposed changes associated with the façade are in relation to the interior changes or to the rooftop which are not visible from the street. Additionally, Applicant has requested that we provide payment to the Jersey City tree fund in lieu of a previously approved tree pit.  
**CARRIED FROM MARCH 7, 2023 WITH PRESERVATION OF NOTICE.**

17. [Case: P22-205](#) **For:** Conditional Use **Address:** 36 Congress Street **Applicant:** The Other Side Dispensary, LLC **Attorney:** Frank Guagliardi, Esq.  
**Review Planner:** Francisco Espinoza **Block:** 1704 **Lot:** 20 **Zone:** RC-2 Residential Commercial 2 District  
**Description:** Proposed Class 5 Cannabis Retailer located on the ground floor of a 2-story building with 3,047 square feet. The applicant will be renovating the interior space. Cannabis Control Board approval granted.  
**CARRIED FROM MARCH 7, 2023 WITH PRESERVATION OF NOTICE.**
18. [Case: P23-014](#) **For:** Preliminary and Final Major Site Plan with 'c' variances **Applicant:** 78 Bishop Street JC, LLC  
**Attorney:** Charles J. Harrington, III, Esq **Review Planner:** Tanya Marione, AICP, PP **Block:** 15042 **Lot:** 5  
**Zone:** Morris Canal Redevelopment Plan **Description:** Construction of a new single story, 9,498 sq ft light industrial use facility with six onsite parking spaces on and undersized lot. **Variance(s):** Minimum front yard, Minimum side yard, Minimum rear yard, Minimum parking spaces  
**CARRIED FROM MARCH 7, 2023 WITH PRESERVATION OF NOTICE.**
19. [Case: P22-148](#) **For:** Preliminary and Final Major Site Plan Amendment **Address:** 626 Summit Avenue **Applicant:** 628 Summit Ave, LLC  
**Attorney:** Thomas P. Leane, Esq. **Review Planner:** Timothy Krehel, AICP PP **Block:** 6701 **Lot:** 21.01 **Zone:** Journal Square 2060 (Zone 3)  
**Description:** Applicant proposes amendments to a previously approved 27 story, mixed-use building with two (2) floors of commercial space pursuant to the Office Space Bonus, ground floor retail and 209 dwelling units. Applicant proposes to increase the height to 29 stories to include additional tenant amenity space and a leasing office. **Variance(s):** Tower side yard setback, distance to tower from low density area, depth of floors above ground from the right-of-way, loading and utility (transformer) locations.  
**CARRIED FROM MARCH 7, 2023 WITH PRESERVATION OF NOTICE.**
20. [Case: P22-221](#) **For:** Preliminary and Final Major Site Plan with 'C' Variances **Address:** 70 Mallory Avenue **Applicant:** 70 Mallory Owner, LLC  
**Attorney:** James McCann, Esq. **Review Planner:** Liz Oppen, AICP **Block:** 21801 **Lots:** 2, 3 **Zone:** Route 440-Culver Redevelopment Plan | Mid-Rise A  
**Description:** Proposed six (6) story mixed-use development with 189 dwelling units, 5,898 sf retail, 120 parking spaces and tenant amenities. Building will connect via garage and passageways with existing 400 Claremont Avenue development. **Variance(s):** side yard setback and street tree spacing  
**CARRIED FROM MARCH 7, 2023 WITH PRESERVATION OF NOTICE.**
21. [Case: P22-222](#) **For:** Site Plan Amendment **Address:** 400 Claremont Avenue **Applicant:** 400 Claremont LLC **Attorney:** James McCann, Esq.  
**Review Planner:** Liz Oppen, AICP **Block:** 21801 **Lot:** 4.01 **Zone:** Route 440-Culver Redevelopment Plan | Mid-Rise A  
**Description:** Applicant proposes alterations to the existing structure to allow for connections between the existing garage and a new development at 70 Mallory Avenue. Skyway/hallway passages are proposed to connect the buildings. **Variance(s):** side yard variance  
**CARRIED FROM MARCH 7, 2023 WITH PRESERVATION OF NOTICE.**
22. [Case: P23-007](#) **For:** Administrative Amendment **Address:** 401-405 Whiton Street **Applicant:** 40135 Whiton, LLC **Attorney:** Alex Gluck, Esq.  
**Review Planner:** Cameron Black, PP, AICP **Block:** 17506 **Lots:** 8, 9, 10 **Zone:** Lafayette Park Redevelopment Plan  
**Description:** Administrative amendment that includes minor interior alterations to the first floor to better accommodate the building utilities; slightly shifting the lobby entrance, garage door and storefront; shifting the open wells for the building on the side of the building; placing HVAC condensers and decorative screening (previously approved) on the rooftop; and replacing the approved stone panels on the second floor façade areas with the same brick as the rest of the residential floors above. The amendments will reduce the bedroom count, but the number of residential units will remain the same.  
**CARRIED FROM MARCH 7, 2023 MEETING WITH PRESERVATION OF NOTICE**
23. [Case: P22-125](#) **For:** Conditional Use – Class 5 Cannabis Retailer **Address:** 481 Central Ave **Applicant:** Lifted Vision LLC **Attorney:** Micci J. Weiss  
**Review Planner:** Matt Ward, PP, AICP **Block:** 1504 **Lot:** 32 **Zone:** NC – Neighborhood Commercial District.  
**Description:** Proposed Class 5 cannabis retailer to consist of 1,650 square feet in an existing building along with associated interior fit out.  
**CARRIED FROM MARCH 7, 2023 MEETING WITH PRESERVATION OF NOTICE**
24. [Case: P23-008](#) **For:** 'C' Variances **Address:** 107 Magnolia Avenue **Applicant:** Gregory & Nilvia Bergonio **Attorney:** Benjamin T.F. Wine, Esq.  
**Review Planner:** Tanya Marione, AICP, PP **Block:** 9604 **Lot:** 6 **Zone:** Jersey Square 2060 (Zone 4a)  
**Description:** Proposed curbcut and two parking spaces with electric vehicle charging station in the side/rear of an existing four-unit building.  
**CARRIED FROM MARCH 7, 2023 MEETING WITH PRESERVATION OF NOTICE**
25. [Case: P21-023](#) **For:** Preliminary & Final Major Site Plan with 'c' Variances **Address:** 236-238 Academy Street **Applicant:** 97 Laidlaw, LLC  
**Attorney:** Stephen Joseph, Esq. **Review Planner:** Timothy Krehel AICP PP **Block:** 12204 **Lots:** 23, 24 **Zone:** Journal Square 2060 (Zone 4)  
**Description:** Applicant is proposing an expansion of an existing 2.5 story building with three (3) residential units to a five (5) story building with twenty-one (21) residential units. **Variance(s):** Maximum extension for all floors: 70' required and 92.917' are proposed. Maximum building height: 54' required and 55.50' are proposed. Minimum Landscaping: 450.60 SF required, and 400 SF is proposed. Maximum mechanical roof appurtenances area: 510' required and 798' are proposed.  
**CARRIED FROM MARCH 7, 2023 MEETING WITH PRESERVATION OF NOTICE**
26. [Case: P22-213](#) **For:** Administrative Amendment **Address:** 824-826 Pavonia Avenue **Applicant:** 824 Pavonia, LLC **Attorney:** Stephen Joseph, Esq.  
**Review Planner:** Timothy Krehel, AICP PP **Block:** 9404 **Lots:** 25, 26 **Zone:** Journal Square 2060  
**Description:** Amendment to existing variance approval. Project will be new construction rather than renovation. No changes to building layout, unit count, or site plan.  
**Variance(s):** Front yard setback, Rear yard setback, Rear yard setback above ground floor.
27. [Case: P23-054](#) **For:** Review and discussion of amendments to the Powerhouse Arts District Redevelopment Plan regarding the constitution of the non-profit board that shall control the theater facility which is required as part of the Arts Theater Residence Overlay Zone. Petitioned by the Municipal Council, Council Resolution 23-159. Formal action may be taken.
28. Memorialization of Resolutions
29. Executive Session, as needed, to discuss litigation, personnel or other matters
30. Adjournment

CHRISTOPHER LANGSTON, CHAIRMAN, PLANNING BOARD