

# CITY OF JERSEY CITY

Department of Housing, Economic Development & Commerce  
Division of City Planning



## Interdepartmental Memorandum

DATE: 2/3/2023  
TO: Historic Preservation Commission  
FROM: Margaret A. O'Neill, Historic Preservation Specialist  
CC: Jonathan Rekstad, Esq., HPC Counsel  
Division of City Planning Staff  
Jersey City Planning Board  
Warren at Bay Urban Renewal LLC, Applicant  
Gerard Pizzillo, Esq.  
/File  
RE: Case #H22-239  
130 Bay Street  
Block: 11504, Lot 2  
Zone: Powerhouse Arts District Redevelopment Plan  
Local Landmark

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### I. PLANS AND DOCUMENTS REVIEWED

1. Historic Preservation Application, submitted May 27, 2022
2. Architectural Plans by GRO Architects, entitled *Rehabilitation and Addition to create: Mixed-Use Building: 'Warren at Bay' 130 Bay Street Jersey City NJ 07302* most recently revised 11/17/2022
3. Certificate of Appropriateness; H19-398
4. Amendment to Certificate of Appropriateness; H19-595

### II. PROJECT & PROPOSAL BACKGROUN

The property has been owned by Warren at Bay LLC (herein referred to as "The Owner") since 01/29/2016. The property consists of two connected buildings, the former Great Atlantic and Pacific (A&P) Warehouse Auxiliary building and the former Great Atlantic and Pacific (A&P) Bakery building. Both buildings, as listed on the application, are vacant.

Per the submitted Architectural Plans by GRO Architects, entitled *Mixed-Use Building: 'Warren at Bay' 130 Bay Street Jersey City NJ 07302* most recently revised 11/17/2022, the applicant is seeking a an amendment to Certificate of Appropriateness's granted under H19-398 and H19-595 for the construction of an interior mezzanine, the addition of two storefront doors fronting Bay Street, internal circulation updates, and the addition of new commercial tenant signage at 130 Bay Street a/k/a The A&P Warehouse Auxiliary Building and Bakery Complex, an altered, early 20<sup>th</sup> Century Commercial building complex with Classical elements, constructed 1914-1915.

The application and submitted plans were deemed complete by HPC Staff on December 14, 2022.

### **III. PROPERTY LOCATION & JURISDICTION**

130 Bay Street (herein referred to as “The Property”) is located within the Powerhouse Arts District. The property is located on an irregular corner lot fronting Warren and Bay Streets. As defined in the City of Jersey City Zoning Ordinance, the property falls within the Rehabilitation Zone of the Powerhouse Arts District Redevelopment Plan.

The property was designated as a municipal landmark within the city of Jersey City on March 23, 2011, and has pending National Register of Historic Places and NJ State Register of Historic Places nominations. The HPC’s jurisdiction regarding the property is defined per § 345-30, entitled *Historic Preservation Review Procedures*:

- a. No permit shall be issued or amended nor shall any **construction, alteration**, minor alteration, ordinary maintenance and repair or **demolition** be started on a landmark building nor on any sign, building, structure, object, site or landscape feature within a designated historic district, whether or not a construction permit is required, prior to a filing of an application for review by the Historic Preservation Commission or the issuance of either a Certificate of Appropriateness or a Certificate of No Effect.*

Additionally, per 2(a), *“The Historic Preservation Officer shall refer all applications for **new construction, alterations, relocation or demolition** to the Historic Preservation Commission for review.”*

As this property falls within the Powerhouse Arts District Redevelopment Area, this application comes to the HPC as referral from the Planning Board per 40:55D-110 of the New Jersey Municipal Land Use Law. Per this provision, the historic Preservation Commission “... may provide its advice, which shall be conveyed through its delegation of one of its members or staff to testify orally at the hearing of the application and to explain any written report which may have been submitted.”

### **IV. REQUIREMENTS AND STANDARDS FOR CONSIDERATION**

Staff notes regarding the Powers and Duties of the Historic Preservation Commission:

Per § 345-9, entitled Historic Preservation Commission, Section (B) entitled Powers and Duties of the Historic Preservation Commission, the Commission has the following relevant powers and duties:

- (4) To advise and assist City officers, employees, boards and other bodies, including those at County, regional, State and Federal levels, on all matters which have potential impact on the landmark buildings, sites, structures, object or landscape features in the City or on the ambience of a historic district.
- (17) To issue Certificates of Appropriateness or Certificates of No Effect in accordance with the rules and standards set forth herein.

The property is subject to following standards during the Board’s consideration regarding the application seeking a Certificate of Appropriateness:

1. *Secretary of Interior Standards for the Treatment of Historic Properties*
2. City of Jersey City Zoning Ordinance § 345-58 entitled *H - Historic District*
3. City of Jersey City Zoning Ordinance § 345-71 entitled *Historic Design Standards*
4. City of Jersey City Historic Preservation Commission *Rules & Regulations for Alterations & Additions to Buildings & New Construction*
5. Powerhouse Arts District Redevelopment Plan, adopted October 27, 2004, most recently amended October 28, 2018.

## **V. STAFF RECOMMENDATIONS AND COMMENTS**

After reviewing the proposed project, Staff finds that the proposal is consistent with the Secretary of Interior Standards for Restoration and New Construction, as well as with the *Historic Design Standards and Rule & Regulations*. In HPC Staff's opinion, the changes are contextual with the overall project. The proposed mezzanine will have not change on the exterior of the building and is therefore appropriate. The new retail openings fronting Bay Street match the approved openings and do not remove any additional historic fabric, as they were approved to be an infill curtain wall system. The new proposed retail signage facing first street match the signage that was approved under H21-198, an individual sign application for Tamcombi.

HPC Staff does not anticipate an adverse impact on either the historic resource or the surrounding historic resources as a result of the proposed work. Staff recommends approval of a Certificate of Appropriateness and subsequent recommendation for approval to the Jersey City Planning Board with the following conditions:

1. All conditions approved under H19-398 and H19-595 remain in effect for the entirety of this approval.
2. Any additional signage or changes in design to the signage presented in these plans will require an application for review to the HPC. HPC Staff notes that interior fit of tenant spaces is not included in this application and will also require an application for review to the HPC.
3. The architect, GRO Architects PLLC, shall be retained during construction and shall submit as-built, signed and sealed drawings to staff, or a signed and sealed letter representing and noting that site construction was consistent with work approved under this Certificate of Appropriateness before the issuance of a Certificate of Occupancy.
4. Details, Specifications, and Material Submissions not currently submitted to and approved by the HPC under this Certificate of Appropriateness, or changed during the course of construction are remanded back to the HPC.
5. Construction drawings, noting materials and finishes, cross referenced with the material sample board, are to be reviewed by, approved by and signed by the Historic Preservation Officer or HPC Staff for compliance with the issued Certificate of Appropriateness before construction permits are applied for and issued.
6. Any changes or deviations from the approved drawings are to be clearly bubbled on the construction drawings and noted in an accompanying signed and sealed letter from the architect

addressed to Staff for review. Depending on the degree of change or deviation, additional review by the HPC may be required.

7. Upon final approval of this Certificate by the HPC, any deviations from the granted approval must be approved by the HPC, except in cases of emergency affecting the public safety, health and welfare, which may be approved by HPC Staff. Any changes or deviations from the approved plans over the course of construction shall be submitted to HPC Staff in writing from the architect of record for approval on an as-needed basis. Changes or deviations that result in new work may require a new application to the HPC for said work.