

# **CITY OF PASSAIC BOARD OF ADJUSTMENT MINUTES**

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The City of Passaic Board of Adjustments held a special meeting on April 12<sup>th</sup>, 2016 in the Council Chamber, City Hall, 330 Passaic Street at 7:30 p.m. and opened the meeting at 7:40p.m. by requesting a roll call. The invocation was given and all recited pledge of allegiance.

**ROLL CALL:**

		<b>PRESENT</b>	<b>ABSENT</b>
Menachem Bazian	Chairman	√	
Deiby Martinez	Vice Chairman	√	
Yaacov Brisman		√	
William Diaz		√	
Harold T. Hess			√
Vanessa Meghnagi			√
David M. Blumenthal	Alt # 2		√
Heidi Diaz	Alt # 3	√	
Moshe Stareshfsky	Alt # 4	√	

**ALSO PRESENT:** Julio Santana, Zoning Officer  
Douglas Kinz, Esq., Board Attorney  
Mark E. Everett, P.P., AICP, Board Planner

**MINUTES:**

1. Minutes of **May 20<sup>th</sup>, 2014** were brought before the Board for Approval.

A motion was made by Vice Chairman Martinez, seconded by Commissioner W.Diaz to approve Minutes, on a roll call vote, all in favor the motion passed.

2. Minutes of **September 9<sup>th</sup>, 2014** were brought before the Board for Approval.

A motion was made by Commissioner W. Diaz, seconded by Vice Chairman Martinez to approve Minutes, on a roll call vote, all in favor the motion passed.

3. Minutes of **March 29<sup>th</sup>, 2016** were brought before the Board for Approval.

A motion was made by Commissioner Stareshfsky, seconded by Chairman Bazian to approve Minutes, on a roll call vote, all in favor the motion passed.

**APPLICATIONS:**

1. **Docket # ZB15-07, 247-255 Gregory Ave, Block 2203, Lot 7, 17-19, 22 in the R-3 Zone**, applicant The Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, is requesting minor subdivision approval, preliminary and final site plan approval and a D (3) Conditional use variance to construct a house of worship. The minor subdivision is for the existing 3 story frame dwelling on lot 7 (Broadway) which will remain. The applicant will require variances for front yard setback (both lot 7 and parent lot for Church) and a rear yard setback for lot 7 along with any other variances, exceptions, or waivers that may be required **Adjourned from February 2<sup>nd</sup>, 2016.**

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Item # 1 was read in the record. Applicant's attorney Richard Schkolnick requested to adjourn hearing to the May 31<sup>st</sup>, 2016.

A motion was made by Commissioner Brisman, seconded by Commissioner W. Diaz to adjourn to the hearing to May 31<sup>st</sup>, 2016, on a roll call vote, all in favor the motion passed.

**2. Docket # ZB15-15, 350 Boulevard. Block 3225, Lot 1 in the R-3 Zone District, applicant Prime Health Services, Inc. (St. Mary's Hospital), is requesting to install a 3' X 55' sign on the façade of the building at Saint Mary's General Hospital. Adjourned from March 15<sup>th</sup>, 2016.**

Item #3 read into the record. Applicant's attorney Thomas DeVita was present at the hearing. Applicant requested to carry the case to May 3<sup>rd</sup> hearing.

Chairman Bazian advised the Board that this is the 3<sup>rd</sup> adjournment for this application and it will be the last adjournment that will be allowed for this applicant.

A motion was made by Commissioner Brisman, seconded by Vice Chairman Martinez to adjourn hearing to May 3<sup>rd</sup>, on a roll call vote, all in favor the motion passed.

**3. Docket # ZB15-13, 25-29 Sherman Street. Block 4069, Lot 14 & 16 in the R-3 Zone District, applicant Iglesia Pentecostal Smirna, is requesting preliminary & final site plan approval and D-3 use variance to demolish a home adjacent to existing church to be used for parking. The application will also require variances for parking, existing lot size, lot area, lot coverage, and front and side yard setbacks. Adjourned from March 15<sup>th</sup>, 2016. (First Appearance).**

Item #2 read into the record. Applicant's attorney Thomas DeVita, was present at the hearing.

Mr. DeVita introduced the application to the Board.

Pastor Daniel Santos, Iglesia Pentecostal Smirna, located at 25-29 Sherman Street was sworn into the record. He has been a member of the Church since 2010.

Building was built in 1908, but Church was established in 1988. Membership or Operations will not increase or change due to this proposed parking lot.

Commissioner Brisman had a question for Pastor Santos regarding the capacity of the proposed parking and why he believes his membership will not increase. They are not anticipated any increase in the membership.

Board Attorney D. Kinz had questions about the membership, how many families attend and church services. What is the full capacity of seating in the church?

Commissioner Stareshesky asked for clarification, how many pews are in the church.

Board Planner M. Everett asked about the transportation used by the congregants. Pastor stated most of the members are within walking distance and there's car pooling by the members.

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Mr. Frank B. Mileto, Licensed Architect & Planner was sworn into the record.

Mr. Mileto described the proposed project. Church purchased property on the right side of their property with the intent to alleviate the parking situation for church members.

Board Planner M. Everett had questions about parking spaces & K-turn stripping.

Board Attorney D. Kinz asked about the 8' wide parking spaces and the City's required/standard size of 9'. How many spaces would we lose if the space would be increased by half a foot.

Commissioner Brisman expressed his concern on the size of the parking spaces also requested that the standard size be used.

Commissioner W. Diaz asked about the requirement on stacked parking. Asked about the 2' rear yard setbacks and the positioning of the handicap spaces, and why they aren't closer to the church. Also questioned about the hydrant in the front of the property that will be demolished, what will happen with the hydrant.

Commissioner Stareshesky, had question for Mr. Mileto about the parking setbacks.

Commissioner Brisman commented about the stacked parking depicted in the plans. In his perspective, the applicant is doing the City a solace in removing as many cars from on-street parking.

Board Planner M. Everett asked about the lighting.

Chairman Bazian opened the floor for the public portion. There were no comments.

A motion was made by Commissioner Stareshesky, seconded by Commissioner W. Diaz to close public portion, on a roll call vote, all in favor the motion passed.

Vice Chairman Martinez recommended the handicap spaces be moved to the side of the property instead of the back.

Commissioner Stareshesky asked the lighting be added to the revised plan.

A motion was made by Commissioner H.Diaz, seconded by Commissioner W. Diaz to adjourn hearing to May 31, 2016, on a roll call vote, all in favor the motion passed.

## **RESOLUTIONS:**

NONE

## **ESCROW CLOSEOUTS**

NONE

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**ADJOURNMENT:**

Upon motion, seconded and carried, the meeting was adjourned at approximately 8:21 p.m.



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**Miriam R. Perez  
Board of Adjustment Secretary  
Municipal Land Use Law**