

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

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The City of Passaic Board of Adjustments held a special meeting on August 2<sup>nd</sup>, 2016 in the Senior Center, City Hall, 330 Passaic Street at 7:30 p.m. and opened the meeting at 8:00 p.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	Acting Chairman	√	
Heidi Diaz	Alt # 1		√
Moshe Stareshesky	Alt # 2	√	

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

## **MINUTES:**

1. Minutes of **June 21<sup>st</sup>, 2016** were brought before the Board for Approval. A motion was made by Commissioner Stareshesky, seconded by Vice Chairman Martinez to approve Minutes of June 21<sup>st</sup>, 2016, on a roll call vote, all in favor the motion passed.
2. Minutes of **July 19<sup>th</sup>, 2016** were brought before the Board for Approval. A motion was made by Commissioner Stareshesky, seconded by Commissioner Hess to approve Minutes of July 19<sup>th</sup>, 2016, on a roll call vote, all in favor the motion passed.

## **APPLICATIONS:**

**1. Docket #ZB16-08, 169 Lexington Avenue, Block#4110 Lot#1, in the O-R Zone**, applicant Whairhouse Limited LLC is requesting preliminary & final site plan approval and D(5) variance to convert an existing vacant social club and one (1) apartment unit to a seven (7) multifamily residence consisting of five (5) three-bedroom units and two (2) two-bedroom units. This application will also need a Parking Variance along any other variances that may be required. ***First Appearance***

Item # 2 of the agenda was read in the record. Alan J. Mariconda, Esq. Attorney for the applicant was not present at the hearing.

Mr. Mariconda requested to have hearing adjourned to August 16<sup>th</sup>, 2016.

A motion was made by Vice Chairman Martinez, seconded by Commissioner Hess to adjourn hearing to August 16<sup>th</sup>, on a roll call vote, all in favor the motion passed.

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**2. Docket #ZB16-11, 425 Van Houten Avenue, Block 3279, Lot 9 in the C-R Zone District**, applicant Garden State Realty & Investments is requesting preliminary & final site plan approval for an addition to an existing residential building at this property. The existing building consists of a restaurant/bar on the 1<sup>st</sup> floor and one (1) residential unit on the 2<sup>nd</sup> floor. The proposed addition is of three (3) more residential units on the 2<sup>nd</sup> floor and an additional commercial unit on the 1<sup>st</sup> floor. This application will require variance for minimum lot area, minimum lot depth, minimum front yard, minimum side yard, and/or maximum lot coverage, maximum density, and minimum open space along with any other variances, exceptions, or waivers that may be required. **First Appearance**

Item #3 read into the record. Bennett Wasserstrum, Attorney for the applicant was not present at the hearing.

Mr. Wasserstrum requested to have hearing adjourned to August 16<sup>th</sup>, 2016.

A motion was made by Vice Chairman Martinez, seconded by Commissioner Stareshesky to adjourn hearing to August 16<sup>th</sup>, on a roll call vote, all in favor the motion passed.

**3. Docket #ZB15-14, 35-39 Brook Avenue. Block #1324, Lot(s) #3 & 6 in the R-3 Zone District, applicant** BM Emek Yehoshva Corp. is seeking preliminary & final site plan approval; D1 & D-3 conditional use variance to convert existing property into a mixed use property consisting of a House of Worship, School, Dormitories, Senior-Community Center, Banquet Hall & Offices to support on-site uses. This application will also require variances for left side yard setback. **Adjourned from June 21<sup>st</sup>, 2016.**

Item # 1 was read in the record. Applicant's attorney Charles Sarlo was present at this hearing. Due to lack in quorum and the absence of the Board Planner, Mr. Sarlo and Board members agreed that it would best benefit all parties involved if hearing was adjourned. Mr. Sarlo requested to have hearing adjourned to September 27<sup>th</sup>, 2016

A motion was made by Commissioner Stareshesky, seconded by Vice Chairman Martinez to adjourn hearing to September 27<sup>th</sup>, on a roll call vote, all in favor the motion passed.

## **RESOLUTIONS:**

**1. Resolution approving application of Docket #ZB15-07, 247-255 Gregory Avenue, Block 2203, 1. Lot(s) 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.

A motion was made by Commissioner Stareshesky, seconded by Commissioner Hess to approve the Resolution, on a roll call vote, all in favor the motion passed.

## **ESCROW CLOSEOUTS**

NONE

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

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**ADJOURNMENT:**

Upon motion, seconded and carried, the meeting was adjourned at approximately 9:30 p.m.



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

**VOTING ON ACTIONS:**

**1. ACTION: Motion to Approve Minutes of June 21<sup>st</sup>, 2016**

COMMISSIONER		PRESENT/ ABSENT	1 <sup>ST</sup>	2 <sup>ND</sup>	APPROVE	DENY	ABSTAIN
<del>Yaacov Brisman</del>		Absent					
William Diaz		Absent					
Harold T. Hess		Present			√		
<del>Vanessa Meghnagi</del>		Absent					
David M. Blumenthal	Acting Chairman	Present			√		
<del>Heidi Diaz</del>	Alt # 1	Absent					
Moshe Stareshefsky	Alt # 2	Present	√		√		
Deiby Martinez	Vice Chairman	Present		√	√		
Menachem Bazian	Chairman	Absent					
Vacant	Alt # 3	-----					
Vacant	Alt # 4	-----					

**2. ACTION: Motion to Approve Minutes of July 19<sup>th</sup>, 2016**

COMMISSIONER		PRESENT/ ABSENT	1 <sup>ST</sup>	2 <sup>ND</sup>	APPROVE	DENY	ABSTAIN
Yaacov Brisman		Absent					
<del>William Diaz</del>		Absent					
Harold T. Hess		Present		√	√		
Vanessa Meghnagi		Absent					
David M. Blumenthal	Acting Chairman	Present			√		
Heidi Diaz	Alt # 1	Absent					
Moshe Stareshefsky	Alt # 2	Present	√		√		
Deiby Martinez	Vice Chairman	Present			√		
Menachem Bazian	Chairman	Absent					
Vacant	Alt # 3	-----					
Vacant	Alt # 4	-----					

**3. ACTION: Motion to adjourn application of 169 Lexington Avenue to August 16<sup>th</sup>, 2016**

COMMISSIONER		PRESENT/ ABSENT	1 <sup>ST</sup>	2 <sup>ND</sup>	APPROVE	DENY	ABSTAIN
Yaacov Brisman		Absent					
William Diaz		Absent					
Harold T. Hess		Present		√	√		
Vanessa Meghnagi		Absent					
David M. Blumenthal	Acting Chairman	Present			√		
Heidi Diaz	Alt # 1	Absent					
Moshe Stareshefsky	Alt # 2	Present			√		
Deiby Martinez	Vice Chairman	Present	√		√		
Menachem Bazian	Chairman	Absent					
Vacant	Alt # 3	-----					
Vacant	Alt # 4	-----					

**4. ACTION: Motion to adjourn application of 425 Van Houten Avenue to August 16<sup>th</sup>, 2016**

COMMISSIONER		PRESENT/ ABSENT	1 <sup>ST</sup>	2 <sup>ND</sup>	APPROVE	DENY	ABSTAIN
Yaacov Brisman		Absent					
William Diaz		Absent					
Harold T. Hess		Present			√		
Vanessa Meghnagi		Absent					
David M. Blumenthal	Acting Chairman	Present			√		
Heidi Diaz	Alt # 1	Absent					
Moshe Stareshefsky	Alt # 2	Present		√	√		
Deiby Martinez	Vice Chairman	Present	√		√		
Menachem Bazian	Chairman	Absent					
Vacant	Alt # 3	-----					
Vacant	Alt # 4	-----					

**5. ACTION: Motion to adjourn application of 35-39 Brook Avenue to September 27<sup>th</sup>, 2016**

COMMISSIONER		PRESENT/ ABSENT	1 <sup>ST</sup>	2 <sup>ND</sup>	APPROVE	DENY	ABSTAIN
Yaacov Brisman		Absent					
William Diaz		Absent					
Harold T. Hess		Present			√		
Vanessa Meghnagi		Absent					
David M. Blumenthal	Acting Chairman	Present			√		
Heidi Diaz	Alt # 1	Absent					
Moshe Stareshefsky	Alt # 2	Present	√		√		
Deiby Martinez	Vice Chairman	Present		√	√		
Menachem Bazian	Chairman	Absent					
Vacant	Alt # 3	-----					
Vacant	Alt # 4	-----					

**6. ACTION: Motion to approve Resolution for application of 247-255 Gregory Avenue**

COMMISSIONER		PRESENT/ ABSENT	1 <sup>ST</sup>	2 <sup>ND</sup>	APPROVE	DENY	ABSTAIN
<del>Yaacov Brisman</del>		Absent					
<del>William Diaz</del>		Absent					
Harold T. Hess		Present		√	√		
<del>Vanessa Meghnagi</del>		Absent					
David M. Blumenthal	Acting Chairman	Present			√		
Heidi Diaz	Alt # 1	Absent					
Moshe Stareshefsky	Alt # 2	Present	√		√		
Deiby Martinez	Vice Chairman	Present			√		
Menachem Bazian	Chairman	Absent					
Vacant	Alt # 3	-----					

Vacant	Alt # 4	-----					
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**7. ACTION: Motion to adjourn Meeting.**

COMMISSIONER		PRESENT/ ABSENT	1 <sup>ST</sup>	2 <sup>ND</sup>	APPROVE	DENY	ABSTAIN
Yaacov Brisman		Absent					
William Diaz		Absent					
Harold T. Hess		Present			√		
Vanessa Meghnagi		Absent					
David M. Blumenthal	Acting Chairman	Present			√		
Heidi Diaz	Alt # 1	Absent					
Moshe Stareshefsky	Alt # 2	Present	√		√		
Deiby Martinez	Vice Chairman	Present		√	√		
Menachem Bazian	Chairman	Absent					
Vacant	Alt # 3	-----					
Vacant	Alt # 4	-----					