

CITY OF PASSAIC BOARD OF ADJUSTMENT MINUTES

The City of Passaic Board of Adjustments held a special meeting on June 21st, 2016 in the Council Chambers, City Hall, 330 Passaic Street at 7:30 p.m. and opened the meeting at 7:38 p.m. by requesting a roll call. The invocation was given and all recited pledge of allegiance.

ROLL CALL:

		PRESENT	ABSENT
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 Stareshesky	Alt # 4	√	

ALSO PRESENT: Julio Santana, Zoning Officer
Mark E. Everett, P.P., AICP, Board Planner

Commissioner Hess arrived at approximately 8:11p.m.

OTHER BUSINESS

Tentative July 2016-June 2017 Board Calendar was presented for approval.

A motion was made to approve calendar of 2016-2017 by Vice Chairman Martinez, seconded by Commissioner Blumenthal, on a roll call vote, all in favor the motion passed.

APPLICATIONS:

1. 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 May 3rd, 2016, 2016.**

Item #1 read into the record. Charles Sarlo, Attorney for the applicant was present at the hearing.

For the benefit of the applicant and all those involved in the hearing, applicant and Board agreed to adjourn hearing to August 2nd, 2016.

A motion was made to adjourn hearing to August 2nd, 2016 by Commissioner Blumenthal, seconded by Commissioner W. Diaz, on a roll call vote, all in favor the motion passed.

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2. ZB16-06, 883 Main Avenue Block 2178 Lots 3 in the C-R Zone, applicant 883 Main Avenue LLC is requesting an extension to the approvals granted by Resolution on October 29, 2007 to demolish an existing use car dealership and construct a new three story building containing two (2) commercial and nine (9) residential units for One (1) additional year.

Item #3 read into the record. Applicant Michael Garcia was present at the hearing.

Chairman Bazian opened the public portion of the hearing.

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

A motion was made to approve the One (1) Year Extension request of applicant 883 Main Avenue by Commissioner W. Diaz, seconded by Commissioner Stareshesky, on a roll call vote, all in favor the motion passed.

3. ZB16-09, 315 Oak Street, Block 2178 Lots 3 in the C-R Zone, applicant Seventh Day Adventist Church is requesting an extension to the approvals granted by Resolution on July 13, 2009 to expand an existing house of worship onto two adjacent lots for One (1) additional year.

Item #4 read into the record. Joel Miklaki, Attorney for the applicant was present at the hearing.

A motion was made to approve the One (1) Year Extension request of applicant 315 Oak Street by Commissioner W. Diaz, seconded by Commissioner Stareshesky, on a roll call vote, all in favor the motion passed.

4. Docket #ZB16-04 168 Passaic Avenue, in the OR-1A Zone (Front Portion) and R-1A (Rear Portion), applicant Congregation Tifereth Israel is requesting preliminary & final site plan approval and a minor subdivision of an oversized lot with two principal use and two principal structures so that the existing House of Worship will be on its own lot and the single family residential structure will be on its own lot. The proposed subdivision will create (1) a “flag lot” for the House of Worship as a corner lot, proposed as Lot 1; and (2) an oversized rectangular lot for the residential structure, as an interior lot with lot frontage, proposed as Lot 1.01. As a result of the proposed subdivision a non-conforming land use will be made conforming. The application will also require a D (3) Conditional Use Variance and Variances for side yard setback, any other that may be required. **First Appearance.**

Item #2 read into the record. Charles Sarlo, Attorney for the applicant was present at the hearing.

Mr. Sarlo presented the application to the Board.

Board Planner M. Everett had questions about the easement.

Chairman Bazian opened the public portion of the hearing.

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No questions/comments from the public.

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

A motion was made to approve application of 168 Passaic Avenue by Vice Chairman Martinez, seconded by Commissioner Blumenthal, on a roll call vote, all in favor the motion passed.

MINUTES:

Minutes of **June 7th, 2016** were brought before the Board for Approval. A motion was made by Commissioner Stareshesky, seconded by Commissioner Blumenthal to approve Minutes of June 7th, 2016, on a roll call vote, all in favor the motion passed.

ESCROW CLOSEOUTS

NONE

RESOLUTIONS:

NONE

ADJOURNMENT:

Upon motion, seconded and carried, the meeting was adjourned at approximately 8:25 p.m.



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

VOTING ON ACTIONS:

1. ACTION: Motion to Approve Minutes of June 7th, 2016

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

2. ACTION: Motion to approve 2016-2017 ZB Calendar

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

3. ACTION: Motion to adjourn hearing of 35-39 Brook Avenue to August 2nd, 2016

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

4. ACTION: Motion to approve request for extension - 883 Main Avenue

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

5. ACTION: Motion to approve request for extension - 315 Oak Street

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

6. ACTION: Motion to close public portion of 168 Passaic Avenue hearing

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

Vacant	Alt # 4	-----					
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7. ACTION: Motion to approve application of 168 Passaic Avenue

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

8. ACTION: Motion to adjourn Meeting.

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