

CITY OF PASSAIC BOARD OF ADJUSTMENT MINUTES

The City of Passaic Board of Adjustments held a special meeting on March 1st, 2016 in the Council Chamber, City Hall, 330 Passaic Street at 7:30 p.m. and opened the meeting at 7:45 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
Douglas Kinz, Esq., Board Attorney
Arthur F. Señor, P.E., P.P., C.M.E., Board Planner

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.

Item #1 read into record. Applicant was present at this hearing. Attorney Richard Scholnick gave a recollection of February 16th meeting.

Mr. Edwin Reimon, Professional Engineer still under oath and gave more testimony as to lighting of the property.

Commissioner Stareshesky asked about the setbacks and subdivisions on the property.

Arthur Señor, Planner for the Board has some comments for the applicant. He has some issues with the Lighting on the property. It is the Planner's recommendation to use down lighting instead of up lighting.

Mr. Señor also asked in regards to parking, have they looked at Site distance? Street parking made available on the plan sheet.

On Stormwater design, applicant roof drainage is clean water

Chairman Bazian opened the floor for questions to the witness Mr. Reimon

Joe Conoscenti, 170 Broadway, brought seven (7) photographs regarding this application. Mr. Conoscenti is concerned about on-street parking.

CITY OF PASSAIC BOARD OF ADJUSTMENT MINUTES

Frank Fernandez, Licensed Architect still under oath and continue to give his testimony regarding the structure of the church building that will be erected.

Evidence A-11 Photographs brought into evidence. Photographs of same kitchen and fire suppression system they installed at their church in Englewood which is to be installed on this property.

Vice Chairman Martinez had a question on the quantity of congregants in their Englewood facility and they reason they have two (2) stoves, and will those two (2) stoves also be installed on the proposed site here.

Mr. Fernandez stated that the Englewood church is very similar in to the proposed site here in Passaic.

J. Michael Petri, Professional Planner was sworn into oath by the Board Attorney.

Mr. Petri provided the Board a summary of the Variances needed for this application.

Sixty-five (65) parking spaces serving the church congregants.

Stated as per Church Leadership, 110-125 attendees at Sunday service, 45 of which will driving into services. Front yard D-3 is a standard conditional use variance.

A motion was made by Vice Chairman Martinez, seconded by Commissioner Stareshesky to adjourn to April 12th, 2016, on a roll call vote, all in favor the motion passed.

2. Docket # ZB15-10, 26 Central Ave., Block 2145, Lot 18 in the C Zone District, applicant Glen Paul Hertzberg.

Item #2 was read into record. Applicant was present for the hearing.

Michael D. Kauker, Licensed Planner was sworn into the record. The applicant is now proposing two (2) residential units as recommended by the Board.

Parking requirement has been reduced to four (4) spaces since the proposed three (3) residential units have been rescinded.

Mr. Kauker summarized his testimony of February 2nd.

Mr. Neil Tanis, Architect was sworn into record. Mr. Tanis described the new proposed units.

Commissioner Stareshesky asked what the actual height of the ceilings.

He also questioned the additional egress from the two bedrooms, and was concerned about the possibility of it being subleased once apartments are made available.

Chairman Bazian opened the public portion.

CITY OF PASSAIC BOARD OF ADJUSTMENT MINUTES

No comments from the public.

A motion was made by Commissioner Meghnagi, seconded by Vice Chairman Martinez to close public portion, on a roll call vote, all in favor the motion passed.

A motion was made by Commissioner Blumenthal, seconded by Vice Chairman Martinez to approve application with condition it remains 1,200 square feet and the egress from both bedrooms are changed, on a roll call vote, all in favor the motion passed.

RESOLUTIONS:

1. Docket #ZB15-08 154-156 Gregory Avenue, Block 2146, Lot 42, in the R-3 Zone

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

MINUTES:

Minutes of February 16th, 2016 were brought before the Board for Approval.

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

ESCROW CLOSEOUTS

1. 231 Howe Avenue – ZB11-231
\$945.00 – Board Attorney
\$105.90 – General Account
\$449.10 – Applicant Victor Abreu
2. 55 Market Street – ZB1306
\$837.00 – Board Attorney
\$146.21 – General Account
\$10.11 – North Jersey Media Group
\$805.43 – Applicant Barbara & Rolando Duran
3. 46 Lincoln Street – ZB1309
\$796.50 – Board Attorney
\$255.46 – General Account
\$8.27 – North Jersey Media Group
\$1,439.77 – Applicant Alberto Gomez
4. 88-92 South Street – ZB1404
\$958.50 – Board Attorney
\$207.50 – General Account
\$10.57 – North Jersey Media Group
\$723.43 – Applicant Peruvian Import Co., Inc.

CITY OF PASSAIC BOARD OF ADJUSTMENT MINUTES

5. 791 Main Avenue – ZB1502
\$918.00 – Board Attorney
\$206.25 – General Account
\$875.75 – Applicant 791 Main Realty LLC.

6. 104 Hoover Avenue – ZB1503
\$864.00 – Board Attorney
\$173.50 – General Account
\$7.35 – North Jersey Media Group
\$955.15 – Applicant Isadoro Mora

7. 248 Summer Street – ZB1505
\$891.00 – Board Attorney
\$186.50 – General Account
\$7.35 – North Jersey Media Group
\$515.15 – Applicant MF 248 Summer St, LLC.

8. 177 Hope Avenue – ZB1506
\$891.00 – Board Attorney
\$226.00 – General Account
\$683.00 – Applicant ADJO Realty, LLC.

A motion was made by Commissioner Meghnagi, seconded by Commissioner Blumenthal to approve Escrow Resolutions, on a roll call vote, all in favor the motion passed.

ADJOURNMENT:

Upon motion, seconded and carried, the meeting was adjourned at approximately 10:42 p.m.



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

VOTING ON ACTIONS:

1. ACTION: Motion to approve Escrow Closeout Resolutions

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

2. ACTION: Motion to adjourn 247-255 Gregory Avenue to April 12th

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

3. ACTION: Motion to close public portion of 26 Central Avenue hearing

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

4. ACTION: Motion to approve application of 26 Central Avenue w/conditions

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

5. ACTION: Approval of February 16th, 2016 Minutes

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

6. ACTION: Motion to approve Resolution for 154-156 Gregory Avenue

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

7. ACTION: Motion to adjourn Meeting.

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