

**PLANNING BOARD
MINUTES**

The City of Passaic Planning Board held a regular meeting on January 8th, 2020 in the Council Chambers, City Hall, 330 Passaic Street and opened the meeting at 7:33 p.m. by requesting a roll call. The invocation was given and all recited pledge of allegiance.

ROLL CALL:

		Present	Absent
Councilman Daniel Schwartz		✓	
Kenneth A. Simpson		✓	
Edwin Perez		✓	
Jessica Delacruz		✓	
Sardis Cruz-Perez		✓	
Shawn Witten		✓	
Carlos Lopez	Alternate I	✓	
Peter T. Rosario	Alternate II	✓	
Jose A. Vargas	Vice Chairman		✓
Maritza Colon-Montañez	Madam Chair	✓	

ALSO PRESENT: Louis P. Rago, Esq., Board Attorney ✓
 David Troast, P.P., AICP, Board Planner ✓
 Julio Santana, Zoning Officer ✓

RE-ORGANIZATION:

Chairman: A motion was made by Councilman Schwartz, to nominate Colon-Montañez as the Chairwoman, seconded by Commissioner Wise, there being no other nominations, on a roll call vote, all in favor, the motion carried.

Vice-Chairman: A motion was made by Commissioner Colon-Montañez, to nominate Commissioner Perez, seconded by Commissioner Witten; there being no other nominations, on a roll call vote, all in favor, the motion carried.

Secretary: A motion was made by Commissioner Colon-Montañez, to keep Miriam R. Perez as the Board Secretary, seconded by Councilman Schwartz; there being no other nominations, on a roll call vote, all in favor, the motion carried.

Board Attorney: A motion was made by Commissioner Colon-Montañez, to continue with Louis P. Rago, Esq as Board Attorney, seconded by Councilman Schwartz; there being no other nominations, on a roll call vote, all in favor, the motion carried.

Board Planner: A motion was made by Commissioner Colon-Montañez, to continue with Plan 2 Consultants as the Board Planner, seconded by Commissioner Delacruz; there being no other nominations, on a roll call vote, all in favor, the motion carried.

Newspaper: A motion was made by Commissioner Colon-Montañez, to keep the Herald & News as the official Newspaper for Publication, seconded by Councilman Schwartz; there being no other nominations, on a roll call vote, all in favor, the motion carried.

MEETING TIME:

Commissioner Rosario recommended the change of the Planning Board meeting time from 7:30p.m. to 7p.m.

A motion was made to change PB meeting time from 7:30p.m. to 6:30p.m. by Commissioner Rosario, seconded by Commissioner Lopez, on a roll call vote, all in favor, the motion carried.

APPLICATIONS:

1. Redevelopment Plan for areas previously designated by the City Council as an Area in Need of Redevelopment according to the criteria set forth in section 5 of P.L. 1992, c.79 (C.40A:12A-5). The Plan includes maps and boundaries of the redevelopment area properties. The following is a list of Properties:

**Block 5000.01 - Lot 1,
5000.02**

**99 – 111 Passaic Street
- Lot 1, and 5000 – Lot 1**

Item #1 of the agenda was read in the record. Mr. David Troast, Board Planner was present at the hearing. Mr. Troast was sworn into the record. He continued to introduce the Plan to the Board.

Madam Chair Colon-Montañez had questions for Mr. Troast.

L.Rago, Board Attorney gave the Board an explanation as to exactly what they are taking action on.

Commissioner Rosario had questions for Mr. Troast.

Councilman Schwartz had comments for the Board.

Commissioner Witten had a question for Mr. Troast.

Jackiw Jarislaw, 179 Meade Avenue had questions for Mr. Troast.

Joe Conoscenti, 170 Broadway had questions for the Board & Mr. Troast.

Madam Chair Colon-Montañez opened the public portion of the hearing.

A motion to close public portion of the 26 Wall Street hearing, was made by Councilman Schwartz, seconded by Commissioner Delacruz, on a roll call vote, all in favor, the motion passed.

A motion to approve application of 29 Broadway with conditions, was made by Commissioner Rosario, seconded by Commissioner Delacruz, on a roll call vote, all in favor, the motion passed.

2. Docket #PB19-13, 26 Wall Street, Block #1017, Lot #1 in the CR-HD Zone,

applicant Holy Rosary Roman Catholic Church is requesting preliminary & final site approval to amend their site plan in order for them to remove a three car garage and relocating it closer to the building. The proposed relocation will add twenty-one (21) more parking spaces to their property, and any other variances and/or waivers that may be required. **FIRST APPEARANCE**

Item #2 of the agenda was read in the record. Mr. Alan Tressler for Mr. Joel Miklacki, Attorney for the applicant was present at the hearing.

Mr. Sterns was recalled to continue his testimony and discuss the changed done to the site plan as requested by the Board.

L.Rago, Board Attorney asked what type of tree would be planted.

D.Troast, Board Attorney recommended a Hedge Maple Tree, balled and burlaped.

Joe Conoscenti, 170 Broadway had questions for the applicant.

Madam Chair Colon-Montañez opened the public portion of the hearing.

A motion to close public portion of the 26 Wall Street hearing, was made by Councilman Schwartz, seconded by Commissioner Perez, on a roll call vote, all in favor, the motion passed.

A motion to approve application of 29 Broadway with conditions, was made by Commissioner Delacruz, seconded by Commissioner Simpson, on a roll call vote, all in favor, the motion passed.

MINUTES:

1. Regular Meeting Minutes of November 13th, 2019 were presented by the Secretary for approval.

A motion to approve the minutes was made by Commissioner Witten, seconded by Commissioner Simpson, on a roll call vote, all in favor, the motion passed.

2. Regular Meeting Minutes of December 4th, 2019 were presented by the Secretary for approval.

A motion to approve the minutes was made by Commissioner Delacruz, seconded by Commissioner Perez, on a roll call vote, all in favor, the motion passed.

RESOLUTIONS:

1. Redevelopment/Rehabilitation Plan for areas previously designated by the City Council as an Area in Need of Rehabilitation according to the criteria set forth in section 5 of P.L. 1992, c.79 (C.40A:12A-5). The Plan includes maps and boundaries of the rehabilitation area properties. The following is a list of

Properties:

- a) **BLOCK 5000.01 - LOT 1, 5000.02 - LOT 1, AND 5000 - LOT 1** **99 - 111 PASSAIC STREET**

A motion to approve the Resolution for the AINOR Plan for 99-111 Passaic Street was made by Commissioner Rosario seconded by Commissioner Simpson, on a roll call vote, all in favor, the motion passed.

3. Docket #PB19-04, 129-137 Passaic Street, Block#1033 Lot#4, 5 & 6, in the CR-HD Zone, applicant 129 Passaic Street LLC is requesting preliminary & final site plan approval and variances to demolish an existing structure used as a commercial garage and construct a four-story building consisting of eight (8) commercial units fronting on Passaic Street and parking on street level and residential units consisting of ten (10) three-bedroom apartment and seven (7) four-bedroom apartment, with a total of seventeen (17) residential units. Additional variances are required for front yard, parking and lot coverage area and any other variances and/or waivers that may be required. ***Approved on July 24th, 2019.***

A motion to approve the Resolution for the AINOR Plan for 99-111 Passaic Street was made by Commissioner Delacruz seconded by Councilman Schwartz, on a roll call vote, all in favor, the motion passed.

1. Docket #PB19-07- 39-41 Market Street, Block #1039, Lot 22 in the CR-HD Zone, applicant PB Main Avenue LLC is requesting preliminary & final site approval to erect a new three stories building consisting of a retail unit, one 4 bedrooms on ground, two four (4) bedrooms apartment on 2nd floor and 2 four (4) bedrooms apartment on 3rd floor. And any other variances and/or waivers that may be required. ***Approved on November 13th, 2019.***

A motion to approve the Resolution for the AINOR Plan for 39-41 Market Street was made by Commissioner Simpson seconded by Commissioner Cruz-Perez, on a roll call vote, all in favor, the motion passed.

Docket #PB19-11- 161 Passaic Street, Block #1035, Lot 7 in the CR-HD Zone, applicant Passaic Street LLC is requesting preliminary & final site approval to convert a two stories building consisting of restaurant and a salon on first floor and rooming house on the second floor. Into a three stories building consisting of seven (7) apartments units and parking on ground floor. And any other variances and/or waivers that may be required. ***Approved on November 13th, 2019.***

A motion to approve the Resolution for the 99-111 Passaic Street was made by Commissioner Lopez seconded by Commissioner Cruz-Perez, on a roll call vote, all in favor, the motion passed.

4. Docket #PB19-12, 18-20 Van Houten Avenue, Block# 1262.01, Lot# 20, in the R-2 Redevelopment/Rehabilitation Plan, applicant 18 Van Houten LLC is requesting preliminary & final site plan approval to demolish and existing structure consisting of one story building that used to be used

as a church and to construct a multi-family apartment development consistent with the Van Houten Avenue Redevelopment/Rehabilitation Plan dated October 10, 2018. The proposed development is a four (4) story structure with forty (40) units. Unit mix is twelve (12) – four (4) bedroom units, four (4) three (3) bedroom units and six (6) two (2) bedroom units. Surface parking to be provided as per Redevelopment Plan –24 parking spaces. Along any other variances and/or waivers that may be required. ***Approved on November 13th, 2019.***

A motion to approve the Resolution for 18-20 Van Houten Avenue was made by Commissioner Witten seconded by Commissioner Simpson, on a roll call vote, all in favor, the motion passed

ESCROW CLOSEOUTS:

NONE

ADJOURNMENT:

Upon motion, seconded and carried, the meeting was adjourned at approximately 8:56 p.m.



Miriam R. Perez, Board Secretary
Municipal Land Use Law

VOTING ON ACTIONS:

1. ACTION: Motion to select Commission Colon-Montañez as Chairwoman

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Shaun Witten		Present			√		
Jessica Delacruz		Present			√		
Kenneth A. Simpson		Present			√		
Sardis Cruz-Perez		Present			√		
Jose A. Vargas		Absent					
Vacancy		---					
Carlos Lopez		Present			√		
Peter T. Rosario	Alternate I	Present	√		√		
Councilman Daniel Schwartz	Alternate II	Present		√	√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present			√		

2. ACTION: Motion to select Commissioner Perez as Vice-Chairman

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Shaun Witten		Present		√	√		
Jessica Delacruz		Present			√		
Kenneth A. Simpson		Present			√		
Sardis Cruz-Perez		Present			√		
Jose A. Vargas		Absent					
Vacancy		---					
Carlos Lopez		Present			√		
Peter T. Rosario	Alternate I	Present			√		
Councilman Daniel Schwartz	Alternate II	Present			√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present	√		√		

3. ACTION: Motion to select Miriam R. Perez as Board Secretary

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Shaun Witten		Present			√		
Jessica Delacruz		Present			√		
Kenneth A. Simpson		Present			√		
Sardis Cruz-Perez		Present			√		
Jose A. Vargas		Absent					
Vacancy		---					
Carlos Lopez		Present			√		
Peter T. Rosario	Alternate I	Present			√		
Councilman Daniel Schwartz	Alternate II	Present		√	√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present	√		√		

4. ACTION: Motion to select Louis P. Rago, Esq. as Board Attorney

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Shaun Witten		Present			√		
Jessica Delacruz		Present			√		
Kenneth A. Simpson		Present			√		
Sardis Cruz-Perez		Present			√		
Jose A. Vargas		Absent					
Vacancy		---					
Carlos Lopez		Present			√		
Peter T. Rosario	Alternate I	Present			√		
Councilman Daniel Schwartz	Alternate II	Present		√	√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present	√		√		

5. ACTION: Motion to select Plan 2 Consultants as Board Planners

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Shaun Witten		Present			√		
Jessica Delacruz		Present		√	√		
Kenneth A. Simpson		Present			√		
Sardis Cruz-Perez		Present			√		
Jose A. Vargas		Absent					
Vacancy		---					
Carlos Lopez		Present			√		
Peter T. Rosario	Alternate I	Present			√		
Councilman Daniel Schwartz	Alternate II	Present			√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present	√		√		

6. ACTION: Motion to select Herald & News as Official Newspaper

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Shaun Witten		Present			√		
Jessica Delacruz		Present			√		
Kenneth A. Simpson		Present			√		
Sardis Cruz-Perez		Present			√		
Jose A. Vargas		Absent					
Vacancy		---					
Carlos Lopez		Present			√		
Peter T. Rosario	Alternate I	Present		√	√		
Councilman Daniel Schwartz	Alternate II	Present			√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present	√		√		

7. ACTION: Motion to amend meeting PB meeting time to 6:30pm from 7:30pm

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Shaun Witten		Present			√		
Jessica Delacruz		Present			√		
Kenneth A. Simpson		Present			√		
Sardis Cruz-Perez		Present			√		
Jose A. Vargas		Absent					
Vacancy		---					
Carlos Lopez	Alternate I	Present		√	√		
Peter T. Rosario	Alternate II	Present	√		√		
Councilman Daniel Schwartz		Present			√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present			√		

8. ACTION: Motion to close public portion of AINOR Plan of 99-111 Passaic Street hearing

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Shaun Witten		Present			√		
Jessica Delacruz		Present		√	√		
Kenneth A. Simpson		Present			√		
Sardis Cruz-Perez		Present			√		
Jose A. Vargas		Absent					
Vacancy		---					
Carlos Lopez	Alternate I	Present			√		
Peter T. Rosario	Alternate II	Present			√		
Councilman Daniel Schwartz		Present	√		√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present			√		

9. ACTION: Motion to recommend AINOR Plan of 99-111 Passaic Street

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Shaun Witten		Present			√		
Jessica Delacruz		Present		√	√		
Kenneth A. Simpson		Present			√		
Sardis Cruz-Perez		Present			√		
Jose A. Vargas		Absent					
Vacancy		---					
Carlos Lopez	Alternate I	Present			√		
Peter T. Rosario	Alternate II	Present	√		√		
Councilman Daniel Schwartz		Present			√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present			√		

10. ACTION: Motion to approve Resolution - AINOR Plan of 99-111 Passaic Street

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Shaun Witten		Present			√		
Jessica Delacruz		Present			√		
Kenneth A. Simpson		Present			√		
Sardis Cruz-Perez		Present		√	√		
Jose A. Vargas		Absent					
Vacancy		---					
Carlos Lopez	Alternate I	Present					
Peter T. Rosario	Alternate II	Present	√		√		
Councilman Daniel Schwartz		Present			√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present			√		

11. ACTION: Motion to close public portion of 26 Wall Street hearing

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Shaun Witten		Present			√		
Jessica Delacruz		Present			√		
Kenneth A. Simpson		Present			√		
Sardis Cruz-Perez		Present			√		
Jose A. Vargas		Absent					
Vacancy		---					
Carlos Lopez	Alternate I	Present			√		
Peter T. Rosario	Alternate II	Present			√		
Councilman Daniel Schwartz		Present	√		√		
Edwin Perez	Vice Chairman	Present		√	√		
Maritza Colon-Montañez	Madam Chair	Present			√		

12. ACTION: Motion to approve application of 26 Wall Street with conditions

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Shaun Witten		Present			√		
Jessica Delacruz		Present	√		√		
Kenneth A. Simpson		Present		√	√		
Sardis Cruz-Perez		Present			√		
Jose A. Vargas		Absent					
Vacancy		---					
Carlos Lopez		Present			√		
Peter T. Rosario	Alternate I	Present					
Councilman Daniel Schwartz	Alternate II	Present					
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present			√		

13.ACTION: Motion to approve Resolution of 26 Wall Street

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Shaun Witten		Present			√		
Jessica Delacruz		Present	√		√		
Kenneth A. Simpson		Present			√		
Sardis Cruz-Perez		Present			√		
Jose A. Vargas		Absent					
Vacancy		---					
Carlos Lopez		Present			√		
Peter T. Rosario	Alternate I	Present					
Councilman Daniel Schwartz	Alternate II	Present			√		
Edwin Perez	Vice Chairman	Present		√	√		
Maritza Colon-Montañez	Madam Chair	Present			√		

14.ACTION: Motion to approve Resolution of 129-137 Passaic Street w/conditions

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Shaun Witten		Present			√		
Jessica Delacruz		Present	√		√		
Kenneth A. Simpson		Present			√		
Sardis Cruz-Perez		Present			√		
Jose A. Vargas		Absent					
Vacancy		---					
Carlos Lopez		Present					
Peter T. Rosario	Alternate I	Present					
Councilman Daniel Schwartz	Alternate II	Present		√	√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present			√		

15.ACTION: Motion to approve Resolution of 39-41 Market Street

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Shaun Witten		Present			√		
Jessica Delacruz		Present			√		
Kenneth A. Simpson		Present	√		√		
Sardis Cruz-Perez		Present		√	√		
Jose A. Vargas		Absent					
Vacancy		---					
Carlos Lopez		Present					
Peter T. Rosario	Alternate I	Present					
Councilman Daniel Schwartz	Alternate II	Present			√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present			√		

16.ACTION: Motion to approve Resolution of 161 Passaic Street

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Shaun Witten		Present			√		
Jessica Delacruz		Present			√		
Kenneth A. Simpson		Present			√		
Sardis Cruz-Perez		Present		√	√		
Jose A. Vargas		Absent					
Vacancy		---					
Carlos Lopez		Present					
Peter T. Rosario	Alternate I	Present					
Councilman Daniel Schwartz	Alternate II	Present	√		√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present			√		

17.ACTION: Motion to approve Resolution of 18-20 Van Houten Avenue

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Shaun Witten		Present			√		
Jessica Delacruz		Present	√		√		
Kenneth A. Simpson		Present					
Sardis Cruz-Perez		Present		√	√		
Jose A. Vargas		Absent					
Vacancy		---					
Carlos Lopez		Present					
Peter T. Rosario	Alternate I	Present					
Councilman Daniel Schwartz	Alternate II	Present			√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present			√		

18.ACTION: Motion to approve Minutes of November 13th, 2019

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Shaun Witten		Present	√		√		
Jessica Delacruz		Present			√		
Kenneth A. Simpson		Present		√	√		
Sardis Cruz-Perez		Present			√		
Jose A. Vargas		Absent					
Vacancy		---					
Carlos Lopez		Present					
Peter T. Rosario	Alternate I	Present					
Councilman Daniel Schwartz	Alternate II	Present			√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present			√		

19.ACTION: Motion to approve Minutes of December 4th, 2019

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Shaun Witten		Present			√		
Jessica Delacruz		Present	√		√		
Kenneth A. Simpson		Present			√		
Sardis Cruz-Perez		Present					
Jose A. Vargas		Absent					
Vacancy		---					
Carlos Lopez		Present			√		
Peter T. Rosario	Alternate I	Present					
Councilman Daniel Schwartz	Alternate II	Present			√		
Edwin Perez	Vice Chairman	Present		√	√		
Maritza Colon-Montañez	Madam Chair	Present			√		

20.ACTION: Motion to adjourn meeting

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Shaun Witten		Present		√	√		
Jessica Delacruz		Present			√		
Kenneth A. Simpson		Present			√		
Sardis Cruz-Perez		Present	√		√		
Jose A. Vargas		Absent					
Vacancy		---					
Carlos Lopez		Present			√		
Peter T. Rosario	Alternate I	Present			√		
Councilman Daniel Schwartz	Alternate II	Present			√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present			√		