

The City of Passaic Planning Board held a regular meeting on March 4th, 2020 in the Council Chambers, City Hall, 330 Passaic Street and opened the meeting at 6:36 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		✓	
Jessica Delacruz		✓	
Sardis Cruz-Perez		✓	
Shawn Witten		✓	
Jose A. Vargas			✓
Carlos Lopez	Alternate I	✓	
Peter T. Rosario	Alternate II	---	---
Edwin Perez	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	✓
Ricardo Fernandez, Executive Director	✓

MINUTES:

1. Regular Meeting Minutes of February 12th, 2020 were presented by the Secretary for approval.

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

APPLICATIONS:

1. **Docket #PB19-18, 119 Autumn Street, Block #4105, Lot #6, in the R-3 Zone**, applicant Marco Kopic is requesting preliminary and final site plan approval and minor subdivision to create two (2) lots for one existing Two-story and a half One (1) Family Dwelling unit in one lot and a new Two-story two (2) Family Dwelling unit in the new lot. This application will require variances for minimum lot depth, minimum rear yard setback, maximum lot coverage, Minimum lot width, side yard lot coverage, and any other variances and/or waivers that may be required. **FIRST APPEARANCE.**

Item #3 of the agenda was read in the record. Mr. Alan Mariconda, Attorney for the applicant was not present at the hearing. The applicant requested to be adjourned to the hearing of April 1st, 2020. Applicant consented to tolling of time.

A motion to adjourn hearing of 119 Autumn Street was made by Councilman Schwartz, seconded by Commissioner Delacruz, on a roll call vote, all in favor, the motion passed.

2. Recommendation for Area in Need of Redevelopment/Rehabilitation according to the criteria set

forth in section 5 of P.L. 1992, c.79 (C.40A:12A-5) for the following properties:

Block #4103.01, Lot #23 948 Main Avenue

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 #4108, Lot #6 199-201 Lexington Avenue

Item #1 of the agenda was read in the record. Mr. Ricardo Fernandez, Executive Director of Redevelopment Agency was present at the hearing. Mr. Fernandez was sworn into the record. He continued to introduce the Plans to the Board as listed in the agenda.

Block #4103.01, Lot #23 948 Main Avenue

Councilman Schwartz asked how long property has been vacant. Mr. Fernandez stated Approximately more than 10 years.

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

A motion to close public portion of the Recommendation for AINOR for 948 Main Avenue, was made by Councilman Schwartz, seconded by Commissioner Delacruz, on a roll call vote, all in favor, the motion passed.

A motion to approve Recommendation for AINOR for 948 Main Avenue, was made by Commissioner Witten, seconded by Commissioner Delacruz, on a roll call vote, all in favor, the motion passed.

Block #4108, Lot #6 199-201 Lexington Avenue

Councilman Schwartz had questions for Mr. Fernandez.

Commissioner Lopez had questions about parking.

Commissioner Witten had questions for the witness.

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

A motion to close public portion of the AINOR Plan for 199-201 Lexington Avenue, was made by Councilman Swartch, seconded by Commissioner Delacruz, on a roll call vote, all in favor, the motion passed.

A motion to approve Recommendation for AINOR Plan 199-201 Lexington Avenue, was made by

Commissioner Delacruz, seconded by Commissioner Lopez, on a roll call vote, all in favor, the motion passed.

3. Docket #PB19-14- 170-174 Myrtle Avenue, Block #2179, Lot 26 in the R3 Zone, applicant 3X Myrtle LLC is requesting preliminary & final site approval to demolish a single family home and construct a new four (4) stories building consisting of six (6) residential units. This property was name an area of need of redevelopment/rehabilitation. **FIRST APPEARANCE.**

Item #3 of the agenda was read in the record. Mr. Matthew J. Trella, Attorney for the applicant was present at the hearing.

Mr. Orestes Valella, Licensed Architect West New York, NJ was sworn into the Record. Mr. Valella presented his qualifications to the Board. The Board accepted his qualifications. Mr. Valella continued with his testimony.

Mr. Valella described the proposed plan.

Councilman Schwartz had questions for the witness.

Commissioner Simpson had questions about the ADA parking space location and several other questions about the parking spaces. Commissioner Simpson had concerns with the location of the ADA parking space.

Mr. Valella stated client is willing to add an entrance to the rear of the property.
D.Troast, Board Planner

Roselynn Smith, resident of 175 Myrtle Avenue had questions for the witness.

Sandra Smith, owner of 175 Myrtle Avenue had questions for the witness.

Gregory Kelson, resident of 177 Myrtle Avenue had questions for the witness.

Mr. Frank D. Mileto, Licensed Planner of Long Valley, NJ was sworn into the record. Mr. Mileto has been qualified by this Board on many occasions. Mr. Mileto continued with his testimony.

Commissioner Simpson had questions about the zoning table. D.Troast, Board Planner responded to Commissioner Simpson's questions.

Mr. Valella was recalled to testify. Mr. Valella gave his opinion on changing to four (4) story building height.

D.Troast, Board Planner asked applicant to address Engineer Review as it pertains to comments #2 & 5.

Commissioner Simpson had additional questions for the applicant.

Commissioner Delacruz had comments about the application.

D.Troast, Board Planner had clarifications for the Board. L.Rago, Board Attorney had comments for the Board.

Mr. Fernandez had additional clarifications about the plan and the underlying Zone.

Commissioner Simpson had questions for Mr. Fernandez.

Commissioner Lopez had questions for Mr. Fernandez.

D.Troast, Board Planner addressed Commissioner Lopez's concerns.

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

Sandra Smith, owner of 175 Myrtle Avenue had comments for the Board.

Roselynn Smith, resident of 175 Myrtle Avenue had comments for the Board.

Santa Garcia, owner of 444 Harrison Street had comments for the Board.

Gregory Kelson, resident of 177 Myrtle Avenue had comments for the Board.

Gladys Garcia, resident 444 Harrison Street had comments for the Board.

Jarislaw Jackiw, resident of 166 Lafayette Avenue had comments for the Board.

A motion to close public portion of the 170-174 Myrtle Avenue hearing, was made by Commissioner Witten, seconded by Commissioner Simpson, on a roll call vote, all in favor, the motion passed.

Commissioner Simpson had comments for the Board.

Commissioner Lopez had additional questions about conditions to be imposed should application Be granted by the Board.

Commissioners Simpson & Cruz-Perez had additional comments. D.Troast, Board Planner had clarifications for the Board.

L.Rago, Board Attorney had comments for the Board.

Councilman Schwartz had comments about the process and noticing of the Redevelopment Plans.

Mr. Fernandez explained the statutory requirements.

L.Rago, Board Attorney had some additional comments.

The Board imposed the following conditions:

1. Doors added to the rear of the property.
2. Carrying the front architecture to the other facades of the building
3. Minimum light spillage on the lighting for the parking
4. Parking spaces 1,2 &3 will be reduced by 2 feet
5. Additional landscaping and trees to be added

A motion to approve application of 170-174 Myrtle Avenue hearing with the conditions listed above, was made by Commissioner Witten, seconded by Commissioner Cruz-Perez, on a roll call vote, all in favor, the motion passed.

RESOLUTIONS:

1. Recommendation for Area in Need of Redevelopment/Rehabilitation according to the criteria set forth in section 5 of P.L. 1992, c.79 (C.40A:12A-5) for the following properties:

Block #4103.01, Lot #23

948 Main Avenue

A motion to approve the Resolution for the AINOR Plan for 948 Main Avenue was made by Commissioner Delacruz seconded by Commissioner Cruz-Perez, on a roll call vote, all in favor, the motion passed.

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 #4108, Lot #6

199-201 Lexington Avenue

A motion to approve the Resolution for the AINOR Plan for 199-201 Lexington Avenue was made by Commissioner Delacruz, seconded by Commissioner Witten, 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 8:49 p.m.



Miriam R. Perez, Board Secretary
Municipal Land Use Law

VOTING ON ACTIONS:

1. ACTION: Motion to approve Minutes of February 12th, 2020

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	---					
Councilman Daniel Schwartz		Present			√		
Edwin Perez	Vice Chairman	Present	√		√		
Maritza Colon-Montañez	Madam Chair	Present			√		

2. ACTION: Motion to adjourn hearing of 119 Autumn Street to April 1st, 2020

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	---					
Councilman Daniel Schwartz		Present	√		√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present			√		

3. ACTION: Motion to close public portion of AINOR Study & Plan as per Agenda Item #1 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	---					
Councilman Daniel Schwartz		Present	√		√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present			√		

4. ACTION: Motion to recommend AINOR for 948 Main 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	Alternate I	Present			√		
Peter T. Rosario	Alternate II	---					
Councilman Daniel Schwartz		Present			√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present			√		

5. ACTION: Motion to approve AINOR Plan of 199-201 Lexington 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	Alternate I	Present		√	√		
Peter T. Rosario	Alternate II	---					
Councilman Daniel Schwartz		Present			√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present			√		

6. ACTION: Motion to approve Resolution recommending AINOR for 948 Main 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	Alternate I	Present			√		
Peter T. Rosario	Alternate II	---					
Councilman Daniel Schwartz		Present			√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present			√		

7. ACTION: Motion to approve Resolution - AINOR Plan of 199-201 Lexington 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	Alternate I	Present			√		
Peter T. Rosario	Alternate II	---					
Councilman Daniel Schwartz		Present			√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present			√		

8. ACTION: Motion to close portion of 170-174 Myrtle Avenue 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	---					
Councilman Daniel Schwartz		Present			√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present			√		

9. ACTION: Motion to approve application of 170-174 Myrtle Avenue 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	Alternate I	Present			√		
Peter T. Rosario	Alternate II	---					
Councilman Daniel Schwartz		Present			√		
Edwin Perez	Vice Chairman	Present				√	
Maritza Colon-Montañez	Madam Chair	Present			√		

10. 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	Alternate I	Present			√		
Peter T. Rosario	Alternate II	---					
Councilman Daniel Schwartz		Present			√		
Edwin Perez	Vice Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Present			√		