

CITY OF PASSAIC BOARD OF ADJUSTMENT MINUTES

The City of Passaic Board of Adjustments held a virtual meeting on April 28th, 2020, due to COVID19 social distancing requirements via ZOOM at 7:00 p.m. and opened the meeting at 7:05 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	Secretary	√	
Harold T. Hess			√
David M. Blumenthal		√	
Moshe Stareshefsky		√	
Jonathan Pittinsky		√	
Sheila Graham-Woodson	Alt # 1	√	
Yolanda Soto	Alt # 2	---	---
Juan C. Lozano-Rosas	Alt # 3	---	---
Vacancy	Alt # 4	---	---

ALSO PRESENT: Julio Santana, Zoning Officer
David Troast, Board Planner
Douglas Kinz, Esq., Board Attorney

ESCROWS:

NONE

MINUTES:

1. Minutes of the February 11th, 2020 meeting were presented to the Board for approval.

A motion was made to approve Minutes of January 28th, 2020, by Commissioner Stareshefsky, seconded by Commissioner Brisman, on a roll call vote, all in favor the motion carried.

RESOLUTIONS:

1. Docket #ZB19-21, 42 Ridge Avenue, Block #3305, Lot #39, in the R-1 Zone, applicant Eli Klein is requesting variance approval to expand his one (1) family home on an existing irregular lot. This application will require variances for minimum side lot depth, rear yard setback, front yard setback and any other variances and/or waivers that may be required. ***Approved February 11th, 2020.***

The Board imposed the following conditions:

1. Add Arborvitae for privacy/screening in the rear yard.

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A motion was made to approve Resolution of 42 Ridge Avenue by Commissioner Blumenthal, seconded by Vice Chairman Martinez, on a roll call vote, all in favor, the motion carried.

2. Revised Resolution of 30 Howe Avenue approved on December 10th, 2019 was submitted by D.Kinz, Board Attorney for approval.

A motion was made to approve revised Resolution for 30 Howe Avenue application by Commissioner Stareshesky, seconded by Commissioner Pittinsky, on a roll call vote, all in favor, the motion carried.

APPLICATIONS:

2. **Docket #ZB19-18, 76 Henry Street, Block #2159 Lot #23, in the R-3 Zone**, applicant Marko Kopic, is seeking approval to install a driveway on side of property. It will require front yard setback, side yard setback, lot coverage, parking area must be three (3) feet away from property line, parking dimension must be (9' X 19') and any other variances and/or waivers that may be required. ***FIRST APPEARANCE, ADJOURNED FROM MARCH 31st, 2020.***

Item #2 of the agenda was read in the record. Mr. Alan Mariconda, Esq., Attorney for the applicant was not present at the hearing. Mr. Mariconda requested the hearing be adjourned to the next available hearing.

A motion to adjourn hearing of 76 Henry Street to May 12th, 2020 was made by Commissioner Stareshesky, seconded by Commissioner Blumenthal, on a roll call vote, all in favor the motion passed.

3. **Docket #ZB19-15, 122 Third Street, Block# 1003, Lot #3, in the R-3 Zone**, applicant 122 Garden Street LLC, is seeking preliminary and final site approval and subsequent D5(Density Variance) to convert an existing legal non-conforming structure consisting of four (4) apartments and two (2) commercial units into seven (7) residential units and one (1) commercial store. This application will require variances for minimum lot width, minimum lot area, minimum side yard setback, minimum rear yard setback, lot coverage and any other variances and/or waivers that may be required. ***FIRST APPEARANCE, ADJOURNED FROM FEBRUARY 11TH, CARRIED FROM MARCH 12TH, 2020.***

Item #1 of the agenda was read in the record. Mr. Matthew Trella, Esq., Attorney for the applicant was present at the hearing. Mr. Trella introduced application to the Board.

Mr. Orestes Valella, Licensed Architect of West New York, NJ was sworn into the record. Mr. Valella has presented before this Board on various occasions. The Board accepted his qualifications. Mr. Valella continued with his testimony and described the plan to the Board.

Commissioner Brisman had questions for Mr. Valella.

Commissioner Stareshesky had questions for the witness.

Commissioners Brisman & Stareshesky had follow-up questions for the witness.

J.Santana, Zoning Officer had questions about the windows in apartment B. The existing windows are

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a construction issue.

Chairman Bazian had questions for Mr. Valella.

Mr. Chaim Pinter, owner of 122 Third Street was sworn into the record.

Chairman Bazian had several questions comments and suggestions for the applicant Mr. Pinter.

D.Kinz, Board Attorney had follow-up questions for Mr. Pinter.

Commissioner Stareshesky had additional questions for Mr. Valella.

Chairman Bazian had follow up questions for Mr. Pinter.

A motion to adjourn the hearing of 122 Third Street to May 26th, 2020 was made by Commissioner Brisman, seconded by Commissioner Blumenthal, on a roll call vote, all in favor the motion passed.

ADJOURNMENT:

Upon motion, seconded and carried, the meeting was adjourned at approximately 8:38 p.m.



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

VOTING ON ACTIONS:

1. ACTION: Motion to approve Minutes of February 11th, 2020

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Yaacov Brisman		Present		√	√		
Harold T. Hess		Absent					
David M. Blumenthal		Present			√		
Moshe Stareshefsky		Present	√		√		
Jonathan D. Pittinsky		Present			√		
Sheila Graham-Woodson	Alt # 1	Absent					
Yolanda Soto	Alt # 2	---					
Juan C. Lozano-Rosas	Alt # 3	---					
Vacant	Alt # 4	---					
Deiby Martinez	Vice Chairman	Present			√		
Menachem Bazian	Chairman	Present					

2. ACTION: Motion to approve Resolution of 42 Ridge Avenue application

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Yaacov Brisman		Present					
Harold T. Hess		Absent					
David M. Blumenthal		Present	√		√		
Moshe Stareshefsky		Present			√		
Jonathan D. Pittinsky		Present			√		
Sheila Graham-Woodson	Alt # 1	Absent					
Yolanda Soto	Alt # 2	---					
Juan C. Lozano-Rosas	Alt # 3	---					
Vacant	Alt # 4	---					
Deiby Martinez	Vice Chairman	Present		√	√		
Menachem Bazian	Chairman	Present					

3. ACTION: Motion to approve revised Resolution of 30 Howe Avenue application

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Yaacov Brisman		Present			√		
Harold T. Hess		Absent					
David M. Blumenthal		Present					
Moshe Stareshefsky		Present	√		√		
Jonathan D. Pittinsky		Present		√	√		
Sheila Graham-Woodson	Alt # 1	Present					
Yolanda Soto	Alt # 2	---					
Juan C. Lozano-Rosas	Alt # 3	---					
Vacant	Alt # 4	---					
Deiby Martinez	Vice Chairman	Present					
Menachem Bazian	Chairman	Present					

4. ACTION: Motion to adjourn application of 76 Henry Street to May 12th, 2020

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Yaacov Brisman		Present			√		
Harold T. Hess		Absent					
David M. Blumenthal		Present		√	√		
Moshe Stareshesky		Present	√		√		
Jonathan D. Pittinsky		Present			√		
Sheila Graham-Woodson	Alt # 1	Absent					
Yolanda Soto	Alt # 2	---					
Juan C. Lozano-Rosas	Alt # 3	---					
Vacant	Alt # 4	---					
Deiby Martinez	Vice Chairman	Present			√		
Menachem Bazian	Chairman	Present					

5. ACTION: Motion to adjourn hearing of 122 Third Street to May 26th, 2020

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Yaacov Brisman		Absent	√		√		
Harold T. Hess		Absent					
David M. Blumenthal		Present		√	√		
Moshe Stareshesky		Present			√		
Jonathan D. Pittinsky		Present			√		
Sheila Graham-Woodson	Alt # 1	Present			√		
Yolanda Soto	Alt # 2	---					
Juan C. Lozano-Rosas	Alt # 3	---					
Vacant	Alt # 4	---					
Deiby Martinez	Vice Chairman	Present			√		
Menachem Bazian	Chairman	Present			√		

6. ACTION: Motion to adjourn Meeting.

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Yaacov Brisman		Absent			√		
Harold T. Hess		Absent					
David M. Blumenthal		Present		√	√		
Moshe Stareshesky		Present	√		√		
Jonathan D. Pittinsky		Present			√		
Sheila Graham-Woodson	Alt # 1	Present			√		
Yolanda Soto	Alt # 2	---					
Juan C. Lozano-Rosas	Alt # 3	---					
Vacant	Alt # 4	---					
Deiby Martinez	Vice Chairman	Present			√		
Menachem Bazian	Chairman	Present			√		