

CITY OF PASSAIC BOARD OF ADJUSTMENT MINUTES

The City of Passaic Board of Adjustments held a virtual meeting on May 12th, 2020, due to COVID19 social distancing requirements via ZOOM at 7:00 p.m. and opened the meeting at 7:10 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 April 28th, 2020 meeting were presented to the Board for approval.

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

APPLICATIONS:

1. 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 June 16th hearing.

A motion to adjourn hearing of 76 Henry Street to June 16th, 2020 was made by Commissioner Graham-Woodson, seconded by Commissioner Brisman, on a roll call vote, six (6) in favor, one (1)

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against, the motion passed.

2. Docket #ZB20-02, 297 Monroe Street, Block 4127, Lot 4, in the C Zone, applicant VB Monroe States LLC, is seeking preliminary and final site approval and subsequent D1(Use Variance) to add two residential units consisting of two bedrooms each on an unused space on the 2nd floor above A.W. Ross, Inc. a kitchen cabinets manufacturer. The existing is a mix used building consisting of a supermarket/restaurant and the kitchen cabinets manufacturer. 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.**

Item #2 of the agenda was read in the record. Mr. Charles Sarlo, Esq., Attorney for the applicant was present at the hearing. Mr. Sarlo introduced application to the Board.

Mr. Tomasz Adach, Licensed Architect of Hasbrouck Heights, NJ was sworn into the record. Mr. Adach presented his qualifications to the Board. The Board accepted his qualifications. Mr. Adach continued with his testimony and described the plan to the Board.

Commissioner Stareshesky had questions about sprinkler system.

Chairman Bazian had a question about the fabrication of cabinets on the basement floor.

D.Kinz, Board Attorney had questions on the noise levels on the lower levels.

Mr. Wocjciech Ryes, owner of A.W. Ross, Inc., representative of the applicant and managing member of VB Monroe States LLC was sworn into the record. Mr. Ryes continued with his testimony.

Exhibit A-1 Multiple listing for the property was marked into evidence.

Exhibit A-2 Listing Hit Count Report was marked into evidence.

Commissioner Brisman had questions for Mr. Ryes.

D.Kinz, Board Attorney had comments for the Board and Mr. Ryes on this application.

Commissioner Stareshesky had questions for Mr. Ryes.

D.Kinz, Board Attorney had follow-up questions for the witness.

Commissioner Stareshesky had follow-up comments for the witness.

Chairman Bazian asked Mr. Ryes for clarification on property taxes and had addition questions.

Mr. Ken Nelson, Licensed Professional Planner of Hasbrouck Heights, NJ was sworn into the record. Mr. Nelson has presented to this Board on various occasions. The Board accepted his qualifications. Mr. Adach continued with his testimony and described the plan to the Board.

Commissioner Brisman had questions for Mr. Nelson.

Chairman Bazian had comments for the Board.

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Commissioner Stareshesky had questions for Mr. Nelson.

Chairman Bazian had comments for the witness.

Chairman Bazian opened the public portion of the hearing.

A motion to close the public portion of the hearing of 297 Monroe Street was made by Commissioner Stareshesky, seconded by Commissioner Brisman, on a roll call vote, all in favor the motion passed.

Mr. Sarlo surmised the application.

A motion to deny the application of 297 Monroe Street was made by Commissioner Brisman, seconded by Commissioner Graham-Woodson, on a roll call vote, all in favor the motion passed.

RESOLUTIONS:

1. **Docket #ZB19-20, 314 Montgomery Street, Block #2170 Lot(s) #16, in the R-3 Zone**, applicant Tina Estates LLC, is seeking approval to install an addition on the 2nd floor (already constructed). It will require front yard setback, side yard setback, lot coverage, and any other variances and/or waivers that may be required. ***Approved March 31st, 2020.***

A motion was made to approve Resolution of 314 Montgomery Street was by Commissioner Brisman, seconded by Commissioner Stareshesky, on a roll call vote, all in favor, the motion carried.

ADJOURNMENT:

Upon motion, seconded and carried, the meeting was adjourned at approximately 9:28 p.m.



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

VOTING ON ACTIONS:

1. ACTION: Motion to approve Minutes of April 28th, 2020

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Yaacov Brisman		Present	√		√		
Harold T. Hess		Absent					
David M. Blumenthal		Absent					
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 314 Montgomery Street application

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Yaacov Brisman		Present	√		√		
Harold T. Hess		Absent					
David M. Blumenthal		Absent					
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 adjourn hearing of 76 Henry Street to June 16th, 2020

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Yaacov Brisman		Present		√	√		
Harold T. Hess		Absent					
David M. Blumenthal		Absent					
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 close public portion of 297 Monroe Street hearing

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Yaacov Brisman		Present		√	√		
Harold T. Hess		Present			√		
David M. Blumenthal		Absent					
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			√		

5. ACTION: Motion table hearing of 297 Monroe Street application

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Yaacov Brisman		Present			√		
Harold T. Hess		Present			√		
David M. Blumenthal		Absent					
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			√		

6. ACTION: Motion to deny application of 297 Monroe Street

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Yaacov Brisman		Present	√		√		
Harold T. Hess		Present			√		
David M. Blumenthal		Absent					
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			√		

7. ACTION: Motion to adjourn Meeting.

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Yaacov Brisman		Present			√		
Harold T. Hess		Present		√	√		
David M. Blumenthal		Absent					
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			√		