

The City of Passaic Planning Board held a Virtual meeting on September 9<sup>th</sup>, 2020 Via Zoom and opened the meeting at 6:35 p.m. by requesting a roll call. The invocation was given and all recited pledge of allegiance.

**ROLL CALL:**

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

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

**MINUTES:**

1. Minutes of August 5<sup>th</sup>, 2020 meeting were presented by the Secretary for approval.

A motion to approve the minutes of August 5<sup>th</sup>, 2020 was made by Commissioner Simpson, seconded by Commissioner Cruz-Perez, on a roll call vote, all in favor, the motion passed.

**RESOLUTIONS:**

1. **Docket #PB20-13, 217 Brook Avenue, Block 3318.01, Lot 8, Block # 3319, Lot 1, Block 3318, Lot 7 and Block 3318c Lot(s) 9, 8 & 20, in the M-1 Zone (Scattered Site Redevelopment Area)**, applicant Concord Estates of Passaic Urban Renewal LLC, is seeking to amend PB-16-15 application that was approved on March 8, 2017. granting preliminary & final site plan approval for a redevelopment project consisting of 186,420 sq. ft. of retail use, 112 residential dwelling units, a banquet facility and a parking structure along Brook Avenue with 360 spaces and 180 parking spaces along Terhune Avenue; together with final approval for a portion of the redevelopment project consisting of 122,563 sq. ft. of retail use, the banquet facility and the parking garage. The applicant seeks to amend the approval to incorporate neighboring property which was acquired by the applicant, to improve emergency/fire department access and to allow for two-way-traffic to and from Brook Avenue, to relocate the proposed banquet facility from its prior approved location on Terhune Avenue to Brook Avenue. The applicant will also be seeking final site plan approval for phase II of the redevelopment project to: increase the parking space count by 370 spaces along Terhune Avenue which will bring the total to approximately 725 spaces, 229,772 sq. ft. of retail, commercial and service space, and

approximately 137 new residential units. A three story addition atop of an existing three story structure about 15,000 sq. ft. alongside the railroad any other variances and/or waivers that may be required.

***Approved with conditions on August 5<sup>th</sup>, 2020***

The following conditions were imposed by the Board:

1. Speed humps/Traffic Calming Device to be discussed with City Engineer.
2. Applicant to comply with all the proposed recommendations of the City Engineer.

The Resolution was carried until the next meeting for consideration of revisions submitted by the applicant's attorney.

#### **APPLICATIONS:**

**1. Docket #PB20-09, 200 Madison Street, block# 4124, Lot # 18, in C Zone**, applicant 200 GTHL Properties LLC is requesting preliminary and final site plan approval to add a 2nd floor to an existing one story building consisting of restaurant. The new 2nd floor unit will be used for additional seating and event space with office. Along with any other variances and/or waivers that may be required. ***FIRST APPEARANCE.***

Item #2 of the agenda was read in the record. Mr. Alan Mariconda, Esq. attorney for the applicant was present at the hearing.

Mr. Thomas Reynolds, Licensed Architect of West Orange, NJ was sworn into the record. Mr. Reynolds presented his qualifications to the Board. The Board accepted his qualifications. Mr. Reynolds continued with his testimony.

Mr. Reynolds described the Plan to the Board.

D.Troast, Board Planner had a question for the witness and comments regarding the required parking spaces. J.Santana, Zoning Officer concurred with Mr. Troast's calculations that 12 parking spaces are necessary. Only six (6) spaces will be created leaving a variance for six (6) spaces.

Councilman Schwartz and Madam Chair Colon-Montañez had questions regarding the parking requirement.

Ms. Claudia Cardona, representative for the applicant was sworn into the record. Ms. Cardona continued with her testimony.

D.Harrington, City Engineer had a question for Ms. Cardona.

L.Rago, Board Attorney had a question for the witness.

Madam Chair opened the public portion of the hearing.

A motion to close public portion of the 200 Madison Street hearing, was made by Madam Chair Colon-Montañez, seconded by Councilman Schwartz, on a roll call vote, all in favor, the motion passed.

The Board imposed the followings conditions:

1. Parking Variance for six (6) spaces subject to Payment in Lieu of Parking fee.

A motion to approve application of 200 Madison Street hearing, was made by Madam Chair Colon-Montañez, seconded by Commissioner Cruz-Perez, on a roll call vote, all in favor, the motion passed.

**2. Docket #PB20-08, 119 282 Hope Avenue, Block #4062, Lot #36, in the R-3 Zone**, applicant Ramsey Espertin is requesting preliminary and final site plan approval and minor subdivision to create two (2) lots for one existing Two (2 1/2) story two (2) Family Dwelling in one lot and a new Two (2) story two (2) Family Dwelling unit in the new lot. This application will require variances for minimum lot coverage and site yard on lot 36.01, and any other variances and/or waivers that may be required.  
**FIRST APPEARANCE.**

Item #1 of the agenda was read into the record. Mr. Alan Mariconda, Esq. attorney for the applicant was present at the hearing.

Mr. Nassir Almkhtar, Licensed Architect was sworn into the record. Mr. Almkhtar presented his qualifications to the Board. He has presented before this Board in the past. The Board accepted his qualifications. Mr. Almkhtar continued with his testimony.

Mr. Almkhtar described the plan to the Board.

Councilman Schwartz had questions for the witness.

Commissioner Witten had questions for Mr. Almkhtar.

D.Troast, Board Planner had several questions for the witness.

D.Harrington, City Engineer had questions for the witness.

Mr. Ramsey Espertin, owner of the property and applicant was sworn into the record. Mr. Espertin continued with his testimony.

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

Councilman Schwartz recommend an easement for the driveway.

Madam Chair opened the public portion of the hearing.

A motion to close public portion of the 282 Hope Avenue hearing, was made by Vice Chairman Perez, seconded by Commissioner Lopez, on a roll call vote, all in favor, the motion passed.

A motion to direct Board Attorney to prepare favorable resolution after applicant submits revised plans for 282 Hope Avenue for the October 14<sup>th</sup>, 2020 meeting, was made by Vice Chairman Perez, seconded by Commissioner Lopez, on a roll call vote, all in favor, the motion passed.

**3. Docket #PB20-17- 711-729 Main Avenue, Block #2158, Lot 18 in the C Zone**, applicant AP INC is requesting preliminary & final site approval. This property was named an area of need of rehabilitation on July 12, 2017. The applicant is seeking construct a new building in an empty lot that was part of The State of NJ Department of Education. The building will consist of a four story structure with eight (8) retail spaces on the first floor, eight (8) office spaces on the second floor and fifteen (15) residential units on the third and four floors. Applicant will be seeking variance for rear yard setback and any other variances and/or waivers that may be required. **FIRST APPEARANCE.**

Item #3 of the agenda was read in the record. Mr. Bennett Wasserstrum, Esq. attorney for the applicant was present at the hearing.

Mr. Osvaldo Martinez, Licensed Architect of Hoboken, NJ was sworn into the record. Mr. Martinez presented his qualifications to the Board. He has presented before this Board on various occasions. The Board accepted his qualifications. Mr. Martinez continued with his testimony.

Mr. Martinez described the Plan to the Board.

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

Vice Chairman Perez had questions for Mr. Martinez.

Mr. Frank D. Mileto, Licensed Planner of Long Valley, NJ was sworn into the record. Mr. Mileto presented his qualifications to the Board. He has presented before this Board on various occasions. The Board accepted his qualifications. Mr. Mileto continued with his testimony.

Commissioner Lopez had questions for the witness.

L.Rago, Board Attorney had comments for the applicant regarding the PVWC review.

D.Troast, Board Planner had comments for the applicant.

Madam Chair opened the public portion of the hearing.

A motion to close public portion of the 711-719 Main Avenue hearing, was made by Madam Chair Colon-Montañez, seconded by Commissioner Cruz-Perez, on a roll call vote, all in favor, the motion passed.

A motion to approve application of 711-719 Main Avenue hearing, was made by

Commissioner Lopez, seconded by Vice Chairman Perez, 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 9:05 p.m.



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**Miriam R. Perez, Board Secretary**  
**Municipal Land Use Law**

**VOTING ON ACTIONS:**

**1. ACTION: Motion to approve Minutes of August 5<sup>th</sup>, 2020 Meeting**

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

**2. ACTION: Motion to close public portion of 200 Madison Street hearing**

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

**3. ACTION: Motion to approve application of 200 Madison Street w/conditions**

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

**4. ACTION: Motion to close public portion of 282 Hope Avenue hearing**

COMMISSIONER		PRESENT/ ABSENT	1 <sup>ST</sup>	2 <sup>ND</sup>	APPROVE	DENY	ABSTAIN
Shaun Witten		Present			√		
Jessica Delacruz		Absent					
Kenneth A. Simpson		Present			√		
Sardis Cruz-Perez		Present			√		
Vacancy		---					
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 direct Board Attorney to draft favorable Resolution for the application of 282 Hope Avenue - application to submit revised plans**

COMMISSIONER		PRESENT/ ABSENT	1 <sup>ST</sup>	2 <sup>ND</sup>	APPROVE	DENY	ABSTAIN
Shaun Witten		Present			√		
Jessica Delacruz		Absent					
Kenneth A. Simpson		Present			√		
Sardis Cruz-Perez		Present			√		
Vacancy		---					
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 close public portion of 711-719 Main Avenue hearing**

COMMISSIONER		PRESENT/ ABSENT	1 <sup>ST</sup>	2 <sup>ND</sup>	APPROVE	DENY	ABSTAIN
Shaun Witten		Present			√		
Jessica Delacruz		Absent					
Kenneth A. Simpson		Absent					
Sardis Cruz-Perez		Present		√	√		
Vacancy		---					
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 application of 711-719 Main Avenue**

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

**8. ACTION: Motion to adjourn meeting**

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