

**PLANNING BOARD
MINUTES**

The City of Passaic Planning Board held a Virtual meeting on January 6th, 2021 Via Zoom and opened the meeting at 6:41 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		✓	
Carlos Lopez		✓	
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 ✓

REORGANIZATION:

Election of Officers

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

Recording Secretary: A motion was made by Commissioner Lopez 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.

Attorney: A motion was made by Commissioner Witten to select Louis P. Rago, Esq. as the 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 Rosario, to appoint Plan 2 Consultants as the Board Planner, seconded by Madam Chair Colon-Montañez; there being no other nominations, on a roll call vote, all in favor, the motion carried.

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

MINUTES:

1. Minutes of December 2nd, 2020 Meeting were presented by the Secretary for approval.

A motion to approve the minutes of December 2nd, 2020 Meeting was made by Madam Chair Colon-Montañez, seconded by Commissioner Witten, on a roll call vote, all in favor, the motion passed.

2. Minutes of December 16th, 2020 Special Meeting were presented by the Secretary for approval.

A motion to approve the minutes of December 16th, 2020 Special Meeting was made by Commissioner Lopez, seconded by Commissioner Witten, on a roll call vote, all in favor, the motion passed.

APPLICATIONS:

1. **Docket #PB20-15 – 170-172 Main Avenue, Block 4103.01, Lot 23, in the CR Zone**, Applicant Howard I. Deutsch is requesting preliminary and final site plan approval to convert an existing commercial space, currently vacant and previously used as a house of worship, to a residential two (2)-bedroom apartment. The lot is currently improved with two distinct sections, the portion of the building at the intersection of Main Avenue and Elliot Street is a two-story building, consisting of dental office on the first floor and residential unit on the second floor. The other portion is a one-story structure attached to building to the right of the property; it is now vacant, but previously used for a house of worship. This application will require variances for lot area, lot width, side yard setback, rear yard setback and any other variance and/or waiver that may be required. **FIRST APPEARANCE. ADJOURNED FROM DECEMBER 2ND, 2020.**

Item #3 of the agenda was read into the record. Mr. Gary Cohen, Esq. Attorney for the applicant was not present at the hearing. Mr. Cohen informed us that the applicant is withdrawing his application without prejudice.

A motion to accept withdrawal of application of 170-172 Main Avenue contingent on having sufficient Escrow Fees was made by Councilman Schwartz, seconded by Commissioner Lopez, on a roll call vote, all in favor, the motion passed.

2. **Docket #PB20-20- 337 Aycrigg Avenue, Block # 3248, Lot 17 in the R3 Zone**, Applicant 3X Aycrigg LLC is requesting preliminary & final site approval to convert a one (1) story residential home into a new three (3)-story brick building consisting of eight (8) residential units. The proposed floor layout is as follows: ground floor two (2) 2-bedroom unit and 2nd and 3rd floor consisting of three (3) 2-bedroom unit each, with a total of eight (8) units. This application will require variances for lot width, side yard setback, lot coverage, parking variance and any other variances and/or waivers that may be required. **FIRST APPEARANCE. ADJOURNED FROM DECEMBER 2ND, 2020.**

Item #4 of the agenda was read into the record. Mr. Matthew J. Trella, Esq. attorney for the applicant was present at the hearing. There was a deficiency in the Notice of Publication and Notice to 200' ft. radius list, therefore this application will have to be re-noticed. It has been scheduled for March 3rd, 2021.

3. Please take notice that the City of Passaic Planning Board will consider Redevelopment/Rehabilitation Plans for properties previously designated by the City Council as an 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). The Plans includes maps and boundaries of the rehabilitation area properties. The following is a list of Properties:

Census Tracts #1752, 1753.01, 1754.01, 1754.02, 1758.01, 1758.02 and 1759

Item #2 of the agenda was read into the record.

Mrs. Annie Hindenlange, Licensed Planner and Mr. Christopher Colley, Planner of Topology, NJ was sworn into the record. They presented their qualifications to the Board. The Board accepted their qualifications. Mr. Colley continued with his testimony and presentation.

Commissioner Rosario had several questions for Mr. Colley.

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

A motion to close the public portion of the Census Tract Redevelopment Plan hearing was made by Commissioner Lopez, seconded by Commissioner Lopez, on a roll call vote, all in favor, the motion passed.

A motion to approve the Census Tract Redevelopment Plan and recommend Plan to the City Council was made by Commissioner Lopez, seconded by Commissioner Witten, on a roll call vote, all in favor, the motion passed.

A motion to direct our Board Attorney to draft & approve Resolution for the Census Tract Redevelopment Plan hearing was made by Commissioner Rosario, seconded by Commissioner Witten, on a roll call vote, all in favor, the motion passed.

Commissioner Rosario left the meeting.

4. **Docket #PB20-18- 170 Summer Street, Block # 2184, Lot 11 in the R3 Zone**, Applicant Bosko Boskovski is requesting preliminary & final site approval to make an addition to a two family home and to convert it to four family dwelling unit. The proposed floor layout is as follows: ground floor a car garage for four (4) cars, 1st and 2nd floor two (2) 2-bedroom units on each floor, for a total of four (4) units. Parking area in back for three cars and two extra parking in front of garages for two cars. This application will require variances for lot area, lot width, side yard setback, lot coverage, stacked parking and any other variances and/or waivers that may be required. **FIRST APPEARANCE.**

Item #5 of the agenda was read into the record. Mr. Kenneth Rose, Esq. Attorney for the

applicant was present at the hearing.

Mr. Anthony Kurus, Licensed Engineer & Planner of Lyndhurst, NJ was sworn into the record. Mr. Kurus presented his qualification to the Board. The Board accepted his qualifications. Mr. Kurus continued with testimony and described the plan to the Board.

Councilman Schwartz had questions for the witness.

D.Troast, Board Planner had questions for Mr. Kurus about the lot width.

Commissioner Lopez had questions for Mr. Kurus.

Mrs. Afshan Vandal, Licensed Architect of Parsipanny, NJ was sworn into the record. Mrs. Vandal presented his qualification to the Board. The Board accepted his qualifications. Mr. Kurus continued with testimony and described the plan to the Board.

Councilman Schwartz had questions for Mrs. Vandal.

Commissioner Lopez had questions for the witness.

Councilman Schwartz had additional questions.

Madam Chair Colon-Montañez also had questions.

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

Mr. Kurus was recalled to testify.

Councilman Schwartz had additional questions regarding the parking spaces and garage.

Commissioner Lopez had follow-up questions about stacked parking.

Commissioner Cruz-Perez had questions regarding the parking as well.

D.Troast, Board Planner also had questions and concerns about the parking and traffic flow.

Commissioner Witten had some concerns as well about the parking.

A motion to adjourn hearing of 170 Summer Street was made by Commissioner Lopez, seconded by Councilman Schwartz, on a roll call vote, all in favor, the motion passed.

RESOLUTIONS:

5. Docket #PB20-16, 948-950 Main Avenue, Block 4103.01, Lot 23, in the CR Zone, Applicant 950

Main Avenue LLC is requesting preliminary and final site plan approval to convert an empty one (1) story commercial building to a three (3) story mixed commercial residential building consisting of two (2) retail spaces and one (1) apartment on the ground floor and two (2) apartments on the 2nd and 3rd floor with a total of five (5) residential units. In consistence with the 950 Main Avenue Redevelopment/Rehabilitation Plan Dated March 06, 2020. The proposed plan is for two retail spaces and one two bedrooms apartment on ground floor level, and two apartments consisting of two bedrooms each on the 2nd and 3rd floor. This application will require a parking variance and any other variances and/or waivers that may be required. ***Approved on December 2nd, 2020***

A motion to approve the Resolution of 948-950 Main Avenue was made by Commissioner Lopez, 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 9:02p.m.



Miriam R. Perez, Board Secretary
Municipal Land Use Law

VOTING ON ACTIONS:

1. ACTION: Motion select Commissioner Colon-Montañez as Chairperson

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

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

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

7. ACTION: Motion to approve Minutes of December 2nd, 2020 Meeting

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

8. ACTION: Motion to approve Minutes of December 16th, 2020 Special Meeting

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

9. ACTION: Motion to accept withdrawal of 170-172 Main Avenue application

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

10. ACTION: Motion to close public portion of Census Tract Redevelopment Plan hearing

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

11. ACTION: Motion to approve Census Tract Redevelopment Plan & Recommend to Council

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

12. ACTION: Motion to approve Resolution of Census Tract Redevelopment Plan

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

13. ACTION: Motion to adjourn application of 170 Summer Street to February 3rd, 2021

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

14. ACTION: Motion to approve Resolution of 948-950 Main Ave application

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

15. ACTION: Motion to adjourn meeting

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