

**PLANNING BOARD
MINUTES**

The City of Passaic Planning Board held a Virtual meeting on June 10th, 2020 Via Zoom and opened the meeting at 6:39 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	Acting 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:

NONE

APPLICATIONS:

1. Recommendation for Area in Need of 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 #2175.02, Lot #45

473-477 Harrison Street

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. Mr. Fernandez introduced the Study to the Board as listed in the agenda.

Acting Chairman Perez opened the public portion of the hearing.

A motion to close public portion of the Designation of AINOR Studies for 473-477 Harrison Street hearing, was made by Commissioner Rosario, seconded by Councilman Schwartz, on a roll call vote, all in favor, the motion passed.

A motion to approve recommendation of AINOR Designation for 473-477 Harrison Street, was made by Commissioner Rosario, seconded by Commissioner Delacruz, on a roll call vote, all in favor, the motion passed.

2. Docket #PB20-02, 441 Paulison Avenue, Block #3220 Lot(s) #29, in the R-3 Zone, applicant 443 Paulison Avenue LLC, is requesting preliminary & final site plan approval to construct a three stories new building consisting of thirteen (13) residential units. There will be ten (10) two bedroom units, two (2) three-bedroom units and one (1) studio apartment on ground floor. This property was name an area of redevelopment/rehabilitation. **FIRST APPEARANCE. ADJOURNED FROM MAY 6TH, 2020.**

Item #2 of the agenda was read into the record. Mr. Victor Herlinsky, Esq. attorney for the applicant was present at the hearing.

Mr. Patrick McClellan, Licensed Civil Engineer in NJ was sworn into the record. Mr. McClellan presented his qualifications to the Board. The Board accepted his qualifications. Mr. McClellan continued with his testimony.

Mr. McClellan described the Site Plan to the Board. He addressed the Board Engineer's comments on his review and also addressed the Board Planner's recommendations.

Commissioner Rosario had questions for Mr. McClellan about the refuse area. He expressed concerns.

Mr. Demetrios Kaltsis, Licensed Architect of North Bergen, NJ was sworn into the record. He presented his qualifications to the Board. The Board accepted his qualifications. Mr. Kaltsis continued with his testimony as it relates to the Architectural plans for this application.

Mr. Kaltsis addressed the Zoning Officers comments in regards to Fire Prevention requirements. He addressed the Board Planners comments as well.

Commissioner Rosario spoke on the refuse area again. Mr. Kaltsis. Acting Chairman Perez had a question for the witness.

Commissioner Witten had questions about the walkway. L.Rago, Board Attorney had a question for Mr. Kaltsis.

Ms. Kate Keller, Licensed Planner of Hoboken, NJ was sword into the record. Ms. Keller presented her qualifications to the Board. The Board accepted her qualifications. Ms. Keller continued with her testimony.

D.Troast, Board Planner had comments regarding the application.

Acting Chairman Perez opened the public portion of the hearing.

A motion to close public portion of the 441 Paulison Avenue hearing, was made by Commissioner Perez, seconded by Commissioner Rosario, on a roll call vote, all in favor, the motion passed.

The Board imposed the following conditions:

1. Moving the refuse area to the back of the building.
2. Widening of the gate to the garage to 22' ft.
3. Traffic Calming Devices at the entrance of the gate within the discretion of City Engineer.
4. 2nd Entrance by where the mailroom is located.

A motion to approve application of 441 Paulison Avenue with the conditions listed above was made by Commissioner Rosario, seconded by Councilman Schwartz, on a roll call vote, all in favor, the motion passed.

3. Docket #PB20-03- 39-41 Lexington Avenue, Block #4125, Lot 8 in C Zone, applicant 31-41 Lexington Avenue LLC is requesting preliminary & final site approval to rehabilitate an existing commercial building consisting one floor and two commercial units. To divided the two stores into four (4) two facing Lexington Avenue and two facing Central Avenue, to construct two new floor and add three (3) residential unit on 2nd and 3rd floor with a total of six (6) residential units. This property was name an area of need of redevelopment/rehabilitation. ***FIRST APPEARANCE. ADJOURNED FROM APRIL 1ST, 2020.***

Item #3 of the agenda was read into 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 has testified before this Board on many occasions. The Board accepted his qualifications. Mr. Martinez continued with his testimony.

Mr. Martinez described the site plan to the Board.

Councilman Schwartz had a question for Mr. Martinez.

Mr. Alex Perez, Jr., owner of the Property was sworn into the record. Mr. Perez continued with his testimony.

Commissioner Witten had questions for the witness.

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

L.Rago, Board Attorney, had a question about parking.

Acting Chairman Perez opened the public portion of the hearing.

A motion to close public portion of the 39-41 Lexington Avenue hearing, was made by Commissioner Lopez, seconded by Commissioner Rosario, on a roll call vote, all in favor, the motion passed.

Board imposed the following conditions:

1. Loading Zone signs on the Central Avenue side will be removed.
2. Windows on both sides will be enlarged

A motion to approve application of 39-41 Lexington Avenue with the conditions listed above was made by Commissioner Rosario, seconded by Commissioner Lopez, on a roll call vote, all in favor, the motion passed.

4. Docket #PB20-04- 26-28 Central Avenue, Block #4125, Lot 18 in C Zone, applicant APRB Main LLC is requesting preliminary & final site approval to rehabilitate an existing commercial building consisting of two stories to construct three commercial units in the bottom floor and three residential units on the 2nd floor. This property was name an area of need of redevelopment/rehabilitation. ***FIRST APPEARANCE. ADJOURNED FROM APRIL 1ST, 2020.***

Item #4 of the agenda was read into 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 has testified before this Board on many occasions. The Board accepted his qualifications. Mr. Martinez continued with his testimony.

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

Acting Chairman Perez opened the public portion of the hearing.

A motion to close public portion of the 26-28 Central Avenue hearing, was made by Councilman Schwartz, seconded by Commissioner Perez, on a roll call vote, all in favor, the motion passed.

Board imposed the following conditions:

1. Remove windows on the property line.

A motion to approve application of 26-28 Central Avenue with the conditions listed above was made by Commissioner Lopez, seconded by Commissioner Perez, on a roll call vote, all in favor, the motion passed.

RESOLUTIONS:

1. Recommendation for Area in Need of 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 #2175.02, Lot #45

473-477 Harrison Street

A motion to approve Resolution of AINOR Designation for 473-477 Harrison Street, was made by Commissioner Rosario, seconded by Commissioner Lopez, on a roll call vote, all in favor, the motion passed.

2. Docket #PB19-17, 309 Oak Street, Block #2172.01, Lot 62 in the R3 Zone, applicant 309 Oak Street LLC is requesting preliminary & final site approval to construct a parking area in back of their multifamily building, and any other variances and/or waivers that may be required. **Approved on May 6th, 2020.**

Board imposed the following conditions:

1. Good faith attempt to work with the City and Passaic Valley Water Commission to relocate the fire hydrant.

A motion to approve Resolution for application of 309 Oak Street with condition listed above, was made by Commissioner Cruz-Perez, seconded by Commissioner Witten, on a roll call vote, all in favor, the motion passed.

3. Docket #PB19-19, 1-11 South Market Street, Block#1030.01 Lot#53, in the Eastside Redevelopment Area Zone, applicant Market Street TIC, LLC is requesting preliminary site plan approval to rehabilitate a vacant industrial building into a mixed used property consisting of two hundred and fifty-six (256) residential units, associated improvements including parking, internal driveways, landscaping, lighting and related residential amenity space, along any other variances and/or waivers that may be required. **Approved on May 6th, 2020.**

A motion to approve Resolution of 1-11 South Market Street application, was made by was made by Commissioner Perez, seconded by Commissioner Delacruz, 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 9:48 p.m.



Miriam R. Perez, Board Secretary
Municipal Land Use Law

VOTING ON ACTIONS:

1. ACTION: Motion to close public portion of AINOR Study 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	Present	√		√		
Councilman Daniel Schwartz		Present		√	√		
Edwin Perez	Acting Chairman	Present			√		
Maritza Colon-Montañez	Madam Chair	Absent					

2. ACTION: Motion to recommend AINOR Study for 473-477 Harrison Street

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

3. ACTION: Motion to approve Resolution - AINOR Study of 473-477 Harrison Street

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

4. ACTION: Motion to approve Resolution 309 Oak Street

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

5. ACTION: Motion to approve Resolution – 1-11 South Market Street

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

6. ACTION: Motion to close public portion of 441 Paulison Avenue hearing

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

7. ACTION: Motion to approve application of 441 Paulison Avenue with conditions

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

8. ACTION: Motion to close portion of 39-41 Lexington Avenue hearing

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

9. ACTION: Motion to approve application of 39-41 Lexington Avenue with conditions

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

10. ACTION: Motion to close portion of 26-28 Central Avenue hearing

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

11. ACTION: Motion to approve application of 26-28 Central Avenue with conditions

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

12. ACTION: Motion to adjourn meeting

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