

CITY OF PASSAIC BOARD OF ADJUSTMENT MINUTES

The City of Passaic Board of Adjustments held a virtual meeting on September 22nd, 2020, due to COVID19 social distancing requirements via ZOOM at 7:00 p.m. and opened the meeting at 7:08 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

MINUTES:

1. Minutes of the July 21st, 2020 meeting were presented to the Board for approval.

A motion was made to approve Minutes of July 21st, 2020, by Commissioner Pittinsky, seconded by Commissioner Graham-Woodson, on a roll call vote, all in favor the motion carried.

ESCROWS:

RESOLUTIONS:

1. Docket #ZB20-03, 488 Paulison Avenue, Block #2196 Lot(s) #5, in the R-3 Zone, applicant Armando Manna, is seeking approval to convert an existing one family home into a two (2) family home. This application will require variances for front yard setback, lot coverage, rear yard setback, parking dimension must be (9 ft. X 19 ft.) and any other variances and/or waivers that may be required. ***Approved with Conditions June 30th, 2020.***

The Board imposed the following conditions:

1. Designated driveways for each apartment specified on the lease.
2. Parking spots shall be striped.

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3. Bollards placed at the end of the driveway
4. County approvals.

A motion to approve the Resolution of 488 Paulison Avenue with conditions listed above was made by Vice Chairman Martinez seconded by Commissioner Pittinsky, on a roll call vote, all in favor the motion passed.

APPLICATIONS:

1. ZB20-07, 857 Main Avenue, Block 2177, Lot 1, in the C-R Zone, applicant Mt. Zion Baptist Church is requesting an extension to the approvals granted by Resolution on November 28, 2017 for preliminary and final site plan approval, together with a subsection D(3) conditional use variance, in order to construct a fellowship hall and multi-purpose center adjacent to an existing house of worship for One (1) additional year. **FIRST APPEARANCE.**

Item #2 of the agenda was read in the record. Mr. Wayne Alston, Representative for the applicant was not able to be present at the hearing due to technical difficulties signing on to the Zoom meeting.

Acting Chairman Brisman opened the public portion of the hearing.

A motion to close the public portion of the hearing of 857 Main Avenue hearing was made by Commissioner Brisman, seconded by Commissioner Soto, on a roll call vote, all in favor the motion passed.

A motion to approve the One-Year Extension request for the 857 Main Avenue application was made by Commissioner Brisman, seconded by Commissioner Lozano-Rosas, on a roll call vote, all in favor, the motion passed.

2. Docket #ZB20-01, 261 Passaic Street, Block 1080, Lot 01, in the CR Zone, applicant 261-263 Passaic Street LLC, is seeking preliminary and final site approval and subsequent D(5) (Density Variance) to remove a commercial store front on the ground floor and to add two (2) additional two-bedroom apartments in place of the existing commercial space. There already six (6) existing residential units, bringing the total to eight (8) residential units. 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 #1 of the agenda was read in the record. Mr. Matthew Trella, Esq., Attorney for the applicant was present at the hearing.

Mr. Orestes Valella, Licensed Architect in NJ was sworn into the record. Mr. Valella presented his qualifications to the Board. Mr. Valella has testified before this Board on many occasions. The Board accepted his qualifications. Mr. Valella continued with his testimony.

Commissioner Brisman had questions for the witness.

D.Troast, Board Planner also had questions for Mr. Valella.

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

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

Commissioner Brisman had questions for Mr. Mileto.

Commissioner Pittinsky had questions for the witness.

Chairman Bazian had questions for Mr. Mileto.

Mr. Trella informed the Board that his client Mr. Chaim Pinter has requested to withdraw the application without prejudice.

A motion to accept the request of applicant to withdraw without prejudice, application of 261 Passaic Street was made by Commissioner Brisman, seconded by Vice Chairman Martinez, on a roll call vote, all in favor, the motion passed.

3. Docket #ZB20-04, 153 Sherman Street, Block #4110 Lot(s) #51, in the R-3 Zone, applicant 153 Investment LLC, is seeking approval to convert an existing one family home into a two (2) family home. This application will require variances for lot width, side yard setbacks, and any other variances and/or waivers that may be required. **FIRST APPEARANCE.**

Item #1 of the agenda was read in the record. Mr. Alan Mariconda, Esq., Attorney for the applicant was present at the hearing. Mr. Mariconda requested the application to be adjourned to the next available hearing date.

A motion to adjourn the hearing of 153 Sherman Street application to October 13th, 2020 was made by Commissioner Brisman, seconded by Commissioner Lozano-Rosas, on a roll call vote, all in favor, the motion passed.

ADJOURNMENT:

Upon motion, seconded and carried, the meeting was adjourned at approximately 8:15p.m.



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

VOTING ON ACTIONS:

1. ACTION: Motion to approve Minutes of July 21st, 2020

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

2. ACTION: Motion to approve Resolution for 488 Paulison Avenue application

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

3. ACTION: Motion to close public portion of 857 Main Avenue hearing

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

4. ACTION: Motion to approve One-Year Extension of 857 Main Avenue application

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

5. ACTION: Motion to adjourn hearing of 153 Sherman Street application to October 13th

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

6. ACTION: Motion to accept request from applicant to withdraw 261 Passaic 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		Absent					
Jonathan D. Pittinsky		Present			√		
Sheila Graham-Woodson	Alt # 1	Present	√		√		
Yolanda Soto	Alt # 2	Present			√		
Juan C. Lozano-Rosas	Alt # 3	Present		√	√		
Vacant	Alt # 4	---					
Deiby Martinez	Vice Chairman	Present			√		
Menachem Bazian	Chairman	Absent			√		

7. ACTION: Motion to approve Escrow Close-out Resolution – 235 Lexington Avenue

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

8. ACTION: Motion to adjourn Meeting.

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	Present			√		
Juan C. Lozano-Rosas	Alt # 3	Present					
Vacant	Alt # 4	---					
Deiby Martinez	Vice Chairman	Present			√		
Menachem Bazian	Chairman	Present			√		