

**PLANNING BOARD
MINUTES**

The City of Passaic Planning Board held a Special Virtual meeting on October 7th, 2020 Via Zoom and opened the meeting at 6:37 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	Alternate I	✓	
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	✓
Ricardo Fernandez, Executive Director	✓

MINUTES:

1. Minutes of September 9th, 2020 meeting were presented by the Secretary for approval.

A motion to approve the minutes of September 9th, 2020 was made by Commissioner Witten, seconded by Vice Chairman Perez, on a roll call vote, all in favor, the motion passed.

2. Minutes of September 30th, 2020 Special meeting were presented by the Secretary for approval.

A motion to approve the minutes of September 30th, 2020 Special Meeting was made by Vice Chairman Perez, seconded by Commissioner Lopez, on a roll call vote, all in favor, the motion passed.

APPLICATIONS:

1. Please take notice that the City of Passaic Planning Board will consider the Redevelopment Plan for properties previously designated by the City Council as an Area in Need of Redevelopment according to the criteria set forth in section 5 of P.L. 1992, c.79 (C.40A:12A-5). The Plan includes maps and boundaries of the rehabilitation area properties. The following is a list of Properties:

- | | |
|-----------------------------|------------------------------|
| a. Block 3238 Lot 1 | 208 Passaic Avenue |
| b. Block 2176 Lot 19 | 115 Myrtle Avenue |
| c. Block 4128, Lots 41 & 85 | 202 and 206 Jefferson Street |
| d. Block #2175.02, Lot #45 | 473-477 Harrison Street |

- e. Block# 2173, Lot(s) #14 813-819 Main Avenue**
- f. Block# 2173, Lot(s) #26 258-268 Oak 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 had comments on the Designation process.

- a. Block 3238 Lot 1 208 Passaic Avenue**

Commissioner Rosario had several questions for Mr. Fernandez.

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

Mrs. Stephanie Westee & Mrs. Debbie Ventimiglia were sworn into the record. They had questions and comments for Mr. Fernandez

Mr. Taylor Berkowitz was sworn into the record. He had comments for the Board.

Mr. Maurice Pianko, Esq. was sworn into the record. He had comments for the Board.

Dr. Michael Palley was sworn into the record. He had comments for the Board.

Mr. Ira Weiner, Esq. had comments for the Board in representation of Mr. Gamleo Danzinger, owner of 203 Passaic Avenue.

Mrs. Suri Levi, owner of 235 Aycrigg Avenue was sworn into the record. She had comments for the Board.

Mrs. Elizabeth Gonzalez was sworn into the record. She had comments for the Board.

Mr. Jay Schaultzer was sworn into the record. He had comments for the Board.

Mrs. Kara Palley, was sworn into the record. She had comments for the Board.

A motion to close public portion of the AINOR Plan for 208 Passaic Avenue, was made by Commissioner Rosario, seconded by Commissioner Witten, on a roll call vote, all in favor, the motion passed.

Councilman Schwartz had comments for the Board.

Commissioner Lopez had comments for the Board.

Councilman Schwartz had additional questions for the Board.

A motion to approve AINOR Plan for 208 Passaic Avenue, was made by Commissioner Rosario, seconded by Commissioner Delacruz, on a roll call vote, all in favor, the motion passed.

b. Block 2176 Lot 19 115 Myrtle Avenue

Vice Chairman Perez had a question for Mr. Fernandez.

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

A motion to close public portion of the AINOR Plan for 115 Myrtle Avenue, was made by Commissioner Lopez, seconded by Councilman Schwartz, on a roll call vote, all in favor, the motion passed.

A motion to approve AINOR Plan for 115 Myrtle Avenue, was made by Commissioner Witten, seconded by Vice Chairman Perez, on a roll call vote, all in favor, the motion passed.

c. Block 4128, Lots 41 & 85 202 and 206 Jefferson Street

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

A motion to close public portion of the AINOR Plan for 202 & 208 Jefferson Street, was made by Commissioner Witten, seconded by Commissioner Lopez, on a roll call vote, all in favor, the motion passed.

A motion to approve recommendation of AINOR Designation for 202 & 208 Jefferson Street listed on item the agenda, was made by Commissioner Witten, seconded by Commissioner Delacruz, on a roll call vote, all in favor, the motion passed.

d. Block #2175.02, Lot #45 473-477 Harrison Street

L.Rago, Board Attorney had questions for Mr. Fernandez.

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

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

e. Block# 2173, Lot(s) #14 813-819 Main Avenue

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

Commissioner Lopez had a question for Mr. Fernandez.

L.Rago, Board Attorney had a question about ownership of the lot.

Vice Chairman Perez had a question about Lot #19.

A motion to close public portion of the AINOR Plan for 813-819 Main Avenue, was made by Commissioner Witten, seconded by Madam Chair Colon-Montañez, on a roll call vote, all in favor, the motion passed.

A motion to approve recommendation of AINOR Designation for 813-819 Main Avenue, was made by Commissioner Rosario, seconded by Commissioner Delacruz, on a roll call vote, all in favor, the motion passed.

f. Block# 2173, Lot(s) #26 258-268 Oak Street

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

A motion to close public portion of the AINOR Plan for 258-268 Oak Street, was made by Commissioner Rosario, seconded by Commissioner Lopez, on a roll call vote, all in favor, the motion passed.

A motion to approve recommendation of AINOR Designation for 258-268 Oak Street, was made by Commissioner Rosario, seconded by Commissioner Lopez, on a roll call vote, all in favor, the motion passed.

RESOLUTIONS:

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. ***Approved with condition on September 9th, 2020.***

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 Commissioner Witten, seconded by Commissioner Lopez, on a roll call vote, all in favor, the motion passed.

2. 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. ***Approved on September 9th, 2020.***

A motion to approve Resolution of the 711-719 Main Avenue application, was made by Commissioner Witten, seconded by Vice Chairman Perez, on a roll call vote, all in favor, the motion passed.

3. Resolutions for Redevelopment Plans for properties previously designated by the City Council as an Area in Need of Redevelopment according to the criteria set forth in section 5 of P.L. 1992, c.79 (C.40A:12A-5)

- | | |
|-----------------------------|------------------------------|
| a. Block 3238 Lot 1 | 208 Passaic Avenue |
| b. Block 2176 Lot 19 | 115 Myrtle Avenue |
| c. Block 4128, Lots 41 & 85 | 202 and 206 Jefferson Street |
| d. Block #2175.02, Lot #45 | 473-477 Harrison Street |
| e. Block# 2173, Lot(s) #14 | 813-819 Main Avenue |
| f. Block# 2173, Lot(s) #26 | 258-268 Oak Street |

A motion to approve all Resolutions for AINOR Plans listed above, was made by Commissioner Rosario, seconded by Commissioner Lopez, 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 9:32 p.m.



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

VOTING ON ACTIONS:

1. ACTION: Motion to approve Resolution of 200 Madison Street

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

2. ACTION: Motion to approve Resolution of 711-729 Main Avenue

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

3. ACTION: Motion to close public portion of 208 Passaic Avenue AINOR Plan hearing

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

4. ACTION: Motion to approve AINOR Plan of 208 Passaic Avenue

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

5. ACTION: Motion to close public portion of 115 Myrtle Avenue AINOR Plan hearing

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

6. ACTION: Motion to approve AINOR Plan of 115 Myrtle Avenue

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

7. ACTION: Motion to close public portion of of 202 & 206 Jefferson St AINOR Plan hearing

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

8. ACTION: Motion to approve AINOR Plan of 202 & 206 Jefferson Street

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

9. ACTION: Motion to close public portion of 473-477 Harrison St AINOR Plan hearing

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

10. ACTION: Motion to approve AINOR Plan of 473-477 Harrison Street

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

11. ACTION: Motion to close public portion of 813-819 Main Avenue AINOR Plan hearing

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

12. ACTION: Motion to approve AINOR Plan of 813-819 Main Avenue

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

13. ACTION: Motion to close public portion of 258-268 Oak St AINOR Plan hearing

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

14. ACTION: Motion to approve AINOR Plan of 258-268 Oak Street

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

15. ACTION: Motion to Resolution of all AINOR Plans listed on the agenda

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

16.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		Absent					
Vacancy		---					
Vacancy		---					
Carlos Lopez	Alternate I	Present			√		
Peter T. Rosario	Alternate II	Present	√		√		
Councilman Daniel Schwartz		Present			√		
Edwin Perez	Vice Chairman	Present		√	√		
Maritza Colon-Montañez	Madam Chair	Present			√		