

**PLANNING BOARD  
MINUTES**

The City of Passaic Planning Board held a Virtual meeting on October 14<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:**

- Minutes of October 7<sup>th</sup>, 2020 Special Meeting were presented by the Secretary for approval.

A motion to approve the minutes of October 7<sup>th</sup>, 2020 Special Meeting was made by Commissioner Witten, seconded by Vice Chairman Perez, on a roll call vote, all in favor, the motion passed.

**RESOLUTIONS:**

- Docket #PB20-08, 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.  
***Approved with conditions on October 14<sup>th</sup>, 2020.***

A motion to approve the Amended Resolution of 282 Hope Avenue was made by Commissioner Witten, seconded by Madam Chair Colon-Montañez, on a roll call vote, all in favor, the motion passed.

**APPLICATIONS:**

- Docket #PB20-02- 55 Highland Avenue (a/k/a 205 Dayton Avenue), Block #4060, Lot 28 in the CR-HD Zone**, applicant C. Realty, L.L.C. is requesting preliminary & final site approval to convert a one story mix-used building that currently contains 1 commercial and 1 residential 1 bedroom unit, thus

converting the building to a 3 story building containing a total of 1 commercial unit and 7 residential units, with 1 commercial and 1 residential 1 bedroom unit on the first floor, 3 residential 2 bedroom units on the second floor, 3 residential 2 bedroom units on the third floor, and providing ground level parking below a portion of the building that is being added and requiring variance for lot area, lot width, rear yard setback, lot coverage, off street parking and any other variances and/or waivers that may be required. **FIRST APPEARANCE. ADJOURNED FROM AUGUST 5<sup>TH</sup>, 2020.**

Item #2 of the agenda was read into the record. Mr. Gary Cohen, Esq. Attorney for the applicant was not present at the hearing. Mr. Sean McGowan, Opposing Counsel was retained by Oak Ridge Realty, Co. owners of adjacent property 57-61 Highland Avenue. Mr. McGowan requested an adjournment of the hearing.

A motion to adjourn the 55 Highland Avenue hearing to December 2<sup>nd</sup>, 2020 was made by Vice Chairman Perez, seconded by Councilman Schwartz, on a roll call vote, all in favor, the motion passed.

**2. Docket #PB20-08, 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. **ADJOURNED FROM SEPTEMBER 9<sup>TH</sup>.**

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

Revised plans were submitted by the applicant.

Mr. Almukhtar described the revised plans.

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

Mr. Marko Kopic, owner of 187 Hope Avenue had questions for the Mr. Almukhtar.

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

The following conditions were imposed by the Board.

1. No dwelling units/bedrooms in the basement restriction must be added to the deed.

A motion to approve 282 Hope Avenue application, was made by Commissioner Lopez, seconded by Commissioner Witten, on a roll call vote, all in favor, the motion passed.

**3. Docket #PB20-10, 199-201 Lexington Avenue, Block 4108, Lot 6, in the OR Zone,**

Applicant 201 Lexington Avenue 123 LLC is requesting preliminary and final site plan approval to construct a new three (3) story multi-family building consisting of a total of twelve (12), 2-bedroom units with nine (9) on-site parking spaces. Two (2) units will be designated deed restricted affordable units consistent with the 199 Lexington Avenue Redevelopment/Rehabilitation Plan dated February 04, 2020. This application will require parking, aisle width and parking stall size variances 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. Matthew Evans, Licensed Architect & Planner of NJ was sworn into the record. Mr. Evans presented his qualifications to the Board. He has presented before this Board on various occasions. The Board accepted his qualifications. Mr. Evans continued with his testimony.

Mr. Evans described the Plan to the Board.

Councilman Schwartz had several questions for Mr. Evans.

J.Santana, Zoning Officer had comments on the parking requirements for this application.

D.Troast, Board Planner had questions for Mr. Evans.

Commissioner Lopez, had questions for J.Santana, Zoning Officer regarding this application.

Councilman Schwartz had additional comments for the applicant.

Commissioner Lopez & Vice Chairman Perez had questions for Mr. Evans.

Madam Chair Colon-Montañez asked J.Santana, Zoning Officer for clarification on the requirement parking ordinance in the City.

Mrs. Jenifer Portorreal owner of 167-169 Lexington Avenue had comments for the Board.

Mr. Marko Kopic resident of 488 Broadway and owner of various properties in that area had comments for the Board.

Madam Chair opened the public portion of the hearing.

A motion to close public portion of the 199-201 Lexington Avenue hearing, was made by Commissioner Witten, seconded by Councilman Schwartz on a roll call vote, all in favor, the motion passed.

Commissioner Lopez had recommendations for the applicant about Trees.

Councilman Schwartz asked for revised plan prior to voting on this application.

A motion to adjourn 199-201 Lexington Avenue hearing to November 4, 2020, was made by Commissioner Witten, seconded by Councilman Schwartz, on a roll call vote, all in favor, the motion passed.

**4. Docket #PB20-13, 12 Broadway, Block 2154, Lot 14, in the CR Zone**, Applicant Ken Rose for 12 Broadway LLC is requesting preliminary and final site plan approval to convert a commercial/office space on the 2<sup>nd</sup> and 3<sup>rd</sup> floor to residential units consisting of two (2) 2-bdr. Apartments on the 2<sup>nd</sup> floor and three (3) apartments (one 3-bdr & two 1-bdr.) on the 3<sup>rd</sup> floor; consistent with the 12 Broadway Redevelopment/Rehabilitation Plan dated January 21, 2020. This application will require a parking variance and any other variances and/or waivers that may be required. **FIRST APPEARANCE.**

Item #4 of the agenda was read in the record. Mr. Charles Sarlo, Esq. attorney for the applicant was present at the hearing.

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

Mr. Romanik described the Plan to the Board.

Councilman Schwartz had questions for Mr. Romanik.

Mr. Marko Kopic, resident 488 Broadway had a question for the witness.

Madam Chair opened the public portion of the hearing.

A motion to close public portion of the 12 Broadway hearing, 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 application of 12 Broadway hearing, was made by Vice Chairman Perez, seconded by Madam Chair Colon-Montañez, 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 9:20 p.m.



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

**VOTING ON ACTIONS:****1. ACTION: Motion to approve Minutes of October 7<sup>th</sup>, 2020 Special 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			√		
<del>Sardis Cruz-Perez</del>		Absent					
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 adjourn hearing of 55 Highland Avenue to December 2<sup>nd</sup>, 2020**

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			√		
<del>Sardis Cruz-Perez</del>		Absent					
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 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		√	√		
<del>Jessica Delacruz</del>		Absent					
Kenneth A. Simpson		Present			√		
<del>Sardis Cruz-Perez</del>		Absent					
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 approve 282 Hope Avenue application with 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			√		
<del>Sardis Cruz-Perez</del>		Absent					
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			√		

**5. ACTION: Motion to close public portion of 199-201 Lexington Avenue hearing**

COMMISSIONER		PRESENT/ ABSENT	1 <sup>ST</sup>	2 <sup>ND</sup>	APPROVE	DENY	ABSTAIN
Shaun Witten		Present	√		√		
<del>Jessica Delacruz</del>		Absent					
<del>Kenneth A. Simpson</del>		Absent					
<del>Sardis Cruz-Perez</del>		Absent					
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			√		

**6. ACTION: Motion to adjourn hearing of 199-201 Lexington Avenue to November 4<sup>th</sup>, 2020**

COMMISSIONER		PRESENT/ ABSENT	1 <sup>ST</sup>	2 <sup>ND</sup>	APPROVE	DENY	ABSTAIN
Shaun Witten		Present	√		√		
<del>Jessica Delacruz</del>		Absent					
<del>Kenneth A. Simpson</del>		Absent					
<del>Sardis Cruz-Perez</del>		Absent					
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			√		

**7. ACTION: Motion to close public portion of 12 Broadway hearing**

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					
<del>Sardis Cruz-Perez</del>		Absent					
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 approve application of 12 Broadway**

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					
<del>Sardis Cruz-Perez</del>		Absent					
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		√	√		

**9. ACTION: Motion to approve Amended Resolution of 282 Hope Avenue application**

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					
<del>Sardis Cruz-Perez</del>		Absent					
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		√	√		

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

COMMISSIONER		PRESENT/ ABSENT	1 <sup>ST</sup>	2 <sup>ND</sup>	APPROVE	DENY	ABSTAIN
Shaun Witten		Present	√		√		
<del>Jessica Delacruz</del>		Absent					
<del>Kenneth A. Simpson</del>		Absent					
<del>Sardis Cruz-Perez</del>		Absent					
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			√		