

CITY OF PASSAIC BOARD OF ADJUSTMENT MINUTES

The City of Passaic Board of Adjustments held a virtual meeting on March 2nd, 2021, due to COVID19 social distancing requirements via ZOOM at 7:00 p.m. and opened the meeting at 7:11 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	---	---
Michael J. Gross	Alt # 4	---	---

ALSO PRESENT: Julio Santana, Zoning Officer
David Troast, Board Planner
Douglas Kinz, Esq., Board Attorney

MINUTES:

1. Minutes of the March 2nd, 2021 meeting were presented to the Board for approval.

A motion was made to approve Minutes of March 2nd, 2021, by Commissioner Stareshefsky, seconded by Commissioner Brisman, on a roll call vote, all in favor, the motion carried.

RESOLUTIONS:

NONE

ESCROWS:

NONE

APPLICATIONS:

1. ***Docket #ZB21-01, 705-713 River Drive Block # 1326, Lot # 1, in the M-1 Zone***, United Scrap Iron & Metal Co. is proposing to amend its approval from the hearing on March 31, 2020 for the following: (1) To raise the height of the approved Butler building from 35 ft. to 45 ft. for adequate clearance for portable crane. (2) Submission of Landscape Plan as per condition No. 5: The Zoning Board retained jurisdiction to review and approve said plan, rather than delegate its authority to Board Planner or City Engineer. (3) Request amendment to Condition No. 3 to extend start of construction of the Butler Building from May 16, 2021 to October 1, 2021. This application as per the Zone will not require variances. ***FIRST APPEARANCE***

Item #1 of the agenda was read into the record. Mr. Thomas Sarlo, Esq., on behalf of Charles Sarlo Attorney for the applicant was present at the hearing. Mr. Sarlo gave a brief recap of the application to the Board. Mr. Phillip Laporte, Attorney for the City of Rutherford and Opposing Counsel was

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Chairman Bazian opened the public portion of the hearing.

A motion to close public portion of 705-713 River Drive hearing was made by Commissioner Stareshefsky, seconded by Commissioner Graham-Woodson, on a roll call vote, all in favor the motion passed.

The Board imposed the following conditions:

1. All of the applicant's operations involving the dismantling, segregating, weighing, compacting and storing of Ferrous and related materials must be conducted within the enclosure of a Butler building which was to be constructed in accordance with the applicant's prior site plan. As set forth in the site plan, the Butler building was to be constructed with an interior height of 35 feet.
2. The construction of the Butler building was required to commence within six months of the disposition of any prerogative reaction which might be filed challenging the Board's approval of the application, or the applicant's obtaining approval from all governmental agencies for construction of the Butler building, whichever last occurs.
3. Prior to any building permits being issued, the applicant was required to submit an amended site plan to the Board containing a landscaping plan in a form reasonably satisfactory to the Board.

A motion to approve application of 705-713 River Drive with the conditions listed above was made by Commissioner Pittinsky seconded by Vice Chairman Martinez on a roll call vote, all in favor the motion passed.

ADJOURNMENT:

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



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

VOTING ON ACTIONS:

1. ACTION: Motion to approve Resolution of 127 Highland Avenue application

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Yaacov Brisman	Secretary	Absent			√		
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	---					
Juan C. Lozano-Rosas	Alt # 3	---					
Michael J. Gross	Alt # 4	Present					
Deiby Martinez	Vice Chairman	Present	√		√		
Menachem Bazian	Chairman	Present			√		

2. ACTION: Motion to approve Resolution of 705-713 River Drive application

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Yaacov Brisman	Secretary	Absent		√	√		
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	---					
Juan C. Lozano-Rosas	Alt # 3	---					
Michael J. Gross	Alt # 4	Present			√		
Deiby Martinez	Vice Chairman	Present			√		
Menachem Bazian	Chairman	Present					

3. ACTION: Motion to adjourn Meeting.

COMMISSIONER		PRESENT/ ABSENT	1 ST	2 ND	APPROVE	DENY	ABSTAIN
Yaacov Brisman	Secretary	Absent		√	√		
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	---					
Juan C. Lozano-Rosas	Alt # 3	---					
Michael J. Gross	Alt # 4	Present					
Deiby Martinez	Vice Chairman	Present			√		
Menachem Bazian	Chairman	Present			√		