

**PLANNING BOARD, CITY OF GARFIELD
MINUTES OF THE WORK SESSION
Conducted on June 28, 2018**

The work session was called to order by Chairman Clark at 7:30 p.m. who thereupon read the statement required by the Open Public Meeting Act. Secretary called the roll.

WORK SESSION ROLL CALL:

Mayor Richard Rigoglioso
Councilwoman, Erin Delaney
Chairman, James Clark
Vice Chairwoman, Gracie Williams
Michael Garcia
Michael Wisnovsky
Richard Derrig
Gerald Walis
Daniel Tummillo
Lou Ann Visotcky, 1st Alternate

Absent:

Peter Santacroce, 2nd Alternate

Others present were:

Alyssa A. Cimino, Esq., Attorney/Secretary of the Planning Board
Elliot Sachs, Engineer
Angie M. Shaw-Crockett, Certified Court Reporter

The Chairman stated that this was the work session of the Planning Board. The Chairman asked if there was any correspondence. The Secretary stated that there was a letter received today, June 28, 2018, regarding the 141 Lanza Ave. matter. The Chairman then requested bills of the Board be presented. The Secretary stated that there is a bill from Gann Law Books that she needed to be reimbursed for payment of the invoice.

The Chairman requested a motion to approve reimbursement of Gann Law Books invoice to Ms. Cimino.

Motion to approve reimbursement of Gann Law Books Invoice.

Moved: Mayor, Richard Rigoglioso
Second: Daniel Tummillo

Mayor, Richard Rigoglioso – Aye
Councilwoman, Erin Delaney – Aye

Chairman, James Clark – Aye
Vice Chairwoman, Gracie Williams – Aye
Michael Garcia – Aye
Michael Wisnovsky – Aye
Richard Derrig – Aye
Gerald Walis – Aye
Daniel Tummillo – Aye
Lou Ann Visotcky, 1st Alternate – Aye
Motion Approved.

The Chairman requested a motion to approve the meeting Minutes of the meetings held on March 22, 2018, April 12, 2018 (Special Meeting) and April 26, 2018.

Motion to approve Minutes of March 22, 2018, April 12, 2018 (Special Meeting) and April 26, 2018.

Moved: Michael Garcia
Second: Richard Derrig

Mayor, Richard Rigoglioso – Aye
Councilwoman, Erin Delaney – Aye
Chairman, James Clark – Aye
Vice Chairwoman, Gracie Williams – Aye
Michael Garcia – Aye
Michael Wisnovsky – Aye
Richard Derrig – Aye
Gerald Walis – Aye
Daniel Tummillo – Aye
Lou Ann Visotcky, 1st Alternate – Aye
Motion Approved.

The Chairman requested a motion to close the work session.

Motion to close work session.

Moved: Mayor, Richard Rigoglioso
Second: Vice Chairwoman, Gracie Williams

Mayor, Richard Rigoglioso - Aye
Councilwoman, Erin Delaney – Aye
Chairman, James Clark – Aye
Vice Chairwoman, Gracie Williams - Aye
Michael Garcia – Aye
Michael Wisnovsky – Aye
Richard Derrig – Aye
Gerald Walis – Aye
Daniel Tummillo – Aye


Lou Ann Visotcky, 1st Alternate - Aye
Motion Approved.

Respectfully submitted,



Alyssa A. Cimino
Planning Board Secretary

Approved at the meeting on July 26, 2018



ALYSSA A. CIMINO
Planning Board Secretary

**PLANNING BOARD, CITY OF GARFIELD
MINUTES OF THE REGULAR MEETING
Conducted on June 28, 2018**

The Regular Meeting was called to order by Chairman Clark at 8:20 p.m. who thereupon read the statement required by the Open Public Meeting Act. Secretary called the roll.

Mayor Richard Rigoglioso
Councilwoman, Erin Delaney
Chairman, James Clark
Vice Chairwoman, Gracie Williams
Michael Garcia
Michael Wisnovsky
Richard Derrig
Gerald Walis
Daniel Tummillo
Lou Ann Visotcky, 1st Alternate

Absent:

Peter Santacroce, 2nd Alternate

Others present were:

Alyssa A. Cimino, Esq., Attorney/Secretary of the Planning Board
Elliot Sachs, Engineer
Angie M. Shaw-Crockett, Certified Court Reporter

(Flag Salute)

SUNSHINE LAW: Read by Chairman James Clark
PUBLIC LAW 1975 CHAPTER 231 "OPEN PUBLIC MEETING ACT" PUBLIC
HEARING: November 16, 2017 Council Chambers, City Hall Commencing at 8:00pm.

The Chairman stated that Old Business to be addressed which is a continuation of Hearing on Resolution 7-289 of the Garfield City Council to examine whether the property known as Block 203.01, Lot 50.01 as shown on the Official Tax Map of the City of Garfield more commonly known as 141 Lanza Avenue, Garfield, NJ should be determined as an area in need of redevelopment, specifically a Condemnation Redevelopment area, pursuant to the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1, et seq.

The Chairman asked Ms. Cimino to address what the Boards' next step should be regarding this resolution.

Ms. Cimino stated that a four page letter was received from John Curley, Esq., representing Central Bergen Properties, owner of the property at 141 Lanza Ave. via email, at 3:31 p.m.

today, June 28th. Mr. Curley was present at the meeting. Ms. Cimino informed Mr. Curley that the Planning Board and Brigitte Bogart, the Planner, would need time to review the letter before voting. Ms. Cimino asked the Chairman if he wanted to make a motion to adjourn the hearing on this resolution to the next Planning Board meeting on July 26, 2018 at 7:00 p.m.

Motion to Adjourn Hearing on Resolution 17-289 (141 Lanza Ave.) to July 26, 2018 Meeting.

Moved: Councilwoman, Erin Delaney
Second: Mayor Richard Rigoglioso

Mayor Richard Rigoglioso - Aye
Councilwoman, Erin Delaney - Aye
Chairman, James Clark - Aye
Vice Chairwoman, Gracie Williams - Aye
Michael Garcia - Aye
Michael Wisnovsky - Aye
Richard Derrig - Aye
Gerald Walis - Aye
Daniel Tummillo - Aye
Lou Ann Visotcky, 1st Alternate - Aye
Motion Approved.

The Chairman stated that the next order of business was resolutions. The first resolution is approving the application of Charles Messina for minor subdivision approval of Block 149.02, Lot 28 as shown on the Official Tax Map of the City of Garfield, NJ, more commonly known as 57 Prospect Street, Garfield, NJ. The Chairman then asked for a motion to approve this resolution.

Motion to approve Resolution PB-05-2018 for minor subdivision of 57 Prospect Street.

Moved: Gerald Walis
Second: Richard Derrig

Mayor Richard Rigoglioso - Aye
Councilwoman, Erin Delaney - Aye
Chairman, James Clark - Aye
Vice Chairwoman, Gracie Williams - Aye
Michael Garcia - Aye
Michael Wisnovsky - Aye
Richard Derrig - Aye
Gerald Walis - Aye
Daniel Tummillo - Aye
Lou Ann Visotcky, 1st Alternate - Aye
Motion Approved.

The Chairman stated that the next resolution is approving the application of Meredith Enterprises, Inc. for minor subdivision and minor site plan approval of Block 177.03, Lots 38 & 40 as shown on the Official Tax Map of the City of Garfield, NJ more commonly known as 69 & 75 Alpine Street, Garfield, NJ. The Chairman then asked for a motion to approve this resolution.

Motion to approve Resolution PB-08-2018 for minor subdivision and minor site plan approval of 69 & 75 Alpine Street.

Moved: Councilwoman, Erin Delaney
Second: Richard Derrig

Mayor Richard Rigoglioso - Aye
Councilwoman, Erin Delaney – Aye
Chairman, James Clark – Aye
Vice Chairwoman, Gracie Williams - Aye
Michael Garcia – Aye
Michael Wisnovsky – Aye
Richard Derrig – Aye
Gerald Walis – Aye
Daniel Tummillo – Aye
Lou Ann Visotcky, 1st Alternate - Aye
Motion Approved.

The Chairman stated that the next resolution is the hearing on Resolution #18-181 of the Garfield City Council affirming that the property generally known as Block 119.04, Lot 1, also known as 394 Outwater Lane, as shown on the Official Tax Map of the City of Garfield (“Property”) meets the criteria and qualifies as “an area in need of redevelopment” which shall be a Non- Condemnation Redevelopment Area pursuant to the Redevelopment Law and amending and clarifying Resolution #18-133 of the Garfield City Council to require that any redevelopment of the Property continue to be utilized as an area for public recreational use and shall remain on the Recreation and Open Space Inventory of the City of Garfield. The Chairman then asked for a motion to approve this resolution.

Motion to approve City Council Resolution #18-181.

Moved: Daniel Tummillo
Second: Richard Derrig

Mayor Richard Rigoglioso - Aye
Councilwoman, Erin Delaney – Aye
Chairman, James Clark – Aye
Vice Chairwoman, Gracie Williams - Aye
Michael Garcia – Aye
Michael Wisnovsky – Aye
Richard Derrig – Aye
Gerald Walis – Aye

Daniel Tummillo – Aye
Lou Ann Visotcky, 1st Alternate - Aye
Motion Approved.

The Chairman stated that the next item is a hearing on the Application for Minor Subdivision Approval regarding Block 43, Lot 32 more commonly known as 106 Westminster Place, Garfield, NJ. Frank Ciambrone, Esq. appeared on behalf of the applicant, 106 Westminster Place, LLC. Mr. Ciambrone stated that each lot would be 100 ft. x 50 ft. which meets requirements. However, a variance is required on the lot containing an existing two-family house would have a side yard setback encroachment and a garage on the rear of the property with a pre-existing variance. Mr. Ciambrone also agreed to include the additional variance of 3,000 sq. ft. per dwelling unit recommended by the Planning Board Engineer, Dennis Harrington.

Harry Tuvel, P.E. sworn on behalf of applicant. Mr. Tuvel testified that each lot will be 100 ft. x 50 ft. which conforms to requirements, however there are non-conformities pertaining to the existing structures. Mr. Sachs stated that plans should show that it has existing non-conformity for the rear and side yards. Mr. Tuvel testified that this would be included on the amended plans.

Mr. Sachs also noted that there is an encroachment of the front of the building into the City's right of way and also an overhang and awning into the City's right of way. Mr. Sachs requested that a whole promise agreement or licensing agreement be filed with the deed that the liability of maintenance of anything that encroaches on the City's right of way is the owners' responsibility. Mr. Ciambrone agreed to incorporate this stipulation into the subdivision deed.

Lisa Phillips, Professional Planning Consultant, sworn on behalf of applicant. Ms. Phillips testified that in her neighborhood analysis, the lot size meets the requirement. Even with the subdivision the lot size will be greater than many of the other property sizes. Ms. Phillips also testified that with regard to the encroachment of the front of the existing building, there are examples of several buildings in this neighborhood that are very close to the property line. The Board questioned if there would be adequate parking considering that there is a fire hydrant in front of the property of the proposed new construction. Ms. Phillips testified that there would be off street parking for each dwelling.

Mr. Sachs requested that Mr. Ciambrone submit deeds with metes and bounds descriptions for each property to the Planning Board Engineer for review and approval. Mr. Ciambrone agreed to comply with this request.

The Chairman then opened the meeting to the Public.

Joseph Randazzo, 61 Garfield Ave., Garfield, NJ – sworn. Mr. Randazzo testified that he feels that the approval of this application would be an asset to the area.

The Chairman asked if there was anyone else from the Public that would like to come forward. No one else came forward.

The Chairman then asked for a motion to approve the application for 106 Westminster Place.

Motion to approve the application for 106 Westminster Place.

Moved: Councilwoman, Erin Delaney
Second: Mayor, Richard Rigoglioso

Mayor Richard Rigoglioso - Aye
Councilwoman, Erin Delaney – Aye
Chairman, James Clark – Aye
Vice Chairwoman, Gracie Williams - Aye
Michael Garcia – Aye
Michael Wisnovsky – Aye
Richard Derrig – Aye
Gerald Walis – Aye
Daniel Tummillo – Aye
Lou Ann Visotcky, 1st Alternate - Aye
Motion Approved.

The Chairman stated that the next item is a hearing on the Application for Minor Subdivision Approval and Minor Site Plan Approval regarding Block 126, Lots 19 & 22 more commonly known as 255-259 Malcolm Avenue, Garfield, NJ. Gary Zalarick, Esq. appeared on behalf of the applicant, Michael Semancik. Mr. Zalarick stated that this application is to allow 1½ ft. to be taken off Lot 19 and be transferred to Lot 22 so that the driveway can be utilized by 255 Malcolm Ave.

Michael Semancik, applicant – sworn. Mr. Semancik testified that currently 259 Malcolm Ave. is owned by his aunt and they share the driveway. If the property is sold, it would be impossible for him to use the driveway.

Mr. Sachs noted that approving this application would cause Lot 19 to be nonconforming with regard to lot size requirements. Mr. Sachs requested that Mr. Zalarick submit deeds with metes and bounds descriptions for each property to the Planning Board Engineer for review and approval. Mr. Zalarick agreed to comply with this request.

The Chairman then asked for a motion to approve the application for 255-259 Malcolm Ave.

Motion to approve the application for 255-259 Malcolm Avenue.

Moved: Richard Derrig
Second: Gerald Walis

Mayor Richard Rigoglioso - Aye
Councilwoman, Erin Delaney – Aye
Chairman, James Clark – Aye
Vice Chairwoman, Gracie Williams - Aye
Michael Garcia – Aye

Michael Wisnovsky – Aye
Richard Derrig – Aye
Gerald Walis – Aye
Daniel Tummillo – Aye
Lou Ann Visotcky, 1st Alternate - Aye
Motion Approved.

The Chairman then asked for a motion to close the meeting.

Motion to close meeting.

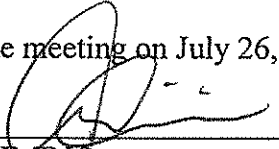
Moved: Councilwoman, Erin Delaney
Second: Michael Wisnovsky

Mayor, Richard Rigoglioso – Aye
Councilwoman, Erin Delaney
Chairman, James Clark – Aye
Vice Chairwoman, Gracie Williams - Aye
Michael Garcia– Aye
Michael Wisnovsky – Aye
Richard Derrig - Aye
Gerald Walis – Aye
Daniel Tummillo - Aye
Lou Ann Visotcky, 1st Alternate - Aye
Motion Approved.

Respectfully submitted,


Alyssa A. Cimino
Planning Board Secretary

Approved at the meeting on July 26, 2018



ALYSSA A. CIMINO
Planning Board Secretary