

PLANNING BOARD, CITY OF GARFIELD
MINUTES OF THE WORK SESSION
Conducted on May 28, 2020

The work session was conducted telephonically due to COVID-19 and was called to order by Chairwoman Williams at 6:30 p.m. who thereupon read the statement required by the Open Public Meeting Act. Secretary called the roll.

WORK SESSION ROLL CALL:

Councilwoman, Erin Delaney
Chairwoman, Gracie Williams
Vice Chairwoman, Lou Ann Visotcky
James Clark
Michael Wisnovsky
Gerald Walis
Jack LoBue
Peter Santacroce, 1st Alternate

Absent:

Mayor Richard Rigoglioso
Costantino Conte, 2nd Alternate

Others present were:

Alyssa A. Cimino, Esq., Attorney/Secretary of the Planning Board
Dennis Harrington, Planning Board Engineer
Beth Calderone, Certified Court Reporter

Ms. Cimino presented a Thank You card from The Cimino Family and personally thanked the members for the flower arrangement they sent to the funeral home.

Resolutions

Motion to memorialize Resolution PB-01-2020 approving Amended Redevelopment Plan prepared by Paul N. Ricci entitled Redevelopment Plan for Kalama Redevelopment Site, dated December 1, 2019, with the recommendation that the Planning Board be provided with the most current Plan, regarding property located on River Drive also known as Block 50.01, Lot 1 ("Redevelopment Area"), as shown on the Official Tax Map of the City of Garfield.

The Board asked if we received the most current Plan from Mr. Ricci dated December 20, 2019.

Dennis Harrington, Engineer stated that he received the December 20, 2019 Plan which includes the revisions and/or corrections.

The Board questioned whether they could approve the resolution without having reviewed the December 20th revised Plan.

Ms. Cimino stated that the corrections were read into the record by Mr. Ricci at the Planning Board Meeting on January 23, 2020.

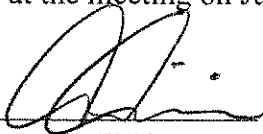
Discussion was had regarding receipt of the current Plan from Paul Ricci. The Board decided to address this subject and entertain motion in the regular session.

Respectfully submitted,



Alyssa A. Cimino
Planning Board Secretary

Approved at the meeting on June 25, 2020.



ALYSSA A. CIMINO
Planning Board Secretary

PLANNING BOARD, CITY OF GARFIELD
MINUTES OF THE REGULAR MEETING
Conducted on May 28, 2020

The Regular Meeting was conducted telephonically and was called to order by Chairwoman Williams at 7:00 p.m. who thereupon read the statement required by the Open Public Meeting Act. Secretary called the roll.

ROLL CALL:

Mayor Richard Rigoglioso
Councilwoman, Erin Delaney
Chairwoman, Gracie Williams
Vice Chairwoman, Lou Ann Visotcky
James Clark
Michael Garcia
Michael Wisnovsky
Gerald Walis
Jack LoBue
Peter Santacroce, 1st Alternate

Absent:

Costantino Conte, 2nd Alternate

Others present were:

Alyssa A. Cimino, Esq., Attorney/Secretary of the Planning Board
Dennis Harrington, Planning Board Engineer
Beth Calderone, Certified Court Reporter

(Flag Salute)

SUNSHINE LAW: Read by Chairwoman Gracie Williams
PUBLIC LAW 1975 CHAPTER 231 "OPEN PUBLIC MEETING ACT" PUBLIC
HEARING: November 28, 2019 Council Chambers, City Hall Commencing at 7:00 p.m.

A subsequent Notice of venue change from Council Chambers, Second Floor, City Hall to a Telephonic Meeting has been provided at least 48 hours in advance by publication in The Herald News on May 22, 2020 and in The Bergen Record on May 22, 2020.

Resolutions

- a. Motion to memorialize Resolution PB-01-2020 approving Amended Redevelopment Plan prepared by Paul N. Ricci entitled Redevelopment Plan for Kalama Redevelopment Site, dated December 1, 2019, with the recommendation that the Planning Board be provided with the most current Plan, regarding property located on River Drive also known as Block 50.01, Lot 1 ("Redevelopment Area"), as shown on the Official Tax Map of the City of Garfield.

Mr. Garcia asked if the Planning Board would receive the Site Plan with the traffic studies, comparisons reports and sewer and water reports.

Mr. Harrington stated that all of the studies regarding traffic studies, utility studies, grading plan will be included in the Site Plan that will be submitted to the Planning Board.

Mr. Garcia asked if the Planning Board would be able to make recommendations at that time.

Mr. Harrington stated that is the standard approval process.

Mr. Garcia asked if the Site Plan would need to go back to the Redevelopment Board.

Mayor Rigoglioso stated that it does not go back to the Redevelopment Board. It goes back to the City Council.

Motion to memorialize Resolution PB-01-2020 approving Amended Redevelopment Plan for Kalama Redevelopment Site (Block 50.01, Lot 1)

Moved: Mayor Richard Rigoglioso
Second: Councilwoman Erin Delaney

Mayor Richard Rigoglioso – Aye
Councilwoman Erin Delaney - Aye
Chairwoman, Gracie Williams – Aye
Vice Chairwoman, Lou Ann Visotcky- Aye
James Clark – Aye
Michael Garcia – Aye
Michael Wisnovsky – Aye
Gerald Walis - Aye
Jack LoBue - Aye
Peter Santacroce, 1st Alternate - Aye
Motion Approved.

- b. Resolution memorializing approval of Amendment to the City Zoning Ordinance of the City of Garfield entitled “Prohibited Uses in All Zone Districts” § 341-13(H), which shall read as follows:

§ 341-13(H) – No person shall rent, lease, solicit, advertise for, offer, permit, allow or fail to discontinue use or occupancy of any dwelling unit for a period of thirty (30) days or less. Nothing shall prevent lawful occupancy of a dwelling unit for a rental period of more than thirty (30) days.

Mr. Walis asked if the Ordinance allows room rentals for more than 30 days.

Councilwoman Delaney stated that there are people renting rooms, houses and apartments on a month to month basis in the City. People initially sign a lease for 1 year then after that it changes to a month to month basis.

Mayor Rigoglioso stated that month to month rentals are allowed in the City. The Ordinance is to address Air BnBs in the City.

Motion to memorialize Resolution PB-02-2020 approving the Amendment to § 341-13(H) to Prohibit Rentals of Dwelling Units for 30 Days or Less.

Moved: Michael Garcia

Second: James Clark

Mayor Richard Rigoglioso – Aye
Councilwoman Erin Delaney - Aye
Chairwoman, Gracie Williams – Aye
Vice Chairwoman, Lou Ann Visotcky- Aye
James Clark – Aye
Michael Garcia – Aye
Michael Wisnovsky – Aye
Gerald Walis - Aye
Jack LoBue - Aye
Peter Santacroce, 1st Alternate - Aye
Motion Approved.

Old Business

NONE.

New Business

Hearing on Amendment to the City Zoning Ordinance of the City of Garfield entitled “Prohibited Uses In All Zone Districts” § 341-13(I), which bans vape shops as a principal permitted use in any Zone Districts.

The Board asked what happens to the Vape Shops that are currently operating in the City.

Councilwoman Delaney stated that they are “grandfathered in”.

Vice Chairwoman Visotcky asked why the Paragraph regarding “Motor Vehicle Sales”, paragraph 3 does not state the hours of operation.

Councilwoman Delaney stated that the Clerk informed the City Council that they could not list specific hours in the Ordinance.

Mr. Walis stated that when car lots that are “grandfathered in” are sold to another person, that property cannot be used as a car lot again. The Ordinance should state that the owner cannot sell the business to another person and continue to operate as a car lot. This should also be stated in the section regarding Vape Shops.

Mr. Garcia suggested that we have the Ordinance rewritten.

Ms. Cimino stated that the Planning Board cannot rewrite the Ordinance. It must be sent to the City Council with Planning Board comments. The Planning Board could vote against adopting the Ordinance and return it to the City Council.

Mayor Rigoglioso stated that the reason that the Planning Board is rejecting the Ordinance should be explained to the City Council and include what the Planning Board recommends regarding the wording.

Ms. Cimino stated that she informs the Clerk when a resolution fails. When reporting to the Clerk she will include the concerns and recommendations of the Planning Board.

Motion to Adopt Resolution PB-03-2020 approving the Amendment to § 341-13(I) to Ban Vape Shops

Moved: Michael Garcia
Second: Michael Wisnovsky

Mayor Richard Rigoglioso – Nay
Councilwoman Erin Delaney - Nay
Chairwoman, Gracie Williams – Nay
Vice Chairwoman, Lou Ann Visotcky- Nay
James Clark – Nay
Michael Garcia – Nay
Michael Wisnovsky – Nay
Gerald Walis - Nay
Jack LoBue - Nay
Peter Santacroce, 1st Alternate - Nay
Motion Denied.

Ms. Cimino then proposed that the next meeting to be held on June 25, 2020 be conducted via Zoom.

The Board agreed to the next meeting being held via Zoom.

Mr. Clark asked if the reports regarding the Passaic St. and Clark St. properties from the Engineer and the Planner could be mailed to the members a week before the next Planning Board meeting.

Ms. Cimino stated that she would send it to the Board members as soon as she receives it.

The Chairwoman asked for a motion to approve the minutes from the meeting held on January 23, 2020.

Motion to approve Minutes of Regular Meeting on January 23, 2020.

Moved: Michael Wisnovsky
Second: James Clark

Mayor Richard Rigoglioso - Aye
Councilwoman Erin Delaney – Abstain
Chairwoman, Gracie Williams – Aye
Vice Chairwoman, Lou Ann Visotcky- Aye
James Clark – Aye
Michael Garcia – Aye
Michael Wisnovsky – Aye
Gerald Walis - Aye
Jack LoBue - Aye
Peter Santacroce, 1st Alternate - Aye
Motion Approved.

A discussion was had by the members regarding the unavailability of the required course for Planning Board members. NJPO has not sent certificates for those members who successfully completed the course.

No bills presented for payment.

Motion to open the meeting to the public.

Moved: Vice Chairwoman Lou Ann Visotcky
Second: Chairwoman Gracie Williams

Mayor Richard Rigoglioso - Aye
Councilwoman Erin Delaney - Aye
Chairwoman, Gracie Williams – Aye
Vice Chairwoman, Lou Ann Visotcky- Aye
James Clark – Aye
Michael Garcia – Aye
Michael Wisnovsky – Aye
Gerald Walis - Aye
Jack LoBue - Aye
Peter Santacroce, 1st Alternate - Aye
Motion Approved.

The Chairwoman asked if anyone from the public wanted to come forward.

Joan Banez from the public asked about the status of the Ricci Redevelopment Plan for the Kalama property. She wanted to confirm that the Planning Board voted on the Ricci Redevelopment Plan.

Ms. Cimino responded that at the Jan. 23, 2020 meeting, Mr. Ricci presented his written report and read his corrections to the report into the record.

The Chairwoman asked if anyone else from the public had any questions.

The Chairwoman stated that no one else from the public came forward.

The Chairwoman asked for a motion to close the public session.

Motion to close the Public Session.

Moved: Michael Wisnovsky
Second: Michael Garcia

Mayor Richard Rigoglioso - Aye
Councilwoman Erin Delaney - Aye
Chairwoman, Gracie Williams – Aye
Vice Chairwoman, Lou Ann Visotcky- Aye
James Clark – Aye
Michael Garcia – Aye
Michael Wisnovsky – Aye
Gerald Walis - Aye
Jack LoBue - Aye
Peter Santacroce, 1st Alternate - Aye
Motion Approved.

The Chairwoman asked for a motion to close the meeting.

Motion to close meeting.

Moved: Michael Garcia
Second: Michael Wisnovsky

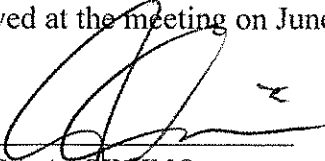
Mayor Richard Rigoglioso - Aye
Councilwoman Erin Delaney - Aye
Chairwoman, Gracie Williams – Aye
Vice Chairwoman, Lou Ann Visotcky- Aye
James Clark – Aye
Michael Garcia – Aye
Michael Wisnovsky – Aye
Gerald Walis - Aye
Jack LoBue - Aye
Peter Santacroce, 1st Alternate - Aye
Motion Approved.

Respectfully submitted,



Alyssa A. Cimino
Planning Board Secretary

Approved at the meeting on June 25, 2020.

A handwritten signature in black ink, appearing to read 'Alyssa A. Cimino', written over a horizontal line.

ALYSSA A. CIMINO
Planning Board Secretary