

PLANNING BOARD, CITY OF GARFIELD
MINUTES OF THE WORK SESSION
Conducted on August 25, 2022

The work session was called to order by Chairwoman Visotcky at 6:49 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
Chairwoman, Lou Ann Visotcky
Vice Chairman, Michael Wisnovsky
Gracie Williams
James Clark
Dan Golabek
Costantino Conte, 1st Alternate

Absent:

Councilman, Romi Herrera
Michael Garcia
Peter Santacroce
Caty Polanco, 2nd Alternate

Others present were:

Alyssa A. Cimino, Esq., Attorney/Secretary of the Planning Board
Carl O'Brien – Planning Board Engineer
David Juzmeski, Planning Board Planner
Susan Bischoff, Certified Court Reporter

The Chairwoman asked if there were any bills or correspondence.

Ms. Cimino stated that there were no bills or correspondence.

The Chairwoman asked for a motion to approve the Work Session meeting minutes from the meeting held on July 28, 2022.

Motion to approve the Work Session Minutes of the Meeting held on July 28, 2022.

Moved: Gracie Williams
Second: Vice Chairman Michael Wisnovsky

Mayor Richard Rigoglioso – Aye
Chairwoman, Lou Ann Visotcky - Aye
Vice Chairman, Michael Wisnovsky – Aye
Gracie Williams – Aye
James Clark - Aye
Dan Golabek - Aye
Costantino Conte, 1st Alternate - Aye
Motion Approved.

The Chairwoman asked for a motion to approve the Work Session meeting minutes from the meeting held on July 28, 2022.

Motion to approve the Minutes of the Regular Meeting held on July 28, 2022.

Moved: Mayor Richard Rigoglioso
Second: Gracie Williams

Mayor Richard Rigoglioso – Aye
Chairwoman, Lou Ann Visotcky - Aye
Vice Chairman, Michael Wisnovsky – Aye
Gracie Williams – Aye
James Clark - Aye
Dan Golabek - Aye
Costantino Conte, 1st Alternate - Aye
Motion Approved.

Resolutions

- a) Resolution memorializing approval of the amended Redevelopment Plan prepared by Francis Reiner of DMR Architects entitled 933-975 River Drive Redevelopment Plan dated July, 2022 for property known as Block 140, Lots 91.01 & 100.01 as shown on the Official Tax Map of the City of Garfield, more commonly known as 933-975 River Drive, Garfield.

Motion to memorialize Resolution PB-10-2022 approving the amended Redevelopment Plan (933-975 River Drive).

Moved: Mayor Richard Rigoglioso
Second: Costantino Conte, 1st Alternate

Mayor Richard Rigoglioso – Aye
Chairwoman, Lou Ann Visotcky - Aye
Vice Chairman, Michael Wisnovsky – Aye
Gracie Williams – Aye
James Clark - Aye
Dan Golabek - Aye
Costantino Conte, 1st Alternate - Aye
Motion Approved.

- b) Resolution memorializing approval of Resolution R-220-22 of the Garfield City Council to examine whether the property known as Block 88.01, Lots 1 & 9, and Block 89, Lots 17 & 19, as shown on the Official Tax Map of the City of Garfield, more commonly known as 337, 342, 350 & 351 Midland Avenue, should be determined to be an area in need of redevelopment, specifically a Non-Condensation Redevelopment area pursuant to the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1, et seq.

Motion to memorialize Resolution PB-06-2022 authorizing a Study be conducted (337, 342, 350 & 351 Midland Avenue).

Moved: Mayor Richard Rigoglioso
Second: James Clark

Mayor Richard Rigoglioso – Aye
Chairwoman, Lou Ann Visotcky - Aye
Vice Chairman, Michael Wisnovsky – Aye
Gracie Williams – Aye
James Clark - Aye
Dan Golabek - Aye
Costantino Conte, 1st Alternate - Aye

Motion Approved.

- c) Resolution memorializing approval of Resolution R-222-22 of the Garfield City Council to examine whether the property known as Block 19.01, Lots 47 & 49, as shown on the Official Tax Map of the City of Garfield, more commonly known as 22 & 26 Garfield Avenue, should be determined to be an area in need of redevelopment, specifically a Non-Condensation Redevelopment area pursuant to the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1, et seq.

Motion to memorialize Resolution PB-08-2022 authorizing a Study be conducted (22 & 26 Garfield Avenue).

Moved: Mayor Richard Rigoglioso
Second: Gracie Williams

Mayor Richard Rigoglioso – Aye
Chairwoman, Lou Ann Visotcky - Aye
Vice Chairman, Michael Wisnovsky – Aye
Gracie Williams – Aye
James Clark - Aye
Dan Golabek - Aye
Costantino Conte, 1st Alternate - Aye

Motion Approved.

- d) Resolution memorializing approval of the Redevelopment Plan prepared by Francis Reiner of DMR Architects entitled 69 Hepworth Place Redevelopment Plan dated July, 2022 for property known as Block 34.02, Lot 28 as shown on the Official Tax Map of the City of Garfield, more commonly known as 69 Hepworth Place, Garfield.

Motion to memorialize Resolution PB-09-2022 approving the Redevelopment Plan (69 Hepworth Place).

Moved: Mayor Richard Rigoglioso
Second: Chairwoman Lou Ann Visotcky

Mayor Richard Rigoglioso – Aye
Chairwoman, Lou Ann Visotcky - Aye
Vice Chairman, Michael Wisnovsky – Aye
Gracie Williams – Aye
James Clark - Aye
Dan Golabek - Aye
Costantino Conte, 1st Alternate - Aye
Motion Approved.

The Chairwoman asked for a motion to close the Work Session.

Motion to close the Work Session.

Moved: Gracie Williams
Second: Vice Chairman Michael Wisnovsky

Chairwoman Lou Ann Visotcky - Aye
Vice Chairman, Michael Wisnovsky – Aye
Gracie Williams – Aye
Dan Golabek - Aye
Constantino Conte, 1st Alternate - Aye
Caty Polanco, 2nd Alternate - Aye
Motion Approved.

Respectfully submitted,

Alyssa A. Cimino
Planning Board Secretary

Approved at the meeting on September 29, 2022.

ALYSSA A. CIMINO
Planning Board Secretary

PLANNING BOARD, CITY OF GARFIELD
MINUTES OF THE REGULAR MEETING
Conducted on August 25, 2022

The Regular Meeting was called to order by Chairwoman Visotcky at 7:22 p.m. who thereupon read the statement required by the Open Public Meeting Act. Secretary called the roll.

ROLL CALL:

Mayor Richard Rigoglioso
Chairwoman, Lou Ann Visotcky
Vice Chairman, Michael Wisnovsky
Gracie Williams
James Clark
Dan Golabek
Costantino Conte, 1st Alternate

Absent:

Councilman, Romi Herrera
Michael Garcia
Peter Santacroce
Caty Polanco, 2nd Alternate

Others present were:

Alyssa A. Cimino, Esq., Attorney/Secretary of the Planning Board
Carl O'Brien, Planning Board Engineer
David Juzmeski, Planning Board Planner
Francis Reiner, DMR Architects
Katherine Gregory, Gregory Associates LLC
Susan Bischoff, Certified Court Reporter

(Flag Salute)

SUNSHINE LAW: Read by Chairwoman Lou Ann Visotcky
PUBLIC LAW 1975 CHAPTER 231 "OPEN PUBLIC MEETING ACT" PUBLIC
HEARING: November 27, 2021 Council Chambers, City Hall Commencing at 7:00 p.m.

New Business

1. Hearing on application for Minor Subdivision Approval and Minor Site Plan Approval regarding Block 170.01, Lot 26 as shown on the Official Tax Map of the City of Garfield, more commonly known as 370-376 Semel Avenue.

Gary Zalarick, Esq. representing the applicant, requested that this application be carried to the next meeting.

2. Hearing on whether to adopt the Study conducted by DMR Architects examining whether the property known as Block 34.01, Lot 10 and Block 31.01, Lot 9.01, as show on the Official Tax Map of the City of Garfield, more commonly known as 41-42 Hepworth Place, should be determined to be an area in need of redevelopment, specifically a Non-Condensation Redevelopment area pursuant to the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1, et seq.

The Chairwoman stated that this application will be carried to the next meeting.

3. Hearing on whether to adopt the Redevelopment Plan prepared by Gregory Associates LLC entitled Champions Crossing Redevelopment Plan dated July, 2022 for property known as Block 24.01, Lots 5.01, 8 & 10 as shown on the Official Tax Map of the City of Garfield, more commonly known as 67-69, 73 & 77 Passaic Street, Garfield.

Katherine Gregory, Planner. Ms. Gregory stated that this is a revised Plan. The number of 2-bedroom units cannot exceed 20% of the total number of units and no 3-bedroom units are permitted. Another change in the Plan is that the building height will be 6 stories instead of 8 stories. There will be a total of 70 units with one off-street parking space per unit.

Richard Garber, Architect – sworn. Mr. Garber testified that the redevelopment area is comprised of approximately 14,340 sq. ft. The 70 units will include 6 studio, 36 one-bedroom, 12 one-bedroom plus den, and 16 two-bedroom units. The elevator proposed for the building is ADA wheelchair accessible as is the entire building. The first floor contains a retail space approximately 1,070 sq. ft., 31 parking spaces, package room and utilities. The Plan proposes a second sub-level consisting of 39 parking spaces as well as utility spaces. The 70 parking spaces are broken down into 17 standard spaces, 3 ADA spaces, 29-8' x 18' spaces and 21-8' x 16' spaces. The dimensions of the units are between 850 sq. ft. to 950 sq. ft. The one-bedroom units are approximately 650 sq. ft. The one-bedroom units with den are between 650 sq. ft. to about 700 sq. ft. The Studio units are between 450 sq. ft. to 500 sq. ft.

Mr. Clark asked if there would be generators to support the elevators in case of an emergency.

Mr. Garber testified that they could have generator backed power or horizontal separation that allows the hallways on each floor to have 2 separate fire havens so that if there is a problem on one side of the building residents could move to the other side of the building until emergency personnel arrives.

Mr. Clark stated that he is also referring to people being able to get up to their apartment during power outages.

Mr. Garber testified that they rarely have issues with the elevators because the elevator service companies service the elevators every month.

Katherine Gregory, Planner – sworn. The Plan proposes mid-rise multifamily residential developments with retail and commercial uses. One or more designated areas shall be provided for the storage of recyclables and refuse which will be located within the building. Sidewalks will be provided along the building and have a minimum width of 4 ft. All utilities will be located underground.

The Chairwoman asked for a motion to open the meeting to the public.

Motion to open the meeting to the public.

Moved: Mayor Richard Rigoglioso
Second: James Clark

Mayor Richard Rigoglioso – Aye
Chairwoman, Lou Ann Visotcky - Aye
Vice Chairman, Michael Wisnovsky – Aye
Gracie Williams – Aye
James Clark - Aye
Dan Golabek - Aye
Costantino Conte, 1st Alternate - Aye
Motion Approved.

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

Bill Polcari from the public asked if there would be a traffic study conducted.

Mayor Rigoglioso stated that a traffic study will be conducted.

Frank Calandriello asked if any commercial parking is proposed.

Ms. Gregory testified that the Plan is not proposing commercial parking. The idea is that there is a train station and hopefully there will be enough density in the area that people will walk to whatever the retail and commercial uses will be.

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

Motion to close the public session.

Moved: Mayor Richard Rigoglioso
Second: Chairwoman Lou Ann Visotcky

Mayor Richard Rigoglioso – Aye
Chairwoman, Lou Ann Visotcky - Aye
Vice Chairman, Michael Wisnovsky – Aye
Gracie Williams – Aye
James Clark - Aye
Dan Golabek - Aye
Costantino Conte, 1st Alternate - Aye
Motion Approved.

The Chairwoman asked for a motion to adopt the Redevelopment Plan for 67-69, 73 & 77 Passaic Street.

Motion to approve Redevelopment Plan (67-69, 73 & 77 Passaic St.)

Moved: Mayor Richard Rigoglioso
Second: Gracie Williams

Mayor Richard Rigoglioso – Aye
Chairwoman, Lou Ann Visotcky - Aye
Vice Chairman, Michael Wisnovsky – Aye
Gracie Williams – Aye
James Clark - Aye
Dan Golabek - Aye
Costantino Conte, 1st Alternate - Aye
Motion Approved.

4. Hearing on whether to adopt the Study conducted by DMR Architects examining whether the property known as Block 88.01, Lots 1 & 9, and Block 89, Lots 17 & 19, as shown on the Official Tax Map of the City of Garfield, more commonly known as 337, 342, 350 and 351 Midland Avenue, should be determined to be an area in need of redevelopment, specifically a Non-Condensation Redevelopment area pursuant to the Local Redevelopment and Housing Law N.J.S.A. 40 A:12A-1, et seq.

Francis Reiner, Planner – sworn. The property meets statutory criteria (b) and (d). Criteria (b) is the discontinuance of use of a building or buildings for at least two consecutive years or being in great disrepair. Criteria (d) is when areas with buildings or improvements are dilapidated, obsolete, or faulty arrangement or design are detrimental to the safety, health or welfare of the community. Mr. Reiner testified that while performing the Study it was determined that 342 & 350 Midland Ave. did not meet the criteria for redevelopment and should not be designated areas of redevelopment. The Study will be amended and will be submitted to the Planning Board Attorney.

The Chairwoman asked for a motion to open the meeting to the public.

Motion to open the meeting to the public.

Moved: Gracie Williams
Second: Mayor Richard Rigoglioso

Mayor Richard Rigoglioso – Aye
Chairwoman, Lou Ann Visotcky - Aye
Vice Chairman, Michael Wisnovsky – Aye
Gracie Williams – Aye
James Clark – Aye
Dan Golabek - Aye
Costantino Conte, 1st Alternate - Aye
Motion Approved.

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

Bill Polcari from the public asked when a resolution will be prepared to remove 342 & 350 Midland Ave. from the Study.

Ms. Cimino stated that a resolution will be memorialized at the next Planning Board meeting in September.

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

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: Mayor Richard Rigoglioso
Second: Vice Chairman Michael Wisnovsky

Mayor Richard Rigoglioso – Aye
Chairwoman, Lou Ann Visotcky - Aye
Vice Chairman, Michael Wisnovsky – Aye
Gracie Williams – Aye
James Clark - Aye
Dan Golabek - Aye
Costantino Conte, 1st Alternate - Aye

Motion Approved.

The Chairwoman asked for a motion to adopt the Study for 337, 342, 350 & 351 Midland Ave. with an amendment to the Study to remove 342 & 350 Midland Ave. and the correction to the captions under the pictures.

Motion to adopt the Study by DMR Architects with Conditions (337, 342, 350 & 351 Midland Ave.)

Moved: Mayor Richard Rigoglioso
Second: James Clark

Mayor Richard Rigoglioso – Aye
Chairwoman, Lou Ann Visotcky - Aye
Vice Chairman, Michael Wisnovsky – Aye
Gracie Williams – Aye
James Clark - Aye
Dan Golabek - Aye
Costantino Conte, 1st Alternate - Aye

Motion Approved.

5. Hearing on whether to adopt the Study conducted by DMR Architects examining whether the property known as Block 19.01, Lots 47 & 49, as shown on the Official Tax Map of the City of Garfield, more commonly known as 22 & 26 Garfield Avenue, should be determined to be an area in need of redevelopment, specifically a Non-Condensation Redevelopment area pursuant to the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1, et seq.

Francis Reiner, Planner – sworn. The property at 22 Garfield Ave. is a two-unit residential house. This property meets criteria (d) which includes areas with buildings or improvements that are dilapidated, obsolete, or faulty arrangement or design and are detrimental to the safety, health or welfare of the community. There is significant cracking along the façade and foundation which could result in sections of the wall falling into the public right of way. The property at 26 Garfield Ave. is a single-family residential building that is currently being used as commercial storage and warehouse for construction. Designed as a house rather than an intentionally designed warehouse, makes the house a significant fire hazard.

The Chairwoman asked for a motion to open the meeting the public.

Motion to open the meeting to the public.

Moved: Gracie Williams
Second: Chairwoman Lou Ann Visotcky

Mayor Richard Rigoglioso – Aye
Chairwoman, Lou Ann Visotcky - Aye
Vice Chairman, Michael Wisnovsky – Aye
Gracie Williams – Aye
James Clark - Aye
Dan Golabek - Aye
Costantino Conte, 1st Alternate - Aye
Motion Approved.

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

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

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

Motion to close the public session.

Moved: Vice Chairman Michael Wisnovsky
Second: James Clark

Mayor Richard Rigoglioso – Aye
Chairwoman, Lou Ann Visotcky - Aye
Vice Chairman, Michael Wisnovsky – Aye
Gracie Williams – Aye
James Clark - Aye
Dan Golabek - Aye
Costantino Conte, 1st Alternate - Aye
Motion Approved.

The Chairwoman asked for a motion to adopt the Study for 22 & 26 Garfield Ave.

Motion to adopt the Study by DMR Architects (22 & 26 Garfield Ave.)

Moved: Mayor Richard Rigoglioso
Second: Vice Chairman Michael Wisnovsky

Mayor Richard Rigoglioso – Aye
Chairwoman, Lou Ann Visotcky - Aye
Vice Chairman, Michael Wisnovsky – Aye
Gracie Williams – Aye
James Clark - Aye
Dan Golabek - Aye
Costantino Conte, 1st Alternate - Aye
Motion Approved.

6. Hearing on application for Conditional Use Approval regarding Block 80, Lots 16, 2.04, 26 & 27 as shown on the Official Tax Map of the City of Garfield, more commonly known as 517 River Drive.

Benjamin Wine, Esq., representing the applicant - sworn. The application is specifically to operate an adult use cannabis retail and alternative treatment center. Approximately 500 sq. ft. of the 1,300 sq. ft. space will be a customer service area and the rest is used for storage, office and administrative purposes. The applicant is proposing to fill the vacant space with a use that is conditionally permitted in the P-2 zone.

Rita Tsalyuk, applicant – sworn. Ms. Tsalyuk testified that the store in Colorado has a variety of products from cultivators and manufacturers. The store in New Jersey will start out with a limited variety of products. There are procedures in place to constantly monitor changes to ordinances and adjust the standard operating procedures accordingly. In New Jersey when customers come into the store they will be required to have a consultation with trained personnel. Anyone age 18 with a prescription from the doctor is permitted to purchase cannabis. Anyone 21 or older can purchase cannabis. Customers must show a driver's license. There will be no more than 5 employees. There will be security cameras in every corner of the store and will have security on-site.

Mayor Rigoglioso asked what is the age requirement in order to enter the store.

Ms. Tsalyuk testified that in order to enter the store you must be 21 years old or older, or 18 years old with a prescription from a doctor.

Harry Tuvel, Engineer/Planner – sworn. Mr. Tuvel testified that the site is approximately 7,000 sq. ft. 3-story building. There are 2 parking lots, one to the north of the building and one to the south. Both parking lots can access the building. The total number of parking spaces is 74. Mr. Tuvel testified that he was comfortable with Ms. Tsalyuk's testimony that 1) all State licenses will be obtained, 2) that the applicant will implement an odor mitigation infrastructure, and 3) that all cannabis products will not be visible from the street or sidewalk outside the store. Mr. Tuvel testified that the applicant is compliant with the condition that the facility is at least 750 ft. from any schools, parks and recreation facilities. He has reviewed the reports from the Planning Board Planner and Engineer and will comply with the conditions.

The Chairwoman asked for a motion to open the meeting the public.

Motion to open the meeting to the public.

Moved: Gracie Williams
Second: Vice Chairman Michael Wisnovsky

Mayor Richard Rigoglioso – Aye
Chairwoman, Lou Ann Visotcky - Aye
Vice Chairman, Michael Wisnovsky – Aye
Gracie Williams – Aye
James Clark - Aye
Dan Golabek - Aye
Costantino Conte, 1st Alternate - Aye
Motion Approved.

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

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

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

Motion to close the public session.

Moved: Mayor Richard Rigoglioso
Second: Costantino Conte, 1st Alternate

Mayor Richard Rigoglioso – Aye
Chairwoman, Lou Ann Visotcky - Aye
Vice Chairman, Michael Wisnovsky – Aye
Gracie Williams – Aye
James Clark - Aye
Dan Golabek - Aye
Costantino Conte, 1st Alternate - Aye
Motion Approved.

The Chairwoman asked for a motion to grant the application for Conditional Use Approval regarding 517 River Dr.

Motion to grant application for Conditional Use Approval (517 River Drive).

Moved: Mayor Richard Rigoglioso
Second: Costantino Conte, 1st Alternate

Mayor Richard Rigoglioso – Aye
Chairwoman, Lou Ann Visotcky - Aye
Vice Chairman, Michael Wisnovsky – Aye
Gracie Williams – Aye
James Clark - Aye
Dan Golabek - Aye
Costantino Conte, 1st Alternate - Aye
Motion Approved.

The Chairwoman asked for a motion to close the meeting.

Motion to close meeting.

Moved: Mayor Richard Rigoglioso
Second: James Clark

Mayor Richard Rigoglioso – Aye
Chairwoman, Lou Ann Visotcky – Aye
Vice Chairman, Michael Wisnovsky – Aye
Gracie Williams – Aye
James Clark – Aye
Dan Golabek - Aye
Costantino Conte, 1st Alternate - Aye
Motion Approved.

Respectfully submitted,

Alyssa A. Cimino
Planning Board Secretary

Approved at the meeting on September 29, 2022.

ALYSSA A. CIMINO
Planning Board Secretary