

**PLANNING BOARD, CITY OF GARFIELD**  
**MINUTES OF THE REGULAR MEETING**  
**Conducted on July 27, 2023**

The Regular Meeting was called to order by Chairwoman Visotcky at 7:11 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  
James Clark  
Michael Garcia  
Caty Polanco  
James Kovacs, Jr.

Absent:

Councilman, Romi Herrera  
Costantino Conte  
Antonino Randazzo

Others present were:

Alyssa A. Cimino, Esq., Attorney/Secretary of the Planning Board  
Eileen Boland, Planning Board Engineer  
Lyndsay Knight, Planning Board Planner  
Sue 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: December 22, 2022 Council Chambers, City Hall Commencing at 7:00 p.m.

James Kovacs, Jr. was sworn in as a new member of the Planning Board.

**Resolutions**

- a. Resolution memorializing approval of application for Preliminary & Final Site Plan Approval regarding Block 14.02, Lots 1, 4.01, 4.02, 9 & 10, commonly known as 94, 100 & 104 Passaic Street and 43 & 45 Spencer Place, Garfield.

**Motion to memorialize Resolution PB-08-2023 approval of Preliminary and Final Site Plan (94, 100 & 104 Passaic St. and 43 & 45 Spencer Pl.)**

Moved: Mayor Richard Rigoglioso  
Second: Chairwoman Lou Ann Visotcky

Mayor Richard Rigoglioso - Aye  
Chairwoman Lou Ann Visotcky - Aye  
James Clark - Aye  
Michael Garcia – Abstain  
Caty Polanco – Aye  
James Kovacs, Jr. - Abstain  
**Motion Approved.**

### **New Business**

1. Hearing on application for increase of fee for Beth Calderone, Court Reporter.

### **Motion to approve increase of fee for Beth Calderone, Court Reporter.**

Moved: Mayor Richard Rigoglioso  
Second: Chairwoman Lou Ann Visotcky

Mayor Richard Rigoglioso - Aye  
Chairwoman Lou Ann Visotcky - Aye  
James Clark - Aye  
Michael Garcia – Aye  
Caty Polanco – Aye  
James Kovacs, Jr. - Aye  
**Motion Approved.**

2. Hearing on application for Conditional Use Approval regarding Block 203.01, Lot 50.01, commonly known as 141 Lanza Avenue, Garfield. William Harrison, Esq. appeared on behalf of the applicant.

Tsampitus Perides, Architect – sworn. Mr. Perides testified that the property contains multi-tenanted buildings. The applicant is specifically proposing to use Unit #3 in Building #1, which contains approximately 8,026 sq. ft. The applicant, Navigator Wellness LLC proposes no improvements to the property other than the internal fit up of the premises to accommodate the applicant’s proposed cannabis manufacturer business. Mr. Perides testified that there will be approximately 5 to 10 full-time employees. The premises will be used solely as a laboratory and shipping/receiving space, not for retail sales.

Derohn Mitchell, Applicant – sworn. Mr. Mitchell testified that the cannabis will be delivered to the site by van or SUV. The cannabis is processed using cold water and an ice bath. No chemicals are used in the process.

Ms. Boland asked about security for people accessing the property for delivery and picking up the product.

Mr. Mitchell testified that they will enter from the loading dock into the common area to transfer the product to an employee.

Ms. Knight asked about security in general for the site.

Mr. Mitchell testified that employees will have scan cards to enter electronically controlled doors and there will be video monitoring.

**Motion to open the meeting to the public.**

Moved: James Clark  
Second: Caty Polanco

Mayor Richard Rigoglioso - Aye  
Chairwoman Lou Ann Visotcky - Aye  
James Clark - Aye  
Michael Garcia – Aye  
Caty Polanco – Aye  
James Kovacs - Aye  
**Motion Approved.**

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

Ellen Nyemcsik of Prospect St. asked if there will be any odor from the site and will anyone else know that cannabis is being processed at this site.

Mr. Mitchell testified that the process they use does not produce any odor and there won't be any signs indicating what type of business is at the location.

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: James Kovacs

Mayor Richard Rigoglioso - Aye  
Chairwoman Lou Ann Visotcky - Aye  
James Clark – Aye  
Michael Garcia – Aye  
Caty Polanco – Aye  
James Kovacs - Aye  
**Motion Approved.**

The Chairwoman asked for a motion to approve the application for Conditional Use Approval regarding 141 Lanza Avenue.

**Motion to approve application for Conditional Use Approval (141 Lanza Ave.)**

Moved: James Clark

Second: Chairwoman Lou Ann Visotcky

Mayor Richard Rigoglioso - Aye  
Chairwoman Lou Ann Visotcky - Aye

James Clark – Aye  
Michael Garcia – Aye  
Caty Polanco – Aye  
James Kovacs - Aye

**Motion Approved.**

Antonino Randazzo was sworn in as a new member of the Planning Board.

3. Hearing on application for Preliminary & Final Site Plan Approval with relief for deviations regarding Block 24.01, Lots 5.01, 8 & 10, commonly known as 67, 69, 73 & 77 Passaic Street, Garfield. Allyson Kasetta, Esq. appeared on behalf of the applicant.

Michael DeMarco, Esq. stated that his client objects to this application. However, his client was not able to appear at this meeting due to an emergency.

Mr. DeMarco stated that he will request the transcript of this meeting.

The Chairwoman stated that Ms. Kasetta should proceed with her presentation. However, the Board will not vote on the application until Mr. Demarco's client voices his objections at the next Planning Board Meeting.

Richard Garber, Architect – sworn. Mr. Garber testified that the proposed building is a 6-story structure with 70 units and 70 parking spaces. The building height is 66 ft., 6 inches. The 70 residential units consist of 6 studio units, 40 one-bedroom units, 10 one-bedroom units with dens and 14 two-bedroom units. An elevator is proposed. The 1<sup>st</sup> floor consists of about 1,000 sq. ft. of retail space and an interior parking garage. 32 parking spaces are standard size and 38 compact parking spaces. 11 spaces are EV ready, 9 standard spaces, 1 ADA van space, 2 ADA standard spaces, 23 compact parking spaces (8' x 18') and 35 compact parking spaces (8' x 16'). Mr. Garber testified that there will be a dedicated trash room in the building. Trash and recycling will be taken out to Passaic St. on removal days. The Plan proposes small private decks on the sixth floor units. There will be an approximately 2,900 sq. ft. roof deck. The retail space is on street level as well as some parking.

Mr. Clark asked if the building will have a generator.

Mr. Garber testified that there will be a generator for the elevator and lighting.

Ms. Polanco asked if the retail customers will have access to the parking garage.

Mr. Garber testified that they will not. Customers will have to park on the street.

Ms. Boland asked if the height of the sub-level parking area being 8.5 ft. is adequate for large SUVs and delivery trucks.

Mr. Garber testified that there will not be any delivery trucks going to the lower-level parking and large SUVs will have enough clearance.

Mr. Kovacs asked if there is a vault room for the power company.

Mr. Garber testified that they have not talked to the power company yet.

Ms. Knight asked how the tandem/stack parking would be handled.

Mr. Garber testified that those spots would be assigned to 2-bedroom units.

Ms. Boland asked if the one-bedroom units with dens will be allowed to use the den as a bedroom.

Mr. Garber testified that there will be a clause in the Lease Agreement prohibiting the use of the den as a bedroom.

Matthew Clark, Civil Engineer – sworn. Mr. Clark testified that this project is considered a non-major development regarding stormwater management. It's less than an acre of disturbance and less than a quarter acre of new impervious surface. There is a small increase in impervious area. For that reason, a detention system will be provided on the roof and will discharge into the municipal or county system. Utilities will be tied into Passaic St. and will be underground. Mr. Clark testified that all sidewalks, entrances and parking spaces are ADA compliant. As requested in the review letter from Boswell Engineering they agree to 1) analyze the existing storm and sanitary capacity in the street; 2) consolidate all lots into one; 3) provide streetscape improvements; 4) adjust the detention system on the roof as necessary to provide adequate stormwater drainage. Mr. Clark testified that the 3 ft. easement will be maintained as grass.

Matthew Seckler, Traffic Engineer/Planner – sworn. Mr. Seckler testified that the proposed site is located within a 2-minute walk from the Garfield Train Station which services NJ Transit's Bergen County Line. The site is also located within a 6-minute walk from bus stops that service 6 NJ Transit bus routes. Trip generation projections for the proposed site were prepared using the Institute of Transportation Engineers' (ITE) Trip Generation Manual. The proposed development is expected to generate 20 new trips during the weekday morning peak hour and 25 new trips during the weekday evening peak hour. A trip increase less than 100 vehicle trips would likely not change the level of service of the roadway system. Access to the site is proposed via 2 full movement driveways along Palisade Ave. Two-way site circulation will be provided by a minimum of 22 ft. wide drive aisles. RSIS requires 24 ft. wide drive aisles, however, the proposed aisle width is expected to adequately support the development since the off-street parking is designed for residential tenants with low parking turnover.

Ms. Boland asked if he was comfortable with the 22 ft. drive aisles versus a 24 ft. for turn movements.

Mr. Seckler testified that they performed turn movement templates for getting into the problem spaces. They concluded that since this is not an area where you'll have significant two-way traffic of people going in and out at the same time, he thinks drivers will be comfortable with it.

**Motion to open the meeting to the public.**

Moved: Antonino Randazzo

Second: Caty Polanco

Mayor Richard Rigoglioso - Aye  
Chairwoman Lou Ann Visotcky - Aye  
James Clark - Aye  
Michael Garcia – Aye  
Caty Polanco – Aye  
Antonino Randazzo - Aye  
**Motion Approved.**

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

Ellen Nyemcsik of Prospect St. asked about parking for the retail stores.

Ms. Kasetta testified that because these are small retail spaces that are under a certain amount of square footage, the Redevelopment Plan doesn't require that parking be provided.

Ms. Nyemcsik asked where the garbage will be collected from.

Ms. Kasetta testified that the garbage will be brought out to the curb by management and will be collected by a private company during off-peak hours.

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: Michael Garcia  
Second: Caty Polanco

Mayor Richard Rigoglioso - Aye  
Chairwoman Lou Ann Visotcky - Aye  
James Clark – Aye  
Michael Garcia – Aye  
Caty Polanco – Aye  
Antonino Randazzo - Aye  
**Motion Approved.**

The Chairwoman stated that the vote for this application will be postponed until the next meeting, to be held on September 28, 2023.

Mr. Randazzo asked how much retail exists on this property now that require street parking.

Alex Matovski, Principle of Applicant – sworn. Mr. Matovski testified that there are currently 3 stores that have off-street parking. Also, there is currently a curb cut on Passaic St. that will be eliminated which will provide 2 more parking spaces.

Mr. Randazzo asked if they would consider changing the two-bedroom units into one-bedroom units with dens. Since two-bedroom units would provide the space for children to be raised there that would then cause more of a strain on the school system.

Mr. Matovski testified that they considered having only studio and one-bedroom units at this site. The concern was that the amount of one-bedroom units coming into the supply in Garfield right now is quite substantial, so we wanted to differentiate ourselves and offer more choices. Typically, if it is a couple with a child they will most likely move on before the child reaches school age.

4. Hearing on City Council resolution R-262-23 to introduce Ordinance #3001 First Reading adopting a redevelopment plan for the property commonly known as 28 Walnut Street at Block 119.03, Lot 36 as shown on the Tax Map of the City of Garfield, and amending Ordinance §341-16 by adding the Walnut Street Redevelopment Zone – the “Residential 2-1R” zoning district with certain additional restrictions and allowances at §341-16C to the R-2 Zoning District pursuant to N.J.S.A. 40-A:12A-1 et seq., the Local Redevelopment and Housing Law.

The Planning Board has no recommendations.

5. Hearing on City Council resolution R-332-23 authorizing and directing the Planning Board of the City of Garfield, County of Bergen, State of New Jersey to examine whether the properties located at 89, 97 Midland Avenue and also known as Block 31.02, Lots 35 & 37 as shown on the Official Tax Map of the City of Garfield should be determined to be an area in need of Redevelopment, specifically a Non-Condemnation Redevelopment Area, pursuant to the Local Redevelopment and Housing Law, N.J.S.A 40A:12A-1 et seq.

The Planning Board has no recommendations.

The Chairwoman asked for a motion to approve the Regular meeting minutes from the meeting held on March 23, 2023.

**Motion to approve the Minutes of the Meeting held on March 23, 2023.**

Moved: Mayor Richard Rigoglioso  
Second: Antonino Randazzo

James Clark – Aye  
**Motion Approved.**

The Chairwoman asked for a motion to approve the Regular meeting minutes from the meeting held on April 27, 2023.

**Motion to approve the Minutes of the Meeting held on April 27, 2023.**

Moved: Mayor Richard Rigoglioso  
Second: Chairwoman Lou Ann Visotcky

Mayor Richard Rigoglioso - Aye  
Chairwoman, Lou Ann Visotcky - Aye  
Caty Polanco – Aye  
**Motion Approved.**

The Chairwoman asked for a motion to close the meeting.

**Motion to close meeting.**

Moved: Mayor Richard Rigoglioso

Second: Caty Polanco

Mayor Richard Rigoglioso - Aye

Chairwoman, Lou Ann Visotcky - Aye

James Clark - Aye

Michael Garcia – Aye

Caty Polanco – Aye

Antonino Randazzo - Aye

**Motion Approved.**

Respectfully submitted,



Alyssa A. Cimino  
Planning Board Secretary

Approved at the meeting on September 28, 2023.



ALYSSA A. CIMINO  
Planning Board Secretary