

REGULAR MEETING OF THE EAST NEWARK PLANNING BOARD  
COUNCIL CHAMBERS  
BOROUGH HALL  
34 SHERMAN AVENUE  
EAST NEWARK, NEW JERSEY 07029  
NOVEMBER 3, 2022  
**MINUTES**

PUBLIC STATEMENT

ADEQUATE NOTICE OF THIS MEETING BEING HELD ON THIS 3RD DAY OF NOVEMBER, 2022 HAS BEEN PROVIDED BY THIS BOARD TO ALL APPLICABLE PARTIES, AGENCIES AND AUTHORITIES. THIS MEETING IS BEING HELD AND CONDUCTED IN ACCORDANCE WITH P.L. 1975, CHAPTER 231 OF THE LAWS OF THE STATE OF NEW JERSEY.

AGENDA

1. Resolution: Adopting Annual Report for 2021.
2. Review of the following for referral for consistency with the Borough's Master Plan.
  - a. Ordinance #10-2022 adopting Fourth Redevelopment Plan
3. Approval of Minutes for April 7, 2022, Regular Meeting: APPROVED

SECRETARY CALLED MEETING TO ORDER AT 7:12 P.M. THE PLEDGE OF ALLEGIANCE WAS RECITED. THE SECRETARY CALLED THE ROLL CALL.

MEMBERS	PRESENT	ABSENT
MAYOR DINA M. GRILO	X	
COUNCILMEMBER CHRIS REIS	X	
BILLY EREZUMA	X	
ROSANGELA ZAYAS	X	
RAY GRAHAM	X	
CARLA FERNANDES	X	
KELLY CORBLIES		X
MIKE GURRIERI	X	
DAVID WOZNIAK	X	

As eight (8) members of the East Newark Planning Board are Present, a QUORUM was established.

ALSO PRESENT: RICH ALLEN, ESQUIRE, BOARD COUNSEL; LEIGH FLEMING, BOARD PLANNER; AND MARY C. GAINES, SECRETARY TO THE PLANNING/ZONING BOARD.

MOTION TO ACCEPT AGENDA FOR THE REGULAR MEETING OF NOVEMBER 3, 2022.

MOTION BY BOARDMEMBER GRAHAM  
SECONDED BY BOARDMEMBER REIS

ALL IN FAVOR VOTING AYE, MOTION WAS CARRIED

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APPROVAL OF MINUTES

WHEREAS, copies of the minutes of the following meeting has been provided to the members and reviewed by the members of the East Newark Planning Board:

Regular Meeting April 7, 2022

NOW THEREFORE, BE IT RESOLVED, that all of the aforementioned minutes of said meeting be and are hereby approved.

MOTION BY BOARDMEMBER FERNANDES  
SECONDED BY BOARDMEMBER GRAHAM

Grilo-Aye; Reis-Aye; Erezuma-Aye, Zayas-Aye; Graham-Aye; Fernandes-Aye, Gurrieri-Aye; Wozniak-Aye.

MOTION CARRIED

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RESOLUTIONS:

Adopting Annual Report for 2021 of Review of Board Decisions and Zoning Ordinance.

Motion made by Board Member Zayas, seconded by Board Member \_\_\_\_\_ to memorialize Resolution as presented.

Grilo-Aye; Reis-Aye; Erezuma-Aye, Zayas-Aye; Graham-Aye; Fernandes-Aye, Gurrieri-Aye; Wozniak-Aye.

Motion Carried.

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OLD BUSINESS: NONE

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NEW BUSINESS:

Case #2022-01, Major Site Plan and Major Subdivision Application of Boulder Concepts, for property located at 406 North 2<sup>nd</sup> Street, Block 8, Lots 22, 24 through 27 in the Borough of East Newark, NJ.

Secretary made an announcement that this Case is being carried to the December 1, 2022, meeting at 7 p.m. here at the Borough Hall, 34 Sherman Avenue, East Newark, NJ. The Attorney for the Applicant has re-notified and sent to everyone within 200 feet. No new notice for anyone here today for this application is required.

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Ordinance 10-2022 adopting Fourth Redevelopment Plan Amendment.

Presentation made by Leigh Flemming of Heyer, Gruel and Associates

Ms. Flemng stated that the purpose of my presentation is to go over the Fourth Amendment to the Redevelopment Plan. The purpose of the Planning Board Board to review is to determine whether or not it is consistent with the Mater Plan. Any time there is any ordinance review the Council introduces, we have to go over to see if it is consistent prior to adoption. With that, both of these changes were included in the 2021 Master Plan Reexamination Report.

First one is called the 700 Frank E. Rodgers Blvd. District. It's the Valley Bank site that has been vacant on this street. Purpose of this is to incentivize redevelopment of this area by changing the zone which right now is R-2 and essentially changing the zoning. Permitted uses that are proposed are one and two family dwellings, age restricted apartments, personal service but not including on-site dry cleaners. Retail, restaurant, bank and classified cannabis use. Associated bulk requirements. The one and two family detached we added impervious coverage, building coverage. Also Associated bulk regulations for non-residential uses and age restricted apartment building. The age restricted apartment building, the maximum height is 4 stories, 45 feet high maximum. Non-residential is 3 stories and 35 high maximum. The reason for that is to allow on-site parking on the ground floor. Additional height is required for that.

The second site is the 250 Grant Avenue District. It is the DPW garage. Permitted uses recommended is for one and two family detached, some commercial uses but not as many as the Valley Bank Site. It is more of a residential area. Commercial use are more low intensity and more neighborhood. No on-site dry cleaning. Convenience shopping so food stores, gift shops, banks, child care, professional offices. Lower intensity commercial uses. Bulk standards included for 1 and 2 families and commercial uses. We recommended the Borough explore designating the entire Borough as an area in need of rehabilitation. Valley Bank site mentioned by name. It was recommended that the Borough explore this for the entire area.

First is if it consistent with the Master Plan and second Is, is there anything that the Board notices that should be addressed. Within the whereas clause, we should clean up what the jurisdiction is. In the Redevelopment Plan, we state that it is an area that is in need of rehabilitation. It was recommended, in the whereas as, that it is added that the Borough is designated as an area in need of rehabilitation. That is where the jurisdiction for it arises from. It is prudent record keeping. All the history is in the wheras. I will make one change to this draft and that is 250 Grant Ave district should be Block 10, Lot 2 and the Frank E. Rodgers one is correct.

Questions from the Board.

Mr. Erezuma questioned Valley Bank parcel regarding one and two family dwellings, with parking on the ground floor.

Ms. Fleming stated that right now it is zoned R-2 which limits it to 1 and 2 family. It is a bank building which is a preexisting nonconforming use. This amendment says that they would have to take the building down. The entire property would have to be subdivided to have that happen so someone wouldn't be able to build just one, two-family dwelling. It could be all these other uses. Right now, they could only do one and two family homes or keep the bank

Mr. Erezuma asked if we want to keep that area retail and not allow one and two-family dwellings.

Ms. Fernandes stated that this amendment gives them more opportunities.

Mr. Erezuma asked if we voted yes today, can we change it down the line.

Ms. Fleming: If it is adopted today, someone can do any one of these options listed in the plan. After 45 days, it's codified and someone could apply to put any of these uses. You could always change it down the road. If it gets adopted, in 6 months it can be amended, if you change your minds. It is not forever. The only thing is if it is adopted, 45 days after if someone buys it and submits an application, they will be working off the amendment that is approved.

Mr. Erezuma asked if we deny it, can we set forth to limit it to retail and not give them option for one and two family dwellings.

Ms. Fleming stated that if it is denied, they will be allowed to build only one and two family dwellings as of right now or keep the bank building since it is grandfathered use. The Planning Board can recommend to the Mayor and Council the modification of taking out one and two family dwellings from that parcel.

Mayor Grilo stated that a Doctor's Office would be a good use. Right now, they can't do anything other than a bank or one and two family dwellings. We would like to give them an opportunity to put something there.

Mr. Wozniak opened it to the public for comments.

Stephanie Luzbat, 408 John Street, East Newark, NJ, asked about how many parking spots would be required. Is it one per apartment? Why is it just age restricted?

Ms. Fleming stated that the Ordinance states how much on-site parking is required for the different uses. Age restricted uses would need different amount of parking. The ground floor would be parking.

Mr. Wozniak asked if there was a motion from the Board to approve this Amendment.

Motion made by

Mr. Reis asked if they motion is to recommend the amendment with the change of eliminating the one and two family dwelling uses for the Valley Bank parcel. The other option is to move the amendment as is and then it will go before the Mayor and Council.

Mr. Allen stated that the Board is voting only on thd recommendation. The Board does not decide whether it is approved or not, that is done by the Mayor and Council. The Board makes the recommendation and it will be up to the Mayor and Council to accept the recommendation or not.

Discussion was held that the properry was purchased recently but the Town is not aware of their intentions with the property.

Ms. Fleming stated that even if someone purchased the property, by eliminating the one and two-family component, this would not downgrade the property. Commercial property is typically valued more that residential.

Daisy Huang, 44 Sherman Avenue, East Newark, NJ stated that she cares about the parking and stated that retail is better in that area since it is a main street and there is noise.

Mr. Erezuma: I would like to amend my motion to recommend removing the residential one and two-family dwelling uses out of the Valley Bank property and approving the rest as presented.

MOTION BY BOARD MEMBER EREZUMA  
SECONDED BY BOARD MEMBER FERNANDES

Roll Call: Grilo-Aye; Reis-Aye; Erezuma-Aye, Zayas-Aye; Graham-Aye; Fernandes-Aye, Gurrieri-Aye; Wozniak-Aye.

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Stephanie Luzbet asked about the Grant Avenue location and if that could be made into parking for the residents.

Motion made by Board Member Fernandes to reopen the meeting to the public. Motion seconded by Board Member Zayas. All in favor saying AYE.

Mayor Grilo stated that is was the DPW garage which was inherited as a delapidated building. OSHA said that the Borough would have to fix it. The cost was too much so it was decided to sell it and move the garage to the Riverside park location. The area is too small to have enough parking to justify the cost. It would only allow for 6 spots. Mayor Grilo also stated that East Newark Town Center will have a parking deck for residents.

Ms. Luzbet asked if the current playground on Sherman could be relocated to this site and make the playground into parking.

Mayor Grilo stated that the playground is Green Acres and they can not move it. The Mayor stated that we are exploring every avenue.

Mr. Reis stated that parking is a hot topic. In California, they are looking to change their zoning to waive parking requirements near public transportation. He asked Ms. Fleming if she is aware of New Jersey doing anything like that.

Ms. Fleming stated that the RSIS standards were developed with input from 500+ municipalities. The State came up with rules requiring the number of parking spaces. RSIS does not go away even if you are a transit village.

Mr. Allen said that a concept becomes something that is given to the Town as a power. We don't need all this parking, that would be up to the review board. It is not

Mr. Reis: Complaints about parking and garages with parking going up.

Maryo: If you put a house with it is a one or two family, it will be even harder.

Mr. Reis: It is the exclusivity of the spots that folks are bothered about.

Maror: The majority don't have parking. The Town is not built that way.

Ms. Fleming: Previously there was no driveway standards to preserve off-street spots. Better to have a narrower driveway. Houses were built with a driveway in the front and a garage. Grant Avenue was the way it was building

Mr. Reis: You have a garage that is probably empty.

Central and John should be commercial. They have a spot on that lot. It is only used.

Stephanie: People don't get denied. We were on the list for 15 years to get a spot.

Mayor: When we took over, we now track. We also try to be strategic. The office will call you to see if you need that spot. I trust in my office. They are not giving anyone spots. If you are sending stuff I need to email me and we will look into it.

X: My sister mentioned we are on the list for a long time. Right before the change in office, my brother was on the list. We were told we were second. They told us our name wasn't on it.

Mayor: I can tell you there was a lot of cleaning up and no one moved people without talking to them first. It is a beg list. We are trying. I wish that wasn't green acres. We are getting a park on the River

Mr. Reis: The Conrail is looking at the folks are really on the lot come to Council meetings.

Update your phone number and what about a letter or a knock on the door. Where a resident is actually reached.

Mayor: I apologize for a mistake I know I didn't make.

Mr. Reis: We park and drive in Town too.

Stephanie: Is there a way to build new houses without parking.

I would love to see age restricted. I would love if someone could build 10 apartments for seniors. You wouldn't need parking spaces that will be wonderful.

Chris: State requirement. They are require to have parking for that. Right now, we don't have a work around.

X. There is no way tokeep that requiricemnt number of spots on the street. They are taking that spot. We would hope that they would park inside. YOu have Harrsion and East Newark. You don't want to get a ticket.

When developers come to us, houses with garages, we ask them to put the driveway together. It could be a lot worse.

Mr. Reis: A house with street parking. If folks move into that house, thre are two families that move in. It is better for parking in a way. It is better overall for the Town.

Maryor: Call the office tomorrow and speak to Tatiana get on all the lists. I can't take spots away from them.

Motion made by Board Member Reis, seconded by Board Member Gurrieri in favor of Resolution 38-22 as presented and to forward to Mayor and Council.

Mr. Cucchiara he will prepare a report in the form of a letter.

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OPEN TO PUBLIC PORTION:

Moton made by Board Member Fernandes  
Seconded by Board Member Zayas

ALL IN FAVOR SAID AYE, MOTION WAS CARRIED

MOTION TO CLOSE PUBLIC PORTION OF MEETING:

Motion by Board Member Zayas  
Seconded by Boardmember Reis.

ALL IN FAVOR SAID AYE, MOTION WAS CARRIED

Motion made by Mr. Graham to approve the fourth amendment with the change to bank property  
Motion seconded by Mr. Zayas.

ROLL CALL: Grilo-Aye; Reis-Aye; Zayas-Aye; Graham-Aye; Fernandes-Aye;  
Corblies-Aye, Erezuma-Aye; Wozniak-Aye.

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Continued conversation from the public.

Motion by                    to reopen to the public.

Discussion

Motion by to close to the public.

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MOTION TO ADJOURN MEETING  
MOTION BY BOARDMEMBER FERNANDES  
MOTION SECONDED BY BOARDMEMBER EREZUMA

ALL IN FAVOR SAYING AYE.  
MOTION CARRIED

MEETING WAS ADJOURNED AT 8:40 P.M.

RESPECTFULLY SUBMITTED, MARY C. GAINES, SECRETARY TO THE EAST  
NEWARK PLANNING/ZONING BOARD