

PLANNING BOARD

MINUTES

DATE: March 9, 2022

1. Roll Call

This is the Public Meeting of Wednesday, March 9, 2022. Chairman Garip called the meeting to order at 7:00 p.m.

Roll call was then taken and the following members were present: Mr. Dib, Mr. Martucci, Mayor Labrosse, Deputy Mayor Canestrino, Mr. Contini, Ms. Solomon, Mr. Allegretta, Mr. Iyamu, Vice-Chairman Chiusolo, and Chairman Garip.

ABSENT: None

LATE ARRIVAL: None

EARLY DEPARTURE: None

ALSO PRESENT: Joseph L. Mecca, Jr., Esq.; Kim O. Furbacher, Certified Court Reporter; Gregory J. Polyniak, P.E., P.P., Neglia Engineering; Bridget McLaughlin, Zoning Officer; and Francis A. Reiner, LLA, P.P., Redevelopment Consultant.

2. Payment of Bills

MOTION TO APPROVE BILLS AS SUBMITTED. MOTION MADE BY MR. CONTINI. SECOND BY MR. DIB. MOTION IS PASSED BY AN AFFIRMATIVE VOTE OF MR. DIB, MR. MARTUCCI, MAYOR LABROSSE, DEPUTY MAYOR CANESTRINO, MR. CONTINI, MR. ALLEGRETTA, VICE-CHAIRMAN CHIUSOLO, AND CHAIRMAN GARIP.

3. Approval of Minutes of February 9, 2022

MOTION TO APPROVE MINUTES OF FEBRUARY 9, 2022. MOTION MADE BY MAYOR LABROSSE. SECOND BY MR. CONTINI. MOTION IS PASSED BY AN AFFIRMATIVE VOTE OF MR. DIB, MR. MARTUCCI, MAYOR LABROSSE, DEPUTY MAYOR CANESTRINO, MR. CONTINI, MR. ALLEGRETTA, VICE-CHAIRMAN CHIUSOLO, AND CHAIRMAN GARIP.

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4. MEMORIALIZATIONS:

- a. **Cornerstone Capital Investment Hackensack, LLC**
85-99 State Street
Block 214, Lots 19-22
SP#20-20 V#20-20

The Applicant requests Site Plan Approval to demolish the existing warehouse building, commercial building and associated improvements to construct a new six (6) story multifamily residential building of sixty-seven (67) units, consisting of twenty-eight (28) one-bedroom units, nineteen (19) one-bedroom plus den units, and twenty (20) two-bedroom units. Additionally, the Applicant proposes one hundred and twelve (112) parking spaces, exclusive of six (6) tandem parking spaces. Additional improvements include curbing, transformer, parking lot striping, lighting, landscape improvements and an underground detention system to accommodate runoff. Additionally, the Applicant proposes water and sanitary connections to the State Street right-of-way.

MOTION TO MEMORIALIZE MADE BY MR. MARTUCCI.
SECOND BY MR. ALLEGRETТА. THE MEMORIALIZATION IS
PASSED BY AN AFFIRMATIVE VOTE OF MR. DIB, MR.
MARTUCCI, MAYOR LABROSSE, DEPUTY MAYOR
CANESTRINO, MR. CONTINI, MR. ALLEGRETТА, AND
CHAIRMAN GARIP.

- b. **Extension Request**
195 South River Street - Block 39.06, Lots
7-20
Resolution #SP 7-18 and #V 7-18 Approved
6-5-19

MOTION TO MEMORIALIZE MADE BY MR. ALLEGRETТА.
SECOND BY MAYOR LABROSSE. THE MEMORIALIZATION IS
PASSED BY AN AFFIRMATIVE VOTE OF MR. DIB, MR.
MARTUCCI, MAYOR LABROSSE, DEPUTY MAYOR
CANESTRINO, MR. CONTINI, MR. ALLEGRETТА, AND
CHAIRMAN GARIP.

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- c. Resolution to Correct Lot Designations based upon Tax Assessor Review
277 Standish - George & Lucy Serrano for Minor Subdivision Approval
Block 119, Lot 10 SUB #01-21 and V #01-21**

MOTION TO MEMORIALIZE MADE BY MR. CONTINI.
SECOND BY MR. MARTUCCI. THE MEMORIALIZATION IS PASSED BY AN AFFIRMATIVE VOTE OF MR. DIB, MR. MARTUCCI, MAYOR LABROSSE, DEPUTY MAYOR CANESTRINO, MR. CONTINI, MR. ALLEGRETTA, AND CHAIRMAN GARIP.

5. APPLICATIONS:

- a. Amended Preliminary and Final Site Plan - The Record Site Phase II
Applicant: RFEHA Urban Renewal, LLC
SP #3-22 V#3-22**

150 River Street (80 & 110-120 River Street), Block 300, Lots 3.02 & 3.05. The Applicant, RFEHA Urban Renewal, LLC, was previously approved in an original Phase II application to construct three (3) retail buildings with areas consisting of 14,308 square feet, 6,195 square feet, and 13,150 square feet, respectively. In addition, the Applicant was approved to construct an associated asphalt parking area containing two hundred and ninety-eight (298) parking spaces. The Amended Phase II application proposes to construct three (3) retail buildings along the southwestern portion of the site with modified areas of 14,180 square feet, 3,000 square feet, and 13,150 square feet, respectively. The amended associated asphalt parking area has been reduced to two hundred and seventy-seven (277) parking spaces. The reduction in area for Building 2 was made to accommodate a new drive-thru. The Applicant has revised the plans to include a pre-order board, menu board, clearance bar, and an order point for the drive-thru associated with Building 2. Building 3 has been amended to include a remote drive-thru ATM with a 12-foot wide drive aisle. The Applicant has revised the plans to eliminate the remote drive-thru ATM associated with Building 3. Furthermore, the Applicant modified the originally approved stormwater management system. Additional site improvements consist of curbing, asphalt, concrete walkways, benches, trash receptacles, signage, lighting, and landscaping improvements.

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CARRIED TO APRIL 13, 2022. NOTICES TO BE PRESERVED.

b. Sunwealth, LLC

**30 Jersey Place, Block 87, Lots 6-8, 14, 20-23
SP# 2-22 V#2-22**

The Applicant proposes to install roof mounted solar panels on the existing commercial/warehouse building. The Applicant proposes four-hundred and twenty-six (426) panels consisting of one (1) array, inverter, and conductors. No site improvements or building modifications are proposed at this time.

A P P E A R A N C E S

THE MECCA LAW FIRM
BY: JOSEPH L. MECCA, JR., ESQUIRE
87 S. Farview Avenue
Box 384
Paramus, New Jersey 07653
877-551-3012
Counsel to the Board

GENOVA BURNS, LLC
BY: JENNIFER MAZAWAY, ESQUIRE
494 Broad Street
Newark, New Jersey 07102
973-535-7126
jmazaway@genovaburns.com
Counsel to the Applicant

E X H I B I T S

A-1 PowerPoint presentation

P U B L I C H E A R I N G

Ms. Mazaway greeted the board and noted her appearance. Ms. Mazaway stated: We are here this evening, we actually noticed for a variance related to parapet height on the building.

In preparation for tonight's hearing, we've actually determined that the variance is not

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required. We did notice for the variance, but you will hear from our engineer this evening that we actually do not need the variance we were seeking; however, we were told that a minor site plan would still be required, that this was a permitted accessory use.

G R E G O R Y J. P O L Y N I A K, P.E., P.P., having been duly sworn/affirmed.

Ms. Mazawey stated: They are proposing a rooftop solar array on 30 Jersey Place, Hackensack, Block 87, Lots 6-8, 14 and 20-23, in the City of Hackensack. We're in the M-1, manufacturing district, where roof mounted solar systems are permitted accessory systems. So we here this evening to ask the board to approve that solar array.

As mentioned, notice was published in the February 27th edition of The Record and was mailed on February 24th to property owners located within 200 feet of the subject property and interested parties entitled to notice.

We did notice for a variance with regard to the parapet height, but as you'll hear from our engineer this evening, in preparation for this evening's testimony, we've actually determined that we will not need that variance.

You will hear from two witnesses, Sean Dew, who's here on behalf of Sunwealth. He'll speak about the applicant's experience in the solar industry, as well as the relationship with the property owner, and a little bit about the project, and then from Keith Smith, our licensed professional engineer, who will discuss the actual array and obviously answer any questions that the board may have. They are proposing a rooftop solar array on 30 Jersey Place, Hackensack, Block 87, Lots 6-8, 14 and 20-23, in the City of Hackensack. We're in the M-1, manufacturing district, where roof mounted solar systems are permitted accessory systems. So we here this evening to ask the board to approve that solar array.

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S E A N D E W, c/o Sunwealth, LLC, 2067 Massachusetts Avenue, Suite 540, Cambridge, Massachusetts 02140, having been duly sworn/affirmed, testifies as follows:

Mr. Dew testified: So my name is Sean Dew, and I've been with Sunwealth for about three years in the role of a senior project manager.

Sunwealth is a company that was founded back in 2014 on the basis of making clean energy more accessible. We do that through the development and financing of solar projects for a variety of customers, be that low income housing, nonprofits, houses of worship or small businesses such as the one you're considering tonight.

We are originally based in Cambridge, Massachusetts, but we own and operate projects all across the U.S. We're in about 16 states, and we have a few projects here in New Jersey as well. Currently we own and operate about 500 solar

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projects. We've estimated that the lifetime savings the solar projects provide our customers totals about \$41 million.

We were first introduced to the property owner about nine months ago to help him in his consideration of going solar. We thought the property owner would be a great candidate for a solar system due to his high energy usage, available roof space, and the fact that he has some pretty deep roots in the Hackensack community.

The property owner, his family owns and operates a company called General Aviation. They're a sheet metal manufacturer that's been in Hackensack for about 70 years.

After an initial review of the site plan, some initial designs, and negotiating with the customer, we decided that a solar installation at the site in question, 30 Jersey Place, would be the most beneficial for all.

We then entered into a power purchase agreement with the customer, where we would install the system on his property for zero down in agreement that he would purchase all of the energy produced from the solar system.

We quickly went and submitted an interconnection application, which allows us to interconnect the system to the utility's grid. We received approval for that around October 6th of last year. We then went ahead and submitted a permit set to the town, where we were then alerted we would take part in site plan review.

So the system under consideration tonight is expected to produce about 215,000 kilowatt hours per year. This is estimated to cover about 60 percent of the customer's energy usage. Matching this with the current solar incentive program in the State of New Jersey, it's called a TREC program, we were able to offer the customer a discount of about 66 percent off the current price he's paying for electricity. This roughly translates to about \$12,000 a year in energy savings for the customer.

We're asking the board for approval tonight to ensure we can build this project, because that solar incentive program I mentioned earlier closes at the end of 2020 [sic], and without that incentive, we're not going to be able to provide such robust savings for the customer.

That's a general summary, and I go to the board for any questions.

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K E I T H B. S M I T H, PE, PP, CME, c/o French & Parrello, 1800 NJ-34 #101, Wall Township, New Jersey 07719, having been duly sworn/affirmed, testifies as follows:

Mr. Smith's credentials were accepted by the board.

Mr. Smith testified: So the property, as can be seen on the screen, is the large building in the upper center of the slide. The building is a one story commercial/warehouse type building located at 30 Jersey Place. It's, as was indicated before, also known as Block 87, Lots 6-8, 14, and 20-23. It contains about .99 acres or 43,000 square feet.

The property is bordered on the northeast -- with north being somewhat towards the top of the slide -- to the northeast by a truck and auto repair shop, to the east by South Street and a parking lot, to the south by Jersey Place and then a scrap metal dealer to the other side, and to the west by a landscaping garage, and then to the north, kind of northwest, by a restaurant beverage supply store, and then to the north by Lodi Street.

The property is within the M-1 manufacturing zone. Solar array facilities are a permitted accessory use in nonresidential structures within the M-1 manufacturing zone.

The site currently contains a one story warehouse building with asphalt parking, some concrete pads and some landscaping.

The proposed -- if you want to move to the next slide.

This slide shows basically the rooftop from a civil site perspective. This is a different type of application, because nothing is on the ground, everything is up on the roof in this particular application.

The project will consist of 426 rooftop solar array panels with inverter and basically conductors and cables for the interconnections of the power. The panels are generally about three and a half foot in width and seven-foot long. They're sitting on a ballasted racking system, so basically it's a metal racking system that's held in place by weighted blocks or other weights to keep it on the roof stable under wind loads.

And the top of the panels, because of the shallow angle of the panels themselves, will be approximately nine and a quarter inches above the rooftop. The parapets on the building itself, as you can see, there is a minimum of five-foot setback from the

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parapets to the panels. The parapets themselves, I guess it's on the west side and the east side of the site, are about one and a half foot in height. So that they're higher than the panels will be or higher than what the highest part of the panel will be.

To the south and the north side, the parapets are about 2-foot 10-inches. So they're a little higher than the ones on the side, but again everything --

Chairman Garip asked: How tall are the panels?

Mr. Smith responded: The panels are about nine and a quarter inches above the roof.

Chairman Garip asked: So the parapets are higher than the panels all the way around?

Mr. Smith responded: The parapets are higher than the roof, and we were able to determine that from architectural drawings.

So the panels will be black in color, so that they can absorb as much light as possible, obviously because that's how they generate power.

The frames and the racking systems will be a gray in color, so they're not going to produce glare.

There are no site improvements associated with this. Everything is on the rooftop. There's no lighting as part of this project. There's no change in the stormwater management from the site, everything still drains from the roof as it did before, because the panels are raised above the roof. There's no noise, glare or odor associated with the solar, and there's no impact of traffic or parking associated with this, because, again, all of the operation is on the roof.

Chairman Garip: Mr. Mecca, this is at the planning board because they require site plan, is that because it's more than 15,000 square feet?

Mr. Mecca responded: I'd have to ask Mr. Polyniak.

Mr. Polyniak responded: The zoning ordinance for the city requires that minor site plan approval is required for solar arrays on a commercial building.

Ms. Mazawey asked: Mr. Smith, have you had an opportunity to review the review letter from Mr. Polyniak?

Mr. Smith responded: Yes, I have.

Ms. Mazawey asked: Specifically he asked about whether the materials that we're proposing are compliant with ordinance restrictions on color and reflective surfaces. Can you speak to that?

Mr. Smith responded: Yes.

As I've indicated, the panels will be black. They would basically match the roof. And the framing

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and the racking system will be gray in color so that there will be no glare.

Chairman Garip stated: We have a comment from the fire department saying that we need a placard that notes for fire prevention that there is a solar array on the roof.

Mr. Smith responded: Yes, that will be typically placed at the door.

Ms. Mazawey asked: And Mr. Polyniak's report also asked for testimony with regard to the external disconnect switch. Can you speak to that?

Mr. Smith responded: That's really more of an electrical item. I don't know whether there is someone else that can speak to that, but typically we would have to comply to whatever the building code requires.

Mr. Polyniak stated: One of the comments or requirements in the ordinance is that they provide a survey so it will be provided to the police and fire department. So if they needed to disconnect it, if a fire occurred on site, that they knew where the switch was, so it's not any testimony, it's just providing when the system is constructed, that that survey is provided to the police and fire departments.

Chairman Garip asked: That's in the code?

Ms. Mazawey stated: Yes, we will comply.

Vice-Chairman Chiusolo stated: The gentleman testified that the program, the incentives are done in 2020.

Ms. Mazawey stated: 2022.

Vice-Chairman Chiusolo stated: But I think the testimony said 2020. I just want to make sure, because when I heard it, I said, well, too late.

Mr. Dew stated: I misspoke. It closes in 2022.

Mr. Allegretta asked: How do the panels get anchored to the roof?

Mr. Smith responded: Basically they're on a rack system, which is just a frame, and then the frame itself there are either some sort of weighted -- a lot of times it's a patio block, and the number of patio blocks is dependent on a calculation that's done for wind uplift. So they don't actually attach to the roof, they sit on the roof.

Mr. Allegretta asked: And that's all stamped and engineered and that will go to the Building Department?

Mr. Smith responded: Yes.

Mr. Contini stated: I just want to follow-up.

The wind rating on something like that, have they

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been wind rated as far as what they can absorb?

Mr. Smith responded: Well, it's a building code issue, because different areas of the state have different wind load requirements, so it would be part of the submission for building permits.

Chairman Garip asked: Mr. Polyniak, do you know what that number is?

Mr. Polyniak responded: I don't know the wind requirement off the top of my head. I know typically it is hurricane force winds, but I don't know the miles per hour that that is.

Chairman Garip stated: That's 72 miles.

Vice-Chairman Chiusolo stated: The blocks work. I've done it.

(Hearing was opened to the public. No public wished to comment.)

BOARD DELIBERATION AND VOTE

MOTION TO APPROVE:

MOTION BY: A. Dib

SECOND BY: J. Martucci

ROLL CALL: A. Dib - aye
 J. Martucci - aye
 J. Labrosse - aye
 K. Canestrino - aye
 J. Chiusolo - aye
 R. Contini - aye
 K. Solomon - aye
 M. Allegretta - aye
 F. Garip - aye

6. **Old Business: NONE**

7. **New Business:**

a. Stony Hill Investigation Study: The City of Hackensack adopted Resolution No. 29-22 on January 11, 2022, which directed the City of Hackensack Planning Board of undertake a preliminary investigation pursuant to the Local Redevelopment and Housing Law (LRHL), to determine whether Block 100.02, Lot 9, Block 113.01, Lot 1, Block 113.03, Lots 25 and 32 and Block 113.04, Lots 39-42 (the "Area of Investigation"), constitutes an "area in need of rehabilitation" in accordance with the criteria set forth in N.J.S.A. 40A:12A-14. DMR Architects will present the findings of the preliminary investigation study to the Planning

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Board.

F R A N C I S A. R E I N E R, L L A, P. P., c/o
DMR Architects, 777 Terrace Avenue, Hasbrouck
Heights, New Jersey 07604, having been duly
sworn/affirmed, testifies as follows:

MOTION TO RECOMMEND MADE BY MR. ALLEGRETTA.
SECOND BY VICE-CHAIRMAN CHIUSOLO. MOTION IS
PASSED BY THE AFFIRMATIVE VOTE OF MR. DIB, MR.
MARTUCCI, MAYOR LABROSSE, VICE-CHAIRMAN CHIUSOLO,
DEPUTY MAYOR CANESTRINO, MR. CONTINI, MS.
SOLOMON, MR. ALLEGRETTA, AND CHAIRMAN GARIP.

MOTION TO MEMORIALIZE MADE BY MR. DIB.
SECOND BY MR. MARTUCCI. MOTION IS PASSED BY THE
AFFIRMATIVE VOTE OF MR. DIB, MR. MARTUCCI, MAYOR
LABROSSE, VICE-CHAIRMAN CHIUSOLO, DEPUTY MAYOR
CANESTRINO, MR. CONTINI, MS. SOLOMON, MR.
ALLEGRETTA, AND CHAIRMAN GARIP.

b. YMCA/360 Main Investigation Study: The City
of Hackensack adopted Resolution No. 537-21 on
December 20, 2021, which directed the City of
Hackensack Planning Board of undertake preliminary
investigation pursuant to the Local Redevelopment and
Housing Law (LRHL), to determine whether Block 402,
Lots 12, 16.01 and 16.02 (the "Area of
Investigation") constitutes an "area in need of
redevelopment" without condemnation in accordance
with the criteria set forth in N.J.S.A. 40A:12A-5.
DMR Architects will present the findings of the
preliminary investigation study to the Planning
Board.

MOTION TO RECOMMEND MADE BY MR. ALLEGRETTA.
SECOND BY VICE-CHAIRMAN CHIUSOLO. MOTION IS
PASSED BY THE AFFIRMATIVE VOTE OF MR. DIB, MR.
MARTUCCI, MAYOR LABROSSE, VICE-CHAIRMAN CHIUSOLO,
DEPUTY MAYOR CANESTRINO, MR. CONTINI, MS.
SOLOMON, MR. ALLEGRETTA, AND CHAIRMAN GARIP.

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SECOND BY MR. CONTINI. MOTION IS PASSED BY THE
AFFIRMATIVE VOTE OF MR. DIB, MR. MARTUCCI, MAYOR
LABROSSE, VICE-CHAIRMAN CHIUSOLO, DEPUTY MAYOR
CANESTRINO, MR. CONTINI, MS. SOLOMON, MR.
ALLEGRETTA, AND CHAIRMAN GARIP.

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c. Downtown Rehab Area Redevelopment Plan

Amendments: DMR Architect will present amendments to the City of Hackensack Redevelopment Plan for the Main Street Area in Need of Rehabilitation for the attached Block and Lots (see attached Excel spreadsheet).

MOTION TO RECOMMEND REDEVELOPMENT PLAN IS CONSISTENT WITH MASTER PLAN MADE BY VICE-CHAIRMAN CHIUSOLO. SECOND BY MR. ALLEGRETTA. MOTION IS PASSED BY THE AFFIRMATIVE VOTE OF MR. DIB, MR. MARTUCCI, MAYOR LABROSSE, VICE-CHAIRMAN CHIUSOLO, DEPUTY MAYOR CANESTRINO, MR. CONTINI, MS. SOLOMON, MR. ALLEGRETTA, AND CHAIRMAN GARIP.

d. Amended Lot T Redevelopment Plan Amendments:

DMR Architects will present amendments to the Lot T Redevelopment Plan (Block 305 - Lot 2) to the Planning Board for consistency review.

MOTION TO RECOMMEND AND MEMORIALIZE MADE BY VICE-CHAIRMAN CHIUSOLO. SECOND BY MR. ALLEGRETTA. MOTION IS PASSED BY THE AFFIRMATIVE VOTE OF MR. DIB, MR. MARTUCCI, MAYOR LABROSSE, VICE-CHAIRMAN CHIUSOLO, DEPUTY MAYOR CANESTRINO, MR. CONTINI, MS. SOLOMON, MR. ALLEGRETTA, AND CHAIRMAN GARIP.

e. 463 Main Redevelopment Plan: On January 8, 2019, the City of Hackensack Mayor and Council authorized by Resolution #33-19 an investigation study to determine if Block 411 Lots 16 and 18 qualified as an "area in need of redevelopment" without condemnation in accordance with the criteria specified in the New Jersey Local Redevelopment and Housing law (LRHL) at N.J.S.A. 40A:12-A-5. On March 12, 2019, the City of Hackensack Mayor and Council authorized by Resolution #110-19 determined that the properties are designated as an area in need of redevelopment without condemnation as set forth under N.J.S.A. 40A:12-A5. On April 20, 2021, the City of Hackensack Mayor and Council authorized by Resolution #152-21 an investigation study to determine if Block 411 Lots 2.01, 13, 14 and 15 qualified as an "area in need of redevelopment" without condemnation in accordance with the criteria specified in the New Jersey Local Redevelopment and Housing Law (LRHL) at N.J.S.A. 40A:12A-5. On September 14, 2021, the City of Hackensack Mayor and Council authorized by

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Resolution #384-21 determined that the properties are designated as an area in need of redevelopment without condemnation as set forth under N.J.S.A. 40A:12-A-5. DMR Architects will present the redevelopment plan to the Planning Board for Block 411, Lots 2.01, 13, 14, 15, 16 & 18 for consistency review.

MOTION TO RECOMMEND AND MEMORIALIZE MADE BY MR. ALLEGRETTA. SECOND BY MAYOR LABROSSE. MOTION IS PASSED BY THE AFFIRMATIVE VOTE OF MR. DIB, MR. MARTUCCI, MAYOR LABROSSE, VICE-CHAIRMAN CHIUSOLO, DEPUTY MAYOR CANESTRINO, MR. CONTINI, MS. SOLOMON, MR. ALLEGRETTA, AND CHAIRMAN GARIP.

f. 123 Anderson Street Redevelopment Plan: DMR Architects will present the redevelopment plan for 123 Anderson Street (Block 425 Lot 1) to the Planning Board for consistency review.

MOTION TO RECOMMEND AND MEMORIALIZE MADE BY MR. ALLEGRETTA. SECOND BY VICE-CHAIRMAN CHIUSOLO. MOTION IS PASSED BY THE AFFIRMATIVE VOTE OF MR. DIB, MR. MARTUCCI, MAYOR LABROSSE, VICE-CHAIRMAN CHIUSOLO, DEPUTY MAYOR CANESTRINO, MR. CONTINI, MS. SOLOMON, MR. ALLEGRETTA, AND CHAIRMAN GARIP.

8. Adjournment

MOTION MADE BY MR. DIB. SECONDED BY MR. MARTUCCI TO ADJOURN. MOTION IS PASSED BY A UNANIMOUS VOTE. PLANNING BOARD MEETING ADJOURNED AT 9:20 PM.