

**BERGENFIELD PLANNING BOARD
REGULAR MEETING MINUTES
SEPTEMBER 18, 2023**

Chairman Robert Rivas called the meeting to order at 8:05 P.M.

OPEN PUBLIC MEETING STATEMENT

In compliances with the Open Public Meetings Act, the notice requirements have been satisfied. Meeting dates are confirmed at the Annual Meeting. Notice of this meeting was provided to the Record, Star Ledger, and Cablevision, posted on two municipal public notice bulletin boards and published on the borough website.

Any board member having a conflict of interest involving any matter to come before the board this evening is reminded they must recuse himself/herself from participating in any discussion on this matter.

ROLL CALL

Present: Mayor Amatorio, Phil Neville, Councilman Lodato, Robert Rivas, Ernesto Acosta, Jason Bergman, and Praveen Joseph

Absent: Romeo Abenoja (excused), Ben Cabrera (excused), and Miguel Vasquez

Also Present: Gloria Oh, Planning Board Attorney and Hilda Tavitian, Planning Board Clerk

PLEDGE OF ALLEGIANCE

Led by board member Joseph.

APPROVE MINUTES OF PREVIOUS MEETING – August 21, 2023

Motion By: Mr. Bergman

Second By: Mr. Joseph

All ayes. None opposed.

CORRESPONDENCE

One letter received from Bergen County Soil Conservation District dated 8/24/23 regarding soil erosion and sediment plan approval for 33 Surrey Lane. No action required, just advisory.

VERBAL COMMUNICATIONS

Any resident may comment or question any subject not on the agenda.

Motion from board members to close verbal communications.

None.

Close Verbal Communications

Motion By: Mr. Bergman

Second By: Mr. Joseph

COMMITTEE REPORTS

1. Site Plan – Mayor Amatorio stated the site plan will be meeting for the use of the Sears building in the future. The applicant has been approved by the state and has a license to operate. They have plans and have been in communication with the building department.

2. Parking Legal – Mayor Amatorio stated there was one new addition for a parking spot for veterans who have received a Purple Heart. The goal is to have five parking spots. There is one at borough hall and one at the DAV.
3. Capital Improvements – Mayor Amatorio stated initially they were planning on moving into the new borough hall in September, but there has been a delay since they are waiting for electrical supplies. The earliest will now be the end of October/first week of November. They expect to take down the old building by December. Mayor Amatorio stated Vivyen Field should be opened shortly. It was expected to be done earlier, but there was a delay in receiving the electrical switches. The field is in use during the daytime, but not at night since there aren't any lights. A grant for the PAL was received to improve the lighting, which will cost close to \$1,000,000. A \$750,000 grant was received for Vivyen Field improvements and \$750,000 federal grant for Coopers Field.
4. Master Plan – Councilman Lodato stated the update to the reexamination of the master plan was extended to every 10 years under Governor Christie. Mayor Amatorio stated it's been discussed briefly during a council meeting and they should consider looking into having it coincide with the redevelopment spot zoning.
5. Liaison to Board of Adjustment – Mr. Bergman stated there was 1 resolution accepted for the National Council of Jewish Women at the last meeting to relocate the current location of the thrift store to the vacant Payless store.

OLD BUSINESS

1. Application: OEM Enterprises LLC
22 Homestead Place
Minor Subdivision
(carried from August meeting)

**ADJOURNED TO OCTOBER 30th, 2023 MEETING.
NO FURTHER NOTICE NECESSARY.**

2. Ordinance 23-2612 – An Ordinance to Amend Chapter 268, Entitled “Stormwater Management” of the Revised General Ordinances of the Borough of Bergenfield
(carried from August Meeting)

Mayor Amatorio stated it took a while before the Mayor and Council approved the ordinance because there was confusion with the need for additional seepage pit in the event the applicant goes over the coverage area. It is a sensible addition.

Chairman Rivas inquired if this is subject to a variance application. Whatever the engineer says it is, it is.

Councilman Lodato stated it's up to the engineer's satisfaction.

Board attorney Oh stated there was a letter received from Mr. Yuro pertaining to this ordinance proposing some additions. In his letter, there is a paragraph that states the intent of the amended ordinance that Ms. Oh read into the record. He sent some additions and comments the board should provide to the council.

Mayor Amatorio suggested the recommendation made by the board engineer be recommended to the council for further inclusion in the ordinance. The board can recommend upon review of the changes. The changes should be brought to the building department and borough engineer to review, as well.

Motion to Recommend the Board Engineer's Additions and Changes be Endorsed to the Mayor And Council

Motion By: Mr. Bergman

Second By: Mr. Joseph

All ayes. None opposed.

NEW BUSINESS

1. Ordinance 23-2620 – An Ordinance of the Borough of Bergenfield, County of Bergen, State of New Jersey Adopting a Redevelopment Plan for Block 126, Lots 9-12 and 14-16, and Block 127, Lots 5, 5.01, and 5.02 – Washington Avenue & Main Street

Board attorney Oh stated this ordinance is to adopt a redevelopment plan on Washington Avenue and Main Street. The Planning Board had an opportunity to review and recommend the Area in Need of Redevelopment last year.

Mayor Amatorio stated a few months ago, the Planning Board adopted several areas along the business district as areas of redevelopment. This is one of the areas that was endorsed and approved. There were no specifics discussed. At the last meeting, the Mayor and Council introduced an ordinance allowing the area mentioned to build a facility from Main Street down to before Tommy Fox's on Washington Avenue and the entire back to Portland Avenue. The drawing shows the proposed building of approximately 250 units of mixed-use residential property. 60% of the ground floor will consist of commercial/retail use. Mayor Amatorio explained there will be parking on Portland Avenue and the entrance/exit to the building will be on Portland Avenue. The planner looked into the number of parking spots necessary based on the the number of units that will be built. They can apply for development once the ordinance is approved. The building will be setback 10 feet from the curb making the curb wider. There will be more parking on Washington Avenue.

Chairman Rivas inquired if there will be outdoor dining on top of the building. He stated there still is the ordinance for outdoor dining.

Mayor Amatorio stated they are proposing outdoor dining along with trees and benches. This is the first development and the whole Avenue should follow the same standard. This is the town's only chance to widen the street. This entire stretch is only 20-30% currently occupied and there have been vacant stores for years. Mayor Amatorio stated the purpose of the master plan is to invite investors. There hasn't been anyone as the master plan is too restrictive. It was only when they designated the area as an area in need of redevelopment that there was interest. There are some issues with too much development and the height of the building, but the governing body has taken that into consideration. He stated the building will have four floors on Washington Avenue but will be higher in the back because of the slope. Garbage pick-up will be in the back of the building. People would be dropped off inside where the rotunda is, not along the street. The developer has owned the property for a long time. The apartments would be rentals.

Councilman Lodato stated it's not unanimous. Washington Avenue is the main thorough fare from Teaneck to Dumont and the business district from Clinton Avenue to Church Street is very narrow. When the master plan was revised in 2017, four stories was discussed briefly and was shut down. Councilman Lodato stated the 10 ft. setback the developer is proposing is not enough to justify a four-story building. The master plan was adopted to permit three stories and feels 4 stories is too much. He is all for redevelopment, but the borough should not be the developer's partner. The developer is only looking to make a profit. If the developer builds, it should be built the way the town wants it to be. If they continue down the road, the next developer will do the same. The additional story will overshadow Washington Avenue and change the character of the borough.

Mayor Amatorio stated he respects Councilman Lodato's point of view and agrees the developer wants to make a profit. He stated they can tell the developer to only build three stories. The height of the building

on Washington Avenue and Clinton Avenue, with multiple units, is the same height and there isn't even any parking.

Board member Neville inquired if they are proposing tier parking.

Mayor Amatorio's response was yes. They are still following the ratio requirements, for every number of bedrooms, a certain number of parking spaces is required. Mayor Amatorio stated if you weigh the pros and cons and shut down this development, you might not see another developer in the next decade or so. The developer is taking a big risk in moving the character of the town forward. The revenue the building will bring will save taxes for the town. He stated 60% of money collected from the pilot program doesn't go to the school.

Councilman Lodato stated the parking is going to only accommodate parking for the building. It is not going to add any parking to the borough, in general.

Chairman Rivas stated they have to start somewhere, and if it's thriving then the governing body can impose what they want on the subsequent builders. It's long overdue and it will bring people here.

Mayor Amatorio stated the role of the Planning Board is to recommend and make comments, if there any.

Chairman Rivas stated they usually endorse an ordinance if there is nothing that offends the master plan and is in line with the master plan.

Board member Neville stated you need to bring people here and need to think about what it will take to bring people and what needs to be done, developed in order to bring people. He inquired if it is a lot to lose and advantageous by going up one floor. You are bringing redevelopment, which there hasn't been. They won't come here unless they make a profit. The town is also going to make money. You can ask for a 12 ft. setback, instead of 10 ft, to make it wider. Mr. Neville stated you have to give and take if you want to bring people here. It's a beautiful building and you have to start somewhere. Nobody wants to see change, but he hasn't seen any progress over the past 20 years, just empty stores.

Councilman Lodato inquired what are you bringing, more tenants on the fourth floor.

Board member Bergman stated when he was looking for an apartment as a young professional, the Avenue would not be somewhere he would want to move to because it would not be attractive to him. Something like this will attract young professionals and other businesses.

Chairman Rivas stated the start has to be attractive enough for people to come and do the same elsewhere.

Motion to Endorse Ordinance 23-2620

Motion By: Mr. Bergman

Second By: Mr. Joseph

6 Ayes. 1 Nay.

MOTION TO ADJOURN MEETING

Motion By: Mr. Bergman

Second By: Mr. Joseph

All ayes. None opposed.

Meeting was adjourned at 9:15 pm.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Hilda Tavitian".

Hilda Tavitian, Clerk
Planning Board