

**BERGENFIELD PLANNING BOARD
REGULAR MEETING MINUTES
OCTOBER 30, 2023**

Chairman Robert Rivas called the meeting to order at 8:04 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, Romeo Abenoja, Ernesto Acosta, Be Cabrera, and Praveen Joseph

Absent: Jason Bergman and Miguel Vasquez

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

PLEDGE OF ALLEGIANCE

Led by Councilman Lodato.

APPROVE MINUTES OF PREVIOUS MEETING – September 18, 2023

Motion By: Mr. Abenoja

Second By: Mr. Joseph

All ayes. None opposed.

CORRESPONDENCE

Two letters were received from Bergen County Soil Conservation District. One was for 392 & 400 S. Washington Avenue and the other 23 Scott Drive. Councilman Lodato stated both applications were approved for soil erosion and sediment control. No action required, only 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: Councilman Lodato

Second By: Mr. Mr. Cabrera

COMMITTEE REPORTS

1. Site Plan – No report.

2. Parking Legal – Mayor Amatorio stated they are still trying to finish the Borough Hall building and continue to use Stop & Shop and other surrounding business spaces for borough employees to park.
3. Capital Improvements – Mayor Amatorio stated they hope to move into the new Borough Hall in November. There are several ongoing projects. Some of these include: renovation at Cooper's Pond, Vivyen Field project, and the completion of the road programs for the year.
4. Master Plan – Mayor Amatorio stated the governing body has been discussing amongst themselves to create a committee to review the master plan.
5. Liaison to Board of Adjustment – Chairman Rivas stated Mr. Acosta and himself will be attending the board meeting on November 13, 2023 since there is a conflict with two of the board members.

OLD BUSINESS

1. Application: OEM Enterprises LLC
22 Homestead Place
Minor Subdivision
Carried from August Meeting

Bruce Rosenberg, attorney from Winne Banta Basralian & Kahn, 21 Main Street, Hackensack, NJ, stated this is a continuation from a minor subdivision application that began in the summer. They were asked to make some revisions to the plan and have their architect present to review the plan for the proposed house on the lot.

Steven Koestner, Koestner Associates, Hackensack, NJ, licensed engineer and surveyor, stated he revised the minor subdivision plan dated 9/6/23 and was submitted as Exhibit A-2. The changes made include the driveway being widened from 10 ft. to 20 ft. Two parking spaces will be provided in front of the house as well as a parking space in the garage. Mr. Koestner stated they have added a row of juniper shrubs to have a buffer from the neighbor. The application still conforms with lot coverage and improved lot coverage. They will be using pervious pavers in the driveway and will apply for 50% credit.

Board engineer Yuro inquired if all the comments made at previous meeting will still be complied with.

Mr. Koestner's response was yes.

Chairman Rivas inquired about the grading. Mr. Rivas inquired about the board engineer's request for soil permeability information.

Mr. Yuro stated there was testimony about grading provided at the last meeting and there are no issues with it. There will be no impact to the adjoining properties. The soil permeability information will be provided based on testimony from previous meeting and will be part of the resolution compliance, should the application be approved. All of the concerns in his letter will be satisfied based on the testimony of confirmation made this evening.

Mr. Rosenberg stated all the comments raised will be met and satisfied by the applicant.

Board member Cabrera requested confirmation that the house will be shifted back.

Mr. Rosenberg stated they are providing more parking by widening the space and won't be shifting the house back. He explained they felt that if the house was shifted back, it would dramatically impair the backyard area and this would satisfy the concern about parking space.

Councilman Lodato stated the property exceeds 200 ft. in depth.

Mr. Rosenberg stated there is a paper street in the back that is not their land. There's no access from the paper street.

Questions from Residents:

Michael Corr, 48 Melrose Avenue, inquired what ordinances are for if they are not followed. He asked if it's right adjusting it without listening to the people who live there. He asked the board to follow the ordinance and the law. There is a reason why a certain number of feet is needed between the houses.

Board member Cabrera stated there are a number of houses in the area that already are at 50 ft. The board needs to take into consideration the impact it will have on the surrounding area.

Councilman Lodato stated the property is located in the R-5 zone, which requires property to be 5,000 sq. ft. or 50 ft. in length. He stated this property exceeds 6,000 sq. ft., which requires R-6 criteria to be implemented. Two 50 ft. lots would be conforming in an R-5 zone and stated there seems to be a misunderstanding.

Russel Bodnar, Bodnar Architects & Associates, 52 Long Hill Rd, Long Valley, NJ, licensed architect, stated Exhibit A-3 shows the floor plan of the basement, first floor, and second floor. Exhibit A-4 shows the elevation of the proposed house. The proposed single-family home will have four bedrooms. The first level will have the garage on the right-hand side, living room, dining room, kitchen, and a family room. There's a mud room behind the garage. Mr. Bodnar stated there are four bedrooms on the upper level along with three bathrooms and a laundry area. In the basement, there will be a recreation room, storage area, and possible home theater or office area. Exhibit A-4 shows the colonial style home with stone-work along the bottom and vinyl siding that will be conforming with the neighborhood. There will be double hung windows in the front and rear, and two peaks in the top front of the house. The roof will be asphalt shingles standard to the homes in the area. Mr. Bodnar stated the property is in the R-5 zone, with lots being 50x100 or 5,000 sq. ft., but since the existing lot is 100x120 (12,000 sq. ft.), breaking it up into two lots is still 6,000 sq. ft. per lot. He explained although the lot is 50 ft. wide, each lot is still going to be 6,000 sq. ft. per lot. The width of the proposed house is 34 ft. If a bigger house was built, it would be out of place. The proposed house is typical to the neighborhood. If they had a 60 ft. lot and a 40 ft. lot, it would be non-conforming, with the other lot being bizarre for the neighborhood.

Comments from Public:

Jacquelyn Schaffner, 30 Homestead Place, stated there will be no space between her home and the proposed house. She stated 50 ft. is not enough and she does not want to be squeezed between two large houses. It will encroach on their privacy and will have to spend money to get a fence.

Councilman Lodato stated the board had acted on similar applications with 100 ft. widths that were subdivided into 50 ft. lots. This is the trend and is consistent with what the board's done. He lives on a property that was subdivided. It was 114 ft. in width and was subdivided into two 57 ft. lots.

Mayor Amatorio stated the board understands the concerns of the neighbors, but the proposal is more than what is required. They are trying to be consistent.

Motion to Approve Application

Motion By: Mr. Cabrera

Second By: Mr. Abenoja

5 Ayes. 3 Nays.

NEW BUSINESS

1. Applications: Knickerbocker Country Club
Knickerbocker Road
Replace Previously Proposed Septic System with
Proposed Sanitary Sewer Pump Station for Comfort Station

William Bailey, Huntington Bailey, LLP, 373 Kinderkamack Rd, Westwood, NJ, attorney for applicant, stated the amended site plan for a man's bathroom and a woman's bathroom was approved by the board last year. The application previously approved by the board included a septic system. They are requesting to eliminate the septic system and put in a sewer system instead.

Jeff Morris, Boswell Engineering, 330 Phillips Avenue, South Hackensack, NJ, licensed engineer presented Exhibit A-1, which was submitted with the application. Mr. Morris stated a year ago they had gotten approval for a septic system. He stated because of ground water and soil issues that can become disruptive, they decided to propose a smaller station and to connect to the existing sanitary sewer system. There are no variances or waivers required.

Board member Joseph requested more detail be presented regarding the soil issues.

Mr. Morris stated the soil was a clay material, which was of a poor grade and the water table was 4 ft. below the surface.

Board member Yuro stated this is a more environmentally safe, better situation than the septic system. It takes away any type of leakage there might have been if there was a failure in the septic system.

Chairman Rivas stated the application would be more harmonious with the environment.

Questions from Residents

None.

Motion to Approve Application

Motion By: Mayor Amatorio

Second By: Mr. Cabrera

All ayes. None opposed.

A five-minute recess was taken at 9:10 p.m. The meeting reconvened at 9:15 p.m.

Samiron Group, LLC
50 McDermott Place
1 Story Addition

Bruce Whitaker, McDonnell & Whitaker, 245 East Main Street, Ramsey, NJ, attorney for applicant, stated the request is for an amended site plan and variance relief. The property is located in the M Industrial zone and is currently developed with a one-story building with a parking lot. The use of the building is conforming. Mr. Whitaker stated the applicant operates two other buildings in the area. The other building was already previously approved by the board for an expansion. They are looking to expand the warehouse by squaring the area there and add additional 1,400 sq. ft. to the existing building to be used for storage. Mr. Whitaker stated there are 7 local employees who work in the building, sometimes there are as many as 10. The overall building is 9,343 sq. ft. and they are proposing to increase it to 10,809 sq. ft. There already is a series of non-conformities. The improved lot coverage is 94.53%,

where 70% is maximum permitted. The front yard setback existing is 14.14 ft. and by squaring it off will increase to 14.37 ft. The other front yard setback is at 8.20 ft., which will not change. The conditions set forth by the board engineer can all be met. They have no objection to eliminating two of the parking spaces and installing a sidewalk as suggested by the board engineer.

Tim Bogart, Vice President of Samiron Group, LLC stated he is familiar with the day-to-day operations of the company. Mr. Bogart stated they build light electronic equipment for the navy and the armed forces. The business has been in the community since the 1980's. He stated internal improvements were made to the property. They painted, put in new LED lighting, and have made improvements to the flooring. They warehouse certain materials in both buildings and need climate control to house certain materials. Mr. Bogart stated the expansion is to have only the type of units and electronics that are not good for outdoor storage. There are no visitors at this location. Mr. Bogart stated there are no problems with parking. He stated only two out of the seven employees are from outside of town. The containers outside are for materials that can be housed outdoors. He stated that all deliveries are made at the other building. There are no traffic issues and there is no additional signage proposed. Mr. Bogart stated the security there now will remain the same.

Chairman Rivas inquired if there are any sensitive materials stored in the building that requires police protection.

Mr. Bogart's response was no.

Mayor Amatorio inquired about the total number of employees in the combined buildings. Mayor Amatorio inquired about the containers stored.

Mr. Bogart stated there are about 50-75 employees between both buildings. 80% of the employees are residents of Bergenfield. There are employees who have been working there 30-40 years, but the average number of years of the majority of employees, is in the upper teens. Mr. Bogart stated the containers that are there are to house materials that they use and can store in a non-climate controlled environment. They need the further storage on the property because they have components that cannot be stored outside. Mr. Bogart stated they don't intent to have additional containers. The containers that are onsite already are needed and will remain where they are.

Board member Neville inquired if they will lose any parking from their proposal. He inquired if they thought of building up instead. Mr. Neville stated towards the back end of the property is the borough easement, where cars are parked.

Mr. Bogart's response was no. The proposal will allow cars to have the same pattern of parking. He stated he never heard of that proposal. He stated Mr. Neville is correct. A friend used to plow the dead end up to a year and half ago. It wasn't a priority for DPW to go down that street. Since then, they have been taking care of plowing both sides of the street.

Board member Neville stated he is in charge of plowing, and not being a priority is far from the truth. Everyone is done equally in town. His concern is that people will be parking closer to the street when the building is squared off. It seems parking is being taken away.

Mr. Whitaker stated it's not an option with this type of building.

Mr. Bogart stated there is a large parking lot at the other building where employees from both buildings can park.

Steven Koestner, civil engineer, stated he prepared the site plan, Exhibit A-1, for a one-story addition. The building is L-shaped. There is parking on McDermott Place, along West Englewood Avenue, and partially on the property and partially to the curb. The existing conditions show 11 containers that will remain. Mr. Koestner stated there will be a total of 14 parking spaces as two spaces will be eliminated, as recommended by the board engineer. There is no increase in impervious coverage and will have same amount of runoff generated by the site. There will be no additional drainage system as there will no additional runoff. He stated there is lighting proposed along the new structure. The existing landscaping will be maintained. The front yard setback of 8.20 ft. the applicant is seeking is not being exacerbated.

Board engineer Yuro inquired if they anticipate any conflicts or issues with employees or visitors backing out of parking spaces on W. Englewood Avenue. He inquired if the existing chain fence will remain. They are not subject to DEP stormwater issues.

Mr. Whitaker stated they will stipulate to that. There are no visitors. The parking is used only by longstanding employees who are familiar with the site.

Mr. Koestner's response was no.

Jacob Solomon, 14-25 Plaza Rd, Fairlawn, NJ, licensed architect, presented the architectural plan he prepared, Exhibit A-2. He stated the materials that will be used for the addition will match the existing building. The 6 ft. exit door is typical for the warehouse. The addition will blend aesthetically. Lighting is proposed for the addition. He stated the height of the addition will be the same height as the building.

Motion to Approve Application

Motion By: Mr. Cabrera

Second By: Mayor Amatorio

All ayes. None opposed.

MOTION TO ADJOURN MEETING

Motion By: Mr. Abenoja

Second By: Mr. Cabrera

All ayes. None opposed.

Meeting was adjourned at 9:50 pm.

Respectfully Submitted,



Hilda Tavitian, Clerk
Planning Board