

FILE NO. _____ DATE _____
 DATE OF HEARING _____ DISPOSITION _____

BOARD OF ADJUSTMENT
 MUNICIPAL BUILDING, BERGENFIELD, N.J.

APPLICATION FOR VARIATION/APPEAL
 OF REQUIREMENTS OF ZONING ORDINANCE 1123

APPLICANT'S NAME 145 West Main Street LLC

ADDRESS 492 Cedar Lane, Ste 519, Teaneck, NJ 07666

OWNER'S NAME Lot 6.01 LLC (Owner as to Lot 6.01) and Lots 6.02 & 6.03 LLC (Owner as to Lots 6.02

OWNER'S ADDRESS _____ PHONE # _____ and 6.03)

FED I.D.# or S S _____

Applicant will be represented at public hearing by Matthew G. Capizzi, Esq.

TO THE BOARD OF ADJUSTMENT:
 Application is hereby made for a variation/appeal from the
 requirements of Section(s) See bulk table on site plan and/or from the
 requirements of the Scheduled Limiting Bulk of Buildings of
 the Zoning Ordinance in accordance with plans and
 specifications attached hereto and/or decision of Zoning
 Officer. The location of this property is at
 NUMBER: 145 West Main Street

DESIGNATED AS Block(s) 106 and Lot(s) 6.01-6.03
 on the Assessment Map of the Borough of Bergenfield.

ZONING DISTRICT R-5

VARIANCES REQUIRED: LOT AREA _____ LOT FRONTAGE _____

LOT COVERAGE xxx FRONT YARD x REAR YARD xxx SIDE YARD _____

TOTAL SIDE YARD _____ OTHER (specify) _____
 Max Impervious Lot Coverage, Min On Site Parking, Use,
 Max Building Height, and Min Front Yard Setback @ N Franklin Ave.

THE REASON FOR DESIRED VARIANCE/APPEAL
 At the time of the public hearing, a professional planner will testify as to the variance criteria _____

DESCRIPTION OF PROPERTY

1. SIZE OF LOT 150.41 x 96.20 2. SQUARE FEET IN LOT 15,215
3. SIZE OF PRESENT BUILDINGS x 4. STORIES 2
- x
5. TOTAL AREA 15,215 SQ. FT. 6. NUMBER OF ROOMS See Architectural Plan
7. PERCENTAGE OF PROPERTY NOW OCCUPIED BY ALL BUILDINGS 7.54 %
8. PRESENT OCCUPANCY OF BUILDING OR PROPERTY Single family residence
9. ARE THERE ANY DEED RESTRICTIONS ON THE PROPERTY? YES xxx (Sanitary Easement)
NO (If yes, provide a copy of same)
10. CHARACTER OF BUILDINGS WITHIN 200 FT. OF PROPERTY
Residential, Commercial and Public School
11. HAS THERE BEEN ANY PREVIOUS APPEAL INVOLVING THESE
PREMISES? YES xxx NO IF SO, DATE FILED
- DISPOSITION Major Subdivision
12. ARE THERE ANY EXISTING VIOLATIONS OF THE ZONING
ORDINANCE? YES NO xxx (IF SO, EXPLAIN)
13. IS THIS, OR ANY PART OF THIS PROPERTY IN THE FLOOD ZONE?
YES NO x
14. DOES THIS PROPERTY BORDER ON ANY COUNTY ROAD?
YES NO x
15. DOES THIS PROPERTY BORDER WITHIN 200 FT. OF ANY OTHER
MUNICIPALITY? YES NO x
-

DESCRIPTION OF PROPOSED CHANGES

16. ARE ANY BUILDINGS TO BE DEMOLISHED? YES xxx NO
17. SIZE OF NEW ADDITION x SQ. FT. See Site Plan
 AREA HEIGHT
18. SIZE OF NEW BUILDINGS 55 x 110 SQ. FT.
 AREA 32.99ft HEIGHT
19. PERCENTAGE OF PROPERTY TO BE OCCUPIED BY ALL BUILDINGS
43.38% %
20. NUMBER OF FAMILIES/PERSONS TO BE PROVIDED FOR Multi-Family Building

 NOTE: ALL APPLICATIONS MUST INCLUDE: 1. Completed Application Form with Affidavits of Accuracy and Ownership. 2. An accurate Location Survey listing location of all structures with dimension to property lines with proposal sketched onto survey or submitted separately. 3. Copy of letter of denial by Construction Code Official or Zoning Officer, if applicable. ALL APPLICATIONS MUST BE FILED NO LESS THAN 30 DAYS PRIOR TO HEARING DATE. ALL PROOFS OF SERVICE, PUBLICATION, AND CERTIFICATE OF TAXES PAID MUST BE COMPLETED AND FILED WITH THE CONSTRUCTION CODE OFFICIAL NO LESS THAN TEN (10) DAYS PRIOR TO THE HEARING DATE. (All Return Receipts must be submitted prior to hearing.)

AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY,
COUNTY OF BERGEN

SS:

Menachem Stein, Owner of
Lot 6.01 LLC and Lots 6.02 & 6.03 LLC of full age, duly sworn
according to the law, deposes and says that he resides at
492 Cedar Lane, Suite 519 in the Borough of Teaneck
in the County of Bergen in the State
of New Jersey that he is the owner in fee of real
property lying in the Borough of Bergenfield, known and
designated as number 145 West Main Street and that he
hereby authorizes Matthew G. Capizzi, Esq. to make the
within application in his behalf and that the statements in
the said application are true.

SWORN TO BEFORE ME THIS 7th

DAY OF May 19 2020

Menachem Stein
Owner

[Signature]
Notary Public

Matthew Capizzi, Esq. - Attorney At Law

Note: all partnership and corporations must supply a list of
stockholders with a 10% or greater share, that they must also
be represented by an Attorney at the hearing.

BOROUGH OF BERGENFIELD
APPLICATION FOR SITE PLAN APPROVAL

1. Applicant's name 145 West Main Street LLC Phone (H) _____
(B) _____
Applicant's address 492 Cedar Lane, Ste 519, Teaneck, NJ 07666
2. Name of present owner, if other than #1 _____
Lot 6.01 LLC (Owner as to Lot 6.01) and Lots 6.02 & 6.03 LLC (Owner as to Lots 6.02 and 6.03)
3. Location of property 145 West Main Street
4. Block(s) 106 Lot(s) 6.01-6.03 Zoning district R-5
5. Structural plans Yes X No ___ Front Elevation Yes X No ___
6. Name of development, if any _____
7. Are all lots to be approved owned by same person,
corporation, or partnership? Yes xxx No _____
8. If answer to #7 is no, give names of all owners. _____
9. Proposed uses of land and buildings
A. Multiple family dwelling structures Yes _____
Number of dwelling units 16
B. Commercial Use _____ C. Industrial Use _____
D. Other _____
10. If 1, 2 or 9 is in the name of a partnership or
corporation, list name and address of the attorney who
will represent the applicant. Matthew G. Capizzi, Esq.
11 Hillside Avenue, 2nd Fl. Tenafly, NJ 07670 Phone 201-266-8300
11. Name of architect/engineer/surveyor Michael Hubschman P.E., P.P.
Hubschman Engineering Address 263A S. Washington St., Bergenfield, NJ 07621
Phone 201-384-5666 Chris Blake Architect, 24 New Bridge Road, Bergenfield NJ, 07621
201-816-9523
12. Name & Address of site planner if other than #11 _____
Phone _____
13. Land area sq. ft. 15,215 Landscape area sq. ft. _____
Impervious surface area sq. ft. 10,789
14. Building area sq. ft. 6,600 structure height 32.99ft
stories 3
15. Parking spaces required 30 parking spaces
provided 25

16. Parking space dimensions, Width 9 Length 18 Driveway
aisle width _____ Angle of parking: Parallel 45
60 90
17. Loading space(s) required NA Proposed loading
spaces _____
18. Loading space dimensions Width _____ Length _____
19. Are any new signs proposed Yes _____ No xxx
20. Existing signs, None xxx Will Remove _____ To Remain
Renovate _____
21. Are there any deed restrictions in force on this
property? Yes _____ No xxx If yes, include a copy
of the deed.
22. Is this or any part of this property in flood zone?
Yes _____ No xxx
23. Does this property border any county road? Yes _____ No xxx
24. Are there presently any utilities to this property?
Gas, xxx Electric, xxx Storm drains, _____
Telephone, _____ Cable TV, _____ Sanitary Sewers, xxx
25. Is this property within 200' of any other municipality?
Yes _____ No xxx
26. Are any variances required because of this application?
Yes xxx No _____
27. If answer to #26 was yes, state all variances required.
Use xxx Lot area _____ Lot frontage _____
Front yard xxx Side yard _____ Rear Yard xxx
Total side yard _____ Parking xxx Buffer _____
Other Maximum Impervious Lot Coverage, Maximum Lot Coverage, Building Height, and
and Minimum Front Yard Setback @ N Franklin Ave.
28. Has a previous variance application been filed on this
property? Yes xxx No _____
29. Is this application filed because of existing zoning
violation? Yes _____ No xxx

All questions must be answered or this application may be
deemed to be incomplete.

I, certify the above information and documents accompanying
this application are true. (Willfully false statements are in
violation of the law).

✓ [Signature] / _____
Signature of Applicant Date _____ Signature of Owner if _____
other than applicant Date _____



BOROUGH OF BERGENFIELD

198 NORTH WASHINGTON AVENUE
BERGENFIELD, NEW JERSEY 07621

CONSTRUCTION CODE DEPT.
(201) 387-4055 EXT. 1-4092
FAX: (201) 385-7376

May 28, 2020

145 W. Main Street, LLC
145 W. Main Street
Bergenfield, NJ 07621

RE: Multi-family Dwelling

Dear 145 W. Main Street, LLC

Your application for change of use to a multi-family dwelling R-5 Zone to RM Zone has been denied for the following reasons:

1. Change of use from R-5 to RM Zone.
2. Maximum density 12 units per acre 43,560 sq. feet. Proposed 16 units on 14,469 sq. feet.
3. Minimum front yard setback R-5 & R-6 25 sq. feet. Proposed front yard 22.9 sq. feet.
4. Minimum rear yard setback R-5 & R-6 25 sq. feet. Proposed rear yard 20 sq. feet.
5. Maximum lot coverage allowed R-6 over 6,000 sq. feet or 30%. Proposed lot coverage 43.38 %.
6. Maximum total improved lot coverage R-6 over 6,000 sq. feet or 35%. Proposed lot coverage 70.91%
7. Required multi-family dwelling units set back 35 sq. feet from front property line and a least 25 sq. feet from any other property line or from curb to street. (see 186-57 yards). Proposed 22.9 sq. feet front yard, 15 sq. feet from both side yards.
8. 186-55 design requirements, site plan for any multi-family development shall not be less than 20,000 sq. feet. Proposed 14,469.44 sq. feet.
9. Minimum required parking for occupants only 32 spaces not including visitor spaces. Proposed 25 parking spaces including two (2) handicap spaces.



BOROUGH OF BERGENFIELD

198 NORTH WASHINGTON AVENUE
BERGENFIELD, NEW JERSEY 07621

CONSTRUCTION CODE DEPT.
(201) 387-4055 EXT. 1-4092
FAX: (201) 385-7376

January 27, 2020

Matthew G. Capazzi, Esq
11 Hillside Avenue, second floor.
Tenafly, NJ 07670

RE: Multi-Family Residential Building. 145 W. Main St.

Dear Mr. Capazzi,

Your application to build a multi-family residential building has been denied for the following reasons:

1. A multi-family building is not permitted in the R-6 zone.
2. Front yard setback required is 25 sq. feet where 20.95 sq. feet is proposed (W. Main).
3. Rear yard setback required is 25 sq. feet where 18 sq. feet is proposed.
4. Maximum building coverage permitted is 30% where 41.24 % is proposed.
5. Maximum building height permitted is 30 feet where 36.4 feet is proposed.
6. Maximum number of stories permitted is 2 where 3 are proposed.
7. Maximum improved lot coverage permitted is 35% where 75.16% is proposed.
8. Number of parking spaces required is 29 where 15 are proposed.

You have the right to appeal my decision to the zoning board of adjustment. You must contact the Building Department to obtain the proper applications.

If you have any question on the above matter, please contact our office. You can call the Building Department at 201-387-4055 Ext. 4

Sincerely,

Harry Hillenius
Zoning Officer

Borough of Bergenfield
Site Plan Committee Minutes
February 10, 2020

1. Call to Order

The meeting was called to order at 7:00 PM

2. Roll Call:

<u>Richard Morf</u>	<u>Robert Rivas</u>		
<u>Gerard Naylis</u>		<u>John Pampaloni</u>	<u>Michael Ravenda</u>
<u>Perry Sulich</u>	<u>Joseph Scalora</u>		
<u>Robert Giacomelli</u>	<u>R Mader</u>		

3. Item 1.

JAH Realty Association

Site Address: 205-207 North Washington Avenue

Seeks to convert first floor office space into 4 - 1 bedroom apartments.

Attorney: Matthew Capizzi
11 Hillside Avenue
Tenafly, NJ 07670
201-266-8300

Architect: Chris Blake Architect
24 New Bridge Road
Bergenfield, NJ 07621
201-816-9523

Engineer: Hubschman Engineering
263 A. South Washington Avenue
Bergenfield, NJ 07621
201-384-5666

Owner was represented by Mr. Capizzi and Mr. Hubschman

Mr. Capizzi introduced the project:

- * Convert existing first floor office space into 4 – 1 bedroom apartments;
The building currently has 4 – 1 bedroom apartments on the second floor and
Office space on the first floor.
- * The office space has been vacant for years
- * The new use will greatly reduce the existing parking non-conformity
 - existing use requires 25.8 spaces
 - proposed use will require 14.4 spaces
 - there are 12 spaces currently
- * The owner will continue to be responsible for garbage/recycling and snow removal

4. Item 2.

145 West Main Street LLC

Menachem Stein

492 Cedar Lane, Ste. 519

Teaneck, NJ 07666

Site Address 145 West Main Street

Seeks to build a 15 unit apartment building: 5 – 1 bedroom units 10- 2 bedroom units

Attorney: Matthew Capizzi

11 Hillside Avenue

Tenafly, NJ 07670

201-266-8300

Architect: Chris Blake Architect

24 New Bridge Road

Bergenfield, NJ 07621

201-816-9523

Engineer: Hubschman Engineering

263 A S. Washington Avenue

Bergenfield, NJ 07621

201-384-5666

Mr. Capizzi introduced the project:

- * His client purchased 3 lots on West Main Street
- * Seeking to build a 15 unit apartment building
- * Seeking use and several bulk variances

Mr. Hubschman went over site plan/architectuals:

- * 15 unit building - 3 floors- 10- 2 bedroom units, 5- 1 bedroom units
- * Entrance only from west Main
- * Entrance/exit from N. Franklin
- * Drive under rear of building to parking at back of property
- * Existing 12' sewer easement will remain
- * Stormwater retention system is under rear parking lot

Board Comments:

Mr. Scalora:

- Concerned about the 81 trees being planted around perimeter.
- Questioned the size of the rooms and the ceiling height in relation to the height of building

Mr. Hubschman:

- Landscaping can be adjusted
- Height variance is only needed because of slope of property in the rear

Mr. Naylis:

- Project exceeds density, from 3 – 1 family homes to 15 units

Mr. Morf:

- Entire proposal is too much, parking, height, set backs, lot coverage all problems
- Too big for lot

- Traffic problems with the school across the street
- Not permissible in R-5 zone
- Worried about setting a precedent

Mr. Naylis:

- Planning board changed the height requirements for B1 & B2 trying to push this type of development into those zones
- That is where this building belongs

Mr. Ravenda:

- Try and buy 2 rear lots to make the project at least somewhat compliable.
- Concerned about the traffic and the school

Mr. Capizzi:

- The school traffic and street closing will have to be resolved because the 2 rear lots have been approved

Mr. Morf:

- Single family homes should be built

Mr. Capizzi:

- The area is currently mixed use

Mr. Morf:

- As existing businesses leave, the property can only be developed as residential

Mr. Naylis:

- The project is too big and will be knocked down as it is.

Mr. Capizzi:

- Can we downsize it
- What about affordable housing units

Mr. Morf:

- Cut the top floor off
- Or remove 1 quadrant completely
- Eliminating 4 2 bedrooms and 2 1 bedroom units

Mr. Rivas:

- Removing quadrant will allow entrance and exit on West Main
- No access from N Franklin

Mr. Perry:

- Question impact on school by adding 15 units
- Is there an elevator or walk up

Mr. Capizzi:

- No elevator

Mr. Ravenda:

- The parking is a major issue, the project needs to be reduced in size
- Concerned about school crossing, is there a patrolman at the corner?

Mr. Mader:

- Suggested installing a dry sprinkler system for the attic space piped to a FDC at edge of property. The owner can still use a 13r system but the attic would be covered by the dry system.

Mr. Pampaloni:

- The plan called for the sewer to be tied into the 24" line in the existing easement.
- This line carries 40% of Bergenfield's sewage and ties directly into a line that carries 90% of the sewage.
- This line during storms becomes full and it takes days for it drain.
- The building will not drain into it during those times
- Tie in building sewer into 8" line on West Main which is higher than the 24" line

Mr. Capizzi:

- For the project to work, even if they scale it back, they will still need relief for:
 - o Height
 - o Parking
 - o Setbacks
 - o Lot coverage

Board Recommendations:

- **Project needs to be reduced dramatically:**
 - o **Density**
 - o **Height**
 - o **Lot coverage**
- **Reduce overall building by 30%**
- **Relocate sewer to West Main Street**
- **Ingress/egress only from West Main Street**
- **Eliminate any access to N Franklin**

Meeting Adjourned at 8:11PM

ATTACHMENT

A

ITE Trip Generation

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in British Columbia (CAN), California, District of Columbia, Florida, Georgia, Illinois, Indiana, Maine, Maryland, Minnesota, New Jersey, New York, Ontario, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Virginia, and Washington.

It is expected that the number of bedrooms and number of residents are likely correlated to the number of trips generated by a residential site. Many of the studies included in this land use did not indicate the total number of bedrooms. To assist in the future analysis of this land use, it is important that this information be collected and included in trip generation data submissions.

Source Numbers

168, 187, 188, 204, 211, 300, 305, 306, 319, 320, 321, 357, 390, 412, 418, 525, 530, 571, 579, 583, 864, 868, 869, 870, 896, 903, 918, 946, 947, 948, 951

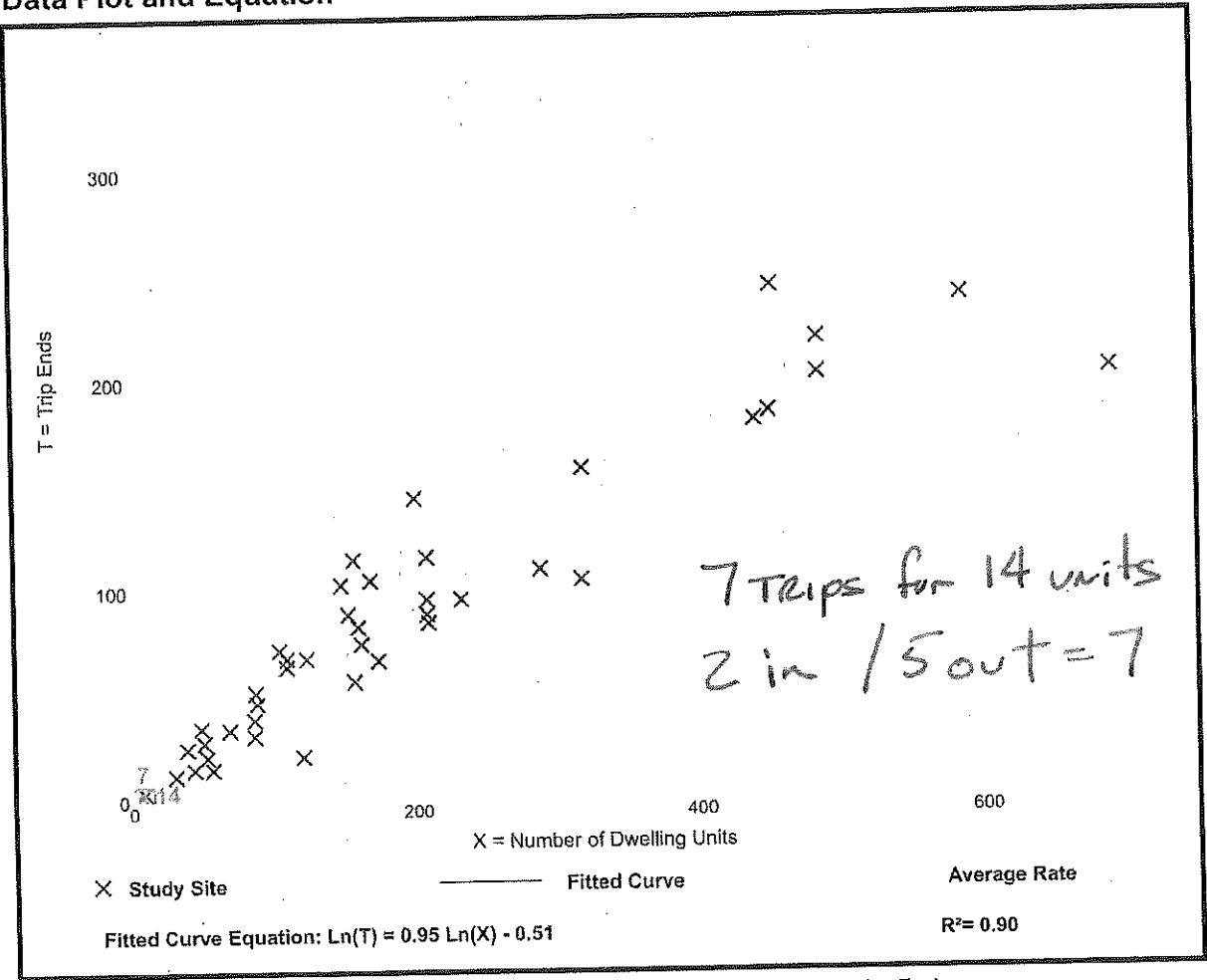
Multifamily Housing (Low-Rise)
(220)

Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
Number of Studies: 42
Avg. Num. of Dwelling Units: 199
Directional Distribution: 23% entering, 77% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.46	0.18 - 0.74	0.12

Data Plot and Equation



Trip Gen Manual, 10th Ed + Supplement • Institute of Transportation Engineers

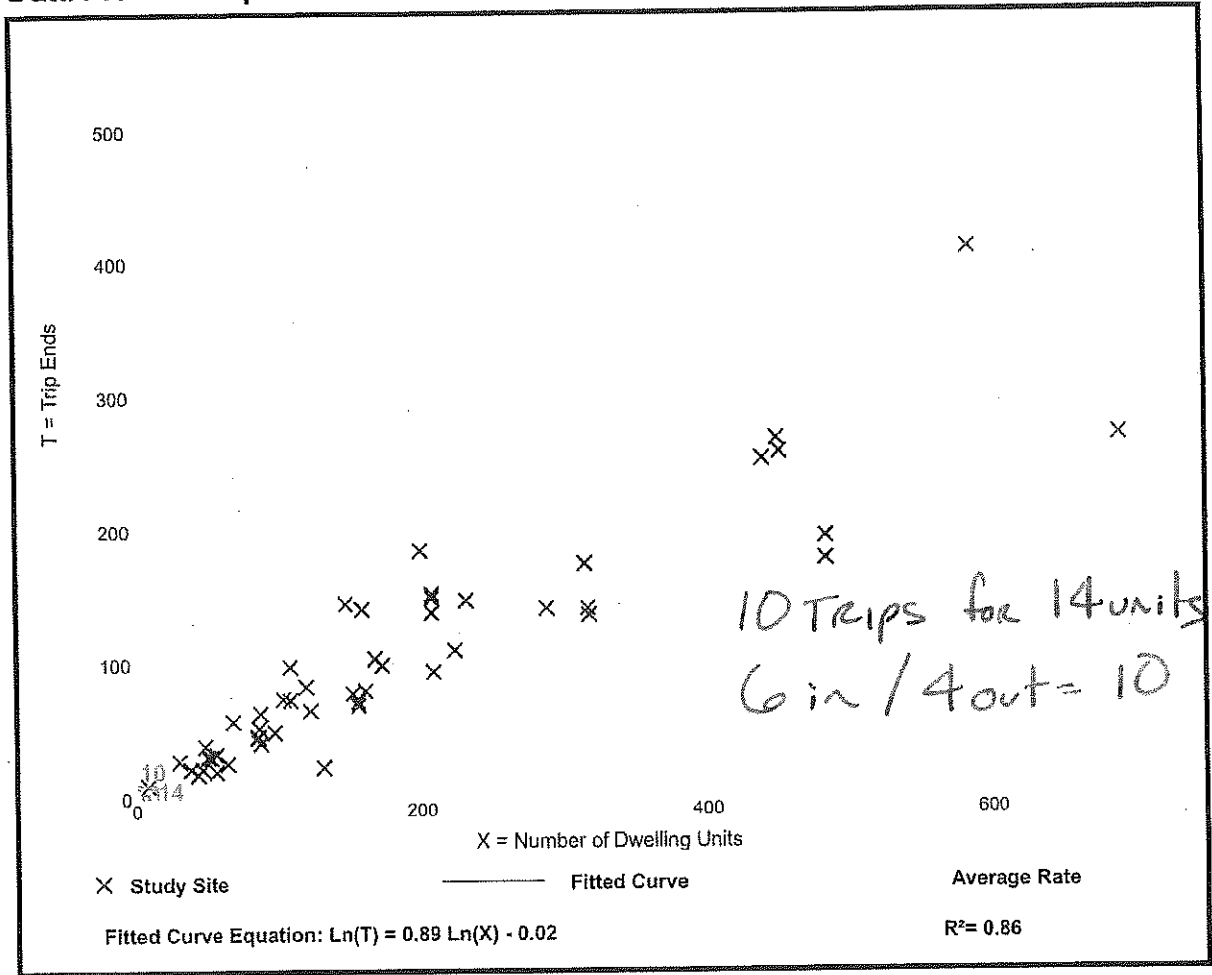
Multifamily Housing (Low-Rise)
(220)

Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
Number of Studies: 50
Avg. Num. of Dwelling Units: 187
Directional Distribution: 63% entering, 37% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.56	0.18 - 1.25	0.16

Data Plot and Equation



Trip Gen Manual, 10th Ed + Supplement • Institute of Transportation Engineers

Multifamily Housing (Low-Rise) (220)

Vehicle Trip Ends vs: Dwelling Units
On a: Saturday, Peak Hour of Generator

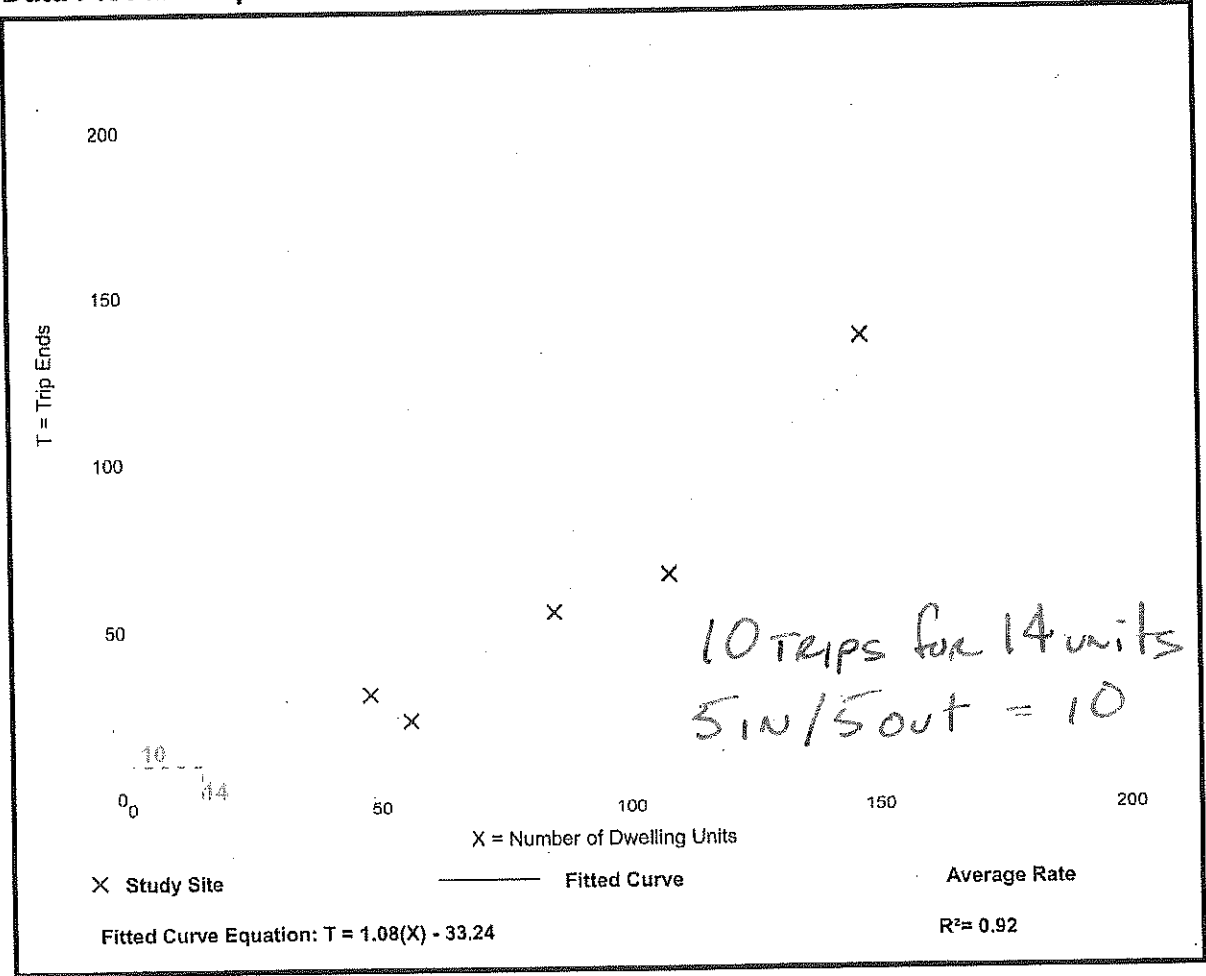
Setting/Location: General Urban/Suburban
Number of Studies: 5
Avg. Num. of Dwelling Units: 89
Directional Distribution: 54% entering, 46% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.70	0.41 - 0.93	0.20

Data Plot and Equation

Caution – Small Sample Size



Trip Gen Manual, 10th Ed + Supplement • Institute of Transportation Engineers

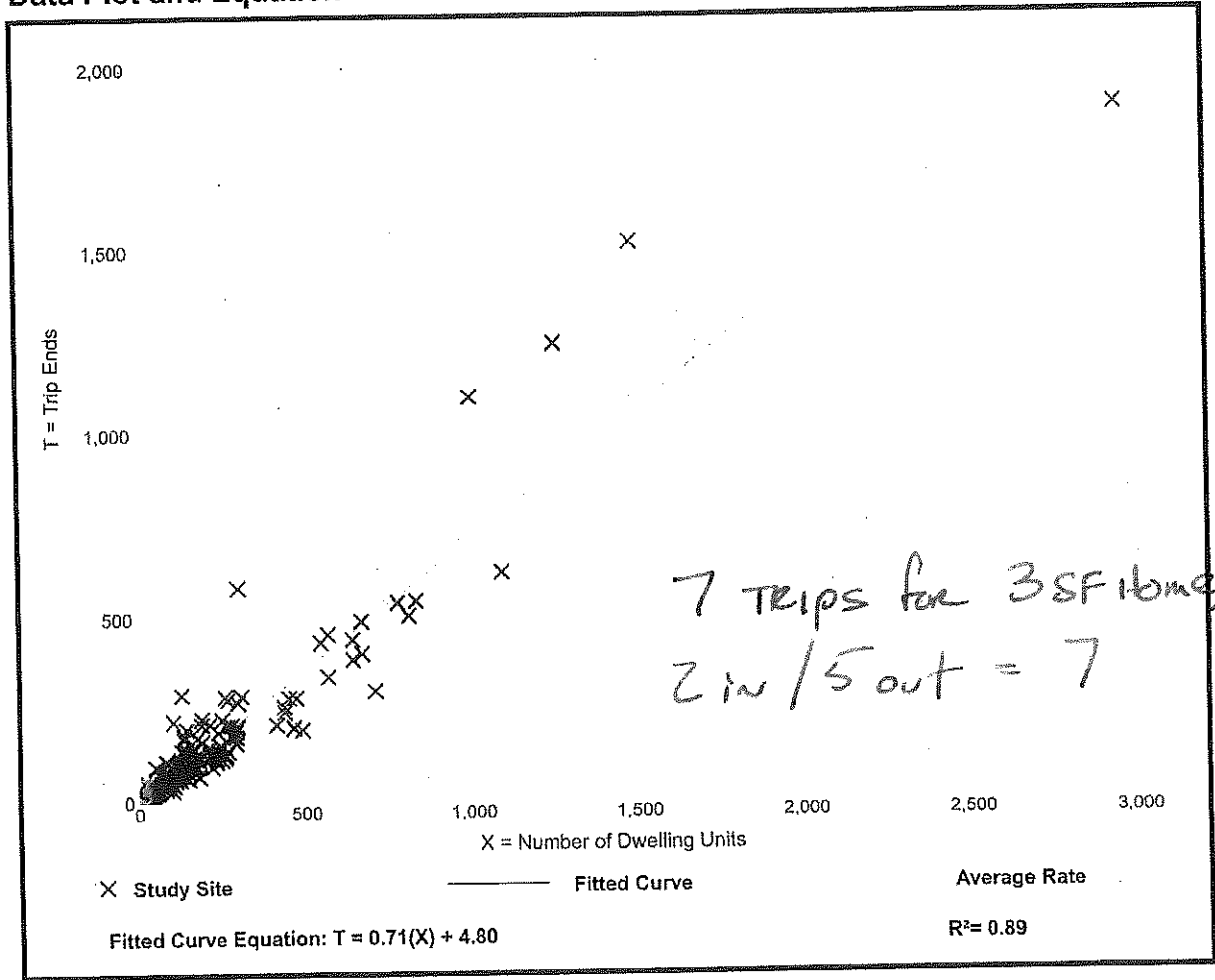
Single-Family Detached Housing
(210)

Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
Number of Studies: 173
Avg. Num. of Dwelling Units: 219
Directional Distribution: 25% entering, 75% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.74	0.33 - 2.27	0.27

Data Plot and Equation



Trip Gen Manual, 10th Ed + Supplement • Institute of Transportation Engineers

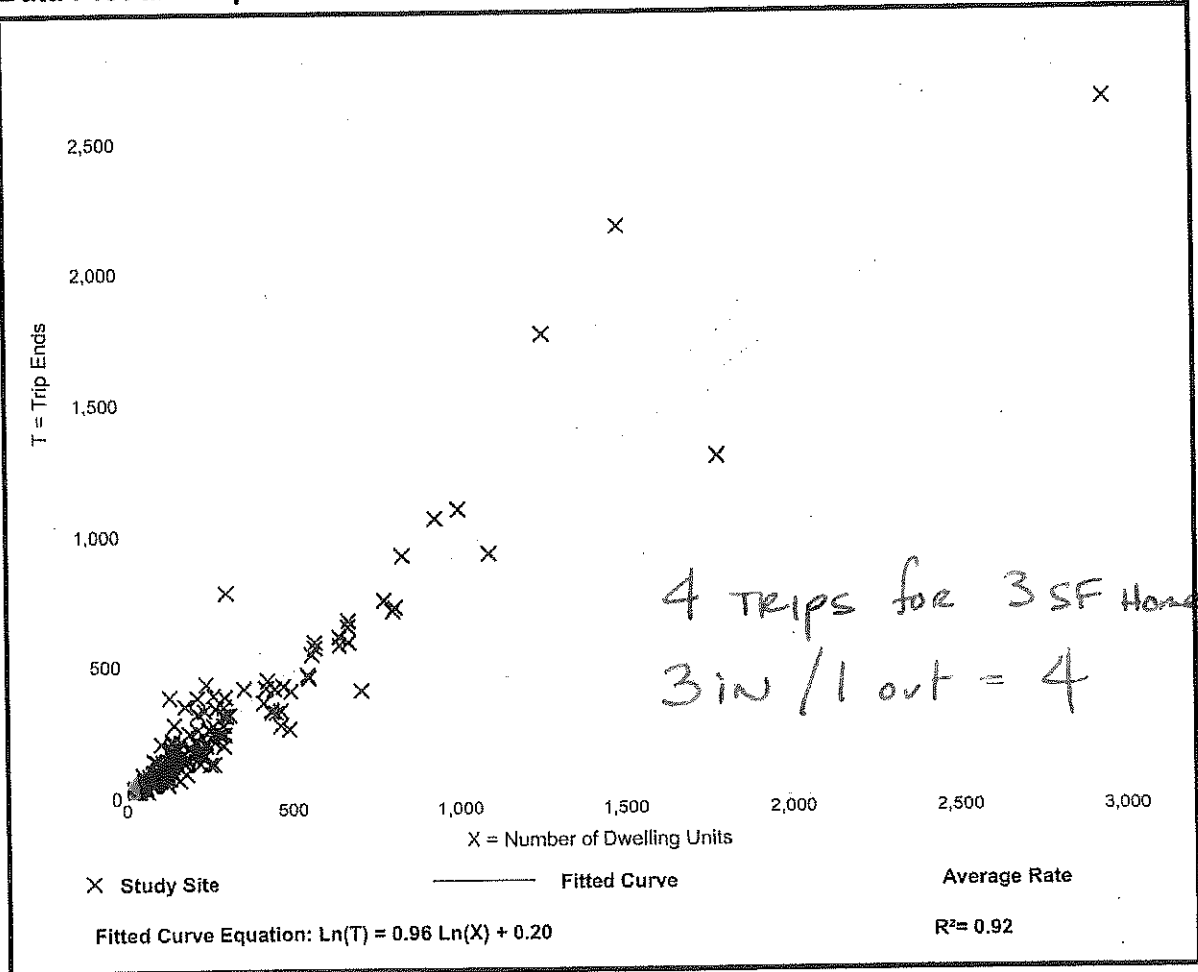
Single-Family Detached Housing
(210)

Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
Number of Studies: 190
Avg. Num. of Dwelling Units: 242
Directional Distribution: 63% entering, 37% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.99	0.44 - 2.98	0.31

Data Plot and Equation



Trip Gen Manual, 10th Ed + Supplement • Institute of Transportation Engineers

Single-Family Detached Housing (210)

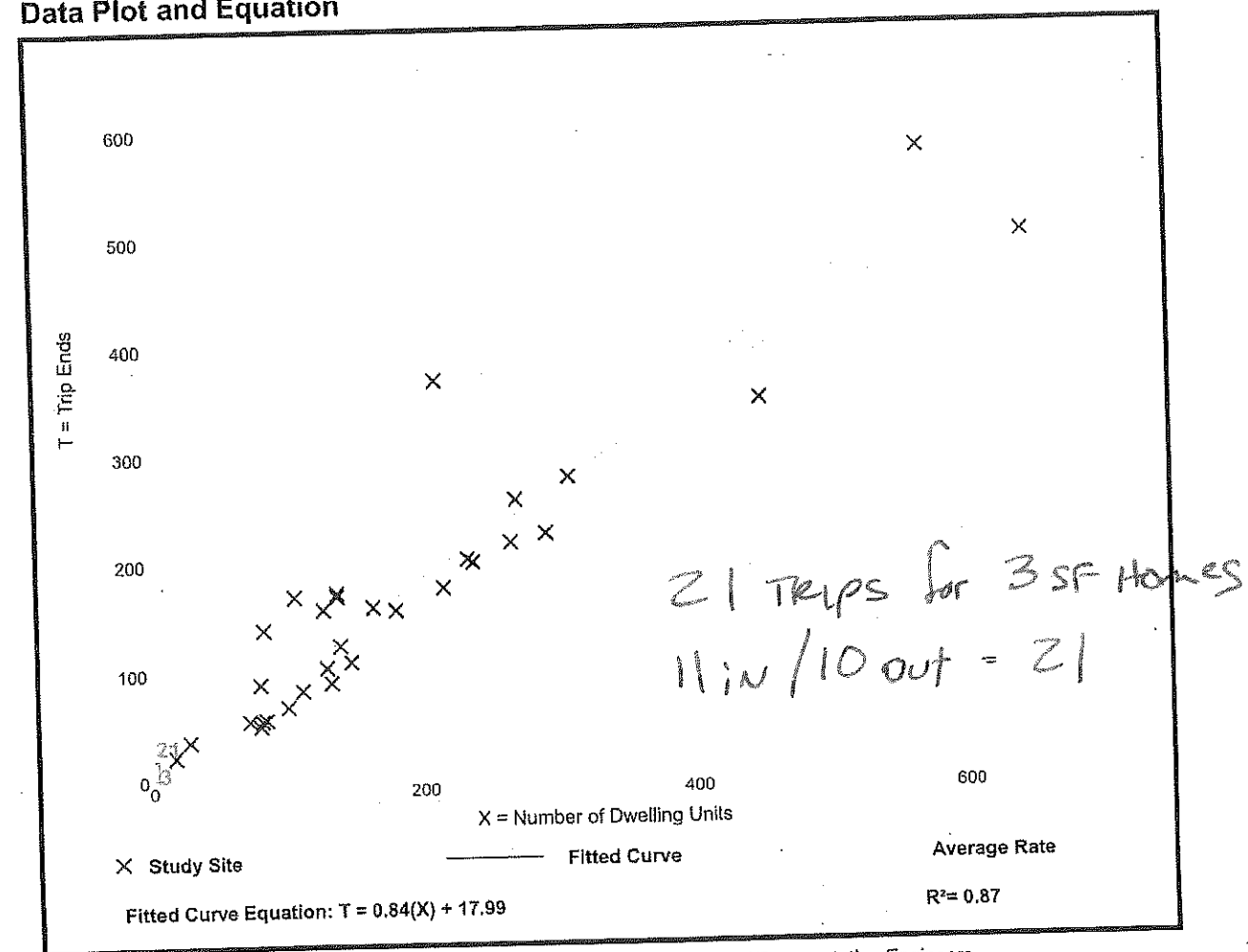
Vehicle Trip Ends vs: Dwelling Units
On a: Saturday, Peak Hour of Generator

Setting/Location: General Urban/Suburban
Number of Studies: 31
Avg. Num. of Dwelling Units: 188
Directional Distribution: 54% entering, 46% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.93	0.64 - 1.75	0.26

Data Plot and Equation



Trip Gen Manual, 10th Ed + Supplement • Institute of Transportation Engineers

ATTACHMENT

B

Google Earth Photo 309 Gorge Rd
Depicting Pedestrian Signals across
a residential driveway

ATTACHMENT

C

Historic Hourly Traffic Volume

