

**BERGENFIELD ZONING BOARD OF ADJUSTMENT
SPECIAL MEETING MINUTES
TELECONFERENCE VIA ZOOM
February 24, 2021**

Chairman Shimmy Stein called the meeting to order at 8:03 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. Notice of this meeting via the February 3, 2021 Sunshine Notice has been sent to the Record, Star Ledger, and Cablevision, posted on two municipal bulletin boards and 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.

Chairman Stein stated the only thing on tonight's agenda outside of pledge of allegiance, roll call, correspondence, and verbal communications will be 145 West Main Street. Everything else will hold over until the Monday, March 1st, 2021 meeting.

PLEDGE OF ALLEGIANCE

Led by Board member Smith and Chairman Stein.

INTRODUCTORY STATEMENT

Read by Board member Friedman

Welcome to the Zoning Board of Adjustment. Let me briefly explain what we do. We are appointed by the Bergenfield Council to decide when a property owner should get relief from the strict application of the zoning code requirements. Typically, we hear two types of variances. The first is whether an applicant can vary from land restrictions including rules on sideline distance, height, and lot coverage. That is commonly called a bulk variance. The second is a use variance, where an applicant wants to use the property for a purpose not permitted under the zoning ordinance in that zone.

In these cases, the applicant has the burden of meeting certain criteria set forth in the Municipal Land Use Act. We carefully listen to the testimony, including objectors, and review all relevant documents. If a majority of the Board concludes that the applicant has satisfied those criteria, we must grant the requested variance.

Mr. Friedman stated the zoning board doesn't change or modify the zoning requirements. Those are set forth in the municipal ordinance adopted by the borough council. Those requirements can only be changed by the borough council. The zoning board's role is to determine only whether a section of the municipal zoning code should be relaxed for a particular applicant. The board members here take their obligations extremely seriously.

ROLL CALL

Present: Shimmy Stein, Richard Morf, Sara Berger, John Smith, Charles Steinel, Amnon Wenger, Marc Friedman, and Jose Morel

Absent: Joel Nunez

Also Present: Ron Mondello, Zoning Board Attorney, Frank Rotonda, Zoning Board Engineer, Councilman Marte, Council Liaison, Michael Knowles, Planning Board Liaison, and Hilda Tavitian, Zoning Board Clerk

CORRESPONDENCE

Board attorney Mondello reminded those people who have dialed into the meeting, *9 will allow them to raise their hand and *6 will unmute them if they would to ask a question. Mr. Mondello stated he had two conversations with Mr. Jose Gonzalez. He explained to him that he was of the opinion that his video would be admissible, but with some changes. He would have to remove the audio from the video and be subject to cross-examination by board members and Mr. Capizzi. Mr. Gonzalez had stated to him that he has no intentions of admitting the video, at least for now.

Ms. Sullivan had circulated an excel spreadsheet. Mr. Mondello stated he was not sure what information it contained and it did not indicate where the data was from. Mr. Mondello stated if at some point Ms. Sullivan wanted to address the board and explain exactly what the spreadsheet was, he would be able to make a decision whether or not it should be admitted into evidence.

Lastly, Mr. Mondello stated Mrs. Rosado had circulated a petition. Unfortunately, the case law is clear with respect to petitions. Mr. Mondello stated he had indicated to the board members they should ignore the petition. Anyone who signed or didn't sign the petition is welcome to raise their hand and say what they want to say during the comment portion or ask any questions to the professionals. Mr. Mondello stated that petition must be ignored by the board members.

VERBAL COMMUNICATION

Comments by members of audience on matters not on evening's agenda

None.

OLD BUSINESS

Application: 145 West Main Street, LLC
145 West Main Street
Change of use to a multi-family dwelling R-5 zone to RM zone
(Carried over from January 11, 2021 meeting)

Matthew Capizzi, 11 Hillside Avenue, Tenaflly, attorney for applicant, stated this is a continued application for a site plan and variance application at 145 West Main Street. The application was last before the board on February 1st, 2021 at which they continued testimony with the traffic expert, Mr. Lou Luglio. Mr. Capizzi stated they intent on starting the presentation with testimony from the engineer, Mr. Hubschman. Mr. Hubschman had last testified on January 21th, 2021 to the revised plans. He was not questioned by members of the board or the public. Mr. Blake had also filed revised plans and will testify on his revised plans and then take questions from board members and the public. Lastly, Mr. Luglio submitted some additional back up data that was filed a few days ago. He will explain the data. David Spatz, planner, is the last witness.

Michael Hubschman, licensed engineer, shared on the screen Exhibit A-6 dated 12/22/20, the colorized site plan. The plan changed from 16 units to 14 units. They are proposing 12 one bedroom apartments and 2 two bedroom apartments. The building was shortened by 10 feet. It was 120 feet and now will be 110 feet. Mr. Hubschman stated the DWP had requested parking be taken off the sanitary sewer easement

during their meeting with them. The parking count went down to 24 parking spaces, where the requirement is 26 parking spaces. Originally, it was 5 ft. off the property line and now it is 15 ft. off the property line. Mr. Hubschman stated the left side yard is 15 ft. on the left near the school and the front is at 23 ft. because of the angle of the property line. Building coverage is now 39.9% where 40% is required for three single family homes. Mr. Hubschman stated pervious coverage went down from 70.9% to 66.3%. The height was lowered to 32.1 ft, where 30 ft. is required. The landscaping plan was updated. There were additional street trees added along the front, buffer plantings along the sides, and foundation plantings. Mr. Hubschman stated he spoke with Westfeld, a private carter about trash hauling. He said for this size building they recommend 2 two yard dumpsters that would fit inside the trash room. One dumpster would be for trash and the second one would be for commingled recycling. They would wheel it out to the curb, dump them, and then bring them back in. The pick up would be, at the most, two times per week between 6:30-7:00 am. It would take five minutes.

Mr. Capizzi stated Westfeld would have access to the trash room so when they come onsite they can retrieve the trash.

Mr. Smith inquired if it's going to be two compactors or garbage cans. Mr. Smith stated the dumpsters would have to be dragged out since they will inside. Mr. Smith inquired how long it will take to pick up the trash.

Mr. Hubschman stated it would be two 2-yard containers, like small dumpsters. They will be wheeled out. Mr. Westfeld said it should take about five minutes. The use variance of a multi-family property with 14 apartments is proposed as opposed to three four-bedroom homes. Improved lot coverage is 66.3% which includes building coverage, where 40% is required. The height is slightly high, with 32.1 feet where 30 feet is permitted. The front yard is 23.1 ft. Mr. Hubschman stated they are proposing 24 parking spaces, where 26 spaces are required by RSIS. The front yard setback along W. Main Street is in violation about 8-10 ft. The right side yard setback of the building is 24.9 ft. Mr. Hubschman stated it is still one way in and one way out. The pipe at the corner of the building was moved out of the easement area. The drainage was shifted slightly to the left. They are proposing a six foot PVC fence around the perimeter and a four foot fence along N. Franklin Avenue.

Board engineer Rotonda thanked Mr. Hubschman for doing an excellent job describing the site plan. Mr. Rotonda pointed out that some of the rendering shows some of the improvements that are within the public right of way.

Board member Smith inquired if Mr. Hubschman is familiar with Borough ordinance 186-49, which is off street parking and loading areas, especially section M. Mr. Smith read the ordinance. The bins are going to be pushed out to the street and going to be out there ten minutes. The truck picking up the trash is going to be blocking traffic. Mr. Smith stated he has the roll away bin at his location and it takes exactly twelve minutes. He timed them today when they picked up the trash. It's the same size bin. The ordinance states you can't have that truck there because it will impede the flow of traffic. It could cause an accident. It was one guy who got out of the truck, put the fork to pick up the bin, then put it back in same location, and then backed out the truck. Mr. Smith stated everything else was good and Mr. Hubschman explained everything well.

Mr. Hubschman stated it would take five minutes for the whole operation.

Board member Berger inquired how long the garbage pick up would be for three single family homes as compared to this pick up. Ms. Berger stated that it would not be much different with three single family homes than this. Ms. Berger stated it takes longer than a minute.

Mr. Hubschman stated they figured it would take five minutes. Mr. Hubschman stated the automated truck takes a minute or less to pick up a container. It's not much different than 3 single family homes. Mr. Hubschman stated he had asked DPW about the pail storage and was told about 6 six pails are allowed to be 6ft or less apart.

Board member Morel inquired since it is a private hauler, wouldn't the truck be able to drive into the driveway and pick up the garbage from. It would not impede traffic from the street.

Mr. Hubschman stated the truck could drive into the driveway but then he would have to back out. He couldn't go underneath the building because he wouldn't have the height clearance.

Mr. Stein stated he had a business on 111th Street and Second Avenue and they had garbage pick up twice a week. He would put the garbage on the street. The truck driver never missed the light. He sees five minutes as a reasonable amount of time.

Questions from residents within 200 feet and beyond:

Janet Rosado, 135 W. Main Street, inquired if the comparison between 3 single family homes and 14 apartments generating garbage is on a much larger scale. Ms. Rosado inquired if it would take longer to pick up the trash. Ms. Rosado inquired about the sewer system is able to sustain 14 apartments and if the surrounding properties are going to be compromised anyway. Ms. Rosado inquired about the overflow coming off from heavy downpours.

Mr. Hubschman stated the three homes would have 6 pails. It wouldn't be different than the 14 apartments. They are small apartments that don't generate a lot of refuse. Mr. Hubschman stated that is all reviewed by the borough engineer and the state has strict RSIS standards on drainage. They are required to reduce the overflow than what is existing today. When they met with the DPW during the site plan committee meeting, they didn't want us to go into the easement. The sanitary sewer is going to W. Main Street. The water systems are designed on a hydrant flow. There is a fully onsite drainage system. The parking is all curbed and there are three detention pipes that store the water onsite. Mr. Hubschman stated whatever runs off today will be stopped. Everything is contained. All of the roof leaders are piped within the detention system. There is a overflow that goes to the drain in the street. Drainage is contained 100% onsite.

Mr. Mondello stated the DCA rules, which the board has not adopted, only requires the video on when someone is giving testimony. Mr. Mondello stated Mr. Schmelz is just asking a question and asked him to state his name, spell his last name, give his address, and ask his question.

Norman Schmelz, 94 Deerfield Street, inquired if there will be some way of knowing that one week after the apartment complex is built, they don't say to the town that they want the town to pick up the garbage.

Mr. Mondello stated the law doesn't require the client to pay for garbage removal. He asked Mr. Capizzi, a month or a year from now, should the application be granted, what guarantees does the town and the board have that the applicant won't change his mind.

Mr. Capizzi stated if the board approves the application, there would be a developer's agreement. A statement could be inserted in the developer's agreement that would require the property to maintain private pick up and perpetuity. It would be recorded in the deed.

Diana Flagg, resident, inquired if the application is granted and a private contractor is going to haul the trash, are they going to file a tax appeal because the garbage is not being picked up by the town. Ms. Flagg inquired if it could be put in the agreement that the applicant will not file a tax appeal.

Mr. Capizzi stated tax appeals aren't part of the application. The valuation placed upon the property by the assessor will presumably include the services that are provided to the site and those that are not. At that time, they will review the assessment and make a determination. Mr. Capizzi stated they recognize if the application is approved, the municipality will not provide garbage pick up. That will be part of the resolution of approval and that stipulation would be included in the developer's agreement.

Nelson Reynoso, 145 S. Franklin Avenue, inquired about lighting and noise pollution.

Mr. Hubschman stated there is a lighting plan. The only lights are under the building to light the parking spaces. There aren't any pole lights proposed. There might be a residential light added by the front door.

Yudi Susana, 3 S. Franklin Avenue, inquired if the engineer has ever been involved with a project where so many people have been against it, such as this one. Ms. Susana inquired if Mr. Hubschman thinks this project fits on W. Main Street.

Mr. Hubschman stated they do design a lot of buildings and the neighbors are welcome to have their views.

Mr. Mondello stated Ms. Susana would have the opportunity to express her concerns about board members, about anyone, during the comments portion and now is not the appropriate time.

Joannie Bautista, 144 W. Main Street, wanted confirmation of how long it would take to pick up regular trash and the recycling. She inquired if there will be different bins for trash and recycling.

Mr. Hubschman stated there would be one bin for commingled recycling and the second bin would be for refuse. He stated he was told they would pick up the trash at a different time than the recycling.

Jose Gonzales, resident, inquired if Mr. Hubschman knows of any other building complex in Bergenfield that is equal to the same proposal that has the same system of garbage pick up.

Mr. Hubschman stated there is a small one across the borough hall that has six units. There is one small dumpster in the back with garbage pick up twice a week. The building on Murray Hill has 20 units and they have pails out.

Ed Roman, 55 River Edge Rd, inquired if there will be 15 garbages or a big trash compactor in the front. Mr. Roman inquired if the two containers would be too small to contain garbage for 14 apartments.

Mr. Hubschman stated there won't be anything in the front. The two proposed containers will be in the trash room. The containers are each 2 yards. They are 3x3x6 ft. wide, 2 cubic yards. There would be 3-6 pails for each house. There would be 2 containers for 14 apartments. Mr. Hubschman stated a compactor would be put in also if the two containers are small.

Mr. Capizzi stated when they come to pick up garbage, one 3x3x6 container will be rolled out to the truck, emptied, and brought back in. When they come to pick up recycling, one 3x3x6 container will be brought out to the truck, emptied, and then brought back in. Nothing will be stored in the front yard.

Mary Sullivan, resident, inquired if the garbage will be picked up once a week and the recycling will be picked up once a week. Ms. Sullivan stated pick up of garbage once a week would not be enough. Ms. Sullivan inquired if the containers are covered to prevent wildlife from getting into the garbage.

Mr. Hubschman stated garbage would be picked up once a week and recycling once a week. They are covered but will be in the garbage room in the building.

Julissa Mendoza, 40 Munn Avenue, inquired if it is possible to get a sanitation worker, an expert, to tell us what we are looking at.

Mr. Capizzi stated Mr. Hubschman is a civil engineer expert.

Mr. Hubschman stated a lot of the residents have their ideas about refuse. He did speak with Mike Westfeld, who is a garbage hauler in the area. He had spoken with him about the project and reiterated to everyone what Mr. Westfeld told him.

Janet Rosado, 135 W. Main Street, stated she needs more clarification with the number of garbage pick ups there will be during the week.

Mr. Capizzi stated they will have no problem having the garbage picked up twice a week and the recycling once a week.

Mr. Stein stated that would be written in the resolution should the application be approved.

Mr. Rotonda stated that would be an item that would be included in the developer's agreement. It's binding and runs with the land.

Mr. Rondello stated that Mr. Capizzi had agreed to have it in the deed. If anyone bought the property, they would be subject to the same requirements. It would be in three places, the resolution, developer's agreement, and the deed.

Diana Flagg, resident, inquired if bulk pick up and the pick up of Christmas trees is going to be the responsibility of the town. Ms. Flagg inquired if there will be another pick up for bulk scheduled during the week. Ms. Flagg inquired where they would put it as the item would not fit in the dumpster. Ms. Flagg inquired where the bulk will be stored if it is picked up every three months. Ms. Flagg inquired about how are they going to dispose of the bulk pick up.

Mr. Hubschman stated it would be done by the private hauler.

Mr. Capizzi stated they would call the landlord and let him know there is a bulk item. The landlord will arrange for the private carter to come to the site and pick it up. There may an occasional bulk pick up a few times a year. The frequency of this site will be no more that which is associated with a single family house. Mr. Capizzi stated Bergenfield right now has two trash and one recycling a week. Mr. Capizzi stated they are fine with another condition, that the amount of private hauler pick ups would not exceed that which is provided to a single-family house in a calendar year.

Mr. Hubschman stated the trash room is over 20 feet and can fit a mattress.

Mr. Capizzi stated the landlord will take care of the property in the same fashion as a single-family home property owner will take care of theirs.

Mr. Stein stated they can not just leave mattresses on the street. They have to wait for the specific pick up times like everyone else.

Norman Schmelz, 94 Deerfield Street, inquired about the garbage pick up time as there are issues with deliveries on Washington Avenue. Mr. Schmelz inquired if they will be backing up garbage trucks 6:00am in the morning. He inquired if it will be at 8:00am while the kids are walking to school. Garbage men start very early in the morning, sometimes at 4:00am.

Mr. Capizzi inquired if they want them to operate with a different schedule than the DPW works at.

Mr. Hubschman stated they were talking about 6:30-7:00am before school which is standard for the DPW. It's a private hauler so the pick up time can be scheduled for any time they want.

Mr. Capizzi stated they can have the garbage picked up at whatever hour the board's pleasure is, before rush hour or after the morning peak time.

Board member Steinel stated there is a borough ordinance that regulates what time private haulers can begin. It would be best to have it researched over the next couple of weeks.

Mr. Capizzi stated they will comply with the ordinance or if the ordinance allows for an earlier time the board would rather have them to operate, they will agree to operate at a later time even if the ordinance permits for an earlier time.

Board member Smith stated he measured 15 ft. for the trash room. There isn't enough room for the two containers, compactor, and the bulk.

Mr. Hubschman stated there's room to make the trash room 25 feet.

Mr. Capizzi stated they can put in the lease that when a tenant moves out, the tenant would be required to take with them any of their personal items. There wouldn't be any concerns of leaving mattresses, couches, or personal items a tenant no longer wanted in the trash room when moving out.

A seven minute recess was taken at 9:28pm. The meeting resumed at 9:35pm.

Chris Blake, licensed architect, stated he had submitted revised drawings on December 22, 2020, marked A1-A8. The building itself is smaller and was reduced from 16 units to 14 units. It is less wide from side to side. It is 110 ft., where it was 120 ft. previously. The parking layout is the same but 1-2 parking spaces decreased. The first floor is parking. There is a lobby in the front of the building. The lobby has a south door entrance with a staircase and an elevator. There is also another fire escape. There is also a trash room and mechanical room on the first floor. The second and third floors are similar. There are 7 units per floor, with 2 fire escapes and an elevator in the middle of the building. Six of the apartments per floor are one bedrooms. They had proposed 2 two bedroom units in the southeast corner of the building. However, with the COAH requirements, they will probably need a 3 bedroom unit. They will have 6 one bedroom units on each floor with 1 two bedroom unit on one floor and 1 three bedroom unit on the other floor, with a total of 14 units. The exterior of the building will match the characteristics of the residential homes in the neighborhood. The materials of the siding will be asphalt and shingles with double hung windows. There might be some cultured stone along the bottom. Mr. Blake stated he has submitted an exhibit showing what the building would look like with a flat roof, which becomes less residential. The sloped roofs match the roofs of the residential homes in the neighborhood. The height of the building is 32.16 ft. with the sloped roof at the highest peak. It would still be beneficial and advantageous in matching the aesthetics and character of the neighborhood. Mr. Blake stated the shadow study shows the shadow with the worst scenario being in the middle of the summer, on 7/28/20. The longest shadow in the afternoon will only cast a shadow on the property in the rear that is undeveloped. The building now is complying with the lot coverage of 39.9%, where 40% is allowed and has the same

size in footprint as three single family homes. The bulk matches the ordinance and is in character with three single family homes. Mr. Blake stated, based on other projects with similar size units, the size of containers are adequate. There could 4-5 containers in the room. The room is spacious and can handle a couple of extra sofas or a mattress that will be there for a short period of time. The size of the trash room is at least 20 ft. wide and 8 ft. deep. Mr. Blake stated 160 sq. ft. can handle the two containers, a compactor if needed, and a sofa or a mattress. It is a good size room for this size building. They could add a double door instead of a single door. The building is entirely sprinklered, including the parking area and the attic. It would be up to the current building codes and fire safety. A door could be added to the walkway area. They will make sure the door is in the ingress/egress area of the unit. There are no mechanicals on the roof. There will be individual wall units for each individual unit and self-contained units for the corridors and lobby area.

Mr. Capizzi stated they will comply with whatever the municipality's COAH requirements are. Mr. Capizzi inquired if according to their calculation if the COAH obligation would be two units.

Mr. Blake stated the COAH obligation would be two units, one unit would have to be a 1 bedroom unit and the other a 3 bedroom unit. The material for the construction of the building would include some steel columns. There will be steel columns for the base to hold up the building with a steel and concrete podium. The second floor will be a steel and concrete structure. Above that, there will be a typical wood frame, stick structure. It will be up to the latest codes. It is a podium building where there is a concrete slab frame.

Mr. Rotonda inquired if there is any special design criteria the architect wants to discuss or anything that doesn't fit within the code the board should be aware of.

Mr. Blake stated the building will be built in full compliance with the building codes.

Mr. Smith inquired about the exact measurements of the trash room as his measurements for the trash room are less than 20 ft. in the drawing labeled A-2.

Mr. Blake stated it is 20 ft by 8 ft. Mr. Blake stated they can add in the resolution that the trash room will be at least 20 ft. Mr. Blake stated it is 20 ft. in the drawing and disagreed with Mr. Smith. The trash room is wider than two parking spaces.

Mr. Capizzi stated if the application is approved, the trash room will be no smaller than 20 ft. wide.

Mr. Steinel stated the Avalon building that burned down met the code. He inquired if the sprinkler system will be filled to FPA 13 or 13R. 13 is the one that covers all the broad spaces and 13R is the living spaces.

Mr. Capizzi stated when they were before the site plan advisory committee, Mr. Naylis had requested that they have a dry system in the attic which is what is being proposed.

Mr. Blake stated the building will be built up to code. It was his understanding that the building had to be up to FPA 13, not 13R for a building of this size.

Ms. Berger inquired if the individual apartments will have washers and dryers. Ms. Berger inquired if the individual units have sprinkler and carbon monoxide detectors.

Mr. Blake stated the individual units have a stackable washer and dryer in a closet near the kitchen. Mr. Blake stated each apartment will have a sprinkler and carbon monoxide detector that is required by the code.

Mr. Morf requested confirmation that Mr. Blake had stated there will be 3 bedroom apartments in the building. Mr. Morf stated the drawing shows 2 two bedroom apartments. Mr. Morf stated that changes the parking.

Mr. Blake stated there will be 1 three bedroom apartment. One of the 2 two bedrooms apartments proposed will be modified. Mr. Blake stated he can pull up a revised drawing that was never submitted, showing the three bedroom apartment.

Mr. Stein inquired if the exhibit was ever submitted.

Mr. Capizzi requested Mr. Blake show the exhibit with the three bedroom apartment, marked A-14. Mr. Capizzi stated they are just taking a two bedroom apartment and converting it to a three bedroom apartment to comply with the COAH obligation. Mr. Capizzi stated it doesn't change the parking requirements. Mr. Luglio will speak about the parking when he testifies.

Mr. Blake stated the only thing on the plan that has changed is that the 1 two bedroom apartment has been converted to a three bedroom apartment. There still will be one bathroom, one kitchen, and one living room. Instead of two bedrooms, it contains three bedrooms. The living room and kitchen was reduced in size to accommodate the bedrooms. The rooms are all normal in size. The apartment is a 1,055 sq. ft. functional unit that will replace a two bedroom unit on one of the floors in the southeast corner. The make up of the building will be 12 one bedroom apartments, 1 two bedroom apartment, and 1 three bedroom apartment.

Mr. Capizzi stated the municipality says when there is a rental project, 15% of the units have to be set aside for affordable units. Mr. Capizzi explained that 15% translates to 2 units. Out of the two units, at least one has to be a three bedroom apartment as it is the municipality's agreement with the fair share housing.

Mr. Friedman inquired what the square footage is for the 2 bedroom apartment and for the 1 bedroom apartments.

Mr. Blake stated the square footage for the 2 bedroom apartment is the same as the 3 bedroom apartment. The square footage of the 1 bedroom apartments vary in size from 650-750 sq. ft.

Mr. Morel inquired what the impact of the trash and the parking would be from having a 2 bedroom apartment compared to a 3 bedroom apartment.

Mr. Blake stated it would increase the parking requirements by 0.1 car. It would be the same parking requirements. The trash room is oversized and can hold 4-5 containers, if needed. Mr. Blake couldn't imagine the extra one bedroom would create the need for so many containers, but a compactor would be a sufficient to handle the extra bedroom.

Mr. Mondello stated 15% out of the 14 units is 2.1 units. Mr. Mondello stated his understanding is that the applicant would be responsible for 0.1% from a financial perspective. They would have to contribute that amount to a affordable housing fund or a development fund.

Mr. Capizzi stated Mr. Mondello is correct and is in agreement with Mr. Mondello.

Questions from residents from 200 feet and beyond:

Rosemarie Socorro-Garcia, 27 S. Franklin Avenue, inquired what is the projected construction time for this complex to be built. Ms. Socorro-Garcia inquired how the construction would affect the school on its normal hours. Ms. Socorro-Garcia inquired about what is so unique about the vicinity the proposed building is being built in that that other areas in Bergenfield do not provide.

Mr. Blake stated it would be close to a year, maybe 10-11 months. The first few months would be site work, pipes and drainage, and getting the utilities in place. The last three months would be interior finishes, like painting and tiling. The building will look finished but they will be doing the final touches in the interior. Mr. Blake stated construction would occur between 8:00am and 4:00 or 5:00pm, whatever the time the borough ordinance is set up to be. The bulk of the workers will come in the morning. There will be some generation of things in the morning. It will be self-contained during the day on the site. Mr. Blake stated he can't speak about the delivery of materials. Those things usually happen during the day, usually midmorning.

Barry Doll, 97 Highgate Terrace, inquired if there would be any provisions made for senior citizens with the rental of the apartments. Mr. Doll inquired if there is a rental range for the two and three bedroom apartments. Mr. Doll inquired what the rent will be for the one bedroom apartments. Mr. Doll inquired if there will be any assistance provided for senior citizens.

Mr. Capizzi stated the one bedroom and the three bedroom affordable housing units would be governed by whatever the rental limitations are within this region of Bergen county. The potential occupants would be selected by a third-party agency that is hired by the borough to handle affordable units within a municipality. The market rent for the units is not yet set. The building has an elevator that is fully accessible.

Mr. Blake stated the building is suitable and accessible for a senior citizen.

Norman Schmelz, 94 Deerfield Street, inquired if the garbage can't be picked up until 8:00am, it is going to be picked up while the kids are going to school.

Mr. Capizzi stated they would have to wait until the school am period concludes. All of the conditions would be written in a document that would become part of the title for the property.

Mary Sullivan, resident, inquired if the architect would be agreeable to installing a speed bump at the exist/entrance to the garage in addition to the traffic signal.

Mr. Capizzi stated the traffic engineer can speak about that.

Joannie Bautista, 144 W. Main Street, inquired if the architect can superimpose the two containers in the trash room in his drawing of the trash room so the residents could see how the two containers fit in the trash room. Ms. Bautista inquired if the trash cans are going to be removed from the building through the lobby. Ms. Bautista inquired about the odor created in the lobby since the trash room would be right next to it. Ms. Bautista inquired where they would be putting the excess snow from the driveway if there is a big snowstorm. Ms. Bautista inquired if three single family homes generate the same amount of trash as a three bedroom apartment and inquired how much trash would be generated from the rest of the apartments in the building. The amount of trash that is going to accumulate is being underestimated.

Mr. Blake stated it is possible and he could do that. Mr. Blake stated the snow can be contained on the site. There is room in the rear of the property and on the eastern side. They can double check the location of the trash room to be compatible with the neighborhood. Most of the tenants would be coming in through the parking garage which would be equally unappealing. Garbage pick up would only be five

minutes once or twice a week. Mr. Blake stated the 20x8 trash room can handle all of the trash for the 14 unit building. A compactor literally compacts the trash to a quarter of the actual size.

Carolyn Schmelz, 94 Deerfield Street, inquired if there is going to be a maximum occupancy for each unit. There are many apartments in town that put many people in a 1 bedroom apartment. In the area you are going to build this, it would not be good if there is no set criteria in the occupancy.

Mr. Capizzi stated they have not considered that and he is not prepared to answer that question on behalf of the applicant. There is a criteria set by the building code. Mr. Capizzi stated the lease intake form would ask about who is going to be an occupant and limit it to those people listed on the lease intake form. Mr. Capizzi stated it is not their intention to operate a rooming house at this location. They are building a brand new building and going to run it in Class A fashion.

Diana Flagg, resident, inquired if the generator for the elevator will create noise for the home facing the back of the property and where will the generator be placed. Ms. Flagg inquired if the noise from the generator is going to be curtailed.

Mr. Blake stated the generator will be in the rear of the property and will be more than 15 feet away from the property line that has less development. The generator will be in the rear of the property.

Mr. Stein stated there are regulations where you can put a generator.

Barry Doll, 97 Highgate Terrace, inquired if anyone has consulted with the DPW about the trash pick up. There should be some input from the DPW.

Mr. Blake agreed with Mr. Doll and stated he believes Mr. Hubschman had spoken with the DPW.

Mr. Capizzi stated the trash was addressed at the site plan advisory committee but at that time they were proposing to have pails. They changed that due to the concerns raised by the neighbors. There is no issue with the trash, just a lot of questions.

Mr. Mondello stated it is not an unreasonable request Mr. Doll is making for Mr. Hubschman to reach out to the DPW to consult with them about the trash pick up. It is something that could be discussed at the next meeting.

Mr. Stein stated a compacting system would help a lot and may make a lot of people happy.

Mr. Capizzi inquired if the board would consider having another special meeting to get this done in the next go around.

Mr. Stein stated the next meeting is Monday, March 1st, 2021 at which time they can come back and decide if a special meeting is required. The matter is being carried to March 1st, 2021 without further notification. There are two residential applications beforehand.

Mr. Capizzi stated he has another matter that night but can be online for Bergenfield between 8:30-9:00pm.

Motion to Keep Mr. Ron Mondello & Mr. Frank Rotonda On For Meetings Regarding the Hearing Of 145 West Main Street:

Motion By: Shimmy Stein

Second By: John Smith

All ayes. None opposed.

MOTION TO ADJOURN MEETING


Motion By: Charles Steinel

Second By: Shimmy Stein

All ayes. None opposed.

Meeting was adjourned at 10:46 pm.

Respectfully Submitted,


Hilda Tavitian, Clerk
Zoning Board of Adjustment