

BERGENFIELD ZONING BOARD OF ADJUSTMENT  
MINUTES – MAY 8, 2017

Meeting opened at 8:10 p.m. by S. Stein, chair, with pledge of allegiance and in accordance with sunshine law. The meeting was held at the Bergenfield Public Library.

Roll call:

Shimmy Stein – present  
Richard Morf – present  
Steve Madsen – present  
Sara Berger – present  
Charles Steinel – present  
Rene Palma – present  
John Smith - present

Amnon Wenger – 1<sup>st</sup> alternate – present  
Delvis Garcia – 2<sup>nd</sup> alternate - present  
Ronald Mondello, Esq. – present  
Remington Vernick & Arango Engineers:  
David Gleassey - present  
Arvin Amatorio, Council liaison – present  
\_\_\_\_\_, Planning liaison - absent

**MINUTES** – Minutes of February 6, 2017 were approved on motion.

**COMMUNICATIONS** – None.

**PUBLIC COMMENT** – None

**RESOLUTIONS**

**Samiron Group, 30 McDermott Place** – On motion by J. Smith, seconded by R. Morf, the Resolution was approved as submitted.

**Brandstatter, 55 Addison Road** - On motion by A. Wenger, seconded by J. Smith, the Resolution was approved as submitted.

**OLD BUSINESS**

**Alloro (Joni Juice), 65 Woodbine Street** – Application marked as Exhibit A. Matthew Capizzi, attorney for applicant, stated that the applicant wants to maintain a fruit processing business at the site. There is no sales. All fruit purchased from farmer’s market on New Bridge. Mr. Hubschman and Mr. Blake will be the expert witnesses. Previous tenant was office for waterproofing company.

Chair read a letter for applicant from Bergenfield Health Department dated May 8, 2017 advising it only has jurisdiction of retail food establishments and they would need approval from state. Chair read a letter from the State of NJ Department of Health dated May 8, 2017 advising it had no objection to the applicant being located next to an auto repair facility but if it had a well it had to be free of contamination.

Harry Kasindorf, 83 Woodlawn Street, Tenafly, was sworn in as applicant. He stated his wife is a nutritionist and she started the business to provide healthy foods over 4 years ago. All produce is purchased from Farmer’s Market on New Bridge which is convenient for them to pick up fresh foods in their van. Convenient for wife with children in school in Tenafly. They have state certification. There is no retail sales, only wholesale. Product bottled on site. Van picks up produce in morning, all produce washed, pressed and bottled. Refrigerated van takes bottled juice to Edison facility for distribution. No big trucks. Three employees. Pulp is picked up by farmers within 24 hours.

Board engineer, David Gleasey, referred to his letter of May 5, 2017 that his concern was that it was in the same building made of concrete as an automotive repair shop which has residual solvents. Applicant agreed that the floors will be sealed and the wall next to automotive shop will be encapsulated. Engineer questioned parking – 4 stalls in front are for applicant's use only; in a flood plain from Hirschfield Brook. Not seen as a problem.

On questioning Board, applicant advised there is no cooking on premises – only has pulp residue and no grease.

Architect Chris Blake, 15 N Washington Avenue, Bergenfield, accepted as expert. Said grease pit in plans not needed because no cooking. (Applicant advised if cooking added, they would have to come back to Board.)

Applicant advised opened 7 am t 3 pm, 2 or 3 times a week.

Floor opened and closed to property owners within and outside 200 feet with no comment.

On motion by J. Smith, seconded by R. Morf, application approved as amended that well water would be free of contamination, wall and floor encapsulated, no cooking.

#### **NEW BUSINESS**

**Abdelhamid, 217 Phelps Avenue** – Application deemed complete and marked as Exhibit A. Applicant, Elsayed Abdelhamid, 25 Graphic Boulevard, Bergenfield stated he wanted to convert a two family home to a three family home which was structured as a two family home. He wants his adoptive mother to live on the ground floor because she has Parkinsons. Applicant advised that if the Board approves request it would be temporary and that when his mother is no longer living there it would revert back to a two family residence.

On questioning by Board, applicant said he would have his architect make plans for safe egress on third floor. Will make sure ground floor is ADH accessible. Third and second floors have kitchens. Ground floor does not because food prepared and brought in for mother by aide.

Floor opened to property owners within 200 feet. Marie Villareal, 214 Phelps Avenue, questioned how many people were living there because area already over populated. Applicant stated husband and wife with 2 children on third floor and husband and wife with 3 children on second floor. Floor closed. Floor opened to property owners outside 200 feet with no comment.

Since there were a number of issues to be addressed beyond what this Board can do, it was recommended applicant go back to the building department and fire department for what was needed to make the building safe and come back next month on June 5, 2017.

#### **OTHER BUSINESS** – None

Meeting at 9:15 p.m. on motion.

Respectfully submitted,

Joan Compton, Clerk

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**Next meeting: June 5, 2017 at the Bergenfield Municipal Building.**