

**BERGENFIELD PLANNING BOARD
REGULAR MEETING MINUTES
August 19, 2024**

Chairman Robert Rivas called the meeting to order at 8:00 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 from participating in any discussion on this matter.

ROLL CALL

Present: Phil Neville, Councilman Lodato, Robert Rivas, Romeo Abenoja, Ernesto Acosta, Jason Bergman, Joel Nunez, and Praveen Joseph

Absent: Mayor Amatorio (excused) and Miquel Vasquez

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

PLEDGE OF ALLEGIANCE

Led By Board Member Nunez.

APPROVE MINUTES OF PREVIOUS MEETING -- July 15, 2024

Motion By: Mr. Abenoja

Second By: Mr. Joseph

All ayes. None opposed.

CORRESPONDENCE

A letter received from Bergen County Soil Conservation District regarding 15 Belvin Court. Application for soil erosion and sediment control was approved. No action needed, just advisory.

VERBAL COMMUNICATION

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

Terry Wright, resident, inquired how many variances are approved on a regular basis and if the town grants a lot of variances.

Chairman Rivas stated there isn't someone who keeps track of the number of variances granted.

Borough attorney Oh stated variances granted can be found on the borough website under the Zoning Board page in the annual report folder.

Motion to Close Verbal Communication

Motion By: Mr. Bergman

Second By: Mr. Abenoja

All ayes. None Opposed

COMMITTEE REPORTS

1. Site Plan – No report.
2. Parking/Legal – No report.
3. Capital Improvements – Councilman Lodato stated the demolition of the old borough building is under way. The site work will be done afterwards. The statues are going to be removed, cleaned, and placed on the south end of the borough property.
4. Master Plan – Chairman Rivas stated they are deep into working on the revision of the master plan. The Planning Board will review the committee's recommendations at the September 23rd, 2024 Planning Board meeting.
5. Liaison to Board of Adjustment – No report.

OLD BUSINESS

1. Resolution - Bais Medrash, 385 South Prospect Avenue, Proposing to Construct a Security Fence and Shed

Motion By: Board member Abenoja

Second By: Board member Joseph

All ayes. None opposed.

NEW BUSINESS

1. Application: Thomas John
49 Beechwood Street
Minor Subdivision

Thomas John, applicant, stated he is proposing to subdivide the property and put two single family homes on the property. The property is 100xx100 and proposing to subdivide the property into two 50x100 lots.

Chairman Rivas stated normally an attorney would have you testify to the specifics, size of the property, to elicit compliance with the town's ordinance, and discuss the positive and negative criteria. He stated the application for tonight is to subdivide the property, but renderings to build two homes was received. The renderings need to go back to the zoning officer for review.

Councilman Lodato stated the plan shows a two-car garage and driveway in front for each house and each home will be have six bedrooms. He stated there is only parking for four cars on each and inquired where the additional cars would be parked.

Chairman Rivas stated discussions of the house are premature since they have not been presented to the zoning officer. He stated once presented, there might be opportunity to request variances. The application for tonight is just to subdivide. Normally, the Board would hear whether the application complies with the municipal land use law and the positive and negative criteria. Mr. Rivas inquired if the subdivision will change the character of the neighborhood and how many homes on the street have 100 ft. frontage. Mr. Koestner had submitted a plot of the property in the relation to the surrounding and right next door there is a property that has 100 ft. frontage.

Mr. John stated the setback is 5 ft. on both sides and the back property is 30 ft. No one on the street has 100 ft. frontage.

Board engineer Yuro stated the property is currently 100 ft. wide by 100 ft. deep. The applicant is proposing a two lot minor subdivision to make it 50x100, 5,000 sq. ft., and meets the minimum lot requirements in the R-5 zone. The plan by Mr. Koestner shows two conceptual buildings are shown within the setbacks. There are no received variances at this time. However, the zoning officer has not seen

the architectural plans and drawings and is concerned about getting a chance to see them. He had just seen the plan for the minor subdivision and that was why he had sent it to the board for a minor subdivision only. Mr. Yuro explained a minor subdivision gets filed by plat or deed. There needs to be an understanding of how it's going to be. However, it's going to be needs to be filed with the Board and his office needs to review it. If it's by deed, it is just a series of descriptions that's reviewed and it's by plat or map, there are notes that needs to be put on the plan. Mr. Koestner and the attorney can guide the applicant. Mr. Yuro stated if the application if favorable to the Board, the applicant needs to speak with the tax assessor to ensure proper lot numbers are assigned. There possibly may be approvals needed from outside agencies as application moved forward. Mr. Yuro stated for the minor subdivision, the applicant meets all of the requirements for the lot size, lot frontage, and lot depth. Mr. Koestner's plan shows the required setbacks, 5 ft. on the two sides, 25 ft. on the front and rear yard.

Chairman Rivas inquired if Mr. John would consider having an adjournment until he consults with an attorney and Mr. Koestner. You are being given extra time to gather all assistance and documents necessary. He inquired if he will occupy the two homes.

Mr. John stated he will have the architect and attorney present at next month's meeting and consented to extension of time for approval. He might live in one of them and his son going to live in the other.

Mr. Acosta inquired if the current home on the home is going to be demolished completely.

Mr. John's response was yes.

Motion to Adjourn Application to September 23, 2024 Meeting, with Extension of Time for Approval, and No Further Notice Necessary

Motion By: Mr. Bergman

Second By: Mr. Abenoja

All ayes. None opposed.

MOTION TO ADJOURN MEETING

Motion By: Mr. Bergman

Second By: Mr. Abenoja

All ayes. None opposed.

Meeting was adjourned at 8:34 pm.

Respectfully Submitted,



Hilda Tavitian, Clerk
Planning Board