

**BOROUGH OF BERGENFIELD  
PLANNING BOARD TELECONFERENCE  
MEETING VIA ZOOM  
MEETING MINUTES  
JULY 26, 2021**

Chairman Rivas called the meeting to order at 8:00 PM.

**OPEN PUBLIC MEETING STATEMENT**

In compliance 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 posted on the borough website. Notice of this meeting via the July 15, 2021 Sunshine notice has been sent to the Record, Star Ledger, and Cablevision, posted on two municipal bulletin boards and the borough website.

**PLEDGE OF ALLEGIANCE**

Led by Councilman Lodato.

**ROLL CALL**

**Present:** Mayor Amatorio, Mr. Byrnes Jr., Councilman Lodato, Chairman Rivas, Mr. Knowles, Mr. Abenoja, Mr. Cabrera, Mr. Acosta, and Mr. Bergman

**Absent:** Mr. Berger, Mr. Vasquez (excused), and Councilman Rivera

**Also Present:** Gloria Oh, Planning Board Attorney, Carlos Fuentes, Planning Board Engineer, and Hilda Tavitian, Planning Board Clerk

**APPROVE MINUTES OF PREVIOUS MEETING – June 21, 2021**

**Motion by:** Mr. Bergman

**Second by:** Mr. Knowles

**All ayes. None Opposed.**

**CORRESPONDENCE**

None.

**VERBAL COMMUNICATIONS**

Any resident may comment or question any subject not on the agenda.

No one came forward.

**Motion to Close Verbal Communications**

**Motion By:** Mr. Knowles

**Second By:** Mr. Cabrera

All members present voting in favor. None opposed.

**COMMITTEE REPORTS**

1. Site Plan – Chairman Rivas stated there is a site plan meeting scheduled for August 9, 2021 he will be attending. It has to do with constructing another multi-family unit which is not approved in the section of the town they are proposing. It's a use question and will go to the zoning board.

2. Parking Legal – Nothing
3. Capital Improvements - Nothing
4. Master Plan - Nothing
5. Liaison to Board of Adjustment – Mr. Knowles stated he was not able to make the last meeting as he was out of town.

Mayor Amatorio stated he is not sure if it has been communicated to the Planning Board, but the planner hired by the borough has completed a report in regards to the redevelopment of certain areas in Bergenfield. It is pursuant to the master plan that it is approved by the borough upon the recommendation of the Planning Board. The report completed by the planner will be submitted to the Planning Board for comments and recommendations and to invite the public to make comments on the designated areas for redevelopment.

Chairman Rivas stated, hopefully, the report will be given to the board more than the usual week before the next meeting. They look forward to receiving it, digesting it, and being prepared for the public hearing for comments and recommendations.

#### **OLD BUSINESS**

1. Resolution – 2021 Housing Element & Fair Share Plan  
All ayes. None opposed.

#### **NEW BUSINESS**

1. Letter in Support of NJ DEP Green Acres Program Application

Chairman Rivas stated he had already signed the letter to the Mayor when Mr. Acosta came up with some suggestions and things to add to Cooper's Pond. He mentioned a toilet. The main building that serves as reception area for Cooper's Pond has toilets. Mr. Rivas stated he doesn't know what the rules are or who is in charge and whether they open it up to the public. Mr. Rivas stated he doesn't think they need another toilet unless the DPW or whoever is in charge of it refuses to open it up. It's up to the governing body to address.

Councilman Lodato stated he is not sure if the building is open on a daily basis, only when a particular function is going on. The restrooms are not readily available to the public. The possibility of adding a new facility somewhere else on the property would be costly.

Mayor Amatorio stated he couldn't agree more. The Cooper's Pond building is only open during events, not on a daily basis. No one keeps up the building when there isn't an event. Mr. Acosta's suggestion is welcomed and we are not certain whether the grants will be received or if it will be sufficient enough to cover the plumbing and sewer system in the vicinity. It is something they can look into the future.

Board member Acosta stated the toilet does not need to be tied into the sewer system, but can have a septic system. He had seen two portable toilets which gave him the idea. There are a lot of people he's heard say they wish there was a toilet there.

Chairman Rivas suggested the borough could have a separate entrance to the current existing toilets, without having to open the whole pavilion. Perhaps, a door could be constructed right where the toilets are to allow people to walk in and use them. The DPW would have to clean and maintain it on a regular basis if people were to use them. That would be less expensive than constructing another toilet system. Mr. Rivas stated if Mr. Acosta is insistent on amending the letter to include the toilet and also indicated lighting towards the end of the pond.

Mayor Amatorio stated that is a very good suggestion. The best time to do that would be during the renovation of Cooper's Pond. All of Mr. Acosta's suggestions are welcome. Mayor Amatorio stated it's fine to put them in the letter.

Mr. Acosta stated lighting is necessary in Cooper's Pond as it gets dark earlier in the winter. Mr. Acosta also pointed out that the signage is not lit.

Chairman Rivas asked the board members how they felt about him signing another letter including what was just discussed or leaving it the way it is.

Mayor Amatorio stated he may have to ask Hilda whether there is sufficient time to wait for the letter or when the deadline for submission of the letter is. He will guarantee that it will be discussed at the next Mayor and council meeting.

Mr. Rivas stated the governing body will be advised of Mr. Acosta's suggestions.

2. One Koufati, LLC and Fred Koufati, LLC, 363 & 369 S. Washington Ave, Request extension

Mark Madaio, attorney present on behalf of applicant, stated this is the laundromat and the adjoining bakery. The two structures are buildings separated by an alley, just under 2 feet wide. The application approved June 2019 was that they would put a cap on both ends of the alley and the laundromat would expand into the area that is currently the bakery when their lease was done. The laundromat would get larger. Mr. Madaio explained they appeared before the board for a site plan approval to do that. There were no other changes. They required a parking variance and that was because the two buildings separately required a parking variance. Mr. Madaio stated under the ordinance, there is an obligation that construction commence within one year of the resolution which would have put them in June 2020, middle of last summer in COVID. At that time, because of the pandemic, rather than start the work in anticipation of the bakery vacating their lease, his client did not commence the work. In addition, his client did not evict his tenant, the bakery. The bakery is there today as a month to month tenant. Mr. Madaio stated his client is asking for a one year extension, which is consistent with the ordinance and the statute of a site plan approval.

Board attorney Oh stated the distinction between the last application and this one is that the previous one was approved for preliminary and final site plan. They were given three years plus two years. Mr. Oh explained whereas this applicant had only applied for final site plan and were granted two years. Under the permitted extension act of 2020, since the resolution was adopted in June 2019, two years from then would have been June 2021. But, under the extension act, the applicant can be given extra time. Ms. Oh stated it is her opinion that under the final site plan application approval, they can request a one year extension three different times. This will be their first extension and does not see a problem with it.

Chairman Rivas stated that would bring us to June/July of 2022. It would be a year from the August meeting date, August 2022.

Ms. Oh stated it would be when the resolution is adopted at the next meeting. It would be a year from then.

Mr. Madaio stated it is their intend to break the wall between the two buildings and have a bigger laundromat sooner than later. His client is very proud of the types of work his laundromat does.

Mayor Amatorio asked Mr. Madaio if the tenant moves out, does his client wish to start the activity right away and what the plan is.

Mr. Madaio stated the plan is right away. They wouldn't be happy to move a paying tenant and then delay doing the work. The purpose is that the lease is over, the tenant will move out shortly, and the work will be done promptly.

Board member Knowles want to confirm that an extension will be given until August 2022.

Ms. Oh stated that is correct.

**Approve Request for One Year Extension**

**Motion By:** Mr. Knowles

**Second By:** Mr. Cabrera

**All ayes. None opposed.**

**MOTION TO ADJOURN MEETING**

**Motion by:** Mayor Amatorio

**Second by:** Mr. Cabrera

**All ayes. None opposed.**

Meeting adjourned at 8:29 PM.

NOTE: No applications will be heard by the Board that were not on the agenda at the time of publications release to the newspaper or applications that do not comply with Article VIII title "Hearings contained in the By-Laws of the Bergenfield Board".

Respectfully Submitted,



Hilda Tavitian

Planning Board Clerk