

**BOROUGH OF BERGENFIELD  
PLANNING BOARD TELECONFERENCE  
MEETING VIA ZOOM  
MEETING MINUTES  
DECEMBER 27, 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 December 10, 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 Board Member Knowles.

**ROLL CALL**

**Present:** Mayor Amatorio, Mr. Byrnes, Jr., Councilman Lodato, Chairman Rivas, Mr. Knowles, Mr. Abenoja, Mr. Cabrera, Mr. Acosta (joined 8:04 pm), and Mr. Vasquez

**Absent:** Mr. Bergman

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

**APPROVE MINUTES OF PREVIOUS MEETING – November 15, 2021**

**Motion By:** Mr. Cabrera

**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. Cabrera

**Second By:** Councilman Lodato

All ayes. None opposed.

**COMMITTEE REPORTS**

1. Site Plan – None

2. Parking Legal – None
3. Capital Improvements – Mayor Amatorio stated everything is still the same. They are scheduled to break ground for the new borough hall in January. The bidding for the soccer turf field is due and the publication is already put out.
4. Master Plan – None
5. Liaison to Board of Adjustment – Board member Knowles stated there was an application before the board for 122 N. Prospect Ave. The house was converted to a two family many years ago with all the proper permits for the work done. Mr. Knowles explained when the resident went to sell her home, it came back as a single family house and was told she had to appear before the zoning board in order to have it changed. The variance to change the use from a one family to a two family house was approved. The second application before the zoning board was for 234 S. Washington Avenue, a used car lot. The applicant wants to build a larger building in the rear of the property with bays for detailing cars. It is still going to be a used car lot. The rear setback was only 5 ft. from the adjacent property. The board approved the application.

## **OLD BUSINESS**

None

## **NEW BUSINESS**

1. Area in Need of Redevelopment Study – West Main Street, South Front Street, Van Houten Street, and South Washington Avenue

David Juzmeski, borough planner, stated he is here tonight for the Areas in Need of Redevelopment presentation that was authorized by the Mayor and Council through resolution. It is for non-condemnation area in need study. They submitted a formal report with the mapping for public viewing and comments to the clerk. He prepared a slide show for the presentation and shared it on the screen. Mr. Jusmeski stated he will be reviewing the first sets of properties identified as areas A, B, and C. Area A is Block 133 Lots 1,2 and 30, Area B is Block 258 Lot 5, and Area C is Block 344 Lot 4. Mr. Jusmeski stated area A has frontage on W. Main Street and is partially in the B2 zone and partially in the R5 zone. It contains the corner bank property with a drive through and a mixed use building. There is a restaurant with some residential above and there is a stand alone residential property at the southwest corner. Area B is on S. Washington Avenue in the RM zone and is former car dealership. Area C is also on S. Washington Avenue. It contains a former car dealership as well as parking area utilized as parking storage. Mr. Jusmeski stated for an area to qualify as an area in need of redevelopment, the properties need to fall within 1-2 of the criteria. Mr. Jusmeski read into the record the description of each criteria, A-H needed for a property to be considered as an area in need of redevelopment.

Mr. Juzmeski stated the first property within area A is 16 S. Front Street, Block 133 Lot 1, approximately 0.14 acre and is a mixed use building. It was a restaurant. It is seen from the picture on the screen that portions of the façade is beginning to deteriorate. The building conforms to criteria D, A, and H due to the existing conditions of the site. It also does not comply with the bulk standards in the B2 zone. The other lot in Area A is Block 133 Lot 20, 60 W. Main Street. It conforms to criteria A, B, D, and H. The building does not comply with setback standards within the zone. The existing drive through canopy has dilapidated to a point in which the ceiling tiles have fallen causing dangerous conditions. Lighting has been damaged and the pavement in the parking area has settled causing tripping hazards. The stairway

along the rear of the building has detached from the building itself. The last property in Area A is 11 Van Houten Street, lot 2 and is within the R5 zone. The lot does not conform to some standards of the R5 district, specifically in setback and coverage

Mr. Juzmeski stated the next section is Area B, 314 S. Washington Avenue, Block 258 Lot 5, an area of 0.595 acre. It's a former car dealership and has associated parking areas. It's within the RM district which is the garden apartments zone. The property itself doesn't conform to the zoning district use and yard requirements which refers to criteria D. The use has been discontinued which relates to criteria B. It's also within the smart growth area. There are conditions on the property that are obsolete. Although there is physical space for a ADA compliant space, the space itself is not ADA compliant. Finally, Area C is 358 S. Washington Avenue, Block 344 Lot 4, area of 0.24 acre, and is in the B2 zone. It had nonconforming lot setbacks. It qualifies under criteria D, B, and H. The proximity of the building to the front and corner and the setback creates line of sight issues for traffic. Mr. Juzmeski stated as you travel down the street, on North Street, there is an ADA compliance sidewalk and as you enter the site where there used to be a drive up service base, the building is several feet from the curb creating blind spots, as well. It's an obsolete layout. Mr. Juzmeski stated based on their analysis in relation to the criteria identified under the local redevelopment housing law, areas A, B, and C all qualify as areas in need of redevelopment.

Mr. Juzmeski stated the next step in the redevelopment study is that the Planning Board may recommend to the Mayor and council adopt these areas as areas in need of redevelopment. It allows the Mayor and council to move to the next step in creating individual redevelopment area for the three areas discussed. Mr. Juzmeski stated that includes what the municipality wants to see on the properties, whether it's commercial, residential. They would get into the bulk standards, heights, coverages, type of street scape, improvements they want to see, and any other modifications, restrictions, etc. The Planning Board will have the opportunity to comment on that portion of the redevelopment process, as well. The redevelopment plans will come back to the Planning Board as an additional presentation.

Board member Cabrera stated he was surprised to see the two family home, 11 Van Houten Street, on the list as the home looks to be in good shape and is not setback. It may not have the expected footprint of a two-family home, but was curious to know why this home was identified to be in need of redevelopment.

Mr. Juzmeski stated the areas are first identified by the municipality. They then look at the lots and see if they qualify. There are 3 criteria this area that qualifies, age, side yard setback, and the front yard setback. It also falls under the section 3 provision which means that you can include properties that are not dilapidated. Mr. Juzmeski explained the inclusion of those properties make the entire area, as a whole, more conducive to redevelopment. The Planning Board has the opportunity to make modifications and recommendations to the Mayor and council as to whether or not some lots are included or excluded. Many individual lots may qualify based on the criteria identified. They felt that inclusion of the section 3 provision will help the area as a whole to redevelop quicker.

Board member Cabrera stated the building located at 314 S. Washington Avenue, the former Nissan dealership, is relatively new and is in good condition. He inquired if the building will be kept intact and be parceled into smaller subsections for businesses or will the building be knocked down.

Mr. Juzmeski stated that comes into the next section of planning. At this point, they are just looking to see if the property qualifies. As part of the redevelopment plan formation, there is an opportunity to redevelop or refurbish the building for whatever purpose, i.e. use first floor of building for mixed use or parcel it out. Mr. Juzmeski explained that comes with the next set of redevelopment planning and whether or not the owner of the property wants to redevelop the existing building.

Mayor Amatorio wanted to clarify what was done in the study was to identify areas or properties that can be redesignated for redevelopment.

Mr. Juzmeski stated this presentation is their recommendation they have identified through the local redevelopment housing plan that the areas presented tonight qualify under the criteria of areas in need of redevelopment.

Mayor Amatorio inquired if a developer buys the identified property or the current owner of the property wants to put a new structure, would they still have to go back to the Planning Board or the Mayor and council for approval with regards to what type of development they are going to build in that particular area. Mayor Amatorio inquired if the Planning Board or the Mayor and council can identify a specific area and pass an ordinance for only that particular area, not necessarily the areas presented, assuming the 3 areas were endorsed by the Planning Board, the Mayor and council can approve all of them or just 1 or 2 of the areas. Mayor Amatorio stated the owner of the house that was designated as in need or development has the option not to develop at all. It's just for identification that if you want to develop, they are qualified to do it.

Mr. Juzmeski stated this a multi-step process. The current owner, right now, can submit an application to the boards for whatever they want to do, depending on whether it is a permitted use or not. If no one wants to develop it and it gets to the redevelopment plan, that becomes the new zoning for the lot. At that point, a developer can submit site plans for the lot and property that still needs to go to the Planning Board for approval. Mr. Juzmeski stated the Planning Board makes recommendations to the municipality to adopt the areas of need as presented today or with modifications. The Mayor and council will either adopt with the recommendations of one, two, or all three areas in need presented today. The owner of the property does not need to sell their home, it's their prerogative.

Board member Knowles inquired if the owners have been notified that they are in the redevelopment area and if not, when will they be notified.

Mr. Juzmeski stated he believes the owners have been notified. It doesn't go through his office, it goes through the municipality.

Board engineer Fuentes stated it's during the next phase is when the board has more input on what kind of development there is going to be. Right now, it's just a selection process to establish the three areas are indeed in need of redevelopment.

#### **Public Comments**

No one came forward.

#### **Motion to Endorse/Accept Areas in Need of Redevelopment Recommendations for Areas A, B, and C Made by Planner**

**Motion By:** Mayor Amatorio

**Second By:** Mr. Byrnes, Jr.

Chairman Rivas inquired if there is going to be another presentation for Areas D, E, and F. Mr. Rivas stated resolution #21-396 from the governing body directs the Planning Board to review the areas covering D, E, and F.

Mr. Juzmeski stated not tonight and is shooting for next month for that presentation. They were just authorized last week for that one.

Board attorney Oh stated the board tonight has to take a vote on giving the borough planner authorization to do a further investigation on areas D, E, and F and to give their report at the next meeting. They need to decide whether that will be at the regular meeting or they should hold a special meeting.

Chairman Rivas stated the next regular meeting will be the reorganization meeting which is at the end of January. Mr. Rivas inquired if members of the Planning Board remain on the board during the end of December and when they reorganize. Many of the board members have terms that expire 12/31/21.

Mayor Amatorio stated it's possible that the board will remain the same. However, it will not be known officially until the Mayor and council's reorganization meeting.

**Motion to Authorize Neglia Engineer to Further Investigate Areas D, E, and F**

**Motion By:** Mr. Abenoja

**Second By:** Mr. Acosta

**All ayes. None opposed.**

Chairman Rivas stated they will leave Areas G and H for some other time in the future.

Board attorney Oh stated there is one other area identified that was approved by the Mayor and council to be included as part of the area in need of redevelopment. The additional areas in need of redevelopment are Block 126 Lots 9, 10, 11, 12, 14, 15, and 16.

Mr. Juzmeski stated there is an area nestled between D, E, and F that was stand alone. They received calls as potential interest for designation. They had offered it to the municipality as an optional area and the council identified it as a potential study area, whether it qualifies still needs to be determined.

Chairman inquired if the report on Areas D, E, and F will include Block 126.

Mr. Juzmeski's response was yes.

**MOTION TO ADJOURN MEETING**

**Motion by:** Mr. Knowles

**Second by:** Mr. Cabrera

**All ayes. None opposed.**

Meeting adjourned at 8:46 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