

BERGENFIELD ZONING BOARD OF ADJUSTMENT  
MINUTES - REGULAR MEETING  
JULY 11, 2016

Meeting opened at 8:15 p.m. by S. Stein, chair, with pledge of allegiance and in accordance with sunshine law.

Resolution to approve absence of following members approved: B. Deauna.

Roll call:

Shimmy Stein – present

Richard Morf - present

Steve Madsen –present

Buddy Deauna – present

Richard Daly – present

Sara Berger – absent (e)

Amnon Wenger – 1<sup>st</sup> alternate – present

Rafael Marte, 2<sup>nd</sup> alternate- absent

Ronald Mondello, Esq. – present

Remington Vernick & Arango Engineers:

David Gleassey - present

Charles Steinel, Council liaison – absent

\_\_\_\_\_, Planning liaison - absent

**MINUTES** – Minutes of May 2, 2016 and June 6, 2016 were approved as submitted.

**COMMUNICATIONS** – None

**PUBLIC COMMENT** - None

**RESOLUTIONS** –

**Love and Truth Church, 169 North Washington Avenue** – Held for August 1<sup>st</sup> meeting.

**Liss, Michael and Shoshana, 41 Addison Road** - Held for August 1<sup>st</sup> meeting.

**Katz, Jonathan and Rebecca, 44 Dudley Drive** – Held for August 1<sup>st</sup> meeting.

**Church Street Bergenfield Associates LLC, 90 West Church Street** - Held for August 1<sup>st</sup> meeting.

**OLD BUSINESS** - None

**NEW BUSINESS**

**1 Surrey Ln, LLC, 1 Surrey Lane** - Application deemed complete and marked as Exhibit A-1. Applicant's project manager Marco Santos explained that an addition would be constructed over the existing structure, a two-floor addition to be added on the right side with a 15 feet and a portico with columns in front with a 12 foot setback. Existing structure is a non-conforming 14.7 foot setback. Because property over 6,000 s.f. it is in an R-6 zone rather than R-5 which would require shorter setbacks.

On questioning by the Board, applicant was advised the Board looks at the property as in an R-6 zone. Applicant agreed patio is pervious and will be corrected on plans. The front yard setback as existing is 14.7 feet and the columns do not have to be counted. Applicant was agreeable to installing seepage pits accordance with the board's engineer.

Floor opened to property owner within and outside 200 feet. Traffic coming in and out of Surrey Lane on to New Bridge Road already difficult. Concerned this will cause more problems. Board advised variance needed because on a corner and that this property will line up with other houses and not cause a problem. Floor closed.

On motion by Amnon Wenger and seconded by Buddy Deauna, the application was approved as amended.

**Little Explorers Learning Center, Inc., Clinton Avenue Reformed Church, 58 James Street** - Application deemed complete and marked as Exhibit A-1. Mark Madaio, Esq. representing the applicant stated that applicant wants to have a day care at the church which is in a residential zone and not permitted. A day care was there till about 6 or 7 years ago. He explained houses of worship can operate or provide space for organizations such as AA or a day care by law. Parking lot has 8 parking spaces for applicant and a circular pattern will be done for drop off and pick up of children.

Applicant Nidia Pena was sworn in. This is her second day care. She currently has one at 71 West Main Street which has no parking. Previously she had a family day care in her home. Will open this one with 30 children and could go up to 60 for ages 2 1/5 to 13 years with 6 teachers and 3 staff. It will be open 7 a.m. to 6 p.m. They have state approval and inspections have been done. On questioning by Board, applicant said she is now up to capacity and has a waiting list.

Pete Lazarus gave his credentials and was accepted as architect. Referenced plans XK1 and XK2 architectural drawings marked Exhibit A-2. First floor existing bathroom to be demolished and 2 rooms constructed with 1 ADA approved with 1 toilet the other with 2 toilets. Classroom is adjacent. Second floor has different classrooms and access is by stairs or elevator. No parking provided for parents because it is all drop off and pick up and children met outside by staff. Cars enter from James Street and exit onto Madison Avenue. Emergency lighting and fire safety all mandated by law.

Floor opened to property owners within and outside 200 feet. Concern expressed for traffic coming out onto Madison Avenue and also parking on local streets already crowded. Mark Ennis, pastor of church, sworn in and said with reference to parking there are 2 handicap spaces, 8 for day care staff Monday through Friday, and 5 spaces left clear for drop off and pick up and any short term visitors. Church is part of the community. No parking on street by anyone at church Monday through Friday. Pick up and drop off times are very varied not all at once. Floor closed to property owners.

On questioning by Board, applicant did not agree to a limit of 60 children only to the limit by the state.

On motion by Amnon Wenger and seconded by Buddy Deauna, the application was approved as submitted.

Meeting adjourned at 9:45 pm.

Respectfully submitted,  
Joan Compton, Clerk

**Next meeting August 1, 2016.**