

ZONING BOARD OF ADJUSTMENT
VILLAGE OF RIDGEFIELD PARK
Bergen County, NJ

Minutes of
Regular Meeting
May 21, 2019

The Chairperson announced that this meeting is being held in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 seq., notice of which was published in the Record on the 28th day of December 2018.

Roll Call: Present: Messrs. Cathcart, Vorhees, Alberque, Orth, Morrissey, Gandolfo and Ms. Perrotta

Absent: Messrs. Frontera, Miele

Correspondence:

- Letter from County of Bergen Planning & Engineering 4/24/19
RE: Light Rail Extension
- Citizen Leadership Form, Paolo Bettelli
- Letter from M. DeMarrais RE: J&M Builders

Mr. Morrissey joined the meeting at 7:35 p.m.

Mr. Perrotta read the Rules of Procedure.

Mr. Vorhees motioned to approve the minutes of the April 16, 2019. Seconded by Ms. Perrotta.

Roll Call: Cathcart, Perrotta, Vorhees, Alberque, Orth, Gandolfo

Announce: That there are (2) applications to be memorialized.

Case #1545
45 Highland Place
Block 36/Lot 1
Variance
Installation of in-ground pool

Mr. Cathcart polled the Board to see if everyone has read the Resolution. All members stated aye.

Mr. Vorhees motioned to approve the Resolution. Seconded by Mr. Alberque.

Roll Call: Cathcart, Vorhees, Frontera, Alberque, Gandolfo

Case #1520
9-13 Lincoln Avenue
Block 87/Lot 5
Requesting change to original approval to change building materials

Mr. Cathcart polled the Board to see if everyone has read the Resolution. All members stated aye.

Mr. Vorhees motioned to approve the Resolution. Seconded by Mr. Alberque.

Roll Call: Cathcart, Vorhees, Frontera, Alberque, Gandolfo

Announce: That there are (2) applications to be heard.

Case #1543

35 E. Winant Avenue

Block 133.01/Lot 7

Use Variance

Parking Lot in an R-2 Zone

Kevin Kelly, Esq. addressed the Board. Mr. Kelly would like to have the application adjourned without prejudice and requested a 30 day extension for his engineer to review the reports of Mr. Ochab and Mr. Mike Kelly and respond.

Mr. DeMarrais asked Mr. Kelly consents to the tolling period. Mr. Kelly stated yes and that he is requesting the extension of one meeting.

Mr. Vorhees motioned to carry the application for one month. Seconded by Mr. Orth.

Roll Call: Cathcart, Perrotta, Vorhees, Alberque, Orth, Gandolfo

Mr. Morrissey has to recuse himself from this application.

Case #1542

185 Industrial Avenue

Block 151/Lot 1

Use Variance

Increase number of tenants from 5 to 11

Mr. Michael Kates, Esq. presented to the Board.

David Bilow, 161 Main Street, Ridgefield Park addressed the Board. Mr. Bilow remains under oath from the April 16, 2019 meeting. Mr. Bilow presented revised plans to the Board.

Exhibit A5 5/21/19 - Revised plans dated 5/17/19

Mr. Bilow presented to the Board.

Mr. Bilow addressed the parking spaces. 118 spaces required. 48 showing.

Mr. Cathcart polled the Board if the application should be heard since the members received the new plans at the meeting. Mr. Alberque motioned to hear the application but hold the vote until the June 18, 2019 meeting. All in favor.

Mr. Bilow addressed the floor plan and the changes. There are a total of ten tenant spaces.

Michael Landolfi, Village of Ridgefield Park Construction Official was sworn in and addressed the Board. Mr. Landolfi explained that the new plans presented is what the current configuration is from the former owner. Hospitality Glass, Classic Blinds, The Body Zone and Sonny's Gym have CO's. The other tenants had moved in without a CO. What is needed is a variance for the second floor over Sonny's Gym. The other tenants have applied for CO's but they have not been issued as of yet because the building has to become compliant with the Building Codes and the Fire Codes and what will be approved by the Board. Mr. DeMarrais stated this will be a condition of approval. The applicant concurs.

Mr. Alberque asked about the changes to the current plan. Mr. Bilow explained that tenant #5 and #5A will no longer have a wall splitting the space and the wall between #3 and #11 will no longer be there. Mr. Bilow is referencing the new plans revised 5/17/19.

Fire Marshal Peter Danzo addressed the Board. Fire Marshal Danzo remains under oath from the April 16, 2019 meeting.

Mr. Danzo stated the \$7,000 penalty has been paid, but the Registration Fees have to be issued for all tenants. Also the tenant Essar, tenant #2, has outstanding penalties for storage and failure to register with the Bureau of Fire Prevention.

Mr. Landolfi stated that no CO's will be issued until the building is safe and he and Fire Marshal agree.

Mr. Bilow stated the plans are for two or three offices and warehouse.

Mr. Mike Kelly, Boswell Engineering, would like the applicant to demonstrate adequate parking. Parking required is 118 spaces, applicant is adding 28 spaces for a total of 146 proposed spaces.

Tenant List dated 12/18/18 as per Mr. Bilow:

Hospitality Glass - 12 employees
Essar - 0 employees
Glaubers Clothing - 0 employees
Classic Blinds - 1 employee
Body Zone - 1 employee
5 Star Belts- 3 employees
Legacy Building - 1 employee
Sonny's Gym - operates in the evening
Tenant 9 - Vacant
A&G Linen - 1 employee

Exhibit A6 5/21/19 - email stating tenants.

Tenants with 0 employees are only storage.

Mr. Kelly would like to have all tenants be approved through the Building Dept. to ensure they are in compliance with the parking shown.

Mr. Landolfi stated that any request that is not warehouse should have to come in front of the Board for a Use Variance.

Mr. Bilow stated that the offices on the second floor and third floor were part of the original submission of the application.

Mr. Landolfi asked to restrict the occupants to five per floor. This would alleviate any issues with parking.

Mr. Alberque asked for clarification of three offices on the second floor and one on the third.

Mr. Kelly agreed this would alleviate any issues with parking.

Chaim Eisdorfer, 407 Berry Street, Brooklyn, NY, owner's representative was sworn in.

Mr. Eisdorfer concurred that currently there are no tenants for the offices.

Mr. Cathcart confirmed with Mr. Landolfi and Fire Marshal Danzo that they will be in compliance. Mr. Landolfi agreed.

Fire Marshal Danzo stated the fire issues questioned at the April meeting have been addressed as far as the layout of the property.

Mr. Landolfi stated the construction issues are being taken care. Mr. Landolfi is working with Mr. Bilow regarding these.

John Malool, Assistant Fire Chief, Village of Ridgefield Park, was sworn in. Chief Malool addressed the Board and stated the fire department would like to have standpipes at the end of the corridor.

Fire Marshal Danzo wants to see the schematic of the sprinkler system. Mr. Kates stated he will make sure Fire Marshal Danzo receives a copy.

Mr. Kates stated that adding Fire Marshal Danzo's request would be acceptable as a condition of approval.

Chief Malool also stated that he would like each tenant space to be marked and the each tenant space have a Knox Box. Fire Marshal Danzo stated that marking each tenant is already in the works per the Fire Code and the building will have a Knox Box.

Mr. Cathcart announced that the vote will be carried to June after all parties have reviewed the Resolution and agreed upon its contents.

Mr. DeMarrais will draw up the Resolution and will send to all Board members, Fire Marshal Danzo, Mr. Landolfi and Mr. Kates to review and make sure all concerns are listed.

Mr. Kates concurs and agrees to extend the time.

Mr. Vorhees motioned to carry the vote to the June 18, 2019 meeting. Seconded by Mr. Alberque.

Roll Call:

Cathcart, Perrotta, Vorhees, Alberque, Orth, Morrissey, Gandolfo

The meeting was closed to the public.

Mr. DeMarrais addressed the Board regarding pending litigation.

There are currently three litigations against the Board.

1. 100 Challenger Road, LLC, Kevin Kelly Esq.
2. 60 Challenger Road
3. 53 Bergen Turnpike

Mr. Vorhees motioned to approved Mr. DeMarrais to answer the complaints. Seconded by Ms. Perrotta.

Roll Call:

Cathcart, Perrotta, Vorhees, Alberque, Orth, Morrissey, Gandolfo

Mr. Alberque motioned to adjourn the meeting.

Meeting adjourned at 8:45 p.m.

(Note: Please refer to the Transcription of the May 21, 2019 meeting for the rest of the minutes.)

Respectfully submitted,
Francine Orovitz
